



JUR-3619 Energy and Climate Change Law

Reading Materials

The reading materials for this course are divided into 4 categories:

- Mandatory reading materials (the mandatory part of the syllabus which comprises book chapters, articles, and reports. Only these are taken into consideration for the syllabus page count.)
- Legal Instruments (international agreements, EU, and national legislation used in the course)
- Case Law (selected case law used in the course)
- Relevant Websites (on which students can find additional relevant information and reports – optional reading)

1. Introduction to Energy and Climate Change:

Mandatory Reading Materials:

Bruckner T., I.A. Bashmakov, Y. Mulugetta, H. Chum, A. de la Vega Navarro, J. Edmonds, A. Faaij, B. Fungtammasan, A. Garg, E. Hertwich, D. Honnery, D. Infield, M. Kainuma, S. Khennas, S. Kim, H.B. Nimir, K. Riahi, N. Strachan, R. Wiser, and X. Zhang, 2014: *Energy Systems*. In: *Climate Change 2014: Mitigation of Climate Change. Contribution of Working Group III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change* [Edenhofer, O., R. Pichs-Madruga, Y. Sokona, E. Farahani, S. Kadner, K. Seyboth, A. Adler, I. Baum, S. Brunner, P. Eickemeier, B. Kriemann, J. Savolainen, S. Schlömer, C. von Stechow, T. Zwickel and J.C. Minx (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, pp 1 – 60 (60 pages excluding the references). Available online.

https://www.ipcc.ch/site/assets/uploads/2018/02/ipcc_wg3_ar5_chapter7.pdf

Relevant websites:

- International Energy Agency: <https://www.iea.org/>
- Nordic Energy Research: <https://www.nordicenergy.org>
- Swedish Energy Agency (Energy in Sweden 2020: An Overview):
<https://energimyndigheten.a-w2m.se/ResourceComment.mvc?resourceId=174155#:~:text=Energy%20in%20Sweden%202020%20is,the%20energy%20sector%20in%20Sweden.>
- Energy Policies of IEA Countries – Finland 2018 Review
https://www.connaissancedesenergies.org/sites/default/files/pdf-actualites/situation_energetique_de_la_finlande.pdf
- Energy Policies of IEA Countries – Norway 2017 Review
https://www.regjeringen.no/contentassets/21e80b8392494672897854413675021e/iea-rapport-idr_2017_norway_web-final.pdf
- Energy Policies of IEA Countries – Sweden 2019 Review
https://www.connaissancedesenergies.org/sites/default/files/pdf-actualites/Energy_Policies_of_IEA_Countries_Sweden_2019_Review.pdf

2. The Relationship between Energy and Climate Change Policies:

Mandatory Reading Materials:

- Das Neves and Bankes, “Energy Policies of Selected Arctic States”, in Natalia Loukacheva (ed), *Polar Law and Resources*, Norden Publishing, Nordic Council of Ministers, 2015. Available online here <http://norden.diva-portal.org/smash/record.jsf?pid=diva2%3A805978&dswid=251> pp. 119 – 134 (15 pages)
- Natalie Dobson and Seline Trevisanut, “Climate Change and Energy in the Arctic – The Role of the European Union”, *The International Journal of Marine and Coastal Law*, Vol. 33, Issue 2, 2018 pp. 380-402 (22 pages) https://brill.com/view/journals/estu/33/2/article-p380_6.xml
- Bruckner et al (IPCC), *Energy Systems* (see introductory readings)
- An Energy Policy for Europe, 2007
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52007DC0001:EN:NOT> (27 pages)
- EU Commission, A policy framework for climate and energy in the period from 2020 to 2030, 2014.
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014DC0015&from=EN> (17 pages)

- European Commission, A Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy, COM(2015) 80 final (21 pages). https://eur-lex.europa.eu/resource.html?uri=cellar:1bd46c90-bdd4-11e4-bbe1-01aa75ed71a1.0001.03/DOC_1&format=PDF
- Peter Cameron, “The Competition Objective”, chapter 1 in *Competition in Energy Markets: Law and Regulation in the European Union*, Oxford, OUP, 2007 pp. 3-36 (33 pages). [In compendium](#)
- Introduction to Energy Security and Security of Supply, in Angus Johnston and Guy Block, *EU Energy Law*, 2012, Oxford University Press, pp. 233– 239 (6 pages). [In compendium](#)

