

International Bar Association

Framework for a model curriculum for continuing legal education on climate change-related issues

Bar Issues Commission Climate Change Working Group

2026



the global voice of
the legal profession®

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Disclaimer and acknowledgements

Disclaimer

The information contained in this framework is provided for general educational and informational purposes only and does not constitute legal advice. While every effort has been made to ensure the currency, accuracy and completeness of the information, no guarantee is given. The International Bar Association Bar Issues Commission Climate Change Working Group and all contributors are not liable for any reliance placed on this material.

About the Climate Change Working Group

In 2025, the IBA Bar Issues Commission (BIC), under the leadership of BIC Chair Steven Richman, launched a Climate Change Working Group (CCWG). The group, which is convened by Dominique Hogan-Doran SC (Chair, IBA BIC Regulation Committee) and Fiona McLeod AO KC (Senior Officer, IBA BIC), with support from the IBA Legal Policy & Research Unit (LPRU), comprises a steering committee of individuals with expertise in working on climate change issues within national and state/provincial bar associations and law societies, and IBA committee representatives.

The CCWG steering committee includes:

Dominique Hogan-Doran SC, CCWG Co-Convenor

Fiona McLeod AO KC, CCWG Co-Convenor

Selina Lee Andersen, Honorary Member-at-Large, National Environmental, Energy and Resources Law Section, Canadian Bar Association

Ana Bastida, Vice Chair, IBA Mining Law Committee

Matthew Baird, Asian Research Institute for Environmental Law and the College of Law Australia ESG Centre Law and Practice

Markus Beham, Chair, IBA Human Rights Law Committee

Ana Chagas, Membership Officer, IBA Water Law Committee

Anil Changarov, Member, ESG Working Group/Co-Chair, International Relations Committee, Singapore Law Society

Nazar Chernyavsky, Co-Chair, IBA Technology Law Committee

Estelle Dehone OBE KC, Co-Chair, Bar Council of England & Wales Climate Crisis Working Group

John Dernbach, Professor Emeritus, Widener University Commonwealth Law School/Member, American Bar Association

Fiona Ey, President, Samoa Law Society/Co-Convenor, Commonwealth Lawyers Association Climate Justice Committee

Dr Christina Griebeler, MICL, Swedish Bar Association

Zoe Huang, Deputy Chairperson, Environmental Law Committee, Taiwan Bar Association

Dr Lannette Kambole-Chiti, Chair, Law Association of Zambia Taskforce on Climate Change

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Faith Odhiambo, President, Law Society of Kenya

Ebaide Omiunu, Lead, Climate Justice Committee, Nigerian Bar Association

Daisuke Takahashi, Chair, CSR Project Team, Japan Federation of Bar Associations

CCWG mandate

The CCWG's mandate is to undertake activities to build capacity of bar associations and law societies to engage on climate change issues and help their members advise on climate change in an informed and competent manner. The CCWG's mandate includes the following activities:

1. Developing a toolkit to help bar associations, particularly for those new to the issues involved, to engage on climate change-related issues;
2. Working with academic experts to design a global model curriculum for professional education for lawyers on climate change-related issues; and
3. Providing a platform for showcasing and encouraging innovative climate initiatives by bar associations.

This framework progresses item 2 of this mandate.

Acknowledgements

This framework for a model curriculum has been developed by the CCWG in consultation with legal experts from academia and private practice from around the globe, with support from the IBA LPRU. The CCWG extends its gratitude to the expert observers for their contributions to design and content, and to the legal and academic experts for their review and feedback.

This version is current as at 8 October 2026.

1 Introduction

1.1 What is a framework for a model curriculum designed to do?

Education about legal aspects of climate change is a powerful way for bar associations to help lawyers advise competently and build resilient legal practices. This might take the form of a webinar on a specific issue (eg, trends in domestic and international climate litigation), a report, or the form of a more comprehensive training course.

This framework is designed to inform bar associations, law societies and similar organisations (collectively, 'bar associations' in this document) as to the CCWG's project to develop a global model curriculum for professional education for lawyers on climate change-related issues (Model Curriculum).

The framework provides an outline of the key topics and focus areas that will comprise the Model Curriculum. The framework accompanies the Climate Change Engagement Toolkit developed by the CCWG, which serves as a capacity-building tool aimed at supporting lawyers in understanding climate-related legal issues, so that they can provide competent legal advice consistent with their professional and ethical obligations.

