



EELF

European Environmental
Law Forum

First EELF Conference

**Environmental Law and Energy
and Climate Law as instruments to
achieve Sustainable Energy**

4, 5 and 6 September 2013

Het Kasteel, Groningen
The Netherlands

Draft Programme

Version of 25/07/2013



university of
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faculty of law
 groningen centre of energy law



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Wednesday 4 September

9.00-09.30: Registration and coffee

First Plenary session: Day-to-day challenges concerning energy transition

- 09.30-09.35 Welcome
Hans Vedder, Co-director Groningen Centre of Energy Law
- 09.35-09.45 Speech from EELF
Moritz Reese, Chairman of the European Environmental Law Forum
- 09.45-10.00 Introduction conference topic
Martha Roggenkamp, director Groningen Centre of Energy Law
- 10.00-10.25 1st key note speaker
Yvo de Boer, Special Global Advisor Climate Change & Sustainability by KPMG, former Executive Secretary of the United Nations Framework Convention on Climate Change
- 10.25-10.50 2nd key note speaker
Jeroen de Haas, CEO of ENECO
- 10.50-11.20 Coffee break
- 11.20-11.45 3rd key note speaker
Francesco Starace, CEO of ENEL GREEN POWER
- 11.45-12.10 4th key note speaker
Rebecca Harms, Member of European Parliament, The Green / EFA Group
- 12.10-12.15 Practical information on the parallel sessions of Wednesday and Thursday
Lorenzo Squintani, Assistant Professor of European Law, University of Groningen
- 12.15-13.40 Lunch

Parallel sessions

- 13.40-14.50 1st session:
- 1st panel – Defining sustainability: Integrating environment, energy and climate change policies. Chair: **W.Th. Douma**
E. Cocciolo & T. Ricarte – Towards a legal theory of sustainable *Energiewende*
S.R.W. Van Hees – Developing a workable definition of sustainable energy
M. Tervahauta – The road towards and ecologically sustainable energy system
- 2nd panel – Enabling sustainability: Energy transition and planning law.
Chair: **K.J. de Graaf**
M. Dreyfus – A bottom-up approach to energy transition in Europe: the case of “local climate energy plans” in France
H.T. Anker – Land use or physical planning for renewable energy installations
D. Hanema – Underground projects and Dutch planning law
- 3rd panel – Incentivising sustainability: Assessing the EU ETS. Chair: **E. Woerdman**
C.A. Van den Berg – The RGGI leakage myth
E. Gawel, S. Strunz & P. Lehmann – A public choice view of the EU ETS – Implications for the climate and energy policy-mix
S.E. Weishaar – Incentivizing technologic changes in emissions trading schemes: the case of excess supply

15.00-16.10 2nd session:

4th panel – Defining sustainability: Integrating environmental, nuclear and social concerns into energy policy and law. Chair: **S.E. Weishaar**

A. Keessen – Taking adaptation into account when defining sustainable energy

L. Veuchelen & T. Heldt – Nuclear energy law and environmental law in the EU: Allies or enemies?

S.E. Gaines – Essential social sustainability criteria for energy policy

5th panel – Enabling sustainability: Speeding up authorisation procedures. Chair: **B. Vanheusden**

V. Karageorgou – The fast track authorization of large-scale RES projects: An acceptable option?

K.J. De Graaf & H. Tolsma – Flexible Environmental Rules: Dutch approach en experiences to stimulate sustainability

N.G. Hoogstra – Tacit authorization towards a sustainable society: An opportunity or a threat?

J. Similä & J. Kauppila – Climate Act – A new way of governing transition towards low-carbon societies

6th panel – Incentivizing sustainability: Expanding the EU ETS regime. Chair: **E. Woerdman**

L. De Deyne – Reducing emissions from the shipping sector through the EU ETS: Possible or not?

S. Bogojević – The ‘Gecko-effect’ of EU climate change laws: What next for the EU ETS?

S. Roy – Towards personal emissions allowances?

16.10-16.40 Coffee break

16.40-17.50 3rd session:

7th panel – Defining sustainability: Specific instruments to define sustainability. Chair: **H. Tolsma**

R.A. Giljam – Life cycle analysis and sustainability

A. Aragão – Operationalizing the concept of ‘sustainable energy’: Balancing and matrices

K. Mertens – Sustainability and the concept of ecosystem services

8th panel – Enabling sustainability: Enabling networks and transmission lines. Chair: **M. Reese**

H.K. Muller – Trans-European Energy networks: legal implications for a transnational offshore grid

T. Strobel – Trans-European energy networks

W. Köck – Development of transmission lines and the protection of residential areas – The debate on threshold values for electromagnetic fields

9th panel – Incentivizing sustainability: Private and public players and sustainable energy transition. Chair: **E. Woerdman**

S. Romppanen – Private actors and EU’s Biofuel Governance

S. Borgström & S. Romppanen – Regulatory framework for green economy & promoting green(er) biofuel governance for the EU

R.J. Heffron – The significance of the national energy regulator in EU member states

17.50-18.45 Drinks and snacks

19.00-22.30 Conference dinner.

Günther Oettinger (European Commission, Energy policy) will deliver a short speech during the conference dinner.

