

## *Winter School 2023*

# Energy transition and fundamental rights

Palermo, 27 February – 4 March 2023

University of Palermo – Department of Law

Via Maqueda, 172 – 90134, Palermo

Piazza Bologni, 8 – 90134, Palermo

PhD courses in "Human Rights: Evolution, Protection and Limits", "Legal pluralism. Ancient and current perspectives", "Dynamics of systems" and "Ecological transition", in collaboration with the Center for Sustainability and Ecological Transition and the Master in "Law and Technique of the Ecological Transition" of the University of Palermo, present the Winter School entitled: *Energy transition and fundamental rights* (hereinafter called: *Winter School*).

### ART. 1 – GENERAL INDICATIONS

#### I – PREMISE

The *Winter School* will be dedicated to the protection of fundamental rights in the context of energy transition processes. In fact, it cannot be ignored how the serious climate crisis in progress and the increasingly difficult access to "traditional" sources, in its etiological pluralism, have imposed – and still impose – a rethinking of the methods of production, supply and consumption of energy. In the background of these processes arises the immanent presence of fundamental rights, which live an ambivalent relationship with the energy transition, between risks related to the excessive compression of protection and opportunities for their strengthening.

The interdisciplinary nature and transversality of the scientific comparison will therefore be the two essential components of the *Winter School*. It will be therefore traced an ideal path which, through the constant recourse to a *human-based* approach, will allow to test the mutual interference between energy transition and protection of rights, increasingly understood not as a mere negative limit of public policies, but as a renewed and univocal moment of finalistic fallout of the entire development path.

#### II – OBJECTIVES AND TOPICS

In order to try to examine the multiple questions posed from different angles, the *Winter School* will be articulated into three main moments.

1. *Determination of the historical and technical-scientific background of reference.* It is not possible to address the issue of energy transition with conscience without fully understanding the reasons that have contributed to placing the issue at the center of the political agendas of governments around the world. To this end, the contribution of different professionals of the technical-scientific area will prove how crucial it is to define the multiple co-interests between climate change and energy issues, as well as between the energy transition and the geographical, social, political and economic conditions in which certain regions, or the entire globe find themselves. The survey will therefore require an in-depth analysis of the prospects and the main critical issues of the use of renewable energy sources.
2. *Human rights and energy policies.* Once the general coordinates have been acquired, we will proceed with a reconstruction, both diachronic and synchronic, of the way in which governments have understood and declined energy transition policies. The survey will look at all levels, international, European and national.

Once objectives and solutions will be acquired, their real degree of effectiveness, the impact on the general levels of protection and the development of human rights will be considered.

3. *Human rights and energy transition put to the test: insights on some areas of interest.* All that remains is to question how human rights and the energy transition are in dialogue in certain areas of election. It will thus range from the regulation of energy markets, to urban planning profiles, with particular attention to energy communities. Again we will look with interest at the effects of energy transition policies on the protection of the landscape, and the crucial role played by national jurisdictions not only in the resolution of disputes concerning climate issues (the so-called *climate litigation*).

### III - METHODOLOGY

As indicated in the attached programme, each day one or two sessions will be held and several specific topics will be discussed from various theoretical and practical perspectives, with the aim of achieving an effective integration of methods and solutions. Speakers will suggest materials to read in advance preparing participants to address the topics under discussion, facilitating a greater understanding and a more fruitful discussion of the topics covered. At the end of each seminar there will be a debate involving all the participants in the activities. In order to ensure the maximum involvement of PhD students, the work of the *Winter school* will include a *Workshop* entitled "*The energy transition between development prospects and dangers for the protection of fundamental rights: an interdisciplinary approach*", where the papers proposed and developed by some PhD students will be presented. To participate as a speaker at the *Workshop*, view the *call* at the following link: <https://www.unipa.it/dipartimenti/di.gi./dottorati/dirittumanievoluzionetutelaimitiinternazionale/>.

### IV – WORKING LANGUAGES

The work will take place in Italian, English and Spanish, according to the preference of the speakers and the composition of the audience.