1.2 What is the background to the Model Curriculum project?

In 2019, the United Nations Environment Programme (UNEP) and the IBA published a model framework curriculum for continuing legal education on environmental law.[1] Its aim was to enable lawyers to effectively enforce environmental law, nationally and regionally, and support the implementation of environmental rule of law.

In the years following the publication of that curriculum, the impacts of climate change have intensified globally, with continuing temperature increases, accelerated sea-level rise, and more frequent extreme weather events. These developments have prompted greater recognition that climate change affects every area of legal practice and may impact lawyers' abilities to advise in accordance with their professional duties.

In response, climate change-related study has been introduced into many undergraduate and postgraduate university law courses, whether as a standalone course[2] or through integration into existing curricula.[3] Some jurisdictions are mandating climate education: in Pakistan, environment and climate justice is now a mandatory element of all law courses; and in Nigeria, climate education is mandated under legislation.

Against this background, bar associations and other bodies have called for resources to assist them in helping lawyers in their jurisdictions upskill, so that they can advise competently and diligently on climate-related legal matters.

Until now, there has been no clear global guidance on what elements of climate change should be addressed in a comprehensive educational programme for practising lawyers. While educational tools have been released by organisations such as the Chancery Lane Project, Legal Charter 1.5, Legal Sustainability Alliance and Net Zero Lawyers Alliance,[4] the Model Curriculum will fill that gap.

The Model Curriculum project is designed to ensure that, no matter their practice area, lawyers are equipped to advise in a climate-competent manner. It has been developed by the CCWG with inputs from academic and private practice experts from around the globe.

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[1] 'Framework Model Curriculum on Continuing Legal Education In Environmental Law' (UNEP/IBA ,17 April 2019) available at www.unep.org/resources/toolkits-manuals-and-guides/framework-model-curriculum-continuing-legal-education.
[2] See, for example, OP Jindal Global LLM in Environmental Law, Energy & Climate Change, available at https://jgu.edu.in/cpgls/courses/llm-in-environmental-law-energy-climate-change/; Queen Mary University of London, Energy and Climate Change Law LLM, available at www.qmul.ac.uk/postgraduate/taught/coursefinder/courses/energy-and-climate-change-law-llm/.
[3] For example, www.durham.ac.uk/study/modules/undergraduate/law3531.php.
[4] 'The Climate Change Legal Knowledge Hub' (Legal Charter 1.5), available at https://legalcharter1point5.com/climate-change-legal-knowledge-hub/, accessed 26 October 2026.

1.3 How can the Model Curriculum be operationalised?

While the Model Curriculum will be designed for bar associations and law societies, it will be a freely available resource, which law firms and companies may find helpful for educating their employee lawyers, and schools and universities may find helpful when designing their own curricula.

While the BIC will develop the materials to support the Model Curriculum, bar associations may meanwhile wish to use this framework to develop training for their member lawyers. For example, training may take the form of a webinar series based on each of the core modules similar in format to the IBA ESG Accelerator Training Programme, or a series of in-person seminars, with each module comprising one seminar.

Where practicable, training should be delivered by recognised subject matter experts in climate law, climate risk or sustainability governance (depending on the module).

Curriculum content must be adapted to the legal and policy environment in the relevant jurisdiction: red text in each module outline indicates jurisdiction-specific content.

Bar associations:

- may wish to develop specific committees or working groups with responsibility for developing the training series, and invite inputs from local legal experts;
- are encouraged to engage with local regulatory authorities (if not the association itself) to confirm continuing professional development (CPD) accreditation for these trainings; and
- are invited to reach out for support as they develop training programmes by contacting lpru@int-bar.org

Example: IBA ESG Accelerator Training Programme (2024–2025)

The IBA ESG Accelerator Training Programme is a specialised online seven-module environmental, social and governance (ESG) training focused on legal practitioners across Africa, convened by the IBA African Regional Forum, and supported by Webber Wentzel, the IBA Energy, Environment, Natural Resources and Infrastructure Law Section, the IBA Business Human Rights Committee and the IBA LPRU.

