

**ENVIRONMENTAL
LAW CENTER
AT THE UNIVERSITY OF COLOGNE**

Ed. 4

**SS 2022
WS 2022/2023**



THE GREEN SHEET

ELC Semester Update

OPENING STATEMENT

Dear readers,

Our great challenge at this point in history is to live life with some consciousness of time beyond our own moment, and with some consciousness of place beyond our own neighborhood. Both celebrations of individualism and the worldwide shifts to nationalism confront our efforts to implement consciousness beyond our own time and place. At a press conference on Wednesday, September 14, 2022, UN Secretary General António Guterres said

"I have just returned from Pakistan, where I looked through a window into the future.

A future of permanent and ubiquitous climate chaos on an unimaginable scale:

Devastating loss of life, enormous human suffering, and massive damage to infrastructure and livelihoods.

It is simply heartbreaking. No picture can convey the scope of this catastrophe. The flooded area is three times the size of my entire country, Portugal.

What is happening in Pakistan demonstrates the sheer inadequacy of the global response to the climate crisis, and the betrayal and injustice at the heart of it.

Whether it is Pakistan, the Horn of Africa, the Sahel, small islands or Least Developed Countries, the world's most vulnerable – who did nothing to cause this crisis – are paying a horrific price for decades of intransigence by big emitters.

G20 countries are responsible for 80 percent of emissions. They are also suffering the impact of record droughts, fires and floods – but climate action seems to be flatlining.

If one-third of G20 countries was under water today, as it could be tomorrow, perhaps they would find it easier to agree on drastic cuts to emissions."

We have seen and heard similar language before. Somehow, we have become numb to such warnings, although the evidence is all around us. International interdisciplinary research from epidemiologists, psychologists, and educationalists, in private enterprise, government and research facilities all agree that more information will not change citizens' attitudes toward the environment, but other things, such as social discourse, a change in world view and identity beyond own local space, can change citizens' attitudes (see the abstracts of Reese, Busch and Patrick, University of Cologne Winter Conference, 2022, <https://hee-journal.uni-koeln.de/winter-meeting>). Environmental law is one such social discourse that can change citizens' attitudes. Those of us working in environmental law must continue to do our part, with science to support us, using the tools that we have available, to resist the environmental devastation that results from individualism and nationalism.

Prof. Dr. Kirk W. Junker, Director, Environmental Law Center
Cologne, October 6, 2022

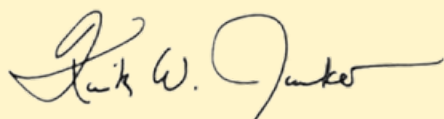


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UPCOMING EVENTS IN WINTER SEMESTER 2022/2023

LECTURE ON GERMAN ENVIRONMENTAL LAW

Weekly online lecture in German beginning on October 12, from 5:00 – 6:30 pm

In the upcoming semester, German environmental law will be taught again as a lecture series at the University of Cologne. Practicing environmental lawyers will be teaching German environmental law at the University of Cologne. The lecture series will include different topics like the interconnection between European and German environmental law as well as special areas of environmental law such as climate protection law.

Lectures will be held virtually on Wednesdays, starting on October 12 from 5:00 - 6:30 pm. If possible, there will also be live excursions in Cologne.

Successful participation in this lecture series may be credited toward the Environmental Law Certificate.

Places are limited! **Please register by stating your name, semester and matriculation number** via environmental-law-center@uni-koeln.de.

LECTURE ON ENVIRONMENTAL LAW: BASICS AND COMPARATIVE STUDIES

Weekly lecture in English beginning on October 12, from 8:00 – 9:30 am

In this course, students will discuss the basic subject matter of environmental law before they can begin the difficult and scientific process of comparison. Environmental law has been a discipline of its own since approximately 1970. Since that time, one can find laws made by the state in India, Germany, the United States and many other countries of the world. Some states developed their own environmental law, while others were prompted by commitments to international conventions before domestic environmental law was developed.

In its first generation, environmental law came about as an attempt to provide specific legal tools to conserve natural resources and protect human health and the natural world.

In its second generation, through the principle of sustainable development, environmental law now also includes economic and social concerns. And it is also in this second generation of environmental law that we realize that environmental problems are worldwide and may be solved in a variety of ways by different states through law.

Successful participation in this lecture series may be credited toward the Environmental Law Certificate.

Places are limited! **Please register through Klips or by stating your name, semester and matriculation number** via environmental-law-center@uni-koeln.de.

LECTURE ON U.S. AMERICAN ENVIRONMENTAL LAW

Weekly online lecture in English on Tuesdays, from 5:45 – 7:15 pm

In the United States of America, environmental law has been a discipline of its own since approximately 1970. Since that time, one can find constitutional provisions, statutory law, administrative regulations and binding court case decisions in U.S. Federal and State legal systems that are exclusively characterized as “environmental.” Prior to that time, some of the same problems were addressed, but not addressed under one label, and instead were part of the law of obligations or real property, for example. What one should realize is that this body now known as public environmental law, like all law, was produced by concretely-identified social needs—domestically and internationally. These needs have again surfaced, most pronouncedly due to the climate crisis.