#### ART. 2 – ADMISSION CONDITIONS

1. As established by art. 4 of the *Regulations for the activation of International Courses of Advanced Studies "Summer and Winter School"* of the University of Palermo, can participate in the *Winter School*:
  - students who have already obtained a Master's or PhD degree;
  - students enrolled in a doctoral course at an Italian or foreign university;
  - researchers from an Italian or foreign university;
  - students enrolled in a degree course of an Italian University, within the limits indicated in the following par. 4.
2. The minimum number of participants required to activate the *Winter School* is 15 (fifteen) candidates.
3. No more than 40 (forty) applications will be accepted.

At least 15 (fifteen) participants will be selected among candidates from universities other than the proposing university.

Only in the event that less than 25 (twenty-five) people apply to participate in the *Winter School*, more applications from the University of Palermo will be considered.
4. The course is also opened to students enrolled in a degree course of an Italian University who are working on their degree thesis and therefore at the end of their studies.

No more than 10 (ten) students enrolled in a degree program may be selected to participate in the *Winter School*.

5. If it is necessary to make a selection (if the number of applications exceeds 40), the Scientific Committee will draw up a list of admitted participants and a waiting list. Candidates on the waiting list will be contacted if those admitted withdraw.

The selection will be made on the basis of the *Curriculum vitae*, the declared qualifications and a motivational letter sent by the candidate.

### ART. 3 – APPLICATIONS

1. To register for the *Winter school* it is necessary to fill in and transmit the *application form* attached to this *call*, as well as the payment of the participation fee, in compliance with the procedures described in the following paragraphs.
2. Candidates must attach to the *application form*:
  - your *Curriculum Vitae et studiorum*;
  - list of qualifications, if any;
  - copy a valid identity document;
  - copy of thereceipt certifying the payment of the registration fee;
  - motivational letter (max 250 characters).

The *application form* and the supporting documents must be sent by **February 20, 2023**.

The *application form* and the attached documents must be sent in one of the following ways:

- a. by e-mail to the following address: [andrea.fattorini@unipa.it](mailto:andrea.fattorini@unipa.it). The *e-mail* must include the following subject: "Winter school "Energy transition and fundamental rights", 27 February - 3 March 2023".  
The files must be in ".pdf" format;
- b. by post to the following address:

**Department of Law**

Piazza Bologni, 8  
90134 Palermo, Italy

(Please write on the outside from the envelope: "Winter school "Energy transition and fundamental rights", 27 February - 3 March 2023").

3. The payment of the registration fee of € 250.00 includes enrollment in the *Winter School*, materials, final certificate and insurance coverage.

**The payment of the registration fee must be made by bank transfer to the following current account:**

**Holder:** University of Palermo.

**Bank:** UNICREDIT S.p.A. – Headquarters in via Roma, 185, Palermo, Italy.

**IBAN:** IT 09 A 02008 04682 000300004577

**SWIFT/BIC code:** UNCRITMMPAE

**Reason:** "Winter school "Energy transition and fundamental rights", 27 February - 3 March 2023".

4. Students of the following PhD courses are exempt from submitting the *application form* and paying the enrolment fee:
  - PhD in "Human Rights: Evolution, Protection and Limits" of the University of Palermo;
  - PhD in "Legal pluralism. Ancient and current perspectives" of the University of Palermo;

- PhD in " Dynamics of Systems" from the University of Palermo;
- PhD in " Ecological Transition" of the University of Palermo.

#### ART. 4 – THE *WINTER SCHOOL* COURSES

1. The *Winter School* will be divided into two parts.

In the first, participants will have to study the reading materials – theoretical and practical articles, court decisions, official reports – which will be made available on the website of the PhD in "Human Rights" at least two weeks before the start of the *Winter School*:

<https://www.unipa.it/dipartimenti/di.gi./dottorati/dirittiumanievoluzionetutelaelimitiinternazionale/>.

In the second they will participate in the seminars and in the *Workshop*, held by speakers from Italian and foreign universities, and they will take part in the discussion with questions and answers based on the reports and on the reading of teaching materials.

