

Legal regulation of climate protection following the adoption of the Paris Agreement

Abstract

The Paris Agreement was adopted on 12 December 2015 and became effective on 4 November 2016. The Agreement's central aim is to keep the increase in global average temperature well below 2°C above pre-industrial levels and to limit the increase to 1.5°C. The Agreement starts to apply in 2020. Under the Paris Agreement, each Party must communicate its nationally determined contributions, which will help to achieve the purpose of the Agreement. The aim of this thesis is to analyse the development of the legal protection of the Earth's climate system in the European Union after the adoption of the Paris Agreement.

Part One is subdivided into four chapters. The first chapter is introductory and provides an overview of basic terminology, scientific knowledge and observed changes in climate and their impact. Chapter Two deals with the subject matter of international climate change law. Chapter Three deals with the legal sources of international law, in particular with international conventions. Legal principles are described there as well. Chapter Four looks at the historical development of the international protection of the climate. Also, it focuses on the analysis of the Paris Agreement. This chapter describes the negotiations leading to the adoption of the Agreement as well as the following measures, an emphasis is placed on the requirements of the Parties' nationally determined contributions. Finally, Part One analyses the ability of the contributions to reach the aims of the Agreement.

Part Two examines the legal regulation of climate change in the European Union. It addresses its development and reviews the legal sources. Part Two provides a description of the legal basis contained in the Treaties and an overview of the secondary law. The secondary law is divided into three groups. The first group consists of climate change legislation adopted before 2009. The second group consists of legislations that will be in force until 2020. The third group of the legislative acts was adopted in 2018 and provides a framework for the period 2020 to 2030. Chapter Two of Part Two addresses the Energy Union. Building the Energy Union has been considered a priority of the European Council since 2014. The building of the Energy Union is described chronologically.

Part Three analyses the measures undertaken by the European Union to address the Paris Agreement. The EU implemented its nationally determined contribution into its legal system through a number of legislative acts. These legislative acts commit the EU to cut greenhouse gas emissions by at least 40 % below 1990 levels by 2030, while improving energy efficiency and increasing the share of renewable energy sources. Part Three describes in detail each of these goals together with its legislative process. Chapter Four of Part Three analyses these goals as part of the nationally determined contributions of the European Union. Conclusions are drawn in this Chapter. The main aim of this Chapter is to examine whether these goals can achieve the central aim pursued by the Paris Agreement. It is suggested that the European Union should *de lege ferenda* set more ambitious targets.

Key words: climate change, the Paris Agreement, reducing greenhouse gas emissions