Legal Instruments:

- The International Energy Charter, 2015 available on line, https://energycharter.org/fileadmin/DocumentsMedia/Legal/IEC_Certified_Adopted_Copy.pdf
- Regulation (EU) 2018/1999 (Governance Regulation) available <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R1999&from=EN>

Relevant websites:

- Norway
<https://www.regjeringen.no/en/topics/climate-and-environment/climate/id1307/> (Agreement on climate policy, and other relevant topics related to climate change)

<https://www.regjeringen.no/en/aktuelt/white-paper-on-norways-energy-policy-power-for-change/id2484248/> (summary of Norway’s energy policy: Power for Change)

https://www.regjeringen.no/contentassets/4e0b25a4c30140cfb14a40f54e7622c8/national-plan-2030_version19_desember.pdf (Norway’s National Plan related to the Decision of the EEA Joint Committee No. 269/2019 of 25 October 2019)
- Sweden
<https://www.government.se/49d8c1/contentassets/8239ed8e9517442580aac9bcb00197cc/ek-ok-eng.pdf> (Agreement on Sweden energy policy)

<https://www.government.se/articles/2017/06/the-climate-policy-framework/> (Sweden climate policy framework)

https://ec.europa.eu/energy/sites/ener/files/documents/se_final_necp_main_en.pdf (Sweden’s Integrated National Energy and Climate Plan – submitted to the European Commission).
- Finland

<https://ym.fi/en/finland-s-national-climate-change-policy#:~:text=The%20key%20pillar%20of%20Finland's,from%20the%20levels%20in%201990.>
(on Finland's climate policy)

<http://tem.fi/en/energy-and-climate-strategy> (Finland energy and climate strategy)

https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/161977/TEM_2019_66.pdf?sequence=1&isAllowed=y
(Finland's Integrated National Energy and Climate Plan – submitted to the European Commission).

3. The Climate Change Legal Regime and its Implications for the Energy Sector:

Mandatory Reading Materials:

- Catherine Banet, The Paris Agreement to the UNFCCC: Underlying Dynamics and Expected Consequences for the Energy Sector, in Martha Roggenkamp & Catherine Banet (ed.), *EUROPEAN ENERGY REPORT XI* (Intersentia, 2017). ISBN 978-1-78068-469-7 Chapter IV, pages 71-91 (20 pages). [In compendium.](#)
- Catherine Redgwell, "International Legal Responses to the Challenge of a Lower-Carbon Future: Climate Change, CCS and Biofuels" in Donald Zillman et al (eds), *Beyond the Carbon Economy: Energy Law in Transition*, Oxford (OUP) (2008) pp. 85 – 108 (24 pages). [In compendium.](#)
- Barry Barton and Jennifer Campion, "Climate Change Legislation: Law for Sound Climate Policy Making" in Donald Zillman et al (eds), *Innovation in Energy Law and Technology: Dynamic Solutions for Energy Transitions*, Oxford (OUP) pp 23 – 37 (15 pages) [In compendium.](#)
- UN Sustainable Development Goals (2030), Goal 7, Ensure Access to Sustainable, Reliable and Modern Energy for All, online, (1 page)
<https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>
- Short commentary and statistical review of Goal 7, online (1 page),
<https://unstats.un.org/sdgs/report/2016/goal-07/>
- Lambert Schneider et al., *Market Mechanisms in the Paris Agreement – Differences and Commonalities with Kyoto Mechanisms*, German Emissions Trading Authority, October 2016, (26 pages)
https://www.dehst.de/SharedDocs/downloads/EN/project-mechanisms/discussion-papers/Differences_and_commonalities_paris_agreement.pdf?__blob=publicationFile&v=3
- Daniel Bodansky, Jutta Brunnée, and Lavanya Rajamani, *International Climate Change Law*, Oxford (OUP) (2017), pp. 1-30, 209-250 (71 pages) available online
<http://opil.ouplaw.com/view/10.1093/law/9780199664290.001.0001/law-9780199664290>

