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**UNIVERSITÄT
BERN**

**Faculty of Law
Institute for Public Law**
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Oeschger Centre for Climate Change Research (OCCR)
Prof. Dr. Martin Grosjean
Prof. Dr. Christoph Raible

Climate Sciences in Conversation with Climate Law (Seminar, KSL Nr. 475995, Fall Semester 2022)

I. Topic

The Intergovernmental Panel on Climate Change (IPCC) and, more broadly, the United Nations (UN) recognize climate change a „global emergency“. In light of this acknowledgment, regulatory approaches to tackle climate change seem disproportionately weak, indeed largely inadequate, to respond to this unprecedented societal, political, and legal challenge. A significant factor contributing to the globally observed discrepancy between the state of climate protection and what it ought to be, is the lack of conversation – and knowledge of how to converse – between the relevant disciplines. In this seminar, we offer master students in law (and interested bachelor students) and master students in climate sciences a coordinated framework through which they can explore this convergence. The seminar is supervised by Dr. Charlotte Blattner (Senior Lecturer and Researcher, Institute for Public Law), Prof. Dr. Martin Grosjean (Director OCCR, Professor of Physical Geography, Institute of Geography), and Prof. Dr. Christoph Raible (Professor at Climate and Environmental Physics, Physics Institute).

In groups of 2-3, students will disentangle past and ongoing climate litigation cases, each from their own discipline. Climate science students will probe scientific evidence e.g., about causation, attribution, and effects on society and natural systems. Law students, on the other hand, will deconstruct substantive and procedural legal issues about standing, causation, future threats, (il)legality, emergencies, proportionality, etc. Within each group, students will co-write a seminar paper to bring the disciplines closer together and into conversation, and to integrate their findings in a coherent manner, enabling them to become climate-literate across these key disciplines.

During the seminar, input will be given by experts in climate science and climate law and policy, who will talk about some of the most recent and challenging issues they are working on. Among those is, for example, Cordelia Bähr, who spearheads the KlimaSeniorinnen case at the European Court of Human Rights.

List of possible cases/topics:

- Commune de Grande-Synthe v. France
- Urgenda Foundation v. State of the Netherlands
- Friends of the Irish Government v. Ireland
- Union of Swiss Senior Women for Climate Protection v. Swiss Federal Council and Others
- Union of Swiss Senior Women for Climate Protection et al. v. Switzerland
- Court proceedings on climate protests in Switzerland
- Neubauer et al. v. Germany
- Milieudefensie et al. v. Royal Dutch Shell plc
- Luciano Lliuya v. RWE AG
- Commonwealth v. Exxon Mobil Corp.
- Juliana et al. v. United States of America
- Africa Climate Alliance et al. v. Minister of Mineral Resources & Energy et al. (#CancelCoal case)
- Duarte Agostinho and Others v. Portugal and 32 Other States
- Small Island Developing States (SIDS) Litigation
- Proceedings at the Inter-American Court of Human Rights

II. Learning outcomes

1. Students have a thorough understanding of the purposes, contents, and methodologies of climate law, on the one hand, and the climate sciences, on the other. They can describe the relevant differences and identify potential overlaps.
2. Students comprehend and master the multi-layered and complex interactions between climate law and climate sciences. They have a nuanced understanding of when these fields cross-fertilize and when they pose a potential hurdle to one another.
3. Students strengthen their competence in discussion and presentation and perfect their analytical, argumentative, and writing skills. In doing so, they apply methods to constructively deal with individual preconceptions, and the broader socio-cultural and environmental factors influencing them.

III. Participation and registration

This seminar is open to MLaw students and Master's students from other Faculties (Minor in Law), as well as to interested BLaw students. Priority is given to students in the Master's programme, then to those in the Bachelor's programme according to the content of their motivation letters. The seminar is also crucially open to students of climate sciences. In total, between 16-24 students are admitted. There is the possibility to write a Master's thesis as part of the seminar for law students.¹

Hinweis zur Sprache: Die Inputs werden auf Englisch gehalten. Gruppenarbeiten sind selbstorganisiert und können auf Deutsch oder Englisch sein, ebenso die abzugebenden Arbeiten.

Registration is open until **Wednesday, 31 August 2022**, via KSL.

IV. Requirements

As part of the seminar, students are required to

- write a seminar paper based on seminar guidelines (to be announced),
- organize a thematic lecture as a group (incl. handout to be shared with the class beforehand), and
- active participation in all discussions of the seminar.

Successful participation in the seminar is assessed with **5 ECTS**.

V. Key dates

Wednesday, 21. September 2022, 16:15-18:00 (seminar room will be communciated via ILIAS)	Introductory event (including presentation of topics)
Monday, 26. September 2022	Deadline to indicate three desired topics with corresponding priorities (e.g. A, B and C) via email to charlotte.blattner@oefre.unibe.ch
Wednesday, 28. September 2022, 16:15-18:00 Uhr	International Climate Law Regime: UNFCCC, Kyoto, Paris
Wednesday, 5. October 2022, 16:15-18:00	International Human Rights Law and Climate Change
Wednesday, 12. October 2022, 16:15-18:00	Scientific Parameters: Impacts of Climate Change, Extreme Events, Attribution, Carbon Budgets

¹ Cf. Art. 23 RSL RW.

Wednesday, 19. October 2022 , 16:15-18:00	Deadline for submission of research question, draft outline of 1-2 pages and 1-2 page bibliography/list of materials
Wednesday, 2. November 2022, 16:15-18:00	Group meeting
Wednesday, 16. November 2022, 16:15-18:00	Special guest Dr. iur. Cordelia Bähr, LL.M., attorney at law, on the Climate Seniors Case
Wednesday, 30. November 2022, 16:15-18:00	Group meeting
Wednesday, 7. December 2022, 16:15-18:00	Group meeting
Wednesday, 14. December 2022, 16:15-18:00	Group meeting
Wednesday, 21. December 2022, 16:15-18:00	Group meeting
Monday, 9. January 2023	Submission of seminar paper (in digital form as Word and PDF to charlotte.blattner@oefre.unibe.ch as well as two paper copies to University of Bern, Institute of Public Law, Charlotte Blattner, Schanzeneckstrasse 1, P.O. Box 3444, Office D 128, CH-3001 Bern).