2. The activities of the *Winter school* will take place in Palermo, Italy, at the offices of the Department of Law of the University of Palermo – Via Maqueda, 172, and Piazza Bologna, 8 – in compliance with the indications contained in the final program that will be subsequently announced. The seminars will be held between 9 a.m. and 7 p.m.
3. Participants will have full and free access to the library of the Department of Law.
4. Students who have participated in at least 90% of the seminars will receive a certificate, which corresponds to 6 ECTS, after passing an exam.

#### ART. 5 – ACCOMMODATION AND MEALS

1. Participants not resident in Palermo can rent a room with ERSU Palermo – Regional Agency for the Right to University Study – at reduced prices. All participants will have access to the University Canteen (which offers meals at very low costs).

For further information on accommodation and meals, please contact **Dr. Andrea Fattorini** at the following e-mail address: [andrea.fattorini@unipa.it](mailto:andrea.fattorini@unipa.it).

#### CONTACTS

For more information visit <https://www.unipa.it/dipartimenti/dipartimentogiurisprudenza/> or <https://www.unipa.it/dipartimenti/di.gi./dottorati/dirittiumanievoluzionetutelaelimitiinternazionale/> contact:

- **Dr. Andrea Fattorini** ([andrea.fattorini@unipa.it](mailto:andrea.fattorini@unipa.it)).
- **Dr. Francesco Giacalone** ([francesco.giacalone10@unipa.it](mailto:francesco.giacalone10@unipa.it)).
- **Dott.ssa Cristiana Livolsi** ([cristiana.livolsi@community.unipa.it](mailto:cristiana.livolsi@community.unipa.it)).
- **Dr. Manfredi Matassa** ([manfredi.matassa@unipa.it](mailto:manfredi.matassa@unipa.it)).

## SCIENTIFIC DIRECTORS OF THE *WINTER SCHOOL*

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- **Prof. Nicola Gullo**  
University of Palermo – Department of Law  
Via Maqueda, 172 – 90134, Palermo  
*E-mail:* [nicola.gullo@unipa.it](mailto:nicola.gullo@unipa.it)
- **Prof. Daniela Mazzagreco**  
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- **Prof. Mario Varvaro**  
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## ORGANIZING COMMITTEE OF THE *WINTER SCHOOL*

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- **Dr. Andrea Fattorini**  
University of Palermo – Department of Law  
Piazza Bologna, 8 – 90134, Palermo  
*Phone:* +39 09123892134  
*E-mail:* [andrea.fattorini@unipa.it](mailto:andrea.fattorini@unipa.it)
- **Dr. Rosario Castiglione**  
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*E-mail:* [rosario.castiglione@unipa.it](mailto:rosario.castiglione@unipa.it)

## SCIENTIFIC COMMITTEE OF THE *WINTER SCHOOL*

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Maurizio Cellura (University of Palermo), Daria Coppa (University of Palermo), Pasquale De Sena (University of Palermo), Giuseppe Di Chiara (University of Palermo), Loredana Giani (European University of Rome), Isabel Gonzalez Rios (University of Malaga), Nicola Gullo (University of Palermo), Laura Lorello (University of Palermo), Daniela Mazzagreco (University of Palermo), Margherita Poto (Arctic University of Norway), Aldo Schiavello (University of Palermo), Isabel Trujillo (University of Palermo), Mario Varvaro (University of Palermo), Giuseppe Verde (University of Palermo).

## ANNEX 1 – WINTER SCHOOL PROGRAM

### *Winter School 2023*

## Energy transition and fundamental rights

Palermo, 27 February – 4 March 2023

Univeraity of Palermo – Department of Law – Department of Political Science and International Relations – Centre for Sustainability and Ecological Transition – Centre for Advanced Studies