- Richard Baron, OECD, *Energy Transition after the Paris Agreement: Policy and Corporate Challenges*, September 2016, (15pages) <https://www.oecd.org/sd-roundtable/papersandpublications/Energy%20Transition%20after%20the%20Paris%20Agreement.pdf>
- De Lucia, Vito; Andreassen, Ingrid Solstad. Climate Litigation in Norway. A Preliminary Assessment, DPCE Online; Volum 43 (2), July 2020. (13 pages) Available online. <http://www.dpceonline.it/index.php/dpceonline/article/view/967/941>
- Ivar Alvik, "The first Norwegian Climate Litigation", *Journal of World Energy Law and Business*, 2018, 11, 541–545 (5 pages) <https://academic.oup.com/jwelb/article/11/6/541/5193700>

Legal Instruments:

- UN Framework Convention on Climate Change
- Kyoto Protocol
- Paris Agreement
- Act Relating to Norway's Climate Targets (Climate Change Act) No.60 2017 - <https://www.regjeringen.no/en/dokumenter/climate-change-act/id2593351/>
- Finland Climate Change Act 609/2015, <https://www.finlex.fi/en/laki/kaannokset/2015/en20150609.pdf>
- Ett klimatpolitiskt ramverk för Sverige (2016/17:146), and Klimatlag (2017:720) (texts in Swedish only not to be used in exam) – short summary in english <https://www.government.se/press-releases/2018/01/as-of-today-sweden-has-a-new-climate-act/>.

Case Law:

- Judgements in the Norwegian Climate Case.
<http://climatecasechart.com/non-us-case/greenpeace-nordic-assn-and-nature-youth-v-norway-ministry-of-petroleum-and-energy/>

Relevant websites:

- United Nations Climate Change: <https://unfccc.int/>
- Mechanisms under the Kyoto Protocol: <https://unfccc.int/process/the-kyoto-protocol/mechanisms>
- The Paris Agreement: <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>

- *Nationally Determined Contributions of selected Arctic and Nordic States:*
- Norway
[https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/Norway%20First/Norway_updatedNDC_2020%20\(Updated%20submission\).pdf](https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/Norway%20First/Norway_updatedNDC_2020%20(Updated%20submission).pdf)
- Canada
<https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/Canada%20First/Canada%20First%20NDC-Revised%20submission%202017-05-11.pdf>
- European Union and its Member States (relevant for Finland and Sweden)
https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/Sweden%20First/EU_NDC_Submission_December%202020.pdf

4. **Renewable Energy:**

Mandatory Reading Materials:

- Hans Vedder, Anita Rønne, Martha Roggenkamp, and Iñigo del Guayo, “EU Energy Law”, in Martha M. Roggenkamp et al. *Energy Law in Europe: National, EU and International Regulation*, 3rd edn. Oxford University Press, 2016, pp. 318-330 (on renewable energy sources) (13 pages). *In compendium.*
- Martijn Wilder, Lauren Drake, “International Law and the Renewable Energy Sector”, in Cinnamon P. Carlarne, Kevin R. Gray, Richard Tarasofsky (eds.), *The Oxford Handbook of International Climate Change Law*, Oxford (OUP), 2016, pp. 357-385 (28 pages).
<http://opil.ouplaw.com/view/10.1093/law/9780199684601.001.0001/law-9780199684601-chapter-17?print=pdf>
- Catherine Banet, “The Use of Market-Based Instruments in the Transition from a Carbon-Based Economy”, in *Beyond the Carbon Economy*, pp. 207 – 230 (24 pages). *In compendium.*
- Seita Romppanen, “‘Blind Spots’ in EU Climate and Energy Law”, *European Energy and Environmental Law Review*, Vol. 29, Issue 4, August 2020, pp. 15-162 (12 pages). Available online.
<https://kluwerlawonline.com/journalarticle/European+Energy+and+Environmental+Law+Review/29.4/EELR2020038>
- Kim Talus “Renewable energy disputes in the European Union: An Overview of Current Cases” *Marlus* nr. 446, pp. 135-155, (20 pages). *In compendium.*
- N. Lavranos and C. Berburg, “Renewable Energy Investment Disputes: Recent Developments and Implications for Prospective Energy Market Reforms” in M. Roggenkamp and C. Banet, *European Energy Law Report XII*, Intersentia, 2018, pp. 65-94, (29 pages). *In compendium.*