Featuring a diverse array of legal experts and case studies from across the African continent, this programme provides lawyers with a sound understanding of how a wide range of ESG issues impact their daily legal practice. Topics covered include:

- key trends in ESG and how ESG is relevant to the role of lawyers and the legal community;
- ESG disclosures, reporting and due diligence;
- ESG litigation and dispute resolution trends;
- sustainable finance;
- climate change, nature and just transition;
- business and human rights; and
- governance.

Although the programme is tailored for lawyers practising in Africa, it has relevance for every member of the global legal profession.

Further information is available on the IBA website: see www.ibanet.org/IBA-ESG-Accelerator-Training-Programme

1.4 What will be the scope of the Model Curriculum project?

The Model Curriculum project seeks to help bar associations to educate their members on legal aspects of climate change. The Model Curriculum project is designed to help bar associations ensure that their member lawyers can competently advise on matters and recognise where matters might fall outside of their competence. It is designed to be scaled up and expanded as lawyers increasingly face a future of escalating climate risk and impact.

The Model Curriculum will:

- assume no prior knowledge of climate change or the legal regimes that respond to it;
- be designed to facilitate a basic level of climate competence and understanding of legal risk, not to advocate for specific policy outcomes or to provide specialist climate legal training;
- be intended as a facilitative tool for bar associations, not a prescriptive one;
- be designed for bar associations to adapt to the specific legal and policy environment in their jurisdiction; and
- include suggested 'case studies' to ensure relevance of each module to everyday legal practice, although bar associations may choose case studies which are most relevant to the lawyers in their jurisdictions.

The Model Curriculum will be designed in a way that will allow bar associations to sustain their engagement to varying points depending on the available expertise and institutional capacity.

The Model Curriculum is intended to comprise two parts:

- **Part I: Four core modules**, aimed at covering essential climate change legal issues relevant to all lawyers and all areas of legal practice, to provide a basic level of climate competence.
- **Part II: Four advanced modules**, for more advanced and specific climate legal education, including how climate change intersects with specific areas of practice.

In later stages of the Model Curriculum project, the CCWG will work with experts to develop the following to help bar associations operationalise each module of the model curriculum:

- learning materials (including links to the documents referred to in this framework curriculum, such as relevant international treaties, relevant jurisdiction-specific legislation, and case law);
- case studies to show how the content of each module is relevant to everyday legal practice;
- short assessments at the end of each training session to gauge immediate understanding, identify learning gaps, and reinforce key concepts;
- further reading materials and links to external learning tools;[5] and
- a glossary of key terms.

[5] Examples of the types of articles and learning tools that may be included: Julia Dehm, Nicole Graham and Zoe Nay (ed), *Becoming a Climate Conscious Lawyer*, available at https://oercollective.caul.edu.au/climate-conscious-lawyer/ ; K Bouwer, E John, O Luke and A Rozhan, '"Climate Change isn't Optional": Climate Change in the Core Law Curriculum' (2023), *Legal Studies*. 43(2):240-258. doi:10.1017/lst.2022.35. External learning tools which bar associations may wish to direct members to for further information include: 'An Introduction to Climate Change and Human Rights' (UN CC:e-Learn), available at https://unccelearn.org/course/view.php?id=136&page=overview&lang=en; the Climate Change Legal Knowledge Hub (see n 4 above), and Legal Response International's UNFCCC resource library https://legalresponse.org/resource-library/. All accessed 26 October 2026.

2. Part I: Core modules

2.1 Core Module 1: Climate change and the role of lawyers

Description

This core module describes how climate change intersects lawyers' professional and ethical responsibilities, including lawyers' duties to provide competent legal advice and to advise on legal risks. It also addresses the relevance of climate change to the role of lawyers in upholding human rights and business human rights principles.

This module should be accompanied by illustrative examples to show how climate change affects professional legal practice in different areas, and steps lawyers can take to ensure they comply with their professional duties. These illustrations should align with and can foreshadow topics/issues to be addressed in Modules 2, 3 and 4.

Learning objectives

Practitioners will learn:

- how their professional and ethical duties are impacted by climate change;
- risks associated with failing to take account of climate change risks in the context of legal advice; and
- practical steps they can take to ensure that they advise within the limits of their competence.