In its first generation, the discipline of environmental law thus came about as an attempt to provide specific legal tools to conserve natural resources and protect human health and the natural world. In its second generation, through the principle of sustainable development, environmental law now also includes economic and social concerns.

Please register by stating your name, semester and matriculation number via environmental-law-center@uni-koeln.de.

"HOW TO BECOME AN ENVIRONMENTAL LAWYER"

Online event in German on November 7, 2022, from 6:00 – 7:30 pm

In this webinar, Frankfurt-based environmental lawyer **Stefanie Günther** will offer the audience an informal insight into her personal journey, pursuing a career in environmental law as a lawyer at the international law firm **Allen & Overy LLP**. She will share insights into her daily work, which includes advising multinational clients on a wide range of environmental topics, such as carbon trading, renewables and product regulation.

As a mother of two children, Stefanie will also touch upon work-life-balance and the reconciliation of family and work life.



"How to become an Environmental Lawyer" is an event series by the ELC, giving students the opportunity to interact with different environmental legal professionals.

The webinar will be held **virtually** in **German on November 7, 2022, from 6:00 – 7:30 pm**.

Please register by stating your name, semester and matriculation number via environmental-law-center@uni-koeln.de.

BIODIVERSITY LAW SEMINAR

Lecture on 4-5 days in November 2022 (will be announced soon)

The preservation and conservation of species have local impacts, not only where the plants and animals live, but also where they are shipped, grown, reproduced and sold. Thus, preservation and conservation, as well as balancing the rights and interests of respective parties, require national and international management, much of which is done through law.

In this course, guest Professor Shamita Kumar from India, an international expert in the law of conservation, will lead the students – in collaboration with Professor Kirk W. Junker and Mrinalini Shinde – through the natural and social sciences, highlighting what the problems are, how the sciences cope with them and how law might contribute a remedy.

Places are very limited! **Participation may include a field trip to India in February 2023. For more information please contact us and register** by stating your name, semester and matriculation number via environmental-law-center@uni-koeln.de.

EXCURSION TO THE WASTE DISPOSAL & RECYCLING INSTITUTION IN COLOGNE

(Abfallentsorgungs- und Verwertungsgesellschaft Köln)

Live excursion in German on October 27 and November 15, at 10:00 am

The Environmental Law Center is inviting its students to take part in an excursion to the waste disposal and recycling institution in Cologne. Please be sure to wear solid footwear and to bring a medical mask (FFP-2) with you.

Due to the limited number of places, the excursion will take place twice. We kindly ask you to register for only one of the dates by stating your name, semester and matriculation number via environmental-law-center@uni-koeln.de.

AFRI-CLIMETHICS CONFERENCE

Online conference on October 27, 2022, at 10:00 am (CET)

The Environmental Law Center is proud to announce another winter edition of the successful and much requested Afri-Climethics conference under the title “Climate Ethics: Structuring a Standard for African Trade and Development“. The series of lectures on the topic of Climate Ethics in Africa will build on the success of the summer edition which was hosted by the ELC, with generous support from the University of Cologne’s Global South Studies Center (GSSC). Different scholars and experts in climate change law, environmental science, international development, trade, and infrastructure planning, focusing on Africa are invited. The presentations will take place virtually on October 27, 2022, at 10:00 am (CET).

Please register here: <https://form.jotform.com/222681437766970>

PAST EVENTS IN SUMMER SEMESTER 2022

INTERNATIONAL ENVIRONMENTAL LAW

Ms. Mrinalini Shinde B.A., LL.B. (Hons.), M.Sc., LL.M. taught the course “International Environmental Law” to students of the Environmental Law Certificate, International Master of Environmental Sciences, students of the Technische Hochschule Köln and of the Faculty of Law at the University of Cologne. The course delved into the fundamentals of international law, the history of international environmental law, and international lawmaking, adjudication and implementation. The course further focused on specific sectors within international environmental law such as the Hydrosphere (Transboundary Rivers, Oceans and Fisheries), Atmosphere (UN Framework Convention on Climate Change), Wildlife (Convention on Migratory Species & Convention on International Trade in Endangered Species), Lithosphere (UN Convention to Combat Desertification), Biosphere (Convention on Biological Diversity (CBD) and Cartagena Biosafety Protocol) and Human Rights, and the Right to Public Participation in International Environmental Law.

LECTURE SERIES IN GERMAN ENVIRONMENTAL LAW

As part of my Environmental Law Certificate, I attended the lecture German Environmental Law. This took place once a week online via Zoom. On average, we were about 25-30 students attending the lecture. Although it is rather hard for me to follow online lectures, I found the lecture in German environmental law to be really diverse and despite it being online teaching it was very exciting.

