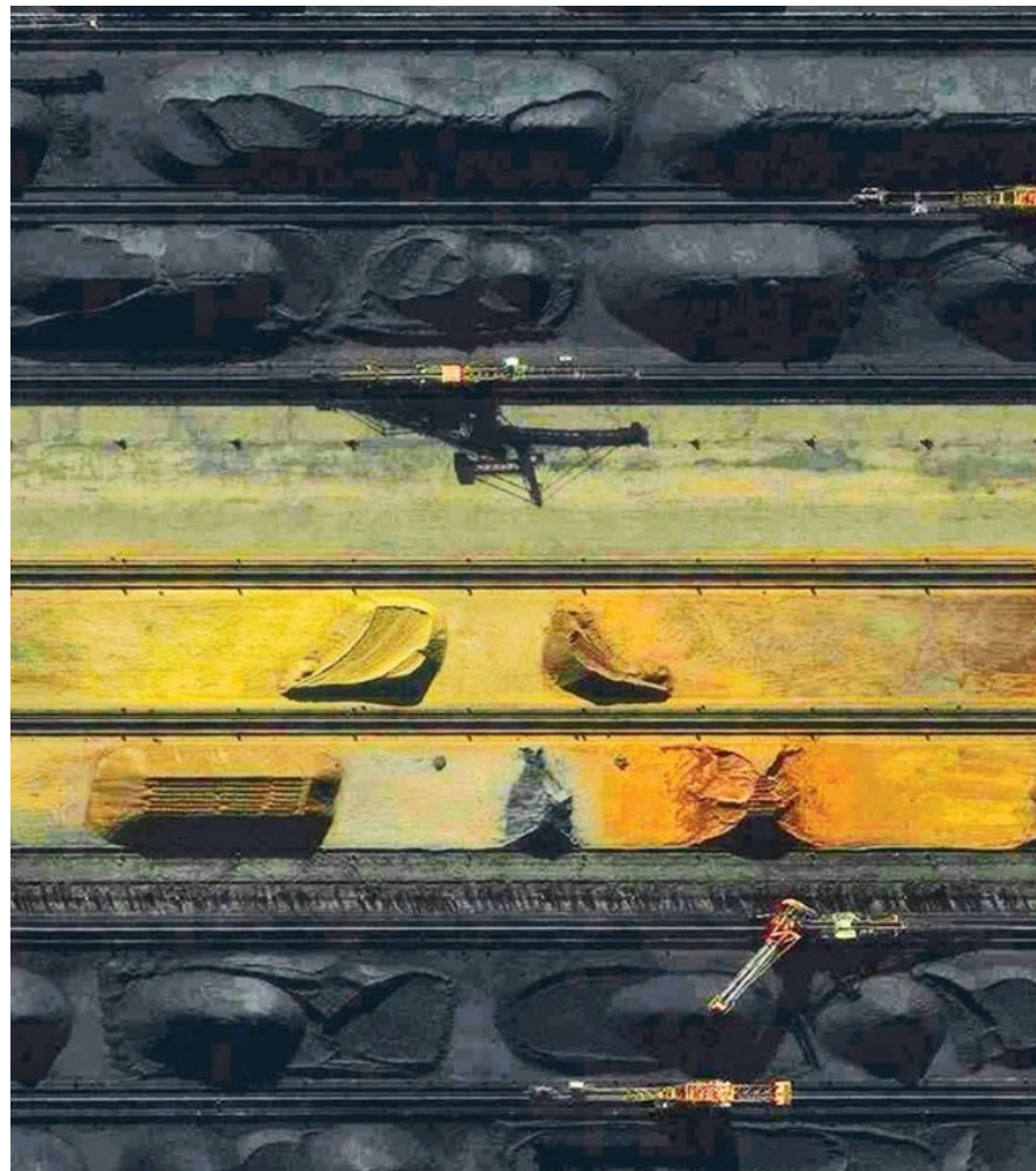


MUNI
LAW

Praktikum z energetického práva

Martin SVEC

Masaryk University

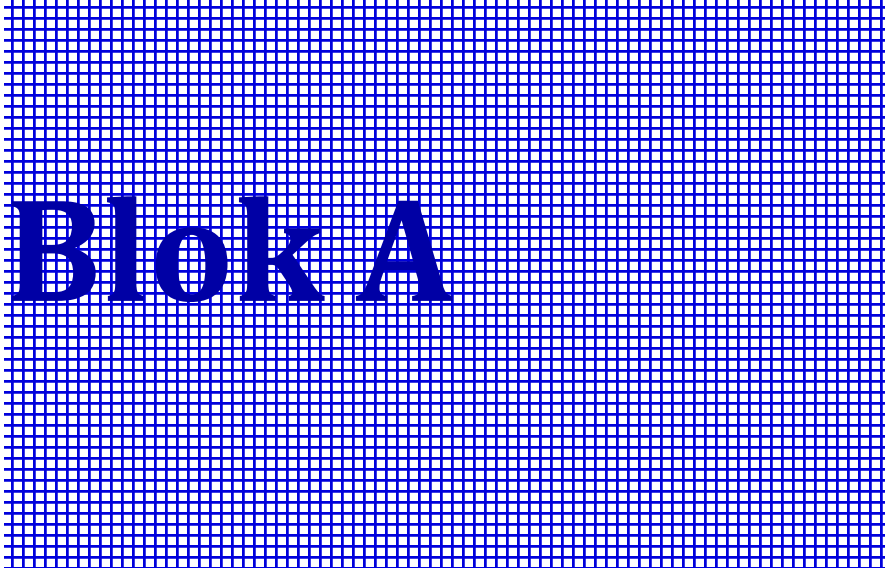


Cílem kursu je demonstrovat fungování právních nástrojů v energetice na vybraných příkladech za praxe. Za tímto účelem budou do výuky intenzivně zapojeni externí spolupracovníci Oddělení energetického práva, kteří mají bohaté zkušenosti s působením v energetickém sektoru. Důraz bude kladen zejména na rozvíjení praktických právních dovedností.

