

Christiane Trüe | Lydia Scholz [Eds.]

The EU Green Deal and its Implementation



Nomos

Edition
Rainer
Hampp

Christiane Trüe | Lydia Scholz [Eds.]

The EU Green Deal and its Implementation



Nomos

Edition
Rainer
Hampp

The Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data are available on the Internet at <http://dnb.d-nb.de>

ISBN 978-3-98542-045-2 (Print)
 978-3-95710-420-5 (ePDF)

British Library Cataloguing-in-Publication Data

A catalogue record for this book is available from the British Library.

ISBN 978-3-98542-045-2 (Print)
 978-3-95710-420-5 (ePDF)

Library of Congress Cataloging-in-Publication Data

Trüe, Christiane | Scholz, Lydia
The EU Green Deal and its Implementation
Christiane Trüe | Lydia Scholz (Eds.)
317 pp.
Includes bibliographic references.

ISBN 978-3-98542-045-2 (Print)
 978-3-95710-420-5 (ePDF)

Edition Rainer Hampp in the Nomos Verlagsgesellschaft

1st Edition 2023

© The Authors

Published by
Nomos Verlagsgesellschaft mbH & Co. KG
Waldseestraße 3–5 | 76530 Baden-Baden
www.nomos.de

Production of the printed version:
Nomos Verlagsgesellschaft mbH & Co. KG
Waldseestraße 3–5 | 76530 Baden-Baden

ISBN 978-3-98542-045-2 (Print)
ISBN 978-3-95710-420-5 (ePDF)
DOI <https://doi.org/10.5771/9783957104205>



Online Version
Nomos eLibrary



This work is licensed under a Creative Commons Attribution
4.0 International License.

Foreword

Climate change mitigation and the EU Green Deal will be central topics for the EU to address for years to come. Recent COP meetings show clearly how important the EU's contribution to mitigating climate change is: a major historical contributor to the greenhouse gases in the atmosphere, it now has the opportunity to reverse this trend of ever more emissions, including by providing a model and the means for other parts of the world to leapfrog the carbon age.

All of this raises major issues and themes for discussion, including:

Understanding the Origins of the Green Deal Approach, first implementation measures and the multi-level framework for Green Deal implementation; Potential Legal Instruments for implementation, including technical standardisation, criminal law sanctions and market-based measures, such as tax incentives or the future extension of emission trading to consumers; Education and Awareness-Raising to influence entrepreneurial orientation; the External Dimension of the Green Deal, the Carbon Border Adjustment Mechanism; the challenge of Climate Rights Enforcement, in view of traditional restrictive interpretations of individual rights, causation and legal standing; issues arising in specific sectors, including Energy, Transport, Public Procurement, Urban Planning and Migration.

This conference volume presents a selection of valuable contributions, dealing with the above questions, presented at the first EU Green Deal Conference initiated by the City University of Applied Sciences in Bremen at the end of 2021. The hope thereby is to stimulate further discussion, with the aim of achieving the Green Deal targets in an economically and legally effective manner.

Lydia Scholz
Christiane Trüe

Table of Contents

Foreword	5
<i>Welcome and introduction</i>	
Welcome and introduction by Kai Stührenberg	11
<i>Fundamentals</i>	
<i>Walter Frenz</i>	
Nachhaltigkeitswende durch das EU-Klimapaket „Fit for 55“ nach der Klimakonferenz von Glasgow	19
<i>Instruments</i>	
<i>Trygve Ben Holland, Sarah Holland-Kunkel, André Röhl</i>	
On the Criminal Law Dimension of the Green Deal	45
<i>Marc Stauch</i>	
Augmenting the Green Deal – The Case for Introducing Personal Carbon Trading in the EU	61
<i>Mirko Kruse and Jan Wedemeier</i>	
The Green Deal and Mission-Oriented Innovation Policy in Europe – What about Smart Specialisation?	79
<i>Célia Maria Silva Carvalho and Vera de Hesselle</i>	
Tax and Environment in Brazil and Germany	105

*External Dimension of the Green Deal**Kirk W. Junker and Marvin Jürgens*

Is the Carbon Border Adjustment Mechanism Illegal?

123

*Energy**Lydia Scholz*Germany's Energy Strategy between the EU Green Deal Targets
and Economic Freedom

145

*Zeynep Şentürk*The Energy Charter Treaty and the European Green Deal: A Critical
Analysis Under EU and International Trade Law

157

*Education and Awareness**Sergejs Stacenko, Tatjana Muravská, Līga Briķena*Building the Road to Green Entrepreneurial Orientation in Higher
Education and Research: Sharing Experience and Looking Ahead

187

*Protected Rights and their Enforcement**Christiane Trüe*Climate Rights Enforcement in the EU: Individual Rights –
Causation – Standing

217

*Procurement**Kleoniki Pouikli*The role of Green Public Procurement (GPP) under the EU Green
Deal as a key lever of the transition to a circular and climate neutral
Europe

247

Migration

Lisa-Marie Hartwig

Climate Refugees – Current or future issue in Society and Law? 269

Urban Planning

María Luisa Gómez Jiménez

SDGs and Port Systems: New Challenges and Opportunities
for Marine Protection from the EU Green Deal Perspective 289