The topics were very interesting and well chosen. In addition to the changing topics, there were also different lecturers, who clearly brought expertise and really thought about what exactly they wanted to teach us. One of the most exciting lectures for me was definitely the topic of international and European climate law.

What I liked so much about this lecture unit was that we looked not only at the legal side but also at the scientific side of climate change. Through this introduction to the topic, one had the feeling to better understand what it is really about and to see the topic "climate" and "Co2-immissions" etc. not only as an abstract something that is not good, but as a concept with a deeper meaning. Furthermore, it was exciting to be able to make the link between national and international law and to be able to learn more about European law policies that you may have heard about but didn't really understand the meaning behind.

Another really exciting topic for me personally was environmental criminal law. Since I am a big fan of criminal law, it was incredibly exciting for me to see two big interests of mine combined in this way. Above all, these topics are usually not part of the regular criminal law lecture in law school and therefore a great enrichment for every criminal law fan!

In summary, I can say that the lecture German environmental law is a very exciting and varied course. I am sure that there is something for everyone. You can really tell that the lecturers know what they are talking about and that they are enthusiastic about their subject.

By environmental law student Maryam El Bouchteli

FUNDAMENTALS OF GERMAN AND EUROPEAN WATER LAW

On June 27, students interested in environmental law got the chance to learn about the “Fundamentals of German and European Water Law“ from a practicing lawyer. Mr. Kopp-Assenmacher, partner at Oexle Kopp-Assenmacher Lück (okl & partner), a German environmental law firm, presented the relevant statutes and regulations, explained how the law is applied and pointed out where the legal disputes occur in this particular matter.

To understand water law, Mr. Kopp-Assenmacher, started with a general overview on how a water treatment plant works, and what water law aims to protect: water in all its forms, the circulation, distribution and its management. It is also supposed to provide protection against floods. Water law is built around the management of water in general.

A complex set of statutes and regulations on European, national (both federal and state) and local level ensures the protection of water under the law and the consequences in case of violation. A lawyer practicing water law should therefore also be familiar with European law, since it is the European Union that created and formed this set of laws as it is today.

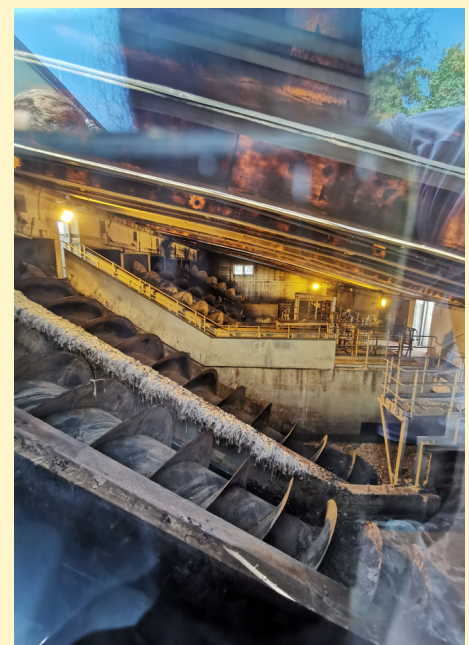
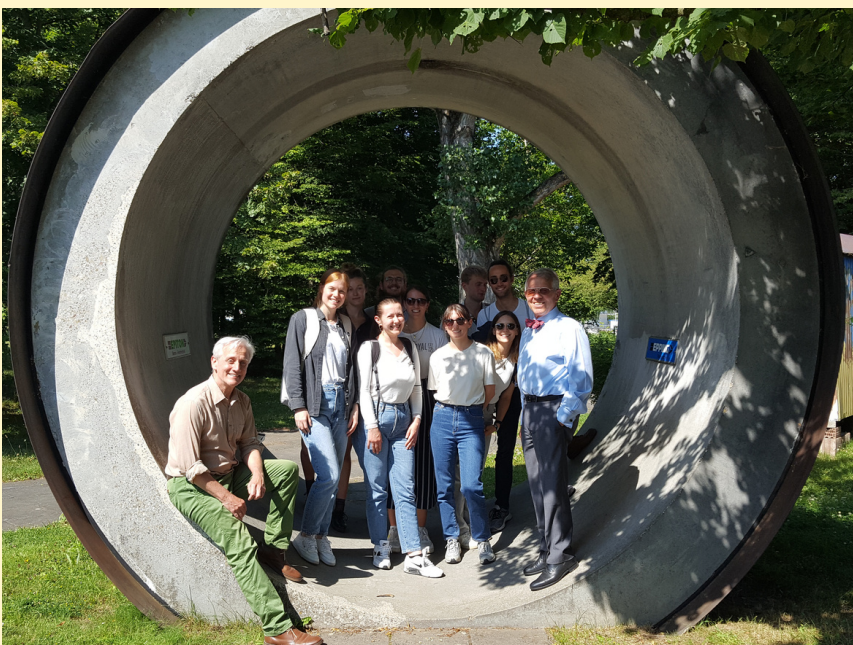
Two days later, on June 29, the lecture was put into practice when the students attended an excursion to the waste water treatment plant in Köln-Stammheim to see an example of what can be created under the law when it is applied!

