



UCL

**Implementing the EU CO₂
Storage Directive: Challenges
and Opportunities**

**Monday 7th
November 2011**

Denys Holland Lecture Theatre
University College London
Faculty of Laws, London

In association with
Natural Resources Law Group
University of Oslo

www.ucl.ac.uk/cclp

PROGRAMME

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The implementation of the 2009 EU CO₂ Storage Directive represents an important stage for the development of CCS legal and regulatory frameworks in Europe. The Carbon Capture Legal Programme (CCLP) has recently commissioned a series of reports examining the way in which the Directive has been implemented in a number of key European countries.

This workshop will provide the opportunity to analyse issues and opportunities associated with this process. In the morning session, the authors of these studies will discuss their findings. In the afternoon, the challenges of public engagement on this new technology will be examined, considering in particular the role of law in this context.

8.30 - 9.00 *Coffee and registration in the Cissy Chu Common Room*

09.00 - 09.15 **Welcome**

Richard Macrory, *University College London, UCL Carbon Capture Legal Programme*

Professor Hans Christian Bugge, *University of Oslo*

09.15 - 09.25 **Introduction to the EU Case Studies project**

Chiara Armeni, *University College London, UCL Carbon Capture Legal Programme*

09.25 - 11.30 **Session 1**

The status of the transposition: Key messages from the case studies

Chair: **Professor Richard Macrory**

This session aims to present the main findings of the EU Case Studies project by illustrating how selected countries have gone about transposing the EU CO₂ Storage Directive. The presentations will highlight key national policy drivers and the political context of the wider energy debate that have impacted on the transposition process. The Directive allows for considerable discretion by Member States, and the session will explore the rationale for national choices made, placing them within the context of national regulatory styles. It is intended to draw attention to contentious issues and assess the legal and regulatory choices within the wider domestic environmental and administrative law regime.

The transposition process

Martina Doppelhammer,
European Commission – DG for Climate Action

Key findings from the transposition process in selected European countries:

Germany **Professor Ludwig Krämer**, *Visiting Professor at University College London; Derecho y Medio Ambiente*

Poland **Professor Jerzy Jendroška**, *Opole University*

Romania **Professor Mónika Józson**, *Corvinus University of Budapest and Sapientia-Hungarian University of Transylvania*

10.45 - 11.00 *Tea and coffee break*

UK **Chiara Armeni**, *University College London, UCL Carbon Capture Legal Programme*

Spain **Professor Ludwig Krämer**, *Visiting Professor at University College London; Client Earth*

Norway **Professor Hans Christian Bugge**, *University of Oslo*

12.00 - 12.40 **Panel discussion: Progress and barriers for a consistent CCS legal framework in Europe**

12.40 - 14.00 *Lunch in the Cissy Chu Common Room*

14.00 - 15.15 **Session 2**

Public engagement in CCS and the role of law: Developments in Practice in the European Union

Chair: **Professor Ragnar Löfstedt**,
King's College London

Following the 2009 CCLP Conference on Public Perception and the Law, this session aims to provide updates on the debate and developments in public participation. Over the last two years, public engagement has reached the top of the agenda for CCS decision-makers and project proponents. Some of the most advanced European projects have experienced the consequences of poor risk communication and inadequate public engagement strategies, leading to their abandonment or delay. Member States have considerable discretion in how they go about public engagement for CCS projects, and this session will include discussion of a number of case-studies of public engagement in CCS implementation in European countries. It will also consider the role of legal and regulatory mechanisms to ensure sound community engagement in decision-making relating to CCS projects.

The European CCS Demonstration Project Network: Activities and lessons learned on public engagement
Eelco Kruizinga, *European CCS Demonstration Project Network; Det Norske Veritas*

Public engagement in the UK

Louise Barr, *UK Department for Energy and Climate Change, Office for CCS*

Public engagement in Germany

Alexander Boehringer, *German Federal Environment Agency (Umweltbundesamt)*

Public participation and CCS in Italy: Lessons learned from Porto Tolle

Francesco Giorgianni, *ENEL*

Public engagement from a project developer's perspective

Jane Paxman, *2CO Energy*

15.45 - 16.45 Session 3

Panel and open discussion – Public engagement and legal process: The wider context

Chair: **Professor Maria Lee**,
University College London, Faculty of Laws

This session aims to place the experience of CCS public engagement to date in a wider context. To what extent does CCS replicate issues of public engagement faced by other new technologies, and are there useful lessons that can be read across? Can legal procedures and requirements assist the process or are they largely irrelevant?

Professor Martha Roggenkamp, *University of Groningen*
Professor Ludwig Krämer, *Visiting Professor at University College London; Client Earth*
Professor Jerzy Jendrośka, *Opole University*
Professor Andy Stirling, *University of Sussex*

16.45 - 17.45 Session 4

Panel and open discussion – Assessing the future: The strengths and weaknesses of the European Union as a CCS regulatory leader

Chair: **Professor Catherine Redgwell**,
University College London, Carbon Capture Legal Programme

Drawing upon the discussion in the previous sessions, this session places the current transposition process in a broader context. The EU CO₂ Storage Directive was something of a world leader in CCS regulation. To what extent will the EU continue to be the regulatory driver for CCS within the EU, and will it remain a model for other non-EU jurisdictions to follow?

Martina Doppelhammer, *European Commission, DG for Climate Action*
Bob Pegler, *Global CCS Institute*
Juho Lipponen, *International Energy Agency*
Professor Richard Macrory, *University College London, Carbon Capture Legal Programme*

17.45 Closing remarks by Richard Macrory

Reception in the Cissy Chu Common Room