Focus areas

- Describe how climate change impacts the fulfilment of lawyers' ethical duties, specifically:[6]
    - duty of competence;
    - duty to uphold the rule of law;
    - duty of honesty, integrity and fairness; and
    - upholding human rights and business human rights (BHR) principles (UN Guiding Principles).
- Identify lawyers' professional responsibilities that are impacted by climate change. Depending on the jurisdiction, these may include:
    - duty to carry out their work in a competent and timely manner;
    - duty to exercise reasonable care and skill;
    - duty to warn clients of potential risks;
    - duty to disclose to clients all information material to that matter of which the lawyer has actual knowledge; and
    - duty of candour to the court in the context of litigation.
- Address potential for climate-related claims against law firms and lawyers as professional service providers. Climate litigation is increasingly targeting advisers on the basis that their services facilitated high-emitting activities or that they failed to manage or reduce emissions resulting from activities they advised on. As of 2025, such claims have been recorded against law firms and other professional services firms in multiple jurisdictions. Bar associations should ensure that members are aware of this category of risk and of its practical implications for how legal services are scoped, documented and delivered. (See Advanced Module 1 for a more detailed treatment of climate litigation trends.)

[6] IBA Principles on Conduct for the Legal Profession (IBA, 2018, updated 2024), available at: www.ibanet.org/document?id=-International-Principles-on-Conduct-for-the-Legal-Profession-2018

- Highlight the risks that lawyers may face where they do not advise on climate change in a competent manner, particularly professional negligence risks, disciplinary risk, or risks to lawyer and law firm reputation.
- Provide illustrative case studies to show how climate change impacts what is required of a lawyer to fulfil their ethical and professional duties in different matter scenarios across different practice areas (and strategies for lawyers to ensure that they do fulfil those requirements). These may include:
    - carefully defining the scope of the retainer;
    - recognising which risks the lawyer is not competent to advise on, and should refer a client to external experts for (eg, physical risk);
    - challenges to the rule of law and the obligations of lawyers when court cases become highly charged, including issues relating to strategic lawsuit against public participation (SLAPP) suits and abuse of process;
    - lawyers' advisory responsibilities in high-emissions or climate-sensitive sectors, including infrastructure, extractives, energy and large-scale industrial projects; and
    - scenarios that show climate change issues are directly relevant to lawyers' day-to-day work, for example, arising in the context of insurance law, company law, contracts, M&A, disclosure and due diligence.

2.2 Core Module 2: Fundamentals of climate risk, and why it matters for lawyers

Description

This core module explains the key concepts which underlie human-induced climate change, and its current and future impacts, generally and in the lawyer's jurisdiction. It also sets the scene for future modules, by providing a broad overview of the link between climate change and legal risk.

Learning objectives

Practitioners will learn:

- what climate change is and related key concepts;
- the role of key bodies, including the Intergovernmental Panel on Climate Change (IPCC);
- current and projected impacts of climate change, both globally and in their jurisdiction; and
- what types of climate change risks are relevant to legal practice.

Focus areas

What is climate change?

- Key concepts for understanding climate change and its impacts, particularly:
    - define climate change, greenhouse effect, greenhouse gases (GHGs);
    - key sources of GHGs contributing to anthropogenic climate change and from what sectors;
    - attribution science;
    - Scope 1, 2 and 3 emissions;
    - carbon accounting and budgeting; and
    - scenario analysis.
- Role of IPCC as authoritative source of climate science and scenario planning.
- Current and projected impacts:
    - observed human and environmental impacts of human-induced climate change, acknowledging the different impacts on different jurisdictions and communities;
    - projected future human and environmental impacts of climate change;

- intersections between climate impacts and other issues (eg, disaster risk, biodiversity loss, pollution, plastics), acknowledging that these impacts are distributed unequally (some jurisdictions and communities are particularly vulnerable eg, to sea-level rise, heat); and
- key current and projected impacts specific to the bar association's jurisdiction and region.

Why is climate change an issue for lawyers?