EXCURSION TO THE WASTE WATER TREATMENT PLANT IN COLOGNE

On Wednesday, June 29, 2022, the ELC organized a visit to the waste water treatment plant in Cologne Stammheim. The visit had already been planned last year but had to be postponed due to Covid. The managing director Mr. Grudzielanek welcomed an interdisciplinary group of students from the fields of environmental sciences and environmental law. He started the visit with a presentation of the technical specifications of the plant. It can take in as much as 27.000 liters of sewage per minute and it is thus able to process the sewage of 800.000 inhabitants of Cologne. The sewage treatment plant cleans 83 % of private and business-related sewage in the Cologne area. This process's dimension became very clear through the following tour of the plant. Although the pools that are being used for the cleaning process are underground in order to minimize the smells, the huge storage tanks for sludge and the conveyor system for the incoming sewage gave a vivid impression of the amount of sewage flowing into the plant each day. While inspecting the filtration system that catches solids out of the sewage, the students could get a first-hand experience of one of the main environmental issues of the plant: The smell.

It was also possible for the students to see the result of the cleaning process. Situated at the end of the plant's premises, several basins hold the freshly cleaned water. Some ducks were swimming in them thus proving the successful cleaning. The sewage treatment plant is largely powered by energy that it produces itself through processing of fermentation gases gathered in the sludge tanks. Mr. Grudzielanek also gave an insight to the envisaged further development of the plant. As required by European Law, a mechanism to gather phosphor from the remaining sludge shall increase its sustainability. This highlights not only the importance of a sustainable operation of the plant but also the importance of European standards for the development of German environmental law.

By environmental law student Carlo Foerst



Photos by Kirk W. Junker and Carlo Foerst

RACIAL JUSTICE IN EDUCATION – APPLYING ENVIRONMENTAL JUSTICE PRINCIPLES TO K-12 EDUCATION IN THE U.S.

The Chair for U.S. Law and the ELC were honored to have Prof. Preston Green from Neag School of Education, University of Connecticut, speak at this online webinar on April 13, 2022.

The core of his research is the adoption of legal protections based on environmental justice principles to help keep communities from becoming the victims of educational blackmail. Prof. Green proposes to protect minority communities (Black and Latino) from the negative impacts of charter schools by applying equity principles of U.S. environmental law that agencies have to consider in a variety of official decisions.



Charter schools are schools that are not publicly owned, but are operated by private corporations (often large businesses). In order to establish a charter school, a variety of permits are required, usually at the municipal level.

The problem, as with environmental justice, is that companies that engage in activities, which are particularly harmful to the environment, choose locations where there is little political dissent. This is the case in many communities of color that face permanent high unemployment rates, poverty, and lack of infrastructure. Jobs and other benefits are often promised by companies, but many do not honor their promises. Meanwhile, the company harms the environment of the region and the affected community is left with empty promises. This is why Prof. Green uses the term "blackmail" to describe the process.

This issue is similar with charter schools, which are winning approval through the promise of improvements in their school systems. The operation of charter schools also binds resources that would otherwise be used in regular public schools which can lead to a lack of quality and capacities in these schools. Ultimately, in the eyes of many, charter schools generally turn out to be harmful to the community that is involved. Prof. Green mentions more reasons for these harms in his research paper.

It is questionable to what extent the principles that have been enacted as legislation in several states can actually be applied to the charter school system. According to Prof. Green, these principles have had little success at the federal level.

The presentation was followed by a vivid discussion between the audience and the speaker. We are looking forward to the further development of Prof. Green's research and hope to have him back as a guest speaker soon.

"HOW TO BECOME AN ENVIRONMENTAL LAWYER"

As part of the ELC's series "How to become an environmental lawyer" on April 27, 2022, Mr. Thorsten Deppner gave insights into his work as a lawyer specialized in administrative law with focus on environmental and planning law. Mr. Deppner first described his personal career, from his legal studies to working at the German Ministry of Environment and an American NGO during his legal clerkship, to his current position as an independent lawyer in the law firm "Bürogemeinschaft für Umweltrecht" in Berlin.



He primarily represents environmental associations, also at trials before German courts.

Mr. Deppner then guided the audience through his first case, in which he represented the BUND (German Federation for the Environment and Nature Conservation) in proceedings concerning a construction project on the Tempelhofer Feld in Berlin. Vivid explanations on, for example, the breeding territories of the skylark relevant to this case highlighted the interdisciplinary character of his field of work.

In the question and answer session that followed, Mr. Deppner gave helpful practical tips to interested students on what opportunities exist today for a career in environmental law on a national and European level and where initial experience can be gained in this area.

