



### The changing climate goals for the European Union

With the Ukraine war reaching its eight-month anniversary, the ongoing energy crisis for the European Union shows no signs of stopping. This crisis has had profound impacts on the environment- and ones that keep evolving as the war drags on.

The most apparent shift that has come about is in the means of energy production for mainland Europe. The European Union has depended on Russian natural gas supplies since the second World War. However, once the Russia-Ukraine conflict started, Putin shut down this natural gas supply entirely, citing various reasons. Countries which had struck decade-long deals for energy supply from Russia now find themselves forced to fall back on coal. Multiple coal plants have been turned back on to meet the energy requirements of the continent for the upcoming winter. Polish citizens have been lining up to buy coal for personal use, as those not covered by a country's social welfare net are forced to rely on fossil fuels to meet their needs. This crisis

is further compounded by the increased costs of production and subsidising energy by various countries. Thus, there will be an inevitable uptick in Europe's emissions during the coming winter. This uptick overlaps with the second-biggest peak in overall emissions and an increase in the global use of coal and oil after the pandemic.

The Nord Stream pipeline leaks have also had a catastrophic impact on the climate. Nord Stream 1 and 2 are underwater pipelines capable of transporting over 50 billion cubic meters of gas annually from Russia to mainland Europe. On 26th September, a series of explosions caused the pipelines to release an estimated 500,000 tons of methane into the ocean. This leak was the largest territorial leak of methane gas, equaling one-third of Denmark's annual greenhouse gas emissions. The contents of the pipelines being methane made this a more catastrophic event, as methane is 82.5 times more potent than carbon dioxide in absorbing the sun's heat and warming the Earth.

However, there is a silver lining to this crisis. This artificial scarcity of energy made the EU launch

### News at a Glance

- Chinese President Xi Jinping opened the weeklong Communist Party Congress on Sunday, reiterating China's fight against COVID-19, taking control of Hong Kong and calling for the acceleration of building a world-class military. He is widely expected to win a third leadership term. More information about the Chinese Communist Party congress can be found [here](#).
- The road-and-rail bridge linking Russia to Crimea was damaged by a truck that blew up, crossing the bridge, killing 3. The explosion blocked a crucial supply route for Russian forces in Ukraine and it has been branded a "terrorist attack" by Russian President Vladimir Putin, who has ordered retaliatory strikes. More information about the Crimean bridge can be found [here](#).
- Belarus President Alexander Lukashenko has ordered troops to deploy with Russian forces near the Ukraine border, and his defence ministry says "combat readiness" drills are underway. On Tuesday, the interior ministry held exercises to eliminate "sabotage groups" near Yelsk, only 20 km (12 miles) from the border with Ukraine. More information about Belarus's role in the Russia-Ukraine war can be found [here](#).



REPower, a plan to make the EU self-sufficient by 2030. The project aims to incorporate renewable resources and cleaner methods of energy production, aiming to cut emissions far before the EU's original plan of making the bloc energy neutral by 2050. The magnitude of this achievement would be massive, and one hopes it will proceed smoothly.

### Investment Zones in England

Green groups in England have decried the latest proposal introduced by the British government, whereby they intend to set up 'Investment Zones' across the country. The question follows: What are these investment zones, and why the outcry?

The announcement is part of the Growth Plan 2022 by the former finance minister, Kwasi Kwarteng. It proposes to create 38 zones across the UK where green rules for nature protection remain suspended. What the government pitched as liberalisation of laws to boost infrastructural development is

being seen as an onslaught on the environment by conservation groups, many of whom have expressed dismay at the latest proposal. "Investment Zones will drive growth and unlock housing across the UK through lowering taxes and liberalising planning frameworks to encourage rapid development and business investment," the government said.

As a result of this proposal, more housebuilding and commercial activities will be allowed in ecologically sensitive areas like national parks and other sites that house vulnerable biodiversity. If not adequately regulated, this could spell disaster for an already delicate environmental balance. At first glance, this proposal appears to go against the ongoing tide of the urgent need for sustainable development dominating global ecological narratives.

Similar to these proposed Investment Zones are India's export-oriented industrial zones called Special Economic Zones (SEZs).

