

<b>Course title</b>	EU Environmental and Energy Law
<b>Course Code</b>	LAW405.1
<b>Category</b> (core/elective)	Core
<b>Level</b>	LLM in EU Law
<b>Duration</b> (semesters)	1
<b>Semester when taught</b> (autumn/spring)	Spring
<b>ECTS:</b>	7,5
<b>Access requirements</b>	None
<b>Responsible</b>	Professor Georgios Dellis
<b>Course objectives</b>	
<p>Environmental protection has been at the core of the European Union integration project even before it was explicitly provided for in the Treaties. The Court of Justice of the EU has been adamant in enforcing environmental protection requirements and has led the evolution of EU environmental protection legislation. Environmental protection was included in the Single European Act and reinforced later in the Maastricht Treaty for the EU. The legislative framework is completed by a series of EU secondary legislation spanning through various sectors and imposing substantive and procedural rules on environmental protection. Energy regulation has been introduced later in the EU context. Economic realities have made it imperative to establish an internal market in the energy sector, thus pushing forward radical challenges across EU Member States. The evolution of energy regulation in the EU has started from sector specific secondary legislation towards a more general EU approach and, finally, an amendment to the EU Treaties.</p> <p>This Course is intended to present the dynamics of the evolution of environmental protection and energy regulation in the EU and give insights into their mutual interaction. To this end basic concepts of both environmental and energy law are introduced and put in</p>	

context along the Treaty framework and the general principles of these specific areas of EU law. Particular focus will be given to the application of the relevant rules by the Court of Justice of the EU, while analyzing the judicial role in the evolution of environmental and energy law. The Course is also aimed at discussing the various regulatory methods used in order to achieve a higher level of environmental protection, particularly by presenting impact assessment and public participation in decision making procedures. The basic tools in energy regulation are presented, with a particular emphasis on the governance methods introduced across EU member States. Methods of the Course primarily include the interaction of EU Environmental and Energy law requirements, as well as the relations of the respective rules with other Treaty rules (competition, state aids and fundamental freedoms). This interaction is further elaborated in certain sectors, such as the Renewable Energy Sources and the challenges faces in terms of environmental protection, energy regulation and competition policy.

### **Course Description**

The course starts with a dynamic perspective of the concept and content of environmental protection and energy regulation. It then turns to the Treaty rules and general principles applicable in these sectors and their interaction. It then turns the spotlight on the most important environmental protection mechanisms and examines the role of impact assessment, liability and public participation in decision making processes.

The course then shifts towards the core energy regulation mechanisms across EU Member States and examines aspects of regulatory governance in particular. In the last lectures attention is drawn exclusively on the ways these two areas of law interact in certain fields, also in the context of general EU law requirements such as competition law and state aid.

### **Course Outline**

The course is organized on the basis of 13 lectures as follows:

1. Introduction: Environmental protection and Energy regulation in context
2. Treaty provisions on Environmental protection and Energy regulation - General principles
3. Interaction with fundamental freedoms and competition rules
4. Environmental protection mechanisms: Impact Assessment
5. Environmental protection procedures: Public Participation
6. Environmental Liability
7. Evolution of energy regulation across the EU
8. Energy regulation mechanisms: Unbundling and Third Party Access
9. Energy regulation procedures: regulatory governance
10. The future of EU energy law in a global context
11. Biodiversity and Climate change: energy networks and renewable energy sources challenges for the energy sector
12. Environmental Aid for energy projects
13. Bringing it all together – future challenges

## Educational Outcomes

By the end of the course, students will be able to engage in critical analysis of a number of areas of EU environmental and energy law. They will also be familiarized with a number of instruments of regulation in both areas of law.

Students are expected to acquire an in-depth insight of the various mechanisms of environmental protection and energy regulation. The basic legal framework, both in terms of Treaty provisions and general principles will be fully understandable by all students. Further, students will be in a position to identify key techniques in EU Environmental and Energy Law, while assessing their significance both at an EU and member State level.

Having successfully attended the Course, students will have a clear vision of the interaction between these two areas of law and will be able to spot the methods in which the respective rules work in a supplementary and, sometimes, contradictory way. By emphasizing on certain examples such as the Renewable Energy Sources, the Course will greatly benefit practice-oriented students, both in terms of litigation and counselling.

Students having followed this course will possess the necessary knowledge in order to be able to work in any field of EU Environmental and Energy Law, either as litigators, counsels, government officials. Their services could vary from cross-sector policy design to law enforcement and could be offered also to local authorities and governmental bodies, NGOs, international and EU organizations and committees and, of course, law chambers.

### Basic Textbook(s)

- Jans, J. and Vedder, H, *European Environmental Law*, 4<sup>th</sup> ed (Groningen: Europa Law Publishing, 2012).
- Johnston, A. and Block, G., *EU Energy Law* (Oxford: OUP, 2013).
- Kraemer, L., *EU Environmental Law*, 7<sup>th</sup> ed (London: Sweet&Maxwell, 2012).
- Talus, K., *EU Energy Law and Policy* (Oxford: OUP, 2013).

### Basic Bibliography

- Holder, J. and Lee, M., *Environmental Protection, Law and Policy* (Cambridge: CUP, 2007).
- Lee, M., *EU Environmental Law. Challenges, Change, and Decision-Making* (Oxford/Portland: Hart Publishing, 2005).
- Scott, J. (ed), *Environmental Protection: European Law and Governance* (Cambridge: CUP, 2008).
- Roggenkamp, M. et al.(eds), *Energy Law in Europe. National, EU and International Regulation* (Oxford: OUP 2007).
- Macrory, R. (ed), *Reflections on 30 years of EU Environmental Law: A High Level of Protection?*

	(Groningen: Europa Law Publishing, 2006). - Cameron, P., <i>Competition in Energy Markets. Law and Regulation in the European Union</i> , 2 <sup>nd</sup> ed (Oxford: OUP: 2007).
<b>Additional Bibliography</b>	- Pallemarts, M. (ed), <i>The Aarhus Convention at Ten. Interactions and Tensions between Conventional International Law and EU Environmental Law</i> (Groningen: Europa Law Publishing, 2011). - Bosselman, F. et al. (eds), <i>Energy, Economics and the Environment. Cases and Materials</i> , 2 <sup>nd</sup> edition (New York: Foundation Press: 2006) - Makuch, K. and Pereira, R. (eds), <i>Environmental and Energy Law</i> (New York: Wiley-Blackwell, 2012). - Macrory, R. (ed), <i>Principles of European Environmental Law</i> (Groningen: Europa Law Publishing, 2004). - Jans, J., Macrory, R. and Moreno-Molina, A.-M. (eds), <i>National Courts and EU Environmental Law</i> (Groningen: Europa Law Publishing, 2013). - Farantouris, N. (ed), <i>Energy. Law, Economics and Politics</i> (Athens: Nomiki Vivliothiki, 2012). - Dellis, G., <i>EC Environmental Law</i> (Athens: Ant. N. Sakkoulas Law Publishing, 1997).
<b>Teaching Methodology</b>	Lectures: 12 lectures x 2 hours = 24 hours Tutorials: 6 tutorials x 2 hours = 12 hours Total: = 36 hours
<b>Evaluation</b>	Final Exam = % Course Participation = % Paper(s) = % Total = %
<b>Language</b>	English
<b>Location</b>	Athens
<b>General note</b>	While the 'Course Objectives' and 'Educational Outcomes' above remain immutable, the 'Course Content' and 'Course Outline' may be altered in order to accommodate student's needs and individual professor's approaches. Bibliography and reading materials may vary accordingly.