

EU Energy Policy From a Legal Point of View

Frédérique Berrod

Type de cours / Course type : Cours en ligne / online course – 18 heures / hours – 5 ECTS

Langue du cours/Language of instruction : Anglais

Course description and objectives

Energy policy is a key policy of the European Union from the very beginning of the European integration. The Lisbon Treaty gave a legal basis to EU energy policy with contradictory objectives and legal tools to develop a common space of energy. After having discussed the main principles governing the EU energy market, the course will concentrate on the priorities of the Von der Leyen Commission to understand what is the evolution of the EU energy policy in particular its contribution to the Green Deal. The governance of EU Energy policy will be detailed to understand the respective powers of the EU and its Member States. A specific attention will be devoted to the question of the reinforcement of the European sovereignty after the COVID 19 crisis.

As EU acts will be transposed in each Member States to reorganise Electricity new market design, electricity will be one the energies more specifically analysed. Nuclear energy will also be analysed to understand its links with the Green energy transition in the EU.

Teacher

Dr Frédérique Berrod is professor at Science Po Strasbourg specialised in EU Law. She is invited Professor at the College of Europe of Bruges and at the ENA in the Mastere « Expert of EU public affairs ». She is currently developing interdisciplinary researches on borders and is writing books and articles in the field of EU energy law, health law and EU law of data.

Online teaching method

Readings will be provided for each session on Moodle (articles, EU directives and regulations, case-law). MCQ will help to check the correct understanding of definitions by auto-assessment. A forum will be opened for questions on the course.

Sessions will be proposed by visioconferences to understand transversal issues and current debates on this particularly sensitive subject.

Assessment

- One or several test(s) on the course content during the semester

- A paper will be written on one of the key concepts developed in the six sessions (maximum of 6 pages and a reasoned bibliography). A methodology will be proposed to write the paper in an operational perspective.

Course outline

Six sessions are proposed (provisional outline which may be adapted to legislative or judicial new decisions.

- Understanding EU Energy policy in the treaty on the functioning of the EU
- Understanding the legal fundamental principles organising energy policy in the internal market
- The new market design of electricity and governance by citizens
- The regionalisation of gas and electricity and the security of supply in the EU
- Sustainable development of nuclear energy. The question of the conditionality of state aid.
- Green deal and Energy policy. A reinforced EU sovereignty. Energy transition and the concept of just transition

Select bibliography

European Commission, The European Green Deal, Brussels, 11 December 2019

F. Berrod et A. Ullestad, La mutation des frontières dans l'espace européen de l'énergie, Larcier, 2016 (disponible sur Stradalex)

Thomas Pellerin-Carlin, Jean-Arnold Vinois, Emilie Magdalinski, "The European Green Deal starts with the Energy Transition", Paris, Jacques Delors Institute, 2019, available on

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKewjLqMXt-6nqAhXFxoUKHfVxUCUgQFjAAegQIARAB&url=https%3A%2F%2Finstitutdelors.eu%2Fwp-content%2Fuploads%2F2019%2F09%2F1-ENERGY-Pellerin-Carlin-EN-1.pdf&usq=A0vVaw3PKb76wSYREoGibNZ1VTmL>

Jan Frederik Braun, "EU Energy Policy under the Treaty of Lisbon Rules. Between a new policy and business as usual", EPIN Working Paper 2011 n° 31.

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Sami ANDOURA et Jean-Arnold VINOIS *Préface de Jacques DELORS*, « DE LA COMMUNAUTÉ EUROPÉENNE DE L'ÉNERGIE À L'UNION DE L'ÉNERGIE. UNE PROPOSITION POLITIQUE POUR LE COURT ET LE LONG TERME », Etudes et rapports, janvier 2015, Institut Delors

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