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Securing Energy Supply through Developing Offshore Energy Infrastructure: The North Sea Electricity Grid

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Overview

- › Legal challenges in international law
 - Jurisdiction regarding offshore infrastructure
 - Different zones
 - Example
 - Solutions



Introduction

- > To what extent may States exercise jurisdiction offshore

- > UN Convention on the Law of the Sea
 - Sovereignty over territorial sea
 - In EEZ and Continental Shelf: functional jurisdiction



Exclusive Economic Zone

- › Sovereign rights reg. economic exploitation
- › Jurisdiction regarding the establishment and *use* of installations
- › General freedom of all States to lay cables
- › Jurisdiction to protect marine environment



Options

- › 1) National option
 - Clear authority of coastal State to lay cables
 - Right to regulate

- › 2) Transboundary
 - Jurisdiction regarding economic exploitation
 - Jurisdiction to protect own resources and marine environment



Challenges

- › Lack of clarity concerning jurisdiction
 - Resort to general rules of international law

- › Several States could have concurrent jurisdiction

- › Patchwork of rights

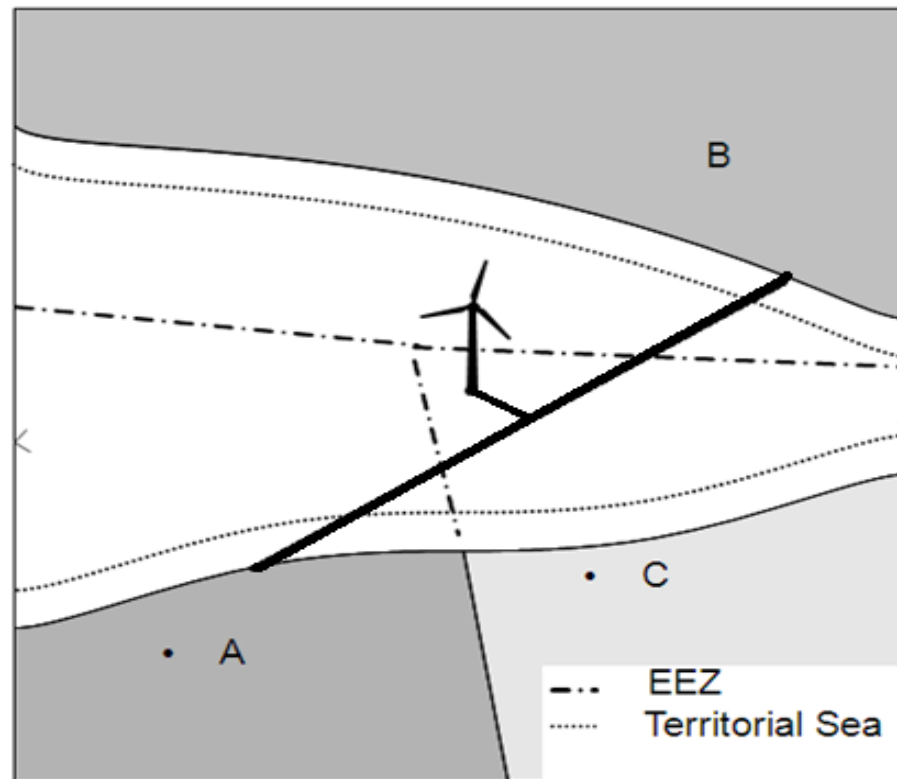


Example

- › Interconnector with wind farm to be attached
- › No connection with the production of energy
- › Limited functional jurisdiction
- › Different legal situation once wind farm is attached?



Example





Conclusion

- › Challenges and uncertainty
- › Scope for conflict in transboundary projects
- › Depend on support of States/TSOs
- › Need to create certainty to attract investors



Solution

- › Creation of a North Sea Treaty?
- › EU Harmonisation?
- › Appointment of a joint operator?
- › Standards?
- › Your ideas?



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Thank you for your attention

