

Harj Narulla



Call: 2022 (2016 - Australia)

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Profile

Harj is an experienced climate lawyer who acts in a broad range of domestic and international climate litigation. Across his career, Harj has been involved in world-first climate litigation before national, regional and international courts. Harj has particular expertise in climate law and litigation in the fields of human rights, public international law, constitutional law, public law, corporate and commercial law, rights of nature, and Indigenous and First Nations law.

Harj is notable at the Bar for specialising in climate change, and brings a wealth of experience from his previous work on strategic climate litigation in the Global South. Across various roles, Harj has been involved in climate litigation in more than 15 countries, across Europe, Africa, Latin America, South Asia, Southeast Asia, East Asia and the Pacific.

As a former international climate negotiator for a Pacific nation and policy advisor to the Australian Prime Minister's Department, Harj brings a strong interdisciplinary perspective to his advisory and contentious work. He provides advice on climate law and governance to governments, NGOs and international organisations such as the UNFCCC.

Harj's climate practice is also shaped by his roles with leading research institutions. He is an Honorary Research Associate in climate law and litigation at the University of Oxford's **Sustainable Law Programme**, where he undertakes practice-oriented work and collaborates

with NGOs, government and international institutions. Harj is also a Visiting Senior Fellow in climate law and litigation at the **Grantham Research Institute on Climate Change and the Environment** at the London School of Economics, and teaches an annual seminar on indigenous rights and environmental law at the University of Cambridge. Harj sits on the editorial board of the **Climate Litigation in the Global South Project**, and is a contributing author to the Adjudicating Climate Change book series.

Through his research affiliations Harj collaborates with world-leading experts in climate science, economics and law, which informs his advisory and contentious practice. Harj is known for providing highly innovative advice and developing novel climate litigation strategies that reflect up to date science and global trends in the field.

Harj works closely with NGOs, civil society organisations and partner organisations, and is a member of the Bar Council Climate Crisis Working Group, the **Fossil Fuel Non-Proliferation Treaty** Legal Working Group, and sits as a Board Member of the **International Institute for Environment and Development**. Harj is also a member of the International Expert Group for the British Institute of International and Comparative Law's (BIICL) project on **Corporate Climate Litigation**, and sits as a climate law expert on **Law for Change's** Legal Panel.

Earlier in his career, Harj worked as a refugee lawyer on Manus Island in Papua New Guinea, and on Lesvos in Greece. He also worked in Indigenous and First Nations law in the Torres Strait Islands in Australia, and trained in environmental law at the Environmental Defenders Office.

Harj can be instructed directly in suitable cases under the Bar's Direct Access Scheme.

Education

Bachelor of Civil Law, University of Oxford

Master of Public Policy, University of Oxford

Bachelor of Laws (Hons), University of New South Wales

Bachelor of Arts (International Relations), University of New South Wales

Related practice areas

Climate and Environmental Justice

International Law

Administrative & Public Law

International Human Rights Law

Public International Law

Climate and Environmental Justice

Harj practises across all areas of domestic and international climate law and litigation. He has worked on high profile climate litigation across various roles in more than 15 countries, and in a variety of jurisdictions and regions, including Europe, Africa, Latin America, South Asia, Southeast Asia, East Asia and the Pacific, and before the Inter-American Court of Human Rights, the International Tribunal for the Law of the Sea, the International Court of Justice and the European Court of Human Rights.

Harj often works with domestic and international climate and environmental NGOs, and has particular expertise in working with clients in climate vulnerable and Global South countries.

Recent climate work as counsel includes:

- World-first European Court of Human Rights climate case challenging factory farming in the UK on the basis of the risk of climate change and future pandemics, in *Humane Being v. United Kingdom*.
- Instructed by an intergovernmental organisation in relation to the International Tribunal for the Law of the Sea (ITLOS) **Advisory Opinion on Climate Change**.
- Instructed by NGOs to advise on participation in the **Advisory Opinion on Climate Change** proceedings before the International Court of Justice.
- Led a team of international experts to advise the UNFCCC High Level Climate Champions in relation to accountability mechanisms for non-state actors.
- Representing a Serbian NGO in a Bern Convention rights of nature complaint against the Serbian government for heavy metal river pollution causing transboundary harm.
- Assisted in the drafting of pleadings for PETA in proceedings against the UK Ministry of Defence over its use of bearskins for the King's Guard's ceremonial dress.
- Providing strategic advice to a leading eNGO filing species-oriented cases in the UK.
- Advising multilateral development banks on judicial training in relation to climate litigation.
- Providing strategic advice to climate litigation funders and philanthropies.

Previous and notable climate work in various roles includes:

- **Co-authoring a report on climate litigation in Europe for the European Forum of Judges for the Environment (EUFJE)**

Supported and co-authored a report on climate litigation in Europe, at the request of senior European judges part of the EUFJE.