Via Maqueda, 172 – 90134, Palermo

Piazza Bologni, 8 – 90134, Palermo

**Winter school 2023 location:** Orto Botanico, Sala Lanza, Via Lincoln, 2 – 90133, Palermo, Italy

Monday, February 27, 2023	
<p><b>Institutional greetings</b> 9.15 am – 9.45 am</p>	<p><i>Prof. Armando Plaia</i> – Director of the Department of Law of the University of Palermo.</p> <p><i>Prof. Antonello Miranda</i> – Director of Centre for Advanced Studies of the University of Palermo.</p> <p><i>Prof. Aldo Schiavello</i> – Coordinator of the PhD course in "Human Rights: evolution, protection and limits" of the University of Palermo.</p> <p><i>Prof. Giuseppe Di Chiara</i> – Coordinator of the PhD course in "Legal pluralism. Ancient and current perspectives" of the University of Palermo.</p> <p><i>Prof. Salvatrice Vizzini</i> – Deputy coordinator of the PhD course in “Ecological transition” and member of “Centre for Sustainability and Ecological Transition” of the University of Palermo.</p> <p><i>Prof. Salvatore Mancuso</i> – Coordinator of the PhD course in “Systems dynamic” of the University of Palermo.</p>
<p><b>Introduction to the works</b> 9.45 am – 10.00 am</p>	<p style="text-align: center;"><b>Introduction. The problems of the energy transition.</b></p> <p><i>Prof. Nicola Gullo</i> – Full Professor of Administrative Law at the University of Palermo.</p> <p><i>Prof. Daniela Mazzagrecò</i> – Associate Professor of Tax Law at the University of Palermo.</p> <p><i>Prof. Mario Varvaro</i> – Full Professor of Roman Law and Education Officer of the PhD course in “Human Rights: evolution, protection and limits" of the University of Palermo.</p>

<p><b>I Session</b> <b><i>Climate change and energy transition.</i></b> 10.00 am – 12.00 am</p>	<p><b>Energy transition and climate crisis.</b> <i>Prof. Maurizio Cellura</i> – Full Professor of Environmental Physics and Technology at the University of Palermo.</p> <p><b>Le fonti di energia rinnovabile: prospettive e problemi.</b> <i>Prof. Marco Beccali</i> - Full Professor of Environmental Physics and Technology at the University of Palermo.</p>
<p><b>II Session</b> <b><i>European law and energy policy</i></b> 2.00 pm – 3.00 pm</p>	<p><b>La política energética en Europa: hacia la neutralidad climática.</b> <i>Prof. Isabel Gonzalez Rios</i> – Full Professor of Administrative Law at the University of Malaga.</p>

### Tuesday, February 28, 2023

<p><b>III Session</b> <b><i>Energy policy between domestic and international law</i></b> 10.00 am – 12.00 am</p>	<p><b>I vincoli internazionali per il contenimento delle emissioni climalteranti.</b> <i>Prof. Elena Carpanelli</i> – Adjunct Professor of International law at the University of Parma.</p> <p><b>La transizione energetica alla prova delle emergenze: il quadro italiano</b> <i>Prof. Francesco Vetrò</i> – Full Professor of Administrative Law at the University of Parma and former President of GSE.</p>
<p>2.00 pm – 4.00 pm</p>	<p><b>La política energética en España.</b> <i>Prof. José Alenza Garcia</i> - Full professor of Administrative Law at the University of Pamplona.</p> <p><b>La protección de la selva amazónica en Brasil.</b> <i>Prof. Karin Kässmayer</i> - Full Professor of Environmental Law at Instituto Brasileiro de Ensino, Desenvolvimento e Pesquisa (IDP).</p>

### Wednesday, March 1, 2023

<p><b>IV Session</b> <b><i>Climate justice and new rights.</i></b> 10.00 am – 13.00 am</p>	<p><b>La giustizia climatica: quale diritto al clima stabile?</b> <i>Prof. Sara Valaguzza</i> – Full Professor of Administrative Law at the State University of Milan.</p> <p><b>Le comunità energetiche.</b> <i>Prof. Loredana Giani</i> – Full professor of Administrative Law at the European University of Rome.</p> <p><b>Arctic Indigenous Governance and Economic Sustainability.</b> <i>Prof. Margherita Paola Poto</i> – Associate Professor of Administrative Law at the University of Turin and the Arctic University of Norway.</p>
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<p><b>V Session</b> <i>The energy transition between rights and market.</i> 2.00 pm – 4.00 pm</p>	<p><b>The energy market and user protection.</b> <i>Prof. Aristide Police</i> – Full Professor of Administrative Law at LUISS University in Rome.</p> <p><b>Il costo burocratico per l'energia.</b> <i>Prof. Lorenzo Saltari</i> – Full professor of Public Law at the University of Palermo.</p>
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### Thursday, March 2, 2023