Thursday 5 September

Parallel sessions

9.00-9.30 Coffee

9.30-10.40 4th session:

10th panel: Defining sustainability: Assessing the legal framework. Chair: **H. Tolsma**

B. Mueller – Efficient regulation? The renewal of “sustainable” energy law – The role and potential of European legislation on renewable energy sources and energy efficiency for the energy transition

M. Peeters – Les is more? Towards an improvement of the EU regulatory climate and energy approach

BMU agent to be announced – the German *Energiewende*

11th panel: Enabling sustainability: Exploitation of underground resources.

Chair: **B. Vanheusden**

T. Ginige – No Fracking in my backyard

L. Reins – The EU framework of unconventional gas extraction: Energy supply security vs. environmental protection

R. Rybski – Fracking Directive: is there a need for a vertical EU regulation? Case study on the example of shale gas development in Poland.

12th panel: Incentivising sustainability: Energy from the atmosphere. Chair:

M. Reese

F. Pause – Offshore: A comparative law analysis

B.E. Olsen – Local acceptance of wind energy projects / Legal instruments beyond planning and environmental assessment

M. Holwerda & A. Haan-Kamminga – The lack of regulatory incentives to capture CO₂ biomass emissions in the EU

10.50-12.00 5th session:

13th panel: Defining sustainability: Sustainable energy transition in a specific sector: Biofuels. Chair: **H.H.B. Vedder**

W.Th. Douma – The sustainability of EU biofuels policy

Taotao Yue – Defining sustainable energy: Does the EU sustainability scheme for biofuels contribute to the international pursuit of sustainable development?

L. Olarinde & D.S. Olawuyi – Setting sustainable standards for biofuels production: Legal and institutional imperatives

14th panel: Enabling sustainability: Reconciling development projects and the environment. Chair: **K.J. de Graaf**

H. Schoukens & F. Maes – Coming to grips with the precautionary principle: a difficult tango between wind farm development and nature conservation law?

A. Buijze – The innovative potential of contextualising legal norms: geothermal heat pumps in the Utrecht station area

R. Frins – Wind turbines in or near Natura 2000 sites

M.J. van Wolferen - Participation and litigation, your barriers to building that coal-fired power plant

15th panel: Incentivising sustainability: Energy from waste and water. Chair: **D. Misonne**

B. Deltour – Waste-to-Energy in the Energy Mix – A brief overview in the light of the revised EU framework legislation on waste

F. Stangl – Economic instruments in water protection legislation

E.M. Basse – The existing regulatory conditions for ‘energy smart water utilities’: Promotion of sustainable energy transition

12.00-13.30 Lunch

13.30-14.40 6th session:

16th panel: Defining sustainability: Comparative perspective. Chair: **M. Reese**

Lei Guo & F. Maes – On the Improvement of Bioenergy Law in China

D. Leary – Sustainable energy law: A view from the antipodes

H. Deng - China’s energy policies and strategies for climate change and energy security

Adeniyi Olatunbosun – Pipelines vandalism as a threat to economic sustainability in the petroleum industry in Nigeria

17th panel: Enabling sustainability: legislation in Europe pursuing sustainability and the international for a. Chair: **D. Misonne**

N. Pradel – The EU’s external energy policy: Does the EU really matter?

M.S. Jansson – Environmental sustainability of energy: A ground of justification in trade law

H. Kahl - Local content provisions from a trade law perspective

Y.M. Gordeeva – How effective is the RED sustainability scheme in relation to forest biomass?

Second Plenary session: Preliminary answers

14.40-14.45

Welcome

Edwin Woerdman, Co-director Groningen Centre of Energy Law

14.45-15.10

8th keynote speaker

To be defined – 20 minutes presentation + 10 minutes discussion

15.10-15.35

9th keynote speaker

Leigh Hancher, professor of European law at the Tilburg University – 20 minutes presentation + 10 minutes discussion

15.35-16.00

Conclusions

Hans Vedder

16.00-16.30

Coffee break

16.30-16.40

Announcement 2nd EELF Conference in Brussels in 2014

Bernard Vanheusden, Assistant Professor of Environmental Law, Hasselt University

16.40-17.40

EELF members meeting

Moritz Reese

17.40-18.30

Drinks and snacks

Friday 6 September

10.00-17.00 Excursion to energy infrastructures in and around the *Eemshaven* (Groningen) and to the *Waddenzee* Natura-2000 site. During the excursion, the **Centre for Ecological and Evolutionary Studies** will provide us with information on the Waddenzee Natura 2000 site. **Robert Van der Velde** (law firm Plas Bossinade) will provide a short presentation on the permit procedures concerning power plants in the *Eemshaven*.

Keynote speakers:

- > **Günther Oettinger**, European Commissioner for the energy policy (general agreement)
- > **Yvo de Boer**, Special Global Advisor Climate Change & Sustainability by KPMG, former Executive Secretary of the United Nations Framework Convention on Climate Change (confirmed)
- > **Jeroen de Haas**, CEO of ENECO (general agreement)
- > **Francesco Starace**, CEO of ENEL GREEN POWER (confirmed)
- > **Rebecca Harms**, Member of European Parliament, The Green / EFA Group (confirmed)
- > **Leigh Hancker**, professor of European law at Tilburg University (invited)
- > **Robert Van der Velde**, partner at the law firm Plas Bossinade (confirmed).

