

POLISH REVIEW
OF
INTERNATIONAL AND EUROPEAN LAW

Vol. 15, Issue 1 (2026)

POLISH REVIEW
OF
INTERNATIONAL AND EUROPEAN LAW

WARSZAWA 2026

Editorial Committee

Cezary Mik (Editor-in-Chief), Karol Karski (Deputy Editor-in-Chief), Łukasz Kułaga (Deputy Editor-in-Chief), Roman Kwiecień (Deputy Editor-in-Chief), Krzysztof Masło (Secretary), Marek Jaśkowski (Deputy Secretary)

Board of Editors

André de Hoogh (University of Groningen), Andrew Newcombe (University of Victoria), Catherine Brölmann (University of Amsterdam), Christian Tams (University of Glasgow), Eugenia Lopez-Jacoiste Diaz (University of Navarra), Joanna Gomuła (University of Cambridge), Małgosia Fitzmaurice (Queen Mary University in London), Maria Frankowska (Southern Illinois University – prof. em.)

Scientific Advisory Board

Stanisław Biernat (Jagiellonian University in Kraków), Piotr Daranowski (University of Łódź), Elżbieta Dynia (University of Rzeszów), Janusz Gilas (Nicolaus Copernicus University in Toruń – prof. em.), Genowefa Grabowska (Warsaw Management University), Bożena Gronowska (Nicolaus Copernicus University in Toruń), Robert Grzeszczak (University of Warsaw), Tadeusz Jasudowicz (Nicolaus Copernicus University in Toruń – prof. em.), Elżbieta Karska (Cardinal Stefan Wyszyński University in Warsaw), Jerzy Menkes (SGH Warsaw School of Economics), Barbara Mikołajczyk (University of Silesia in Katowice), Mariusz Muszyński (Cardinal Stefan Wyszyński University in Warsaw), Artur Nowak-Far (SGH Warsaw School of Economics), Nina Półtorak (Jagiellonian University in Kraków), Anna Przyborowska-Klimczak (Maria Curie Skłodowska University in Lublin), Stanisław Stadniczeńko (University of Science and Management in Warsaw), Janusz Stańczyk, Marek Szydło (University of Wrocław), Tadeusz Wasilewski (Nicolaus Copernicus University in Toruń), Adam Wiśniewski (University of Gdańsk), Krzysztof Wójtowicz (University of Wrocław), Anna Wyrozumska (University of Łódź), Jerzy Zajadło (University of Gdańsk), Mieczysława Zdanowicz (University of Białystok)

List of Reviewers for 2026

dr Alfred Benny Auner (University in Salzburg), dr hab. prof. UMK Michał Balcerzak (Nicolaus Copernicus University in Toruń), prof. dr Ilias Bantekas (Hamad Bin Khalifa University), dr hab. prof. UKW Tomasz Bojar-Fijałkowski (Kazimierz Great University in Bydgoszcz), dr hab. prof. USz Wojciech Bożek (University in Szczecin), prof. dr Marcel Brus (University of Groningen), prof. dr hab. Ewelina Cała-Wacinkiewicz (University in Szczecin), dr Vita Czepek (Warsaw University), dr Angelos Dimopoulos (Queen Mary University of London), prof. dr Małgosia Fitzmaurice (Queen Mary University of London), prof. dr hab. Łukasz Gruszczyński (Kozłmiński University), dr hab. prof. UW Patrycja Grzebyk (Warsaw University), prof. dr hab. Aleksander Gubrynowicz (Warsaw University), dr Marek Jeżewski, prof. dr Andre De Hogh (University of Groningen), dr Julia Kapelańska-Pręgowska (Nicolaus Copernicus University in Toruń), dr Agata Kleczkowska (Polish Academy of Science), dr hab. Wojciech Konaszczuk (Maria Skłodowska-Curie University in Lublin), prof. dr hab. Eryk Kosiński (Adam Mickiewicz University in Poznań), dr hab. prof. UJ Michał Kowalski (Jagiellonian University), dr hab. prof. UW Bartłomiej Krzan (University in Wrocław), dr hab. prof. UW Artur Kozłowski (University in Wrocław), dr Edyta Krzysztofik (Catholic University in Lublin), dr Tomasz Lachowski (University in Łódź), dr Adebayo Majekolagbe (University of Alberta), prof. dr hab. Jerzy Menkes (Warsaw School of Economics), dr hab. prof. UW Aleksandra Mężykowska (Warsaw University), prof. dr hab. Leszek Mitrus (Jagiellonian University in Kraków), prof. dr hab. Artur Nowak-Far (Warsaw School of Economics), prof. dr Petra Perisic (University of Rijeka), Maciej Perkowski (University in Białystok), dr Karolina Prażmowska-Marcinowska (University of Silesia in Katowice), dr Przemysław Roguski (Jagiellonian University in Kraków), dr Janusz Roszkiewicz (Warsaw University), dr hab. prof. IPN PAN Przemysław Saganek (Polish Academy of Science), dr Laura Salvadego (University of Macerata), dr hab. Marcin Stoczkiewicz (University in Łódź), prof. dr hab. Adam Szafrąński (Warsaw University), dr hab. prof. UG Monika Tomaszewska (University in Gdańsk), prof. dr hab. Adam Wiśniewski (University in Gdańsk), prof. dr hab. Anna Wyrozumska (University in Łódź), dr Piotr Uhma (Commission of National Education University in Kraków), dr Maciej Żenkiewicz (Nicolaus Copernicus University in Toruń)

Statistical Editor

Joanna Jaroszevska

Linguistic Supervision

Rafał Uzar

Typesetting

Maciej Faliński

© Copyright by Uniwersytet Kardynała Stefana Wyszyńskiego, Warszawa 2026

ISSN 2299-2170

Printed in Poland

Waga egzemplarza – 430 g

TABLE OF CONTENTS

I STUDIES

Lei Di The Applicability of International Human Rights Law in Climate Change: All or Nothing at All?	9
Luciano Pezzano Legal Consequences of Breaches of Peremptory Norms in the ICJ's Advisory Opinions: <i>Jus Cogens</i> or <i>Erga Omnes</i> ?	49
Zénó Suller Strategic Litigation Before the ICJ. A Case for an Advisory Opinion to Anchor the Ukraine Special Tribunal in the Rule of Law for a Meaningful Prosecution	83

II Articles

dr Radosław Kołatek Scaling up the Energy Transition in the EU in View of EU Legislation between 2020-2024	125
Raúl Zeyi Huang Applier, Interpreter, and Judicial Codifier: the Three Climate Advisory Opinions, Sustainable Development, and International Judicial Legitimacy	145

III CASE COMMENTS

dr hab. Tomasz Srogosz, prof. UKEN Comments on the ICJ Advisory Opinion on Obligations of States in Respect of Climate Change on 23 July 2025	173
dr Robert Tabaszewski Comments on the Judgment of the Grand Chamber of the European Court of Human Rights in <i>Tsaava and Others v. Georgia</i> on 11 December 2025. Kinetic Impact Projectiles, Journalistic Protection and Effective Investigations in Crisis Situations	207

dr Kamil Strzpek

Comments on the Judgment of the European Court of Human Rights in the Case Georgia v. Russia (IV) (Just Satisfaction) of 14 October 2025. "Just Satisfaction in Inter-State Cases: a Doctrine in the Making"

227

IV Reviews

Bartosz Modzelewski

Book Review: Nicolas Levrat, Yuliya Kaspiarovich, Christine Kaddous and Ramses A. Wessel (eds.), *The EU and its Member States' Joint Participation in International Agreements*, Hart 2022

253