

Greenbaum Partner David B. Farer Leads Delegation of U.S. Environmental Lawyers at Cuba Symposium

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On February 9 & 10, 2023, Environmental Department Co-Chair **David B. Farer** led a delegation of seven Fellows of the American College of Environmental Lawyers (ACOEL) who participated in a two day symposium in Havana, Cuba, jointly presented by ACOEL and a Cuban Non-Governmental Organization (NGO) known as the Foundation Antonio Nunez Jimenez of Nature and Humanity (FANJ).

The topic and title of the symposium was *"USA-Cuba Key Environmental Issues: Lessons Learned – Lessons Shared."*

The Cuban participants in the symposium panels were drawn from the Environmental Law Faculty of the University of Havana, the Cuban Ministry of Science, Technology and Environment, the Cuban Ministry of Agriculture, and FANJ. Also attending were representatives of the Cuban Ministry of Foreign Affairs (MINREX), the National Organization of Collective Law Firms (the organization of Cuban lawyers), as well as additional representatives of the Ministry of Agriculture and FANJ.

Topics covered included latest developments in the structure of environmental laws and regulations in Cuba; means to assure that environmental issues are addressed as a central issue in negotiations between Cuban and foreign companies entering joint ventures in Cuba; community enforcement of environmental laws; agricultural law and its relationship to environmental law; and urban trees.

Mr. Farer, who served as President of ACOEL from 2015 to 2016, has since been focusing his efforts at the College on his role as co-chair of the International Pro Bono Committee and head of the Cuba Working Group. Since 2016, he and his ACOEL colleagues have sought out opportunities for College Fellows to engage in pro bono projects in aid of the Cuban people, including development of training on specific topics of environmental law, participation in events and advice on capacity

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building, and in sharing the knowledge and experience of the Fellows with their Cuban counterparts.

This was the fourth delegation of ACOEL Fellows to Cuba since 2016, and Mr. Farer has participated in each.

The initial delegation in September 2016 led to an invitation to submit a paper for consideration in preparation for the XI International Convention on Environment & Development in Havana. Mr. Farer and a colleague submitted a paper, *Lessons Learned: Effective Environmental Regulation of Critical Infrastructure Development & Operation*. It was accepted and presented at the July 2017 convention in Havana.

Subsequent communications and meetings with representatives of FANJ, the Cuban NGO, then led to a Memorandum of Understanding between the two organizations, and Mr. Farer represented ACOEL at its 2019 signing in Havana. A joint symposium was then planned for presentation by ACOEL and FANJ on key topics of interest identified by FANJ and was scheduled for Havana in March 2020. Just days before the planned event, it had to be postponed in the midst of the quickly accelerating Covid shutdowns.

Notwithstanding the long Covid pause, ACOEL and FANJ continued to work together, including participation in a February 2021 webinar, co-sponsored by Columbia University, ACOEL, FANJ and the Environmental Defense Fund, on the topic of reinvigorating and expanding U.S./Cuba environmental cooperation.

As Covid restrictions lifted, ACOEL and FANJ reset plans for the joint symposium, resulting in the February 2023 event.

In closing discussions at the event, a plan was developed to arrange follow-up discussions on particular priorities so that ACOEL Fellows and their Cuban counterparts move forward in creating specific opportunities for working together on particular projects.

Mr. Farer reports that the ACOEL contingent has returned to the U.S. energized and excited to proceed further.