This ended an event that more than lived up to the purpose of the series “How to become an environmental lawyer”, which is to get people excited about environmental law as a field of work.

"HOW TO BECOME AN ENVIRONMENTAL LAWYER"

Our invitee for the fifth event in the lecture series “How To Become an Environmental Lawyer” was the environmental lawyer Dr. Christiane Gerstetter. Presently she is working at the Berlin office of ClientEarth, an NGO whose overall goal is to protect life on Earth. ClientEarth aims for climate and environment protection by means of the law. Dr. Christiane Gerstetter focuses on the phase-out of fossil fuels in Germany. She divided her presentation into a first part about ClientEarth cases she has been involved in and a second, more biographic part about her career as an environmental lawyer.



Throughout her first part, she gave excellent insights into the methods and the philosophy of ClientEarth. She was able to always point out the information most relevant to the students attending the event. She explained how ClientEarth tackles each of the issues they pick from all possible angles. They do, however, not cover the full range of environmental issues. For instance, no team member primarily deals with water issues. ClientEarth's actions would range from for example trying to influence the legislative process by the help of written statements or draft proposals to working with shareholders by for instance bringing action against a company, to supporting other organizations and acting in cooperation with them. She notably gave an example relevant for student activism: the cooperation with the Climate Clinic of Bucerius Law School which is not only limited to students of the Law School. She emphasized that although the various lawsuits ClientEarth conducts are what attracts the most attention from the general public, this type of action accounts far from the lion's share of the work they actually do. Most of their time, ClientEarth is engaged in less grandiose complaints and administrative procedures. Dr. Gerstetter also acknowledged she spends much of her time organizing, writing emails and meeting with people (in video calls these days). She also repeatedly highlighted the international spirit of ClientEarth. This particularly reflected in their communication and culture that is very different from the “German” way of interacting in the office. Furthermore, she informed the interested students in great detail about the job application process at ClientEarth and about the requirements newbies need to meet. Questions on workload at the Berlin office, the difference between working for an NGO versus working for a law firm as well as questions about the “Referendariat” were also answered afterwards.

The first part of the presentation also included three examples of projects Dr. Christiane Gerstetter was involved in that were all on her topic: fossil fuels. One of them, for example, was about a coal-fired power plant located in Poland. For each of the examples she gave very instructive and comprehensive insights. In detailing her approach, she explained that although the overarching goal always remains the same (stop climate change), the specific objectives of each case may differ considerably, from having the plant declared illegal and thus forcing it to close down to causing it to be too expensive to run. She also elaborated on the specific strategies used in each case, on the pertinent area(s) of law and on the legal arguments they relied upon.

In the second part of her presentation, she was retelling her professional life without it having the effect of reciting a Wikipedia article. Quite the contrary, she managed to make the part about herself also be about the students attending the lecture by highlighting the personal values that had guided her throughout her professional development and the fundamental questions she had asked and continues to ask herself. She emphasized her need for a strong personal incentive when pursuing a job opportunity and her need for the job to comply with her personal values and lifestyle. More important than the decision what area of law to focus on (as all areas, even Environmental Law, could serve “good” and “bad” ends), would be to ask oneself what impact one's work should have. While giving a brief depiction of the different episodes of her professional life, the focus of her presentation was on the following overarching themes: First, social movements and the importance of activism. Here, Dr. Christiane Gerstetter did not only mention the environmental movement but also feminism. She opted for part-time work to dedicate half her time to volunteer work. A mindset that is highly sought-after, if not a prerequisite, when applying for a job at ClientEarth. Second, checking privileges. She strongly encouraged everybody to spend some time abroad and described how her time in Israel and Central America helped her place Germany and the German experience in a global context. Last, interdisciplinarity. Tied to her understanding that the area of law matters not as much as the intentions is her belief in the pertinence of an interdisciplinary approach. She herself has always been fascinated by many disciplines, especially philosophy. The very reason she studied law in the first place was her knack for both languages and politics.

The ELC would like to thank Dr. Christiane Gerstetter wholeheartedly for her presentation.

CARBON TRADING IN THE EU AND THE U.S.

On **June 22, 2022**, the **Chair for U.S. Law** and the **ELC** welcomed four lawyers of the international law firm **Allen&Overy** with their online presentations on emissions trading in the E.U. and the U.S. As international as the topic were also the speakers: two experts from Germany, **Stefanie Günther** and **Udo Herbert Olgemoeller**, one from Brussels, **Fee Goossens** and one from New York City, **Kenneth Rivlin**.

After an introduction of the law firm, its organization, different departments and its locations across the globe, the specific sectors working in environmental law were mentioned as a perspective for becoming an environmental lawyer. Before diving into the specific features and challenges of their work in the carbon trading market, they explained what carbon markets are and pointed out the differences between mandatory and voluntary carbon markets. The E.U., for example, has a mandatory carbon market. Further, Allen&Overy's lawyers laid out the history and background of the E.U. ETS directive, the way it evolved in the past years and how the directive works in general and today. The presentation of the E.U. part was closed with an outline of the upcoming amendments following the "fit for 55" package.