- Define climate change physical, transition and liability risks, noting that only liability/legal risks fall within the scope of lawyers' typical roles;
- Develop practitioners' capacity to identify, within the scope of a matter, when physical or transition risks are present and require referral to external specialists. The ability to recognise the boundaries of legal competence in relation to non-legal climate risks is itself a professional skill. This module should equip practitioners to:
    - identify indicators of physical risk exposure in assets or operations relevant to a matter (eg, flood zone classification, wildfire risk rating, sea-level rise projections);
    - identify indicators of transition risk exposure (eg, regulatory carbon pricing obligations, stranded asset risk, supply chain due diligence requirements); and
    - advise clients on the need to obtain specialist technical input and document that referral appropriately in the retainer.
- Highlight examples of climate legal and liability risks including:
    - regulatory risks, noting that states' international obligations drive domestic regulation (explored further in Module 2), and that there are many different regulatory regimes which govern climate impacts (explored further in Module 3), with non-compliance risking penalties, regulatory investigations and litigation;
    - litigation risks, noting the consistent rise in climate litigation against both corporations and governments based on inadequate climate mitigation or adaptation measures, or misrepresenting the nature of their responses to climate change; and
    - fiduciary/directors' duties risks, noting expectations on directors to consider climate risks as part of their statutory and common law duties, with risk of personal liability.

Suggested case study

Integrating emissions and climate risk into environmental impact assessment (EIA) advice

Lawyers can play a key role in supporting clients to integrate climate risks into EIAs and, in doing so, helping those clients reduce exposure to future regulatory or litigation risks.

Depending on the EIA regime in place in their jurisdiction, lawyers can support:

- identification and evaluation of greenhouse gas accounting methodologies;
- proper consideration of Scope 1, 2 and particularly Scope 3 emissions;
- legal consequences of inadequate climate impact assessment; and
- the interaction between EIAs and climate litigation risk.

2.3 Core Module 3: Key international climate regime frameworks and concepts

Description

This core module describes the international climate change legal regime including key principles, the climate treaties, international jurisprudence and advisory opinions, and how international climate law impacts domestic law.

Learning objectives

Practitioners will learn:

- why international climate law is relevant to domestic practice;

- key concepts, instruments and treaties that underpin international climate law; and
- importance of the International Court of Justice (ICJ) Advisory Opinion and other climate advisory opinions in shaping both state and private sector obligations, and practical implications for domestic regulation and litigation.

Focus areas

- Overview of key concepts which shape international climate law, including:
    - inter-generational equity;
    - common but differentiated responsibilities (CBDR) and respective capabilities (CBDR-RC);
    - sustainable development;
    - rights of nature;
    - mitigation;
    - adaptation; and
    - resilience.
- UN Framework Convention on Climate Change (UNFCCC) and Paris Agreement key elements and obligations:
    - history of how these instruments were developed, their parties and goals, noting the 1.5-degree temperature target in the Paris Agreement, and its legal significance as a binding consensus target in accordance with the ICJ Advisory Opinion;
    - key elements of the Paris Agreement, including nationally determined contributions (NDCs), adaptation, mitigation, climate finance, just transition, Global Stocktake, reporting, climate finance, technology, capacity-building support;
    - loss and damage;
    - just transition; and
    - NDC of the bar association's jurisdiction.
- Key global instruments which govern climate change risk measurement and response
    - GHG Protocol; and
    - IFRS International Sustainability Standards Board (ISSB) climate disclosure standards.
- Overview of how states' obligations are shaped by international law, including:
    - international treaties, covenants and protocols (outside of the UNFCCC) which are now considered relevant to states' climate obligations and used as the basis for action (eg, international and regional human rights law instruments, UN Convention of the Law of the Sea (UNCLOS), UN Convention on Biological Diversity, Convention on the Rights of the Child and other environmental protection conventions, and breakthrough regional/bilateral climate agreements);
    - rulings of international courts, including International Tribunal for the Law of the Sea (ITLOS) and ICJ advisory opinions (noting the ICJ opinion's implications for 1.5-degree target and fossil fuel production, consumption and subsidies as internationally wrongful acts and the ITLOS opinion's confirmation that greenhouse gas emissions constitute 'marine pollution' under UNCLOS and that states have binding obligations to prevent, reduce and control such emissions). Both opinions are already being invoked in litigation against states and corporations and should be addressed in the context of their practical implications for clients;
    - trade and investment instruments; and
    - international climate regimes specific to the bar association's jurisdiction (eg, specific trade instruments).

Suggested case study

How does the ICJ Advisory Opinion on Climate Change matter for private actors?

