

THE CLIMATE CRISIS SPEAKS

LEGALESE

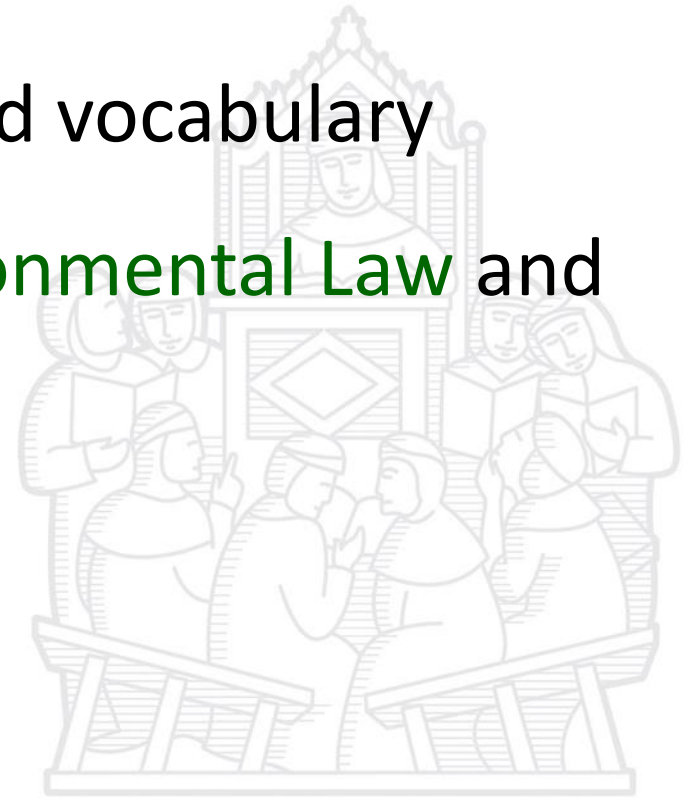


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SCOPE

- To expose the lack of a shared vocabulary between **International Environmental Law** and **International Law of Energy**



RESEARCH OBJECT

- A legal thread on Earth System's balance



- Following Energy and energy



- Timeline: from Stockholm to Paris (1972-2015)



Nature - Energy

- A starting metaphor
- Pliny, the younger, and the Vesuvian letters



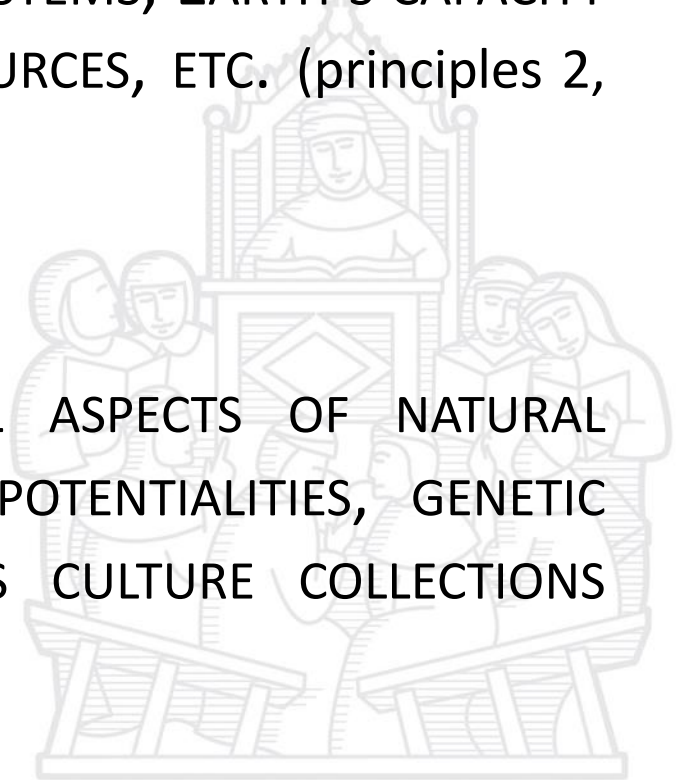
Nature - Energy

- **Stockholm Declaration:**

NATURAL RESOURCES, NATURAL ECOSYSTEMS, EARTH'S CAPACITY TO PRODUCE VITAL RENEWABLE RESOURCES, ETC. (principles 2, 3, 6, 12, 13)