Contrary to the E.U., the U.S. does not have a nation-wide mandatory carbon market. In the U.S., mandatory emissions markets only exist on the regional and state level. The legal experts explained the differences between the Regional Greenhouse Gas Initiative (RGGI, launched in 2009, eleven states participating) and California's Cap-and-Trade Program (launched in 2013). Allen&Overy's U.S. lawyer further presented voluntary markets and the Commodity Futures Trading Commission (CFTC) with their perspectives and challenges.

This is how the audience was able to get different perspectives on this exciting field of work in environmental law and hence had several interesting questions for the different speakers.

The ELC was very pleased to host these guests virtually and is looking forward to future event cooperations with Allen&Overy on other important topics and cases of environmental law.

AFRI-CLIMETHICS - SUMMER EDITION

The Afri-Climethics lecture series is an initiative of the Environmental Law Center with Dr. Dennis Agelebe, a Senior Research Fellow and Associate Member of the Global South Study Center (GSSC), as the convener. It is being supported by the Global South Study Centre of the University of Cologne in collaboration with the SDG department of the University of Cologne International Office. The lecture series aims to convene a two-part conference for African scholars and experts to share ideas on how the drive for African trade and development can be sustainably attuned to environmentally friendly and climate change-conscious practices. The title of the lecture series "Climate Ethics: Structuring a Standard for African Trade and Development" underscores the imperatives that have been identified to bridge the gap between environmental law-making and law enforcement in African countries. As a way of complementing the law, ethical standard is recommended to be included as non-justiciable code for multinational and domestic corporations doing business in African countries.

The call for abstracts was advertised in March and closed for the summer edition on May 15, 2022. Abstracts were received from interested scholars and experts in Nigeria, Cameroon, South Africa, Zambia, Uganda, Ethiopia, and Zimbabwe.

The summer edition, held on June 24, 2022, was virtually attended by 68 participants from Africa, Europe and Canada. Professor Kirk W. Junker, Director of the ELC, gave the keynote address for the opening of the lecture series. He noted that the neologism “Climethics” highlights the third pillar of sustainable development which has always been treated as the poor cousin of the three and the one that has received the least attention—the social pillar. The focus on ethics causes participants to think about why something is, and whether it should be another way. Professor Adarelegbe of the University of Ibadan, Nigeria, raised concerns about the fact that African countries enter into agreements with developed countries without including clear terms that will bind multinational corporations to regulations that ensure the environment is not exploited at the expense of the present and future generations of Africans. On her part, Professor Semia of Lakehead University, Canada, noted that many international trade regimes and climate change agreements recognize the global climate-trade conflict. Even though some have included clauses to ensure they do not impede climate change adaptation and mitigation efforts, the African Continental Free Trade Area Agreement has tended to have a more economic focus without providing strategies for reversing the worsening climate change situation in Africa.

Participants engaged actively in the conference, particularly during the question and answer session. The summer edition of the Afri-Climethics lecture series ended with a closing remark by Professor Kirk Junker. We look forward to the winter edition, which will be held in October 2022.

CASSANDRA'S ERROR: THIRTY YEARS IN THE RHETORIC OF CLIMATE SCIENCE

On July 7, 2022, Professor Junker gave a lecture on "Cassandra's error: Thirty years in the Rhetoric of Climate Science" as part of the multidisciplinary lecture series "Perspectives on Climate Change Communication" organized by the "Climate Change Literacy" project.

After elaborating on the development and different definitions of rhetoric over time, he highlighted the role of the rhetoric of science in the discourse on climate change. He explained how scientific discourse and information dissemination alone are not sufficient to bring about much-needed action on climate change. Instead, behavioral choices are strongly influenced by personal beliefs, identity and social norms rather than information and facts.

Cassandra's errors were therefore that more information would persuade more people to act and that de-constructing science would change the relationship of government and industry into more socially-driven decision-making.

In order to significantly shift those personal worldviews and beliefs and to achieve behavioral change, a social discourse will prove to be more influential than a purely scientific one because while science discourse focuses on global impacts on physical earth systems in the future, social discourse zooms in on the local impact on social human systems in the present.

The lecture was followed by a lively discussion, highlighting the benefits of a multidisciplinary lecture series with participants from various disciplines giving versatile input and attempting, among other things, to answer the question as to what task remains for universities if it is assumed that their task no longer lies in the mere communication of information.

