

Judicial Capacity Building on Climate Law and Litigation

October 2022



European Bank
for Reconstruction and Development

Central Europe and the Baltic states

- 01 Croatia
- 02 Czech Republic
- 03 Estonia
- 04 Hungary
- 05 Latvia
- 06 Lithuania
- 07 Poland
- 08 Slovak Republic
- 09 Slovenia

* The EBRD has excluded Russia and Belarus from receiving funding for projects or technical cooperation, following the invasion of Ukraine.

Southern and eastern Mediterranean

- 30 Egypt
- 31 Jordan
- 32 Lebanon
- 33 Morocco
- 34 Tunisia
- 35 West Bank and Gaza

South-eastern Europe

- 10 Albania
- 11 Bosnia and Herzegovina
- 12 Bulgaria
- 13 Kosovo
- 14 Montenegro
- 15 North Macedonia
- 16 Romania
- 17 Serbia

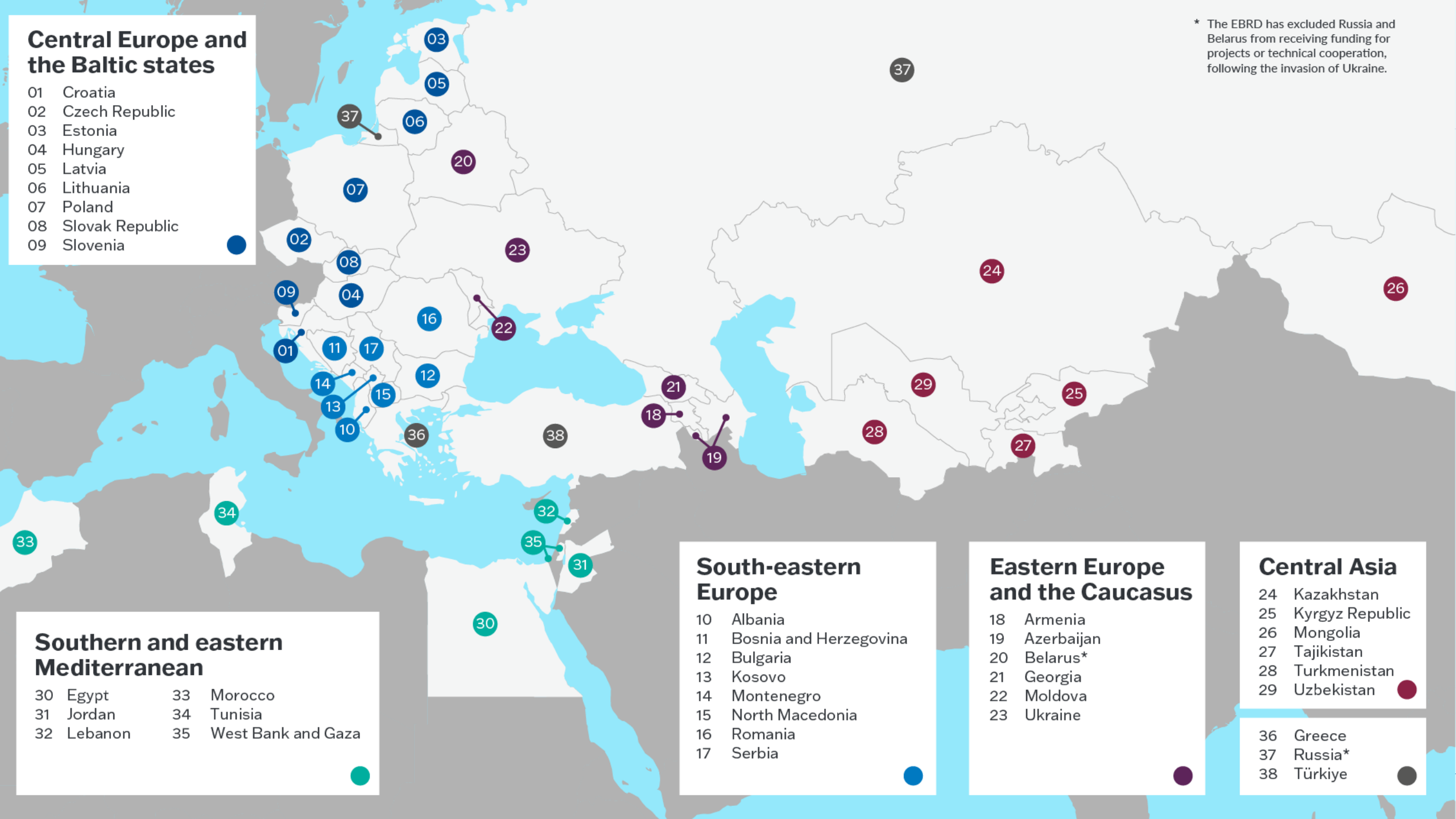
Eastern Europe and the Caucasus

- 18 Armenia
- 19 Azerbaijan
- 20 Belarus*
- 21 Georgia
- 22 Moldova
- 23 Ukraine

