

# Energy and sustainable development law



## En bref

- › **Langues d'enseignement:** Anglais
- › **Ouvert aux étudiants en échange:** Oui

## Présentation

### Description

- \* Semester 9
- \* Duration : Within one semester
- \* Type: Mandatory
- \* Student workload: Lecture (CM): 9 hours
- \* Applicability: SOLEM course only
- \* Teaching and learning method : seminar, case studies, discussion
- \* Module examination: 1 written exam (100%) - 1h30

**Responsible person for the module:** Dr. Thibault MOULIN. Senior Lecturer in Law at the Catholic University of Lyon (UCLY)

### Objectifs

#### Major intended learning outcomes

Upon completion of the module, students will be aware of the historical origins of sustainable development and the harnessing of energetical resources. They will know how concerns for sustainable development and energy grew in the 1960-1970's, and how regulation has developed since then. In particular, they will have knowledge of both direct and indirect regulation by environmental law (UNFCCC, Paris Agreement etc), customary law (sovereignty, the prohibition on transboundary harm, prevention, precaution), economic, commercial and investment law (WTO, Energy Charter Treaty etc), and human rights law. They will also have knowledge of regional initiatives, for instance with the European Union. They will be able to identify the main contradictions which sometimes exist between these legal frameworks, and the level of fragmentation which exists in the field.

### Correspondence between major intended learning outcomes and assessment

The final exam consists in a short essay. Students have to write a short demonstration, which typically deals with the challenges which exist in the field. It is an opportunity to use knowledge and discussions which were generated over the sessions to make a claim and defend it.

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## Heures d'enseignement

100% renewable objective - CM

Cours Magistral

9h

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## Plan du cours

### I - GENERAL INTRODUCTION

A - THE EMERGENCE OF SUSTAINABLE DEVELOPMENT

B - THE CONTRIBUTION OF RENEWABLE ENERGY TO SUSTAINABLE DEVELOPMENT

### II - THE SPECIFICITIES OF INTERNATIONAL LAW

A – SUBJECTS

B – SOURCES

C – HARD LAW AND SOFT LAW

D – STATE CONSENT

### III – ENVIRONMENTAL LAW

A – TREATIES AND AGREEMENTS

B – INITIATIVES BY INTERNATIONAL ORGANIZATIONS

C – CUSTOMARY LAW

### IV – ECONOMIC AND COMMERCIAL LAW

A – GENERAL PRINCIPLES

B – ENVIRONMENTAL AND ENERGY ISSUES UNDER WTO LAW

C – REGIONAL INITIATIVES

### V – INVESTMENT LAW

### VI – HUMAN RIGHTS LAW

A – THE RIGHT TO A HEALTHY ENVIRONMENT

B – ACCESS TO ENERGY

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## Bibliographie

### PRIMARY SOURCES

#### TREATIES

United Nations Framework Convention on Climate Change (UNFCCC) 1992, 1771 UNTS 107

Kyoto Protocol to the United Nations Framework Convention on Climate Change (Kyoto Protocol) 1997, 2303 UNTS 162

Paris Agreement 2015, 3156 UNTS 79

General Agreement on Tariffs and Trade (GATT) 1994, 1867 UNTS 187

General Agreement on Trade in Services (GATS) 1994, 1869 UNTS 183

Agreement on Trade-Related Investment Measures (TRIMS) 1994, 1868 UNTS 186

Agreement on Subsidies and Countervailing Measures (SCM) 1994, 1869 UNTS 14

Energy Charter Treaty (ECT) 1994, 2080 UNTS 95

#### UNITED NATIONS

United Nations General Assembly (UNGA), 'Rio Declaration on Environment and Development' ('Rio Declaration'), UN Doc. A/CONF.151/26 (vol.1), 12 August 1992

United Nations, Agenda 21 (1992)

World Solar Commission, 'Report by the World Solar Commission', UN Doc. 29 C/REP.9, 26 August 1997

International Law Commission (ILC), 'Draft articles on Prevention of Transboundary Harm from Hazardous Activities', 2(2) Yearbook of the International Law Commission (2001)

United Nations, Plan of Implementation of the World Summit on Sustainable Development (2002)

United Nations, 'Outcome of the Conference', UN Doc. A/CONF.216/L.1, 19 June 2012

#### REPORTS

IEA, 'Net Zero by 2050: A Roadmap for the Global Energy Sector', October 2021

International Energy Agency (IEA), World Energy Outlook 2023 (2023)

IEA, Renewables (2023)

IEA, Renewables 2023: Analysis and forecast to 2028, January 2024

International Renewable Energy Agency (IRENA), World Energy Transitions Outlook 2023: 1.5°C Pathway (2023)

## SECONDARY SOURCES

David Bailleul (ed.), L'Énergie Solaire: Aspects Juridiques (2010)

Filip Balcerzak, Renewable Energy Arbitration – Quo Vadis? (2023),

Scott Barrett, Carlo Carraro, and Jaime de Melo (eds.), Towards a Workable and Effective Climate Regime (2015)

Cinnamon P. Carlarne, Kevin R. Gray, and Richard Tarasofsky (eds.), The Oxford Handbook of International Climate Change Law (2016) 357

Leslie-Anne Duvic-Paoli, The Prevention Principle in International Environmental Law (2018)

Dawoon Jung, The 1982 Law of the Sea Convention and the Regulation of Offshore Renewable Energy Activities within National Jurisdiction (2023)

Benoit Mayer and Alexander Zahar (eds.), Debating Climate Law (2021)

Patricia Park, International Law for Energy and the Environment (3rd ed., 2023)

Lavanya Rajamani, Innovation and Experimentation in the International Climate Change Regime (2020)

# Infos pratiques

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## Lieux

› Le Bourget-du-Lac (73)

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## Campus

› Le Bourget-du-Lac / campus Savoie Technolac