UPCOMING EXTERNAL EVENTS

"MIT RECHT DAS KLIMA RETTEN" - SAVING THE CLIMATE WITH LAW

Workshop series "Mit Recht das Klima retten" (Saving the Climate with Law):

- "Der Fall RWE: Große Emittenten haftbar machen" (The Case RWE, holding big emitters liable), Thursday, October 6, 04:00 – 05:30 pm
<https://calendar.boell.de/de/event/der-fall-rwe-grosse-emittenten-haftbar-machen>
- "Globale Gerechtigkeit" (Global Justice), Wednesday, October 19, 04:00 – 05:30 pm, in English
<https://calendar.boell.de/de/event/globale-gerechtigkeit-0>

KLIMASCHUTZ IST MÖGLICH - JETZT! (CLIMATE PROTECTION IS POSSIBLE)

– two presentations, two exhibitions, a lot of inspiration –

October 19, 2022, from 07:00 – 10:00 pm at Herbrand's in Cologne, Ehrenfeld

In this series of presentations Greenpeace expert Dr. Thomas Henningsen points out frightening examples of our planet's condition but also introduces initiatives that give hope for an alternative turnout.

Please find more information here: <https://greenwire.greenpeace.de/veranstaltung/klimaschutz-ist-moeglich-jetzt-2>

More presentations taking place in Leipzig, Berlin, Hamburg, Köln, Stuttgart!

"GREEN CITIES: CLIMATE-NEUTRAL MUNICIPALITIES WITH NEW ALLIANCES"

The online lecture series in German on June 30, September 22, and **November 24, 2022** deals with the noticeable consequences of climate change and the growing pressure on society to move faster and more radically towards climate neutrality. The first cities in Germany have redefined their goals towards climate neutrality by 2035, including Wuppertal, Constance, Halle, Munich, Görlitz, but also many smaller cities and communities use effective levers to both curb climate change and switch to renewable energy supply. For more information go to <https://calendar.boell.de/de/event/green-cities-2035-klimaneutrale-kommunen-und-neue-allianzen>

ELC NETWORK

ELC MEETS NORTHWESTERN'S GLOBAL ENGINEERING TREK

The Environmental Law Center was delighted to present itself and the Green Office Initiative to a group of students from Northwestern University, Chicago, which was visiting Germany on their “Global Engineering Trek”. Members of the ELC France Oly and Marie Pflüger explained the goals and missions of the ELC and the Green Office Initiative and answered a lot of questions from very interested students of different fields: engineering, biochemistry, biology, etc. Our U.S. American guests were impressed by the various initiatives in Germany, especially by the fact that a lot is student-driven and organizational committees always include student representatives. It was a pleasure to meet this group and exchange thoughts about sustainability and differences in the ways that our countries and public/private institutions are facing today’s challenges.



CURRENT PROJECTS AND OPPORTUNITIES

CRIMINALISING ECOCIDE - CALL FOR ABSTRACTS

Stop Ecocide Deutschland, the Environmental Law Center, the University of Cologne and the World Lawyers' Pledge on Climate Action are delighted to invite abstracts for their upcoming webinar series titled "Criminalising Ecocide". The webinars bring together practitioners and researchers from multiple disciplines to discuss the opportunities and challenges in introducing the crime of ecocide within both international criminal law and domestic criminal law.

There will be a series of webinars, starting October 2022, in which 1-2 researchers will share results from their recent research on different aspects of ecocide. The webinars, including the discussion sections, will be open to the public. Speakers will be expected to give presentations of around 15-20 minutes. This will be followed by an open discussion of around 30 minutes. Interested speakers are invited to submit abstracts of approximately 200 words.

- Please send your abstracts to deutschland@stopecocide.de by September 30, 2022 with the subject line "Abstract for Webinar Series" (**later entries are also welcome** for a 2nd round of webinars).

- Early career researchers are especially encouraged to apply.

- We encourage submissions from all disciplines, especially but not limited to law, political science, sociology, criminology, economics and history.

- Abstracts & presentations may be delivered in either English or German.

This webinar series will be followed by the Research Conference titled "Criminalising Ecocide: Mapping the Potential for Implementation" in the summer of 2023, the call for papers for which will be released in January 2023. The webinar series and conference will culminate in an edited volume. Selected authors will be invited to submit their papers towards this publication.

For further inquiries, please contact Wolf-Christian Hingst at: deutschland@stopecocide.de

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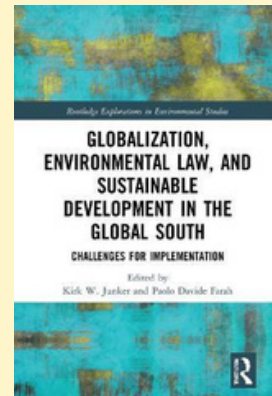
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<https://www.libra-rechtsbriefing.de/L/ein-grosser-schritt/>

BOOK LAUNCH: GLOBALIZATION, ENVIRONMENTAL LAW, AND SUSTAINABLE DEVELOPMENT IN THE GLOBAL SOUTH: CHALLENGES FOR IMPLEMENTATION

October 19, 2022 from 5:45 – 7:15 pm

- Moderation by editor **Prof. Kirk W. Junker**
- Presentations by authors **Dr. Richard A. Byron-Cox** and **Mrinalini Shinde, LL.M., M.Sc.**
- Venue: Seminarraum 251, Classen-Kappellmannstr. 24

The floor will be open for questions and comments and will be followed by a reception. More info: <https://gssc.uni-koeln.de/veranstaltungen/workshops>



ENVIRONMENTAL LAW ALL OVER THE WORLD

ENVIRONMENTAL AND ENERGY LAW IN THE EU

In December 2019, the European Commission presented its Green Deal. In the meantime, the European Climate Law - Regulation (EU) 2021/1119 – was adopted that sets out a binding reduction of net greenhouse gas emissions by at least 55 % compared to the 1990 levels by 2030. To achieve this goal, the European Commission announced its “Fit for 55” package to revise the EU’s legislation.

