

Future generations lack representation in current day politics. Modern representative democracies are largely oriented to the short term. Moreover, our adjunct legal frameworks are ill-equipped to protect those who are disregarded by today's electorate. This has emerged historically as many European constitutions were originally conceived to protect those in the here-and-now. As such, it is imperative that we reflect on the law and its relation to future people. This poses particular difficulties at both a legal and an institutional level. If law is understood as person-affecting, that is: specifying rights of particular people, it inevitably neglects the interests of the unborn. At the institutional level, our current bodies and decision-making processes already have inherent tendencies towards the recognition and protection of future people, for instance the European Convention on Human Rights has been interpreted progressively. Nevertheless, it requires innovative thinking to imagine alternative provisions that can complement today's legal architecture but revolutionise our restricted thinking on this topic. This issue of IGJR attempts to draw attention to these important legal matters with the work of a wide range of professionals and academics who are working to address these questions.

There is an increasing number of institutions and bodies established to protect the interests of future generations. Furthermore, reference to future generations is burgeoning in national constitutions and supranational legal texts. Maja Göpel and Malte Arhelger's article sets out to reflect on this growing trend and how it can inform the creation of a European level institution for the protection of the rights of future generations. This, our first article in this issue, uses set criteria and characteristics to adjudicate between existing types of institution. As such, it evaluates, amongst others, the Israeli Commission for Future Generations, the Hungarian Commissioner for Future Generations and the New Zealand Parliamentary Commissioner for the Environment. To conclude, the authors make the suggestion that a 'European Guardian for Future Generations' could be adopted at the European level.

The second peer-reviewed article in this issue is entitled "Crimes against Future Generations: Implementing Intergenerational Justice through International Criminal Law". In this piece, Sébastien Jodoin, a legal research fellow with the Centre for International Sustainable Development Law, identifies relevant aspects of the Rome Statute that can be used to protect future generations through the harm committed to present individuals as members of groups. Ultimately, this innovation has a number of objectives, including demarcating appropriate behaviour while also deterring and punishing certain conduct. While many may feel that the objective here is too large, the author points to the similar assessment of the original Nuremberg Charter. Indeed his is a profoundly challenging proposal, one that would surely have dramatic implications if implemented. As followers of the recent Review of the Rome Statute in Kampala will have noticed, reform in international criminal law is a slow process. Nevertheless, Jodoin marks a clear way forward for all future discussions on this possibility.

Ms. Éva Tóth Ambrusné's non peer-reviewed article is an insightful review of the work of the Parliamentary Commissioner for Future Generations of Hungary where she works as a legal advisor. The Hungarian Commissioner has been of much inspiration to activists and scholars throughout the world as a potential transferable model. As such, this description of how this body came to be and an establishment of its workings is of much value. The central involvement of the civil society organisation, Protect the Future, is revealed and specific examples of the Commissioner's success in exercising his competencies are presented. Notably, the Commissioner is shown to go beyond a narrow mandate of environmental protection to a wider concern with future generations. The piece also goes into detail on the challenges faced by this young institution with respect to other actors and political processes. Ending on a positive note, the author sees no reason why a similar institution could not be established elsewhere.

This issue of the journal is the result of an innovative venture for the Foundation for the

Rights of Future Generations, by integrating the proceedings of a hugely successful international conference. 'Ways to Legally Implement Intergenerational Justice', held in Lisbon on the 27th and 28th of May, 2010 was envisioned by Marisa Q. dos Reis. She organised a wide-ranging and thought-provoking two days in the beautiful setting of the Foundation Calouste Gulbenkian in Lisbon, Portugal. As such, our issue includes summaries of the presentations made during this event. Unfortunately, we cannot capture all the energy and progressive suggestions that occurred but hopefully the conference material contained here will provide readers with a sense of the occasion and inspire a commitment to future collaboration and research in this area.

In this spirit, we would call upon all readers of the journal to pay attention to the upcoming conference, 'What type of legal responsibility towards future generations?', which is to take place on December 10 and 13, 2010 in Poitiers and Guyancourt, France. Further information can be found in the announcements section of this issue.

Finally, we would like to thank our reviewers for their most helpful criticisms and advice in the preparation of this issue, which we hope provides the basis for much further discussion and thinking on the legal implementation of intergenerational justice.



Jörg Tremmel, LSE



Marisa dos Reis, FRFG



Joseph Burke, FRFG



Raphaele Schwarzberg, FRFG