- **Climate Law support for climate vulnerable countries at UNFCCC negotiations**

Supported delegations from the LDC group at UNFCCC negotiations with climate law and policy advice relating to human rights.

- **Campaign to amend the Rome Statute to include the crime of Ecocide (International Criminal Court)**

Supported work to convene an Independent Expert Panel to draft a legal definition of ecocide to be proposed for adoption by the ICC.

- Training senior judges from South Asian countries in climate and environmental law and litigation

Supported and facilitated judicial training for senior judges from Nepal, India, Sri Lanka, Pakistan, Bangladesh, and the Maldives on climate and environmental law and litigation for the Asian Development Bank.

Publications and Seminars

Harj is a regular speaker on climate law and litigation and maintains visiting research roles within his specialisation at Oxford and the London School of Economics, in addition to his teaching of Indigenous rights and environmental law at Cambridge. He is on the editorial board of the Climate Litigation in the Global South project, and produces practice-informed climate law and litigation research. Selected examples include:

- Harj Narulla, 'The Role of Government Framework Climate Jurisprudence in the IACtHR Advisory Opinion on Climate Change Proceedings' (Paper presented at the Climate Litigation Unleashed: Catalysing Action against States and Corporations Conference, Bonavero Institute of Human Rights, University of Oxford, 22 November 2023)

- Harj Narulla, 'Advisory Opinions on Climate Change before the ICJ, IACtHR and ITLOS' (Chair of Climate and Environmental Justice Webinar, Doughty Street Chambers, 16 November 2023)
- Harj Narulla, Finnian Clarke and Nikila Kaushik 'Is this the end of the beginning for climate litigation in Europe?' (2023) 166 (11) *Solicitor's Journal* 10.
- Harj Narulla, 'International and Transboundary Climate Change Litigation' (Seminar delivered at the Climate Change Litigation Short Course, British Institute for International and Comparative Law, London, 12 October 2023)
- Harj Narulla, 'Judicial Remedies in the Context of the Climate Emergency' (Seminar delivered at the Oxford High-Level Dialogue on Responding to the Climate Emergency to Protect Human Rights, University of Oxford, Oxford, 2-3 October 2023)
- Harj Narulla, 'Climate Migration in Law and Policy' (Chair of Climate and Environmental Justice Webinar, Doughty Street Chambers, 8 June 2023)
- Catherine Higham, Joana Setzer, Harj Narulla and Emily Bradeen, 'Climate change laws in Europe: What do new EU climate laws mean for the courts?' (2023) Grantham Research Institute on Climate Change and the Environment
- Harj Narulla, 'Strategic Climate Litigation in the 2020s' (Paper presented at the Climate Protection, Energy Security and Geopolitics Conference, All Souls College, University of Oxford, 7-8 December 2023)
- Joana Setzer, Harj Narulla, Catherine Higham and Emily Bradeen, '**Climate Litigation in Europe: A Summary Report for the European Forum of Judges for the Environment**' (2022) Grantham Research Institute on Climate Change and the Environment
- Catherine Higham, Ian Higham and Harj Narulla, '**Submission to the High-Level Expert Group on Net-Zero Emissions Commitments of Non-State Entities**' (2022) Grantham Research Institute on Climate Change and the Environment
- Harj Narulla, 'Climate Litigation in pursuit of remedy and reckoning in the Global South' (Paper presented at the LSA Roundtable, Portugal, 13-16 July 2022)
- Harj Narulla and Odette Chalaby, 'Court of Appeal Delivers Split Decision on Scope 3 Emissions in Finch' (UK Environmental Law Association Conference, London, 14-17 June 2022)
- Harj Narulla, Jessica Allen, Olivia Bisel, Ilona Quahe, Nick Young and Thom Wetzer, 'Office for Environmental Protection Draft Strategy and Enforcement Policy

Consultation' (2022) OEP Consultation, March 2022

- Harj Narulla, 'Climate Law and Litigation in Context' (Presented at the Climate Law Intensive Workshop, Bond University, Gold Coast, Australia 18 June 2021)
- Harj Narulla, 'Rethinking 'Colonial' International Law: A Case for Recognising Truth Commissions under the ICC's Complementarity Regime' (Paper presented at the Legacies of the Tricontinental Conference, 1966-2016: Imperialism & Law, University of Coimbra, Portugal, 22-24 September 2016)
- Harj Narulla, 'Compassionate Murder: Recognising Consent in a Crime of Assisted Suicide' (Paper presented at the International Conference on End of Life: Law, Ethics, Policy and Practice, QUT Health Law Research Centre, Brisbane, 13-15 August 2014)
- Harj Narulla, 'Failing to sell in the 'marketplace of ideas': Ideology and politics in the free speech debate' (2014) 23(3) Human Rights Defender 19
- Harj Narulla and Harkiran Narulla, Submission to Commonwealth Attorney-General's Department, Consultation Regarding the Freedom of Speech (Repeal of s 18C) Bill 2014, 30 May 2014