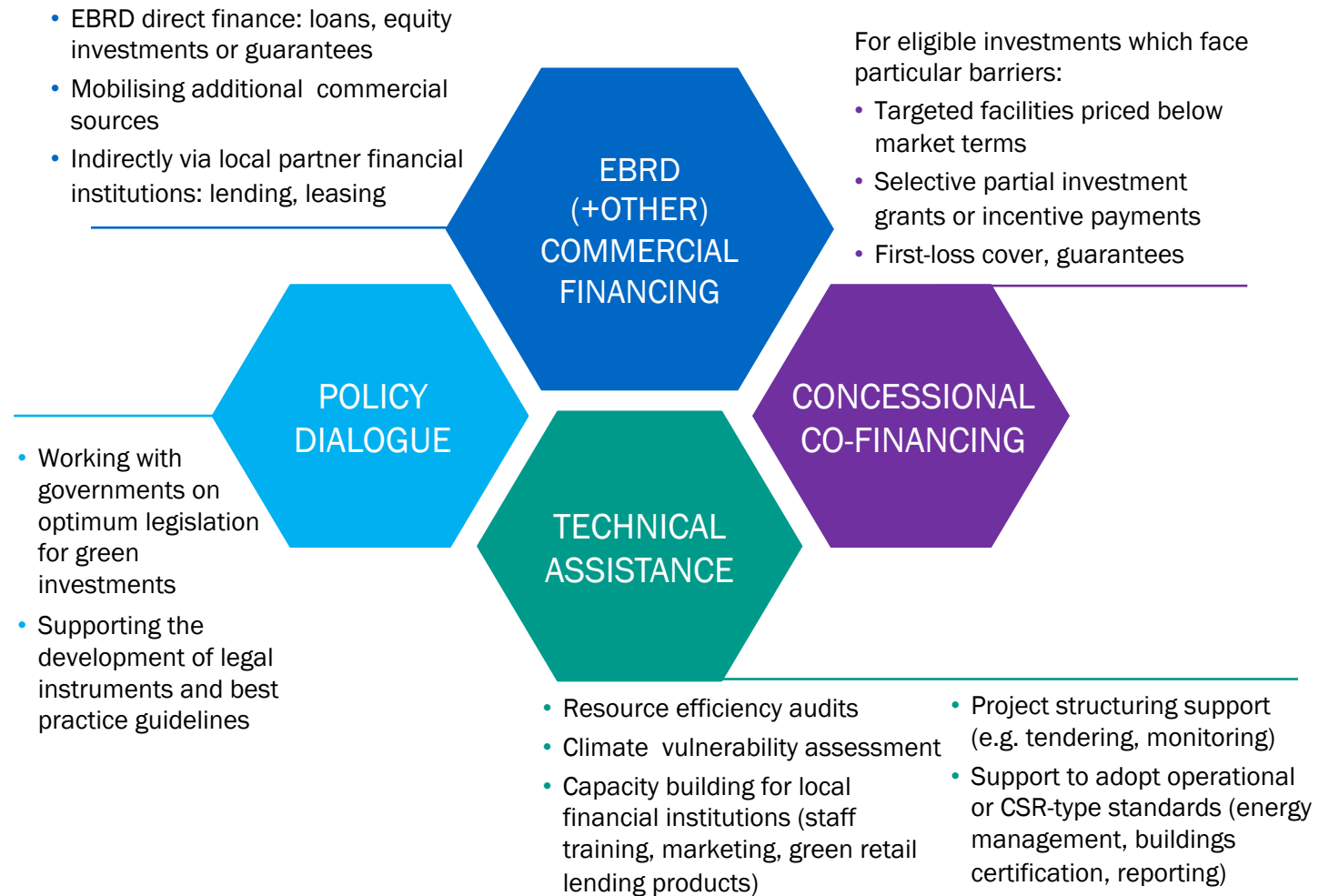
Central Asia

- 24 Kazakhstan
- 25 Kyrgyz Republic
- 26 Mongolia
- 27 Tajikistan
- 28 Turkmenistan
- 29 Uzbekistan

- 36 Greece
- 37 Russia*
- 38 Türkiye



The EBRD Model



Legal Transition Programme (LTP)



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- As part of the Bank's policy dialogue, LTP helps establish laws, regulations and institutions as well as supports capacity building activities for state institutions and courts.
- LTP has been delivering judicial capacity building projects since 2005.
- Judicial capacity building has traditionally focussed on commercial law, commercial mediation, insolvency law, competition law and IP law.
- More than 600 judges participated in capacity building projects from more than 15 jurisdictions.
- Completed projects: Albania, Armenia, Bosnia and Herzegovina, Bulgaria, Croatia, Kosovo, Kyrgyz Republic, Moldova, Mongolia, Montenegro, North Macedonia, Romania, Serbia, Tajikistan, Tunisia.
- Ongoing projects: Ukraine, Jordan, West Bank and Gaza.