<p><b>VI Session</b> <i>Environment, landscape and energy transition.</i> 10.00 am – 13.00 am</p>	<p><b>Tutela del paesaggio e promozione delle energie rinnovabili.</b> <i>Prof. Patrizia Marzaro</i> – Full Professor of Administrative Law at the University of Padua.</p> <p><b>Approvvigionamento energetico e condizione di insularità.</b> <i>Dr. Andrea Butera</i> – Sole Director of S.med.e. Pantelleria Spa and vice-president of Unione Nazionale Imprese Elettriche Minori.</p> <p><b>Smart city and energy transition.</b> <i>Prof. Daniele Ronsivalle</i> – Associate Professor of Urban Planning at the University of Palermo.</p>
<p><b>VII Session</b> <i>For a new energy policy.</i> 2.00 pm – 4.00 am</p>	<p><b>Crisi energetica e nuove politiche energetiche.</b> <i>Lawyer Andrea Maria Felici</i> – Director of the Ministry of the Environment and Energy Security.</p> <p><b>Emission Trading Scheme nell'esperienza italiana.</b> <i>Lawyer Antonio Scalfani</i> – Department of Energy - Ministry of Environment and energy security.</p>

### Friday, March 3, 2023

<p><b>VIII Session</b> <i>Taxation and energy transition.</i> 10.00 am – 1.00 pm</p>	<p><b>El marco conceptual de la tributación ambiental.</b> <i>Prof. José A. Rozas Valdes</i> – Professor of Financial and Tax Law at the University of Barcelona.</p> <p><b>Il ruolo della fiscalità ambientale per una transizione ecologica giusta</b></p> <p><b>I principi internazionali, europei e costituzionali.</b> <i>Prof. Roberta Alfano</i> – Associate Professor of Tax Law of the University of Naples "Federico II".</p> <p><b>La disciplina interna.</b> <i>Lawyer Pietro Mastellone</i> – Lawyer of the Court of Florence.</p>
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<p><b>IX Session</b> <i>Sustainable development and energy transition.</i> 2.00 pm – 3.00 pm</p>	<p><b>L'integrazione delle politiche ambientali con le politiche economiche: la strategia italiana di sviluppo sostenibile.</b> <i>Prof. Aldo Ravazzi Douvan</i> – Expert of the Ministry of Environment and Energy Security.</p>
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<p><b>PhD students' workshops</b> <i>I session</i> 3.00 – 5.00 pm</p>	<p><b>The energy transition between development prospects and dangers for the protection of fundamental rights: an interdisciplinary approach.</b> Interventions of PhD students.</p>
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Saturday, March 4, 2023	
<p><b>PhD students' workshops</b> <i>II session</i> 9.00 – 12.00 am</p>	<p><b>The energy transition between development prospects and dangers for the protection of fundamental rights: an interdisciplinary approach.</b> Interventions of PhD students.</p>
<p>2.00 pm – 4.00 pm</p>	<p><b>Guided tour of the botanical garden of Palermo.</b> <i>Prof. Rosario Schicchi</i> – Director of the botanical garden of Palermo</p>

**ALLEGATO 2 – APPLICATION FORM*****Winter School 2023*****Energy transition and fundamental rights**

Palermo, 27 February – 4 March 2023

University of Palermo – Department of Law

Via Maqueda, 172 – 90134, Palermo

Piazza Bologni, 8 – 90134, Palermo

I, the undersigned,

<b>Name and surname</b>	
<b>Place and date of birth</b>	
<b>Position</b>	
<b>Affiliation</b>	

**HEREBY APPLY**

to the *Winter school* entitled "Energy transition and fundamental rights", which will be held at the University of Palermo from 27 February to 3 March 2023.

The undersigned also declares to have read carefully and in all its parts the relative announcement.

Please find attached:

- *Curriculum Vitae and Studiorum*;
- list of qualifications, if any;
- copy a valid identity document;
- copy of the receipt certifying the payment of the registration fee;
- motivational letter (max 250 characters).

**Place and date****Signature**