Even though the ICJ Advisory Opinion is technically non-binding and is directed at states, its reasoning carries several important implications for both states and the private sector, including:

- clarifying the binding nature of the 1.5-degree temperature goal of the Paris Agreement, and requiring states to implement 1.5-aligned NDCs through regulatory measures, including measures to regulate private sector activity;
- noting that fossil fuel subsidies, consumption, production and exploration may constitute an internationally wrongful act; and
- recognising that climate change undermines human rights.

The opinion has already incentivised further litigation against states and can be expected to also trigger further litigation against corporations. Lawyers should be prepared to educate both public and private sector clients of such litigation exposure where it falls within the scope of their retainer.

2.4 Core Module 4: Understanding domestic and regional regulatory responses to climate change

Description

This core module addresses the national and subnational regulatory responses to climate change. Understanding these is critical to enabling lawyers connecting climate issues to their daily legal work across a range of practice areas. This will enable them to assess competently the regulatory risk exposures of their clients, so that they are best positioned to help those clients ensure regulatory compliance and anticipate likely future regulatory obligations and enforcement actions. For lawyers working with international clients, it is important to understand not only domestic climate measures, but also the types of measures that may be in place in other jurisdictions in which their clients operate or invest.

Against this background, this module provides an overview of common domestic and regional regulatory responses to climate change, including climate change framework laws and links with NDCs, risk disclosure and due diligence laws, and sector-specific regulation.

The module discusses the domestic climate measures in the bar association's jurisdiction.

Learning objectives

Practitioners will learn:

- common domestic legislative instruments used to promote climate change mitigation and adaptation, as well as emerging regulatory trends;
- the climate regulations that apply in their jurisdiction; and
- how to integrate knowledge of these regulations into legal advice.

Focus areas

- Overview of common domestic legislative instruments used to promote climate change mitigation and adaptation, including:
    - climate change framework laws;[7]
    - market mechanisms for pricing carbon including tariffs, emission trading schemes and carbon pricing mechanisms;

[7] The Grantham Research Institute defines 'framework climate laws' as sharing some or all of the following characteristics: they set out the strategic direction for national climate change policy; are passed by the legislative branch of government; contain national, long-term and/or medium targets and/or pathways for change; set out institutional arrangements for climate governance at the national level; are multi-sectoral in scope; and involve mechanisms for transparency and/or accountability. Available at www.lse.ac.uk/granthaminstitute/explainers/what-is-climate-change-legislation/ accessed 26 October 2026.

- GHG-specific regulations (eg, methane regulation);
- sector-specific laws (eg, Australia's Safeguard Mechanism for industrial emitters);
- climate-related financial risk disclosure and due diligence laws;
- renewable energy targets;
- climate adaptation measures; and
- EIAs.

- High-level overview of emerging or future legislative approaches (eg, climate superfund legislation,[8] or laws requiring climate to be embedded in legal education, climate duty of care).
- Climate change legislative and policy instruments in the bar association's jurisdiction and region (highlighting the enforcement mechanisms, regulatory investment powers, and penalty exposure risks which underly such instruments), including for example:
  - applicable climate risk disclosure regimes (eg, the European Union's Corporate Sustainability Reporting Directive (CSRD) and the European Sustainability Reporting Standards (ESRS); and
  - applicable EIA laws.

Suggested case study

Advising on regulatory and related risks applying to emissions-intensive projects

When a foreign client or investor looks to develop or invest in an emissions-intensive project in the lawyers' jurisdiction, the lawyer may be positioned to:

- assess alignment of the project with national climate commitments (eg, NDCs), and any targets set out in the jurisdiction's climate framework law;
- assess liability of the project under any applicable climate-related disclosure regimes;
- advise on the applicability of any sector-specific emissions cap laws which may limit the projected emissions of the project;
- advise on potential future regulatory risks based on understanding of future legislative regimes;
- identify regulatory, transition and physical climate risks (referring the client for external advice for evaluating non-legal risks); and
- evaluate potential reputational and liability exposure including the risk of liability for Scope 3 emissions.

Local counsel should be equipped to assess whether proposed investments are consistent with emerging climate governance frameworks and sustainable finance standards.