Rationale for Climate-focussed Judicial Capacity Building



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Rapid increase in climate litigation



Climate litigation is getting more ‘strategic’



Climate and sustainability-related regulation is evolving



Knowledge transfer



Uniformity and predictability of court decisions is critical

Proposed Capacity Building Curriculum



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International focus

International climate law framework

- UNFCCC
- Kyoto Protocol
- Paris Agreement
- COP decisions

Interaction with other areas of international law

- Human rights
- Environment law

Climate/environment Litigation

- legal instruments invoked
- arguments of the claimant(s)
- dealing with scientific evidence
- any substantive and procedural hurdles

Domestic/regional focus

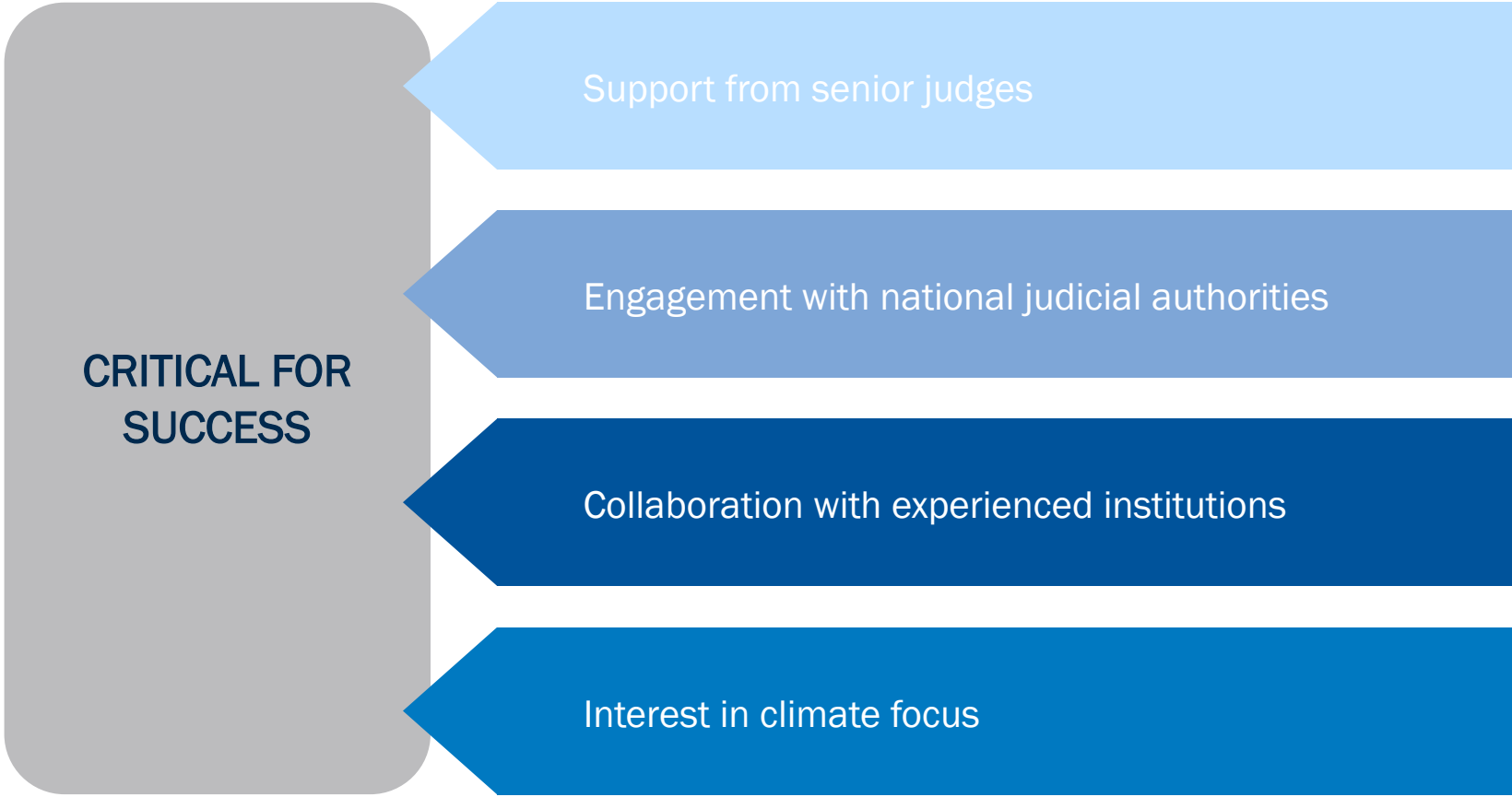
Domestic legal framework

- Relevant laws and regulations
- Relevant policies

Climate/environment litigation

- legal instruments invoked
- arguments of the claimant(s)
- dealing with scientific evidence
- any substantive and procedural hurdles

Project Implementation





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Thank You

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