

XVIII Interdisciplinary Seminar on Climate, Energy and Sustainability

16 April 2026

9.30 – 11.30 CEST

Room 7A.0.16 – Faculty of Law, University of Copenhagen and online

PROGRAMME

Time	Programme
9.15 – 9.30	<u>In person:</u> welcoming of speakers and participants (breakfast is served) <u>Online:</u> ZOOM room opens
9.30 – 9.35	Welcome and Introduction Associate Professor Beatriz Martinez Romera , Centre for Climate Change Law and Governance (CLIMA), Faculty of Law; Co-Director of Copenhagen Center for Disaster Research (COPE), University of Copenhagen
9.35 – 10.25	Session 1 Chair: Viktor Weber , Assistant Professor, CLIMA, Faculty of Law, University of Copenhagen 1. Romeo Porsing, Law student, University of Copenhagen <i>Advanced Nuclear Technologies in Denmark: Legal Pathways for SMR</i> 2. Chiara Treglia, PhD Student, LUISS Guido Carli University <i>From abusive lending to unsustainable lending: Directors' Liability in ESG-oriented banking</i> 3. Dunee Donatus, PhD Student, Wuhan University (online) <i>Towards a National Climate Change Authority: Legal and Institutional Reform for Climate Governance in Ghana</i>

	4. Yulia Sergeeva, PhD Student, University of Groningen <i>Regulation of Energy Markets in the North Sea: Designing Instruments for a Sustainable Energy Transition Towards 2050</i>
10.25 – 10.30	Short Break
10.30 – 11.20	Session 2 Chair: Sebastiano Gianino, PhD Student, CLIMA, Faculty of Law, University of Copenhagen 1. Irene Antonioli, Erasmus+ post-graduate trainee, University of Copenhagen <i>The Impact of Climate Change on the International Protection of Human Rights</i> 2. Júlia Gonçalves, PhD Student, Federal University of Santa Catarina (online) <i>Climate Justice in the Inter-American Court of Human Rights: local and international perspectives for women's rights based on the floods in Rio Grande do Sul (Brazil, 2024)</i> 3. Paola Vitale, Recent Graduate, University of Bologna <i>Can Climate be Protected Through Criminal Law?</i> 4. Aarti Pillai, Recent Graduate, Royal College of Art & Yale-NUS College (online) <i>Tidal Interruptions: Archipelagic Refusal and More-Than-Human Jurisprudence</i>
11.20 – 11.30	Concluding Remarks Associate Professor Beatriz Martinez Romera, CLIMA, Faculty of Law; Co-Director of COPE, University of Copenhagen

ABSTRACTS

Romeo Porsing

Advanced Nuclear Technologies in Denmark: Legal Pathways for SMR

The renewed interest in nuclear energy as a stable energy source raises regulatory questions for jurisdictions that currently lack a modern nuclear law regime. Denmark presents an interesting case. While commercial nuclear electricity generation has historically been politically and legally restricted, emerging reactor technologies within the Small Modular Reactor (SMR) category challenge legal frameworks originally designed for large, conventional nuclear power plants.

This research examines to what extent Danish and European Union law regulates the permitting of nuclear facilities and commercial operations based on SMR technologies. The project analyses different legal frameworks, with particular attention to environmental permitting, radiation protection, nuclear safety regulation, and international non-proliferation obligations.

A central element of the research is a comparative analysis of permitting and licensing regimes in jurisdictions currently building advanced nuclear technologies, including Sweden, Finland and the United Kingdom. These jurisdictions provide insight into how existing nuclear law systems are adapting to modular, factory-built, non-traditional reactor models.

The project is conducted in collaboration with Saltfoss Energy, a Danish nuclear technology company designing a molten-salt reactor (MSR). Saltfoss is working with international industrial partners to explore pathways for licensing, construction and deployment.

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Chiara Treglia

From abusive lending to unsustainable lending: Directors' Liability in ESG-oriented banking

Recent developments in EU sustainable finance regulation are progressively reshaping the role of banks in the transition towards a sustainable economy. Within the broader framework of European Union law and its implementation across Member States, financial institutions are increasingly expected to integrate environmental, social and governance (ESG) factors into their risk management frameworks and lending policies. In this context, ESG risks are emerging as relevant elements not only for prudential supervision but also for corporate governance and directors' duties.