SEZs have a statutory recognition wherein industrial units are set up in demarcated zones to facilitate economic growth by enabling industry to develop without excessive

### News at a Glance

- At least 66 people have been killed on Friday in a violent crackdown in Iran. Nationwide protests in Iran continue post-Mahsa Amini's death in police custody. With a population of 86 million, protesters have stressed on unity despite their varying ethnicities. More information about Iran's protests can be found [here](#).
- The G7 meeting failed to reach an intervention deal to ease the fallout caused by the soaring US Dollar. Pushed by Japan, the finance leaders of the Group of Seven advanced economies said that they would closely monitor "recent volatility" in markets. More information about the G7 meeting can be found [here](#).
- Two weeks after the country's latest coup, political parties, social and religious groups and representatives of the security forces gather Friday to appoint a successor to Damiba as transitional president of Burkina Faso. More information can be found [here](#) regarding Burkina Faso's political history and what lies ahead.



regulatory and compliance. These economic zones also incorporate single-window clearance and compliance mechanisms to reduce the hindrance to industry growth in such SEZs. This is where environmental regulatory requirements and clearances often take a backseat when weighed against the need for industrial development.

### The Role of the UNHRC

In 2019 a group of Torres Strait Islander people lodged a complaint with the UN High Commissioner for Refugees (UNHCR) against the government of the day, the Morrison Government. The island between Australia and New Guinea had bought legal action against the Australian government. The complaint alleged the government failed to adequately protect them from, and violated their rights, by failing to act on the climate crisis. Five islanders brought the complaint in their names and on behalf of their children. Allegedly, the Australian government failed to take adequate measures to keep global warming and ocean

acidification in check. The islanders said this resulted in coral bleaching, reef death and the decline of marine species. They argued that insufficient funding was provided to build sea walls or coastal defence structures. The Australian government argued that the complainants are invoking potential future claims and that the islanders are not suffering imminent consequences due to the country's current emissions.

The UN Human Rights Committee after examining a joint complaint filed by eight Australian Nationals and six of their children, took into account the Islander's close, spiritual connection with their traditional lands, and the dependence of their cultural integrity on the health of their surrounding ecosystems to find that Australia had failed to take timely and adequate measures to protect the indigenous islanders against adverse climate change impacts. The government had violated the rights of the complainants to enjoy their own culture and to be free from arbitrary interference. This historical decision of the UNHCR debunked the myth that a particular nation cannot be blamed for climate change processes such as global warming. Governments worldwide believe that climatic change is a consequence of the activities undertaken by all the nations

### News at a Glance

- On Saturday, U.S. and Canadian military aircraft delivered tactical and armoured vehicles and other supplies to the Haitian National Police (HNP) to help combat criminal gangs that have worsened a humanitarian crisis in Haiti. Haitians are experiencing catastrophic hunger because of gangsters blockading a major fuel terminal, U.N. officials said on Friday, with more than 4 million facing acute food insecurity. More information can be found [here](#).
- On Thursday, Iraq's parliament elected Kurdish politician Abdul Ratif Rashid as president, a key step towards forming a new government since elections last year. More information about Iraq's political scenario can be found [here](#).
- China's latest revision to the Wildlife Protection Law has retracted the punishments of the managers of illegal operations, removed "guarding against risks" from the principles and continued to endorse the commercial utilisation of wild animals, including highly endangered species such as leopards, pangolins and tigers. More information regarding this latest revision can be found [here](#).



collectively and should not be pinpointed to a specific country. Contrary to this opinion, the UNHCR stated that a State would be held responsible for its acts and omissions and liable for making the necessary reparations. The Committee noted that while it is not their job to see whether countries comply with various international agreements, they accepted that such international agreements are relevant for interpreting human rights obligations. Since climate change is a slow-onset process, a State party may violate its obligations before the worst effects occur.

The Committee recognised the clear and present threat climate change has on many regions. In its own words, "This is no longer a future problem; the impacts are real, displacing communities and eroding their customs and traditional ways of life." While the UNHCR has no enforcement powers, its findings carry significant weight based on human rights law norms. It also sets a precedent and increases the likelihood of litigation against national governments.