- Yulia S. Selivanova, “Changes in Renewables Support Policy and Investment Protection under the Energy Charter Treaty: Analysis of Jurisprudence and Outlook for the Current Arbitration Cases” *ICSID Review*, Vol. 33, No. 2 (2018), pp. 433–455 (22 pages).
<https://academic.oup.com/icsidreview/article/33/2/433/5087801>
- European Commission guidance for the design of renewables support schemes SWD(2013) 439 final
https://ec.europa.eu/energy/sites/ener/files/com_2013_public_intervention_swd04_en.pdf
(34 pages)
- European Commission guidelines on state aid for environmental protection and energy 2014-2020 (2014/C 200/01) [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014XC0628\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52014XC0628(01)&from=EN) (55 pages)
- Norwegian Water Resources and Energy Directorate, and Swedish Energy Agency, The Norwegian-Swedish Electricity Certificate Market: Annual Report 2015 (42 pages)
https://beta.nve.no/Media/4750/elcertifikat-2015-en_web.pdf

Case Law:

- Appellate Body Reports *Canada – Certain Measures Affecting the Renewable Energy Generation Sector* and *Canada – Measures Relating to the Feed-in-Tariff Program*, WT/DS412/AB/R; WT/DS426/AB/R, adopted 6 May 2013, DSR 2013:I, 237
https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds412_e.htm and
https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds426_e.htm
- Appellate Body Report *India – Certain Measures Relating to Solar Cells and Solar Modules*, WT/DS456/AB/R, adopted 16 September 2016
https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds456_e.htm
- Case C-379/98 *PreussenElektra AG v Schleswag AG* [2001] ECR I-2099
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A61998CJ0379>
- C-573/12 *Ålands Vindkraft AB v Energimyndigheten* Judgement of the Court (Grand Chamber) of 1 July 2014, published electronically
<http://curia.europa.eu/juris/liste.jsf?num=C-573/12>
- *Eiser Infrastructure Limited and Energia Solar Luxembourg S.à.r.l. v Kingdom of Spain*, ICSID Case No. ARB/13/36, Award 4 May 2017
<https://energycharter.org/fileadmin/DocumentsMedia/Disputes/ISDSC-043en.pdf>

Legal Instruments:

- Renewable Energy Directive (EU) 2018/2001, available <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018L2001&from=EN>
- TFEU
- WTO selected agreements and provisions
- Energy Charter Treaty

Relevant websites:

- EU database of the different national support schemes for renewable energy (see in particular in relation to Finland, Sweden, Denmark, and also includes Norway): <http://www.res-legal.eu/compare-support-schemes/>
- International Renewable Energy Agency: <http://www.irena.org/>

5. Energy Efficiency and Micro and Distributed Generation:

Mandatory Reading Materials:

- Hans Vedder, Anita Rønne, Martha Roggenkamp, and Iñigo del Guayo, “EU Energy Law”, in Martha M. Roggenkamp et al. *Energy Law in Europe: National, EU and International Regulation*, 3rd edn. Oxford University Press, 2016, pp. 330-336 (on energy efficiency and energy savings) (6 pages). *In compendium.*
- U. Stecchi et al., *From Smart Grids to Smart Cities: New Challenges in Optimizing Energy Grids*, ISTE Ltd and John Wiley & Sons, Inc, 2017, pp. xvii-xliii (introduction) (26 pages). <https://onlinelibrary.wiley.com/doi/pdf/10.1002/9781119116080.fmatter>
- Annita Rønne, “Smart Grids and Intelligent Energy Systems: A European Perspective” in Martha M. Roggenkamp et al (eds.), *Energy Networks and the Law: Innovative Solutions in Changing Markets*, Oxford (OUP), 2012, pp. 141-160 (19 pages). <https://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199645039.001.0001/acprof-9780199645039-chapter-8>
- Barry Barton, “The Law of Energy Efficiency” in Don Zillman, Catherine Redgwell, Yinka Omorogbe, and Lila K. Barrera-Hernández, *Beyond the Carbon Economy: Energy Law in Transition*, Oxford University Press, 2008, pp. 61-81 (20 pages). *In compendium.*
- Banet, Catherine (2018). Prosumer Legislation in Norway: A First Step for Empowering Small Energy Consumers., In Martha Roggenkamp & Catherine Banet (ed.), *European energy law report Volume XII*. Intersentia. ISBN 978-1-78068-672-1. VIII. s 169 – 189 (20 pages). *In compendium.*

- Jens Lowitzsch, “Investing in a Renewable Future – Renewable Energy Communities, Consumer, (Co)-Ownership and Energy Sharing in the Clean Energy Package”, *European Energy & Climate Journal*, Volume 9, Issue 2&3, September 2020, pp. 45-70 (25 pages). Available online.
<https://heinonline-org.mime.uit.no/HOL/Page?handle=hein.journals/euenj9&id=96&collection=journals&index=journals/euenj>

Case Law:

- Joined Cases C-708/17 and C-725/17 *EVN Bulgaria Toplofikatsia and Toplofikatsia Sofia*
http://publications.europa.eu/resource/cellar/a4c3df9c-173f-11ea-8c1f-01aa75ed71a1.0016.05/DOC_1

Legal Instruments:

- Energy Efficiency Directive (EU) 2018/2002, available
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018L2002&from=EN>
- The Protocol on Energy Efficiency and Related Environmental Aspects (PEEERA), Energy Charter Treaty

Relevant websites:

- EuroWhiteCert Project – White Certificates: Concept and Market Experiences:
https://3csep.ceu.edu/sites/default/files/field_attachment/project/node-2045/whitecertificatesconceptandmarketexperiences.pdf
- International Energy Agency Energy Efficiency Policies and Measures Databases – Norway:
<https://www.iea.org/policies?topic=Energy%20Efficiency&qs=Norway&country=Norway>
- International Energy Agency Energy Efficiency Policies and Measures Databases – Sweden:
<https://www.iea.org/policies?topic=Energy%20Efficiency&qs=Sweden&country=Sweden>
- International Energy Agency Energy Efficiency Policies and Measures Databases – Finland:
<https://www.iea.org/policies?topic=Energy%20Efficiency&qs=Finland&country=Finland>
- The Norwegian Smart Grid Centre:
<https://smartgrids.no/>
- Swedish Smart Grid Forum:
<http://www.swedishsmartgrid.se/in-english/>
- Fingrid – Towards the Future Electricity System:
<https://www.fingrid.fi/en/search/?query=smart%20grid&pageSize=10&page=1&language=en>

6. Emissions Trading:

Mandatory Reading Materials:

- Simone Borghesi, Massimiliano Montini, Alessandra Barreca, "The EU ETS: The Pioneer – Main Purpose – Structure and Features", in Simone Borghesi, Massimiliano Montini, Alessandra Barreca, *The European Emission Trading System and its Followers: Comparative Analysis and Linking Perspectives*, Springer, Cham, 2016, pp. 1-28 (28 pages).
https://link.springer.com/chapter/10.1007/978-3-319-31186-9_1
- Catherine Banet, "Effectiveness in Climate Regulation: Simultaneous Application of a Carbon Tax and an Emissions Trading Scheme to the Offshore Petroleum Sector in Norway", *Carbon & Climate Law Review*, Vol. 11, No. 1 (2017), pp. 25-38 (13 pages).
<https://search.proquest.com/docview/1907288924/36CFD422AE40479DPQ/3?accountid=17260>
- Hans Vedder, Anita Rønne, Martha Roggenkamp, and Iñigo del Guayo, "EU Energy Law", in Martha M. Roggenkamp et al. *Energy Law in Europe: National, EU and International Regulation*, 3rd edn. Oxford University Press, 2016, pp. 336-344 (on climate change and emissions trading) (8 pages).
In compendium.
- Christina Voigt, "WTO Law and International Emissions Trading: Is there Potential for Conflict?", *Carbon & Climate Law Review*, Issue 1, 2008, pp. 54-66 (12 pages).
<https://heinonline.org/HOL/Page?handle=hein.journals/cclr2&id=58&collection=journals&index=journals/cclr>
- Kateryna Holzer, WTO issues of emissions trading, World Trade Institute Working Paper No. 2016/1, April 2016 (20 pages).
https://www.wti.org/media/filer_public/6e/88/6e884b29-f5e2-4a25-85a6-a6edb5c25ed9/working_paper_short_version.pdf
- European Commission, EU ETS Handbook, 2015, pp. 1-28 (28 pages).
https://ec.europa.eu/clima/sites/clima/files/docs/ets_handbook_en.pdf

Case Law:

- Case C-58/17 *INEOS Köln GmbH v Bundesrepublik Deutschland*
<https://curia.europa.eu/juris/liste.jsf?num=C-58/17&language=EN>
- Case C-229/17 *Evonik Degussa GmbH v Federal Republic of Germany*
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A62017CA0229>

Legal Instruments:

- Emissions Trading Directive 2003/87/EC amended by Directive 2009/29/EC, and by Directive (EU)2018/410: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32003L0087&from=EN> and <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009L0029&from=EN> and <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018L0410&from=EN>
- WTO selected agreements and provisions

Relevant websites:

- ICTSD - Carbon Market Clubs under the Paris Climate Regime: Climate and Trade Policy Considerations: https://seors.unfccc.int/applications/seors/attachments/get_attachment?code=E5TUDBIJR72INRGO6TD6QRFVD7AOUTZ5
- EU Emissions Trading System (EU ETS): https://ec.europa.eu/clima/policies/ets_en
- Finland Emissions Trading: <http://tem.fi/en/emissions-trading>
- Sweden Emissions Trading: <http://www.energimyndigheten.se/en/sustainability/eu-ets---implementation-in-sweden/>
- Norwegian Carbon Credit Procurement Program: <https://www.regjeringen.no/en/topics/climate-and-environment/climate/innsiktsartikler-klima/norwegian-carbon-credit-procurement-program/id2415405/>
- World Bank: Emissions Trading in Practice Handbook: <https://openknowledge.worldbank.org/bitstream/handle/10986/23874/ETP.pdf?sequence=11&isAllowed=y>

7. Carbon Capture and Storage/Carbon Capture Usage and Storage:

Mandatory Reading Materials:

- Hans Vedder, Anita Rønne, Martha Roggenkamp, and Iñigo del Guayo, “EU Energy Law”, in Martha M. Roggenkamp et al. Energy Law in Europe: National, EU and International Regulation, 3rd edn. Oxford University Press, 2016, pp. 344-351 (on carbon capture and storage) (7 pages). [In compendium.](#)
- RS Haszeldine et al, ‘Negative emission technologies and carbon capture and storage to achieve the Paris Agreement commitments’ (2018) 376 Phil Trans R Soc; (20 pages) available <https://royalsocietypublishing.org/doi/pdf/10.1098/rsta.2016.0447>