At the end of June 2022, the European Parliament agreed on a common position on the amendment of the most important E.U. climate instrument, the Emissions Trading System (EU ETS). The European Parliament’s proposal plans to phase out the free allocation of allowances under the EU ETS and to fully replace it with a Carbon Border Adjustment Mechanism (CBAM) as of 2032. EU importers of goods covered by the CBAM (electricity, iron, steel, aluminum, cement, and fertilizers) register with national authorities where they can also buy CBAM certificates. The price of the certificates will be calculated depending on the weekly average auction price of EU ETS allowances expressed in € / tonne of CO₂ emitted. The EU importer must declare by 31 May each year the quantity of goods and the embedded emissions in those goods imported into the EU in the preceding year. At the same time, the importer surrenders the number of CBAM certificates that corresponds to the amount of greenhouse gas emissions embedded in the products. If importers can prove, based on verified information from third country producers, that a carbon price has already been paid during the production of the imported goods, the corresponding amount can be deducted from their final bill. Furthermore, the European Parliament plans to introduce carbon pricing for road transport and heating. For a long time, the EU ETS has been criticized for not including these sectors.

In the EU Parliament's proposal, businesses must pay a carbon price on products like fuel or heating oil, while regular consumers are to be exempted.

The next step in the legislative process are the negotiations of the European Parliament with the Council in a so-called trilogue. Contrary to the Parliament, the Council wants to phase out the free allocations in the EU ETS beginning in 2026 and finish it in 2035. However, both the European Parliament and the Council proposed to introduce a carbon price for the transport and heating sector by including both in the EU ETS.

Furthermore, the Council wants to establish a €59 billion Social Climate Fund to shield low-income citizens from any increase in energy costs caused by carbon policy.

Another key aspect of the new European climate package is to introduce a 100 percent CO₂ reduction target for new vehicles by 2035. European lawmakers hope this will play a significant role in reducing emissions, as transport currently accounts for around 25 percent of all greenhouse gas emissions in the EU. From 2035 onward, only new cars and vans with zero CO₂ emissions will be permitted.

ENVIRONMENTAL LAW IN GERMANY

In Germany, there have been many amendments to energy law as well. Germany has a new federal government since December 2021 that promised to revise energy and climate law.

As set out in the coalition treaty of the three parties, the Minister for Economic Affairs and Climate Action, Robert Habeck, announced various amendments in the so-called Easter Package. The most important component of the reforms is the Renewable Energy Sources Act 2023 that has been adopted by the German Parliament (Bundestag) at the end of June 2022. Germany now wants to achieve that 80 % of energy production will be from renewable energy sources by 2030. Minister Habeck announced prior to the legislative process that 100 % should be achieved by 2035. However, this announcement did not make it in the final version of the bill. In the adopted version, the financial support of renewable energies is set to end as soon as the phasing-out of energy production from coal is finished. After this goal will be achieved, the expansion of renewable energy shall be driven by the economy. Furthermore, there have been amendments to the German Energy Industry Act (Energiewirtschaftsgesetz – EnWG), to the Offshore Wind Energy Act (Windenergie-Auf-See-Gesetz – WindSeeG) and to the Grid Development Acceleration Law (Netzausbaubeschleunigungsgesetz Übertragungsnetz – NABEG) as well as to the Bundesbedarfsplangesetz (BBPlG) which lists projects that are regarded necessary to meet these targets.

There has also been activity regarding Germany's climate action. On July 13, the Ministries for Building (Klara Geywitz) and for Digital and Transport (Volker Wissing) presented their immediate action programs for their sectors because the annual emission budgets for 2021 have been exceeded. As a next step, the federal government must discuss and accept the proposals of the ministries. According to the presentations, only new heating systems that use at least 65 percent renewable energies are to be installed from 2024 onwards. Pure gas heating systems will then no longer be permitted. In addition, higher efficiency standards will apply to new buildings. State subsidies will continue to be available for very climate-friendly new buildings, but above all for renovation. In large cities, district heating is to become a climate-friendly solution for heating. A key aspect of Wissing's immediate action program on the other hand, in addition to more bike paths, is a comprehensive charging network for electric cars - so that "range anxiety" is eliminated and more people buy e-cars.

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