### Summary of the Weekly Session

The session held on 10th October, 2022 was called, 'Basics of International Environmental Law.' The session was conducted by Ashutosh Ghag (V B.A.LL.B.) and Shweta Shukla (IV B.A.LL.B.). The session began with an analysis of the need for international environmental law, followed by a discussion on how some basic principles of liability under international environmental law seem to diverge from the basics of state responsibility, and the greater reliance on conventions. The speakers then discussed the scope of the law, i.e. how the law has been applied so far with respect to liability for oil spills and the trickle-down effect of the international conventions into domestic law.

Then, the conversation shifted to topics of corporate responsibility under environmental law. This was explained with the help of the Chevron case in the Amazon and a brief discussion on the recent Nordstrom leak. The session concluded with an open-ended discussion on the core issues plaguing international environmental law.

### Upcoming Activities

#### 1. Call for Submissions: Tsinghua China Law Review.

Established in 2008, the TCLR is calling for submissions on China law for Volume 15, Issue 1. Over the past decade, they have posted articles and notes biannually in the United States. The submission deadline for abstracts is 31st October 2022. Find the full text of the call [here](#).

#### 2. Food and Agriculture Organization of the United Nations Law Lecture.

The Food and Agriculture Organization of the United Nations (FAO) is hosting its 2022 FAO Law Lecture: Legal reflections on "Leave no one behind. Better production, better nutrition, a better environment, and a better life". It will be delivered by Professor Philippe Sands on Monday 31 October 2022, from 14:00 to 15:30 CET. The Lecture will be delivered virtually, with interpretation in all official FAO languages (Arabic, English, Spanish, French, Russian and Chinese) and will conclude with a Q&A session. For further information and to register see [here](#).

#### 3. Call for Submissions: Jindal Forum for International and Economic Laws.

The Jindal Forum for International and Economic Laws ("JFIEL") invites submissions for the 1st JFIEL Student Paper Conference. The conference aims at challenging this status quo with analytical, reflective and grounded papers which show the significance of international law to the Indian context.



## Extra Reading:

For those interested in reading more about International Environmental Law, we have curated a special list of articles for you. This set of reading material is a collection of the most up-to-date material we could find, and we've collected them all into one folder for ease of download:

- [International Environmental Law Text, Cases and Materials \(Malgosia Fitzmaurice, Meagan S. Wong\)](#).
- [Research Handbook on International Environmental Law \(Malgosia Fitzmaurice, Marcel Brus\)](#).
- [Sustainability Transformation, Governance, Ethics, Law \(Felix Ekardt\)](#).
- [The Oxford Handbook of International Environmental Law \(Lavanya Rajaman\)](#).

\*Write to us at [centerforinternationallaw@ilslaw.in](mailto:centerforinternationallaw@ilslaw.in) for requests and suggestions on sessions that can be organised in the future\*

## Upcoming Activities

### 4. Call for Papers: Netherlands Yearbook of International Law.

The editors of the 53rd volume of the Netherlands Yearbook of International Law invite all scholars and practitioners to contribute a chapter to the upcoming collective volume on the standard of reparation under international law, to be published in 2024 by T.M.C. Asser Press. For more information, see [here](#).

### 5. Call for Papers: 6th Responsibility to Protect in Theory and Practice.

Faculty of Law, University of Ljubljana invites abstract submissions for consideration for the sixth edition of a two-day international interdisciplinary scientific conference entitled Responsibility to Protect in Theory and Practice Conference. The conference will be once again held in Ljubljana, Slovenia on May 11 – 12, 2023. The deadline for submission of abstracts is Monday, 17 October 2022. For more information about the Call for Papers and the conference itself, visit [here](#).

### 6. Call for Abstracts: Yearbook of International Disaster Law.

The call for abstracts for the fifth issue of the Yearbook of International Disaster Law, edited by Brill, is now out. The Yearbook welcomes abstracts related to both its Thematic section on 'Human Rights and Disasters' and its 'General section' on implications for international law arising from disaster scenarios. Deadline: 30 November 2022 with abstracts between 500 and 1000 words to be sent to [info@yearbookidl.org](mailto:info@yearbookidl.org) together with a short CV.