- Nigel Bankes, 'The Legal and Regulatory Issues Associated with Carbon Capture and Storage in Arctic States', *Carbon & Climate Law Review*, Vol. 6, No.1 (2012) pp. 21-32 (11 pages).
<https://search.proquest.com/docview/1026590463/B5CBAD1BA2E64FB5PQ/4?accountid=17260>
- D Langlet, 'Safe Return to the Underground? The Role of International Law in Subsurface Storage of Carbon Dioxide' (2009) *RECIEL*, Vol. 18, Issue 3, 286. (17 pages).
<https://onlinelibrary.wiley.com/doi/10.1111/j.1467-9388.2009.00650.x>
- Sofie Fogstad Vold, 'CCS Legislation in Norway: The EU CCS Directive and its Implementation into Norwegian Law', in *European Energy Law Report XIII* - edited by Martha M. Roggenkamp, January 2020, pp. 369-386 (17 pages). In compendium.
- Nigel Bankes, 'Carbon Capture and Storage and the Law of the Sea' in in Elise Johansen, Signe Busch, and Ingvild Ulrikke Jakobsen (eds) *The Law of the Sea and Climate Change: Solutions and Constraints*, Cambridge University Press, 2021, pp. 382-406 (24 pages). Available online.
<https://www.cambridge.org/core/books/law-of-the-sea-and-climate-change/93B34839429895868A8C7D7979C9746C>
- G Haver and HC Bugge, 'Transboundary chains for CCS: Allocation of rights and obligations between the state parties within the climate regime' (2007) 5 *JEEPL* 367. (10 pages).
https://heinonline.org/HOL/Page?collection=intyb&handle=hein.intyb/jeuren2007&id=392&men_tab=srchresults
- Tim Dixon, Sean McCoy and Ian Havercroft, 'Legal and Regulatory Developments on CCS' (2015), 40 *International Journal of Greenhouse Gas Control* 431.(17 pages).
<https://www.sciencedirect.com/science/article/pii/S1750583615001875>
- Tim Dixon et al, 'International Marine Regulation of CO2 Geological Storage. Development and Implications of Lodon and OSPAR' (2009) 1 *Energy Procedia* 4503 (8 pages) available
<https://www.sciencedirect.com/science/article/pii/S1876510209009114>
- IPCC Report on CCS, Summary for Policy Makers, p.1-15 (15 pages) available
https://www.ipcc.ch/site/assets/uploads/2018/03/srccs_wholereport-1.pdf

Case Law:

- Case C-460/15 *Schaefer Kalk GmbH & Co. KG v Bundesrepublik Deutschland*
<https://curia.europa.eu/juris/liste.jsf?num=C-460/15&language=EN>

Legal Instruments:

- Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European

Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (Text with EEA relevance), available <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32009L0031&from=EN>

- Law of the Sea Convention, Articles 1, 56 – 82, 192 – 194 and 210.
- Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, London, 13 November 1972, in force 30 August 1975.
- Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, London, 7 November 1996, in force 24 March 2006.
- Convention for the Protection of the Marine Environment of the North-East Atlantic, Paris, 22 September 1992, in force 25 March 1998, Article 1 – 4 and Annexes II and III.
- Act of 21 June 1963 No. 12 relating to scientific research and exploration for and exploitation of subsea natural resources other than petroleum resources. Last amended by Act of 6 June 2008 no 37 (Norway) <https://www.npd.no/en/regulations/acts/act-of-21-june-1963-no.-12-relating-to-scientific-research-and-exploration-for-and-exploitation-of-subsea-natural-resources-other-than-petroleum-resources/>
- Regulations relating to exploitation of subsea reservoirs on the continental shelf for storage of CO₂ and relating to transportation of CO₂ on the continental shelf (Norway) <https://www.npd.no/en/regulations/regulations/exploitation-of-subsea-reservoirs-on-the-continental-shelf-for-storage-of-and-transportation-of-co/>

Relevant websites:

- Global CCS Institute, <https://www.globalccsinstitute.com/>
- EU CCS page https://ec.europa.eu/clima/policies/lowcarbon/ccs_en
- IEA CCS page, <https://www.iea.org/tcep/industry/ccs/>
- IPCC Report on CCS https://www.ipcc.ch/site/assets/uploads/2018/03/srccs_wholereport-1.pdf
- Negative Co2 Project, Nordic Energy Research: <https://www.nordicenergy.org/flagship/negative-co2/about-negative-co2/>
- Norway's CCS Strategy: <https://www.regjeringen.no/en/topics/energy/carbon-capture-and-storage/the-governments-carbon-capture-and-storage-strategy/id2353948/>
- Alberta, Canada, CCS: <https://www.alberta.ca/carbon-capture-and-storage.aspx>

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