[8] See, for example, Vermont's Climate Superfund Act in Act 122 of 2024, updated in Act 47 of 2025 (10 VSA, Chapter 24A), available at https://legislature.vermont.gov/statutes/chapter/10/024A accessed 26 October 2026.

3. Part II: Advanced modules

While Part I of the Model Curriculum will aim to cover the essential elements for all lawyers to be climate competent, Part II will set out topics which bar associations can provide training on to elevate their members' understanding of climate issues. It is important to note that climate change is an expansive subject, and that Part II does not seek to cover all areas of climate change legal education.

3.1 Advanced Module 1: Trends in international and domestic climate litigation, and how lawyers can help anticipate and manage litigation risks

Description

This advanced module provides lawyers with an overview of the different types of litigation risks to which clients may be exposed. Because climate litigation and judicial approaches to climate change differ between civil and common law jurisdictions, and between jurisdictions, it is important for bar associations to tailor this module to the litigation landscape in their jurisdiction.

Focus areas

- Overview of different types of climate litigation (both private and institutional) and key global trends, drawing on statistics from the London School of Economics (LSE) Grantham Research Institute Annual Climate Litigation Snapshot.
- Illustrative overview of the different types of litigation that commonly target corporations:
    - just transition litigation;
    - anti-climate action litigation;
    - greenwashing;
    - tort claims;
    - nuisance/transnational claims (eg, *Lliuya v RWE*);
    - claims based on poor BHR practices, failure to seek free, prior and informed consent (FPIC) in relation to projects, etc; and
    - claims against directors (under company law and fiduciary duties).
- Domestic trends in climate litigation.
- Tools that lawyers can use to help clients anticipate and manage litigation risks.

3.2 Advanced Module 2: Understanding legal risks linked to climate finance, carbon pricing, and carbon and nature markets

Description

This advanced module provides an overview of the key legal risks which can arise when working with clients in the climate finance and carbon markets space. It does not seek to provide a comprehensive understanding of how such markets work.

Focus areas

- Climate and sustainable finance:
    - overview of the legal risks that can arise where clients engage in sustainable finance deals as lender; and
    - overview of the legal risks that can arise where clients engage in sustainable finance deals as borrower.
- Carbon markets:
    - overview of different legislative and regulatory mechanisms to price carbon (eg, taxes, emissions trading schemes (ETS), legislative carbon markets frameworks) and how these can create legal risks for corporate clients;

- recognising the complexity of the issues, a high-level overview of different carbon market types (voluntary/mandatory/international/domestic), noting emergence of new market instruments such as biodiversity and just transition credits;
- illustrative legal risks that can arise in carbon project transactions (eg, litigation and reputational risk for non-consultation with local communities; issues with international reducing emissions from deforestation and forest degradation (REDD) programmes);
- developments with respect to legislated and voluntary nature credit markets and associated legal risks.

3.3 Advanced Module 3: Integrating climate change with nature and human rights considerations – understanding the complexities and taking a systems approach

Description

This advanced module assists lawyers in understanding the linkages between climate change, nature and international and domestic human rights, and legal tools which can be used to promote solutions.

Focus areas

- Overview of key legal risks that arise with respect to projects:
  - nature-based solutions;
  - critical mineral mining; and
  - renewable energy projects – emphasising BHR risks.
- Climate impacts on projects (eg, building resilient infrastructure, heat impacting workers).
- Tools to mitigate project risks, eg, robust FPIC processes at a corporate level or contracting approaches.

3.4 Further advanced modules

Further advanced modules could focus on the intersections between areas of legal practice and climate change. Bar associations may wish to consider the type of legal practice which are most common to their membership, and tailor those modules accordingly.

Potential modules include:

- **Disclosure and due diligence:** climate risk integration into M&A, reporting and due diligence processes.
- **Banking and financial law:** exploring exposure of the banking and finance sectors to climate risk, and issues and solutions including: loan covenants, sustainability-linked finance, and insolvency risk linked to stranded assets.
- **Labour and employment law:** analysing the implications of climate change for individual workers and associated human rights implications, employment restructuring, and workforce transition risks as workers need to be reskilled to move into low carbon industries.
- **Technology and intellectual property (IP):** exploring how the need for innovative technologies to address climate change can be facilitated through IP law.
- **Construction law:** identifying how climate risk affects construction projects and can be addressed through climate provisions in standard form construction projects.