The proposed presentation explores the implications of this regulatory evolution for the liability of bank directors in lending decisions. To that end, traditionally, directors' responsibility in this field has been discussed through the doctrine of abusive lending, which concerns the granting of credit to companies whose financial distress is already evident. However, the growing integration of ESG considerations into banking regulation raises the question whether lending decisions that disregard significant sustainability risks could also give rise to liability.

The proposed research thus investigates whether the inclusion of ESG factors in creditworthiness assessments may contribute to a reinterpretation of directors' duties under the principle of sound and prudent management and discusses the possible emergence of a new conceptual category of "unsustainable lending".

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Dunee Donatus

Towards a National Climate Change Authority: Legal and Institutional Reform for Climate Governance in Ghana

Climate change presents a profound governance challenge for developing states, where vulnerability to climate impacts is often compounded by fragmented legal frameworks, weak institutional coordination, and limited enforcement capacity. Ghana exemplifies this dilemma. Despite active engagement with international climate regimes and the adoption of multiple national policies, the absence of a comprehensive climate change law and a central coordinating authority continues to undermine effective implementation, accountability, and climate justice. This paper examines how law can function not merely as a policy instrument, but as a governance architecture capable of integrating mitigation, adaptation, justice, and institutional coherence within Ghana's climate response.

Drawing on Earth System Governance, Polycentric Governance, and Environmental Justice theories, the study employs doctrinal legal analysis and comparative methodology to evaluate Ghana's existing climate governance framework alongside selected jurisdictions Kenya, South Africa, and China. The analysis reveals that while Ghana has developed an extensive policy landscape, its climate regime remains legally fragmented, institutionally dispersed, and weakly enforceable. By contrast, comparative jurisdictions demonstrate how statutory climate frameworks, judicial engagement, and centralized yet decentralized institutional models can enhance coherence, accountability, and resilience.

The paper further explores climate change litigation as an emerging governance mechanism, highlighting how courts globally and within Africa are increasingly shaping climate accountability, rights protection, and intergenerational equity. Building on these insights, the study proposes a novel legal and institutional reform: the establishment of a National Climate Change Authority (NCCA) under a comprehensive Climate Change Act for Ghana. The proposed framework integrates scientific oversight through a Chief Scientist, decentralized implementation structures, climate finance mechanisms, and judicial accountability pathways.

The paper contributes to climate governance scholarship by advancing a legally anchored, justice-oriented, and adaptive governance model tailored to Ghana and transferable to other West African states. It argues that effective climate action in vulnerable regions requires not only political commitment and policy ambition, but also robust legal institutions capable of coordinating actors, enforcing obligations, and safeguarding both present and future generations.

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Yulia Sergeeva

Regulation of Energy Markets in the North Sea: Designing Instruments for a Sustainable Energy Transition Towards 2050

This paper analyses whether and to what extent regulatory instruments that support the development of energy markets in the North Sea are capable of attaining public interests. The Netherlands and the United Kingdom ('UK'), as examples of coastal states within and outside the European Union ('EU'), aim to achieve climate neutrality by 2050. National policymakers have also set out additional objectives that the national energy systems should meet. These include security of supply and reliability, affordability, safety, sustainability, and fairness. Together with net zero, these potentially competing objectives can be seen as the 'objectives of a sustainable energy transition'. In reaching them, the North Sea plays an important role as one of the region's largest energy sources. To incentivise its sustainable development and attract required investment, several regulatory instruments can be used, including contracts-for-differences ('CfDs') and capacity markets ('CMs'). The issue arising next is how to design such regulatory instruments to incorporate and balance potentially competing objectives. In this work, I argue that the extent to which CfDs and CMs are capable of achieving public interests reflected in the objectives of a sustainable energy transition depends on their specific legal design.

Irene Antonioli

The Impact of Climate Change on the International Protection of Human Rights

This paper explores how these strategies intersect with broader EU objectives, such as the Hydrogen Strategy and the European Hydrogen Backbone. It highlights the importance of aligning national policies with future EU legal frameworks to ensure coherence. By comparing the regulatory approaches of Germany and France, the paper assesses how legal certainty, cross-border coordination, and flexible regulation can enable ports to play a central role in the EU's evolving hydrogen ecosystem. This thesis examines the impact of climate change on the international protection of human rights, focusing on the growing interaction between environmental law and human rights law. In recent years, the phenomenon often described as the "humanization of climate change" and the "climatization of human rights" has encouraged individuals and groups to bring climate-related claims before international courts, arguing that inadequate state climate policies may result in violations of fundamental rights.