Blok A (Švec, Vaněk)
Blok B (Panák, Med)

Závěrečná konference 22. prosince 2023

Energetická (ne)transformace před soudy a tribunály



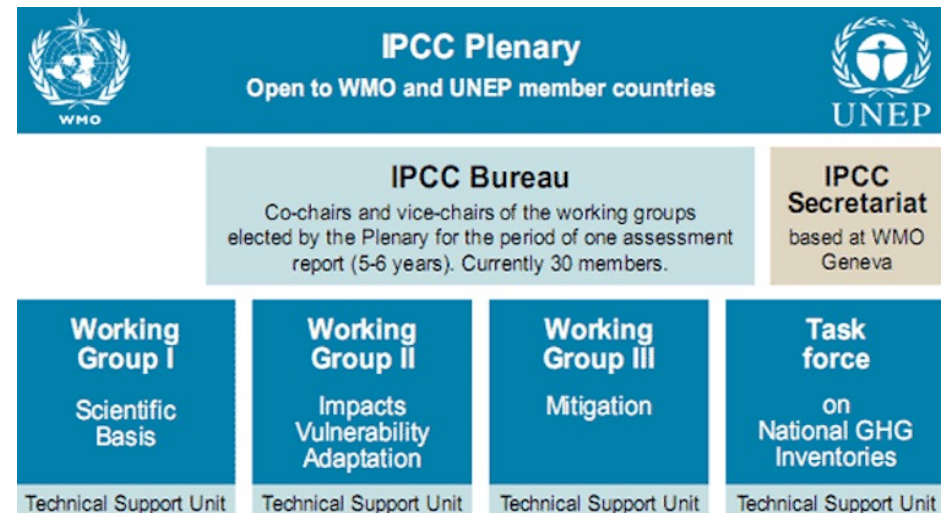
Blok A

Klimatická změna

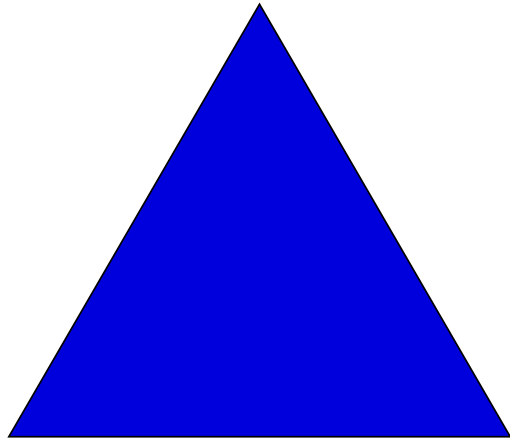
IPCC – Mezivládní panel pro změnu klimatu

The Intergovernmental Panel on Climate Change (IPCC) was established by the United Nations Environment Programme (UNEP) and the World Meteorological Organization (WMO) in 1988.