- **Action Plan:**

MANAGEMENT OF ENVIRONMENTAL ASPECTS OF NATURAL RESOURCES (REC. 19-69) - SOIL POTENTIALITIES, GENETIC RESOURCES AND MICRO-ORGANISMS CULTURE COLLECTIONS (RECS 19 TO 41)



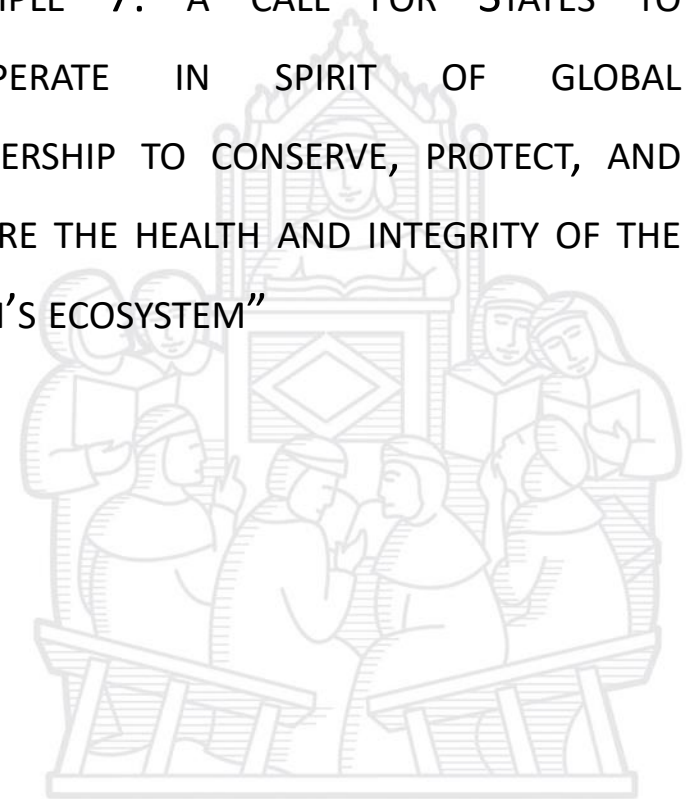
Nature - Energy

World Charter for Nature

- “NATURAL AND ECOLOGICAL PROCESSES”
- “NATURAL AND LIFE SUPPORT SYSTEMS”
- “MANKIND IS A PART OF NATURE AND LIFE DEPENDS ON THE UNINTERRUPTED FUNCTIONING OF NATURAL SYSTEMS, WHICH ENSURE THE SUPPLY OF ENERGY AND NUTRIENTS”
- NATURE’S “ESSENTIAL PROCESSES SHALL NOT BE IMPAIRED”

Rio Declaration

- PRINCIPLE 7: A CALL FOR STATES TO “COOPERATE IN SPIRIT OF GLOBAL PARTNERSHIP TO CONSERVE, PROTECT, AND RESTORE THE HEALTH AND INTEGRITY OF THE EARTH’S ECOSYSTEM”



Nature - Energy

- UNFCCC
- Convention on Biological Biodiversity
- Convention on Desertification
- Kyoto Protocol
- Paris Agreement