The research analyses this development through the lens of international climate litigation, with particular attention to the jurisprudence of the European Court of Human Rights. The study focuses on three landmark decisions delivered on 6 April 2024 - Verein KlimaSeniorinnen Schweiz and Others v. Switzerland, Duarte Agostinho and Others v. Portugal and Others and Carême v. France - which address crucial issues such as victim status, extraterritorial jurisdiction and the exhaustion of domestic remedies.

The thesis argues that climate litigation plays an important role in shaping the legal response to climate change, while also revealing the structural limits of international law, particularly those related to state sovereignty, judicial competence and the effectiveness of international

environmental obligations. These developments highlight both the potential and the limitations of judicial avenues in addressing climate change within the current structure of international law.

Júlia Gonçalves

Climate Justice in the Inter-American Court of Human Rights: local and international perspectives for women's rights based on the floods in Rio Grande do Sul (Brazil, 2024)

Climate emergency is one of the greatest contemporary challenges, affecting women and girls with complex and significant consequences. As climate change deepens existing social and economic inequalities, it is necessary to adopt an intersectional and gender-sensitive approach to mitigation and adaptation measures. Given this, in 2024, the state of Rio Grande do Sul, Brazil, experienced an overwhelming tragedy: the worst flooding in the state's history, leaving more than 616,000 people homeless. The floods that afflicted Rio Grande do Sul brought to light structural inequalities and revealed how extreme weather events have a more severe impact on the most vulnerable groups. In 2025, the Inter-American Court of Human Rights published Advisory Opinion No. 32/25, recognizing that climate emergency is a direct threat to human rights, establishing parameters for enhanced due diligence and international cooperation. Thus, the aim of this study is to evaluate the limits and transformative potential of the AO no. 32/25 for protecting girls and women in light of the tragedy that occurred in Rio Grande do Sul. The hypothesis is that AO No. 32/25 is insufficient, as it remains confined to a normative approach that recognizes inequalities without adequately addressing their structural foundations.

Paola Vitale

Can Climate be Protected Through Criminal Law?

This paper addresses an urgent yet still insufficiently unpacked debate: can the climate be protected through criminal law? Rather than assuming a straightforward answer, the analysis starts from the premise that the main difficulty lies in framing the question correctly. The relationship between climate harm and criminal responsibility is therefore unpacked into its underlying components and sub-questions, situating the argument within the existing scholarly debate.

The paper then examines the assumption that weaknesses in implementation and enforcement mechanisms in climate law, at both the international and domestic levels, support calls for the use of criminal law to protect the climate. However, these notions require prior clarification as to what they actually mean and entail.

Finally, the paper turns to the Independent Expert Panel's proposed definition of ecocide under the Rome Statute. It examines doctrinal critiques—particularly those advanced by Satzger and von Maltitz—concerning the criteria of 'widespread', 'long-term', and 'severe' damage. While these thresholds pose structural challenges in relation to climate harm, the paper argues that some of these objections, while serious, do not necessarily preclude the use of criminal law for climate protection.

Aarti Pillai

Tidal Interruptions: Archipelagic Refusal and More-Than-Human Jurisprudence

This paper theorises interruption and more-than-human relationality as jurisprudential and artistic enactments that contest anthropocentric legal frameworks. Traditional environmental law often privileges human interests and stabilises nature as object of governance; by contrast, environmental personhood recognises natural entities as legal subjects capable of holding rights, protections, and legal standing through appointed guardians.

Situated in Southeast Asia, where diverse ontologies and folklore already articulate fluid boundaries between persons, land, water, and non-human beings, the paper argues that more-than-human imaginaries are already operative within cultural memory. Drawing on maritime myths – including the sister islands narrative, Puteri Gunung Ledang, and the Legend of Red Hill – these stories unsettle fixed territorial sovereignty and anthropocentric juridical categories by treating islands, terrain, and spirits as relational subjects rather than abstract resources.

By combining legal theory with practice-based art research in salt crystallisation and sediment work, interruption is reframed as tidal morphology – a juridical temporality that exceeds linear governance time and models legal subjectivity as inherently relational and responsive to place.

These embodied interruptions function as speculative jurisprudence: creative practices that generate alternative legal imaginaries grounded in more-than-human relationality and indigenous cosmopolitics.