- Poskytování komplexního vědeckého posouzení o nebezpečí klimatické změny
- IPCC neprovádí vlastní výzkum, ale předkládá systematický přehled
- Publikace hodnotících zpráv v cca šestiletých cyklech (6 - 1990, 1995, 2001, 7, 13, 21)
- **Organizační struktura – 3 pracovní skupiny**
 - fyzikální základy KZ
 - dopady změny, adaptace
 - zmírnění dopadů změny (mitigace)
 - inventura skleníkových plynů
- **Proces přijímání**
 - expertí delegovaní státy
 - výběr autorů – návrh státy
 - recenzní a schvalovací řízení



Energetická bezpečnost



Climate Action

Dostupnost
energií a
kompetitivnost

**Klimatická
změna**

- **Právní závazky**

Boj proti změně klimatu

Hospodářská politika

Energetická bezpečnost

- **Politické závazky**

Hospodářská politika

Energetická bezpečnost

Boj proti změně klimatu

**„NAŠE USÍLÍ JE
ZBYTEČNÉ, PROTOŽE
ROZVOJOVÝ SVĚT
PROTI ZMĚNĚ KLIMATU
NEBOJUJE.“**

**“Climate
Action, protože
je to
zodpovědná
politika”**

UNFCCC – COP

Climate ambitions



**CLIMATE
DIPLOMACY**

Obligations of States in respect of climate change (Request for Advisory Opinion)

CLIMATE LITIGATION

- (a) What are the obligations of States under international law to ensure the protection of the climate system and other parts of the environment from anthropogenic emissions of greenhouse gases for States and for present and future generations;
- (b) What are the legal consequences under these obligations for States where they, by their acts and omissions, have caused significant harm to the climate system and other parts of the environment, with respect to:
 - (i) States, including, in particular, small island developing States, which due to their geographical circumstances and level of development, are injured or specially affected by or are particularly vulnerable to the adverse effects of climate change?
 - (ii) Peoples and individuals of the present and future generations affected by the adverse effects of climate change?"

Request for an Advisory Opinion submitted by the Commission of Small Island States on Climate Change and International Law (Request for Advisory Opinion submitted to the Tribunal)

**CLIMATE
LITIGATION**

On these bases, and pursuant to a unanimous Decision of its Members in accordance with Article 3(5) of the Agreement, the Commission decided at a duly constituted meeting on 26 August 2022 to refer the following legal questions to the Tribunal for an advisory opinion:

What are the specific obligations of State Parties to the United Nations Convention on the Law of the Sea (the “UNCLOS”), including under Part XII:

(a) to prevent, reduce and control pollution of the marine environment in relation to the deleterious effects that result or are likely to result from climate change, including through ocean warming and sea level rise, and ocean acidification, which are caused by anthropogenic greenhouse gas emissions into the atmosphere?

(b) to protect and preserve the marine environment in relation to climate change impacts, including ocean warming and sea level rise, and ocean acidification?

**UNCLOS
Art. 193 + 194**



CLIMATE LITIGATION

Request for an advisory opinion on the Climate Emergency and Human Rights submitted to the Inter-American Court of Human Rights by the Republic of Colombia and the Republic of Chile

The Republic of Colombia and the Republic of Chile (hereinafter “Colombia” and “Chile” or “the applicants”) submit this request for an advisory opinion to the Inter-American Court of Human Rights (hereinafter, “the Court” or “IACtHR”) to clarify the scope of State obligations, in their individual and collective dimension, in order to respond to the climate emergency within the framework of international human rights law, paying special attention to the differentiated impacts of this emergency on individuals from diverse regions and population groups, as well as on nature and on human survival on our planet.

Our two countries are experiencing the daily challenge of dealing with the consequences of the climate emergency, including a proliferation of droughts, floods, landslides and fires. These events reveal the need for an urgent response based on the principles of equity, justice, cooperation and sustainability, with a human rights-based approach.

International Law

**Acceleration of low-carbon technologies
(investment, trade, IP)**

CBAM

CLIMATE FINANCE

CLIMATE DIPLOMACY