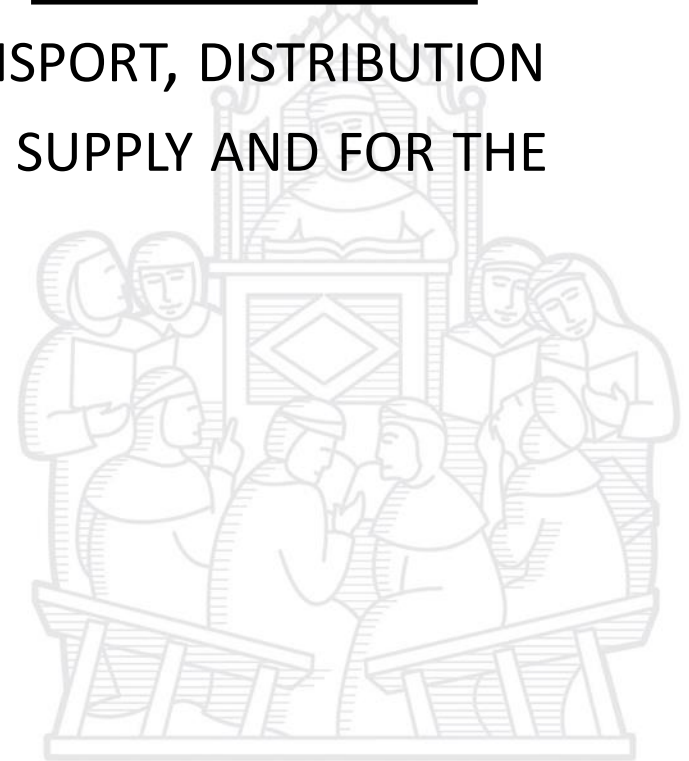


energy - Nature

- 1991 European Energy Charter

«ESSENTIAL IMPORTANCE OF EFFICIENT ENERGY SYSTEMS IN THE PRODUCTION, CONVERSION, TRANSPORT, DISTRIBUTION AND USE OF ENERGY FOR SECURITY OF SUPPLY AND FOR THE PROTECTION OF THE ENVIRONMENT»

- Converted energy



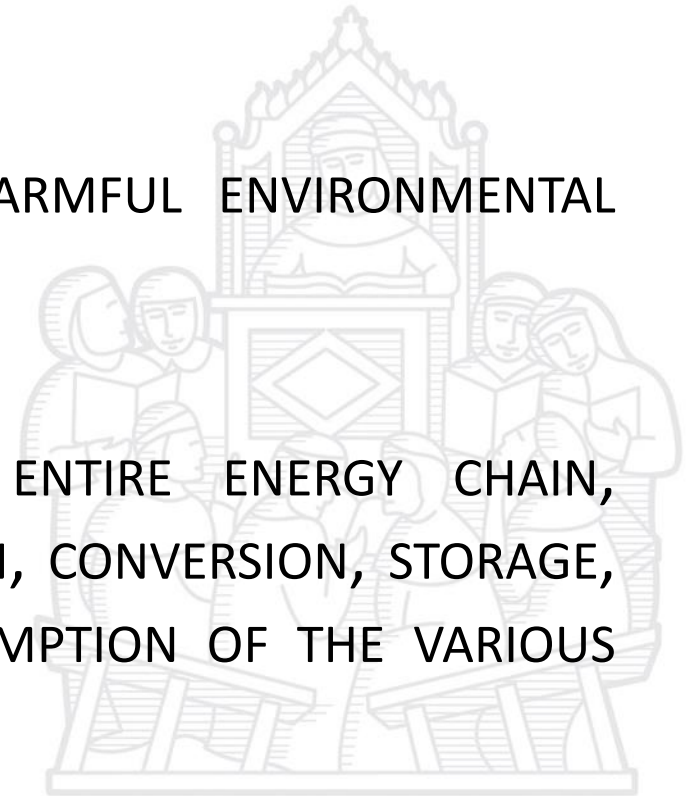
energy - Nature

- 1994 Energy Charter Treaty and 2015

International Energy Charter

STATES SHALL STRIVE TO MINIMISE HARMFUL ENVIRONMENTAL IMPACTS, IN A COST-EFFECTIVE MANNER

DEFINES «ENERGY CYCLE» AS THE ENTIRE ENERGY CHAIN, INCLUDING «EXPLORATION, PRODUCTION, CONVERSION, STORAGE, TRANSPORT, DISTRIBUTION AND CONSUMPTION OF THE VARIOUS FORMS OF ENERGY»



energy - Nature

- Scission between *converted-energy* and Earth system's energy (nature and its processes)
- Paraphrasing Viñuales ([RECIEL, 22\(1\), 2013](#))

«To use a metaphorical image, 'Big E' protection would be seen as an 'immigrant' in the land of 'little e'. As such, it would only have the scope of action that is consistent with 'little e'. If 'Big E' protection were to collide with 'little e' considerations, the latter would likely prevail»

Thank you

