

## **International Conference**

The challenge of implementing new regulatory initiatives:

### **STATE OF AFFAIRS AND CRITICAL ISSUES of EU CLIMATE CHANGE POLICY**

**17 & 18 September 2004**

**Faculty of Law, University of Leuven, Belgium**

*Organised by:*

#### **University of Leuven**

*Institute for Environmental and Energy Law, Faculty of Law*

#### **Maastricht University**

*Center for Transnational Legal Research, Faculty of Law*

#### **University of Liège**

*Department of Public Law*

*Under the auspices of:*

#### **The Ius Commune Center of Environmental Law**

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- Fund for Scientific Research – Flanders
- (...)

**Europe is heading forward in adopting and implementing climate change measures. From 2005 on, a EU-wide emissions trading scheme should start, and, in addition, also a EU-wide energy taxation framework will already be operating. The year 2004 will be crucial for implementing these policy instruments. Market-based environmental regulations, as they are, seem to be promising tools, but the real question is if they will be successful in practice. In addition, other regulatory tools are part of the European climate change policy, like, for energy use, the IPPC-directive, and the voluntary agreements with the car-industry. Furthermore, measures have been taken in order to enhance the use of renewable energy and end-use energy-efficiency.**

**The conference will debate the state of affairs of the implementation and application of these climate change instruments, and will critically analyse their credibility and perspectives. In addition, these insights will be related to the concept of good governance.**

# PROGRAMME

Friday 17 September 2004

**08.30-09.00 H:**      **Registration of participants**  
*coffee / tea*

**Introduction: Climate Change Policy Approaches**

*Chair: Prof. Dr. Kurt Deketelaere, University of Leuven / University of London*

**09.00-09.15 H:**      **Welcome and introduction**  
*Conference Chair: Prof. Dr. Kurt Deketelaere, University of Leuven /  
University of London*

**09.15-09.45 H:**      *Introductions by representatives from sponsoring institutions*

**09.45-10.25 H:**      **International and European responses to climate change**  
*Prof. Dr. Marc Pallemmaerts, Free University of Brussels*

**10.25-10.45 H:**      **Coffee/tea**

Part 1:  
EU Emissions Trading: the big challenge

*Chair: Dr. Marjan Peeters, Maastricht University*

- 10.45-11.10 H:**        **Implementation of the Emissions Trading Framework:  
ready to start in 2005 ?**  
*Prof. Dr. Mar Campins Eritja*  
*Department of International Law and Economics*  
*Faculty of Law, University of Barcelona*
- 11.10-11.35 H:**        **Allocation of greenhouse gas allowances in Europe:  
state of affairs and critical legal issues**  
*Dr. Bettina Schmit, Barrister, Linklaters Oppenhoff & Rädler,*  
*Frankfurt am Main.*
- 11.35-12.00 H:**        **Emission trading and international and European trade law**  
*Prof. Dr. Geert van Calster, University of Leuven*
- 12.00-12.30 H:**        **Discussion**
- 12.30-14.00 H:**        **Lunch**

*Chair: Prof. Dr. Han Somsen, University of Amsterdam*

- 14.00-14.25 H:**        **Linking the European scheme to CDM and JI**  
*Mr. Jürgen Lefevere, European Commission (invited)*
- 14.25-14.50 H:**        **Trading in emissions rights: actual and potential market barriers**  
*Mr. Anthony Hoble, Baker & McKenzie*
- 14.50-15.15 H:**        **Contractual aspects of transferable emissions rights**  
*Mr Rutger de Witt Wijnen, sollicitor, De Brauw Blackstone Westbroek*
- 15.15-15.30 H:**        **Discussion**
- 15.30-15.45 H:**        **Coffee/tea**

*Chair: Prof. Dr. Frits Stroink, Maastricht University*

- 15.45-16.10 H:**        **Enforcing emissions trading**  
*Dr. Marjan Peeters, Maastricht University*
- 16.10–16.35 H:**       **Emissions trading and the Aarhus provisions**  
*Mr. Zen Makuch, Reader in Law, Imperial College, London,  
International Barrister*
- 16.35- 17.15 H:**       **Experiences from the USA with emissions trading**  
*Prof. Dr. George Pring, University of Denver, College of Law  
Denver, USA*
- 17.15-17.30 H:**       **Discussion**

**Evening programme**  
*Faculty Club*

- 19.00-20.00 H:**       **Cocktails**
- 20.00-22.00 H:**       **Conference dinner**  
*Dinner speaker: Prof. Dr. Niels Koeman, University of Amsterdam  
(invited)*

**Saturday 18 September 2004**

**08.30-09.00 H:**      *coffee / tea*

**Part 2:  
Energy and taxation**

*Chair: Prof. Dr. Kurt Deketelaere, University of Leuven / University of London*

**09.00-9.25 H:**      **EU Energy policy and climate change**  
*Prof. Dr. Leigh Hancher, Tilburg University*

**09.25-9.50 H:**      **EU Renewable energy measures**  
*Mr Marc Timmer, lawyer, EUFORES*

**09.50-10.15 H:**      **Energy Taxation within the EU**  
*Dr Manfred Rosenstock, European Commission*

**10.15-10.40 H:**      **Critical implementation issues**  
*Dr Claudia Soares, Portuguese Catholic University (Oporto)/London  
School of Economics*

**10.40-11.00 H:**      **Coffee / tea**

**Part 3:  
The IPPC-directive and voluntary agreements**

*Chair: Prof. Dr. Michel Pâques, Université de Liège*

**11.00 –11.25 H:**      **The IPPC-permit and climate change measures**  
*Prof. Dr. Birgitte Egelund Olsen LL.M, Associate Professor of EU Law, The Aarhus School of  
Business*

**11.25-11.50 H:**      **Voluntary agreements and climate change**  
*Mr. David Grimeaud LL.M, Maastricht University*

**11.50-12.30 H:**      **Discussion**

**12.30-14.00 H:**      **Lunch**

**Part 4:**  
**Good governance, proper legislation, and instrument mix**

*Chair: Prof. Dr. Michael Faure, Maastricht University*

**14.00-14.30 H:**        **Reflections on the current mix of instruments in Europe**  
*Prof. Dr. Ludwig Krämer, University of Bremen*

**14.30-15.00 H:**        **Good governance and climate change: recommendations**  
*Prof. Dr. Joyeeta Gupta, UNESCO-IHE Institute Delft /  
Free University of Amsterdam (invited)*

**15.00–15.30 H:**        ***Discussion and conclusions***

**15.30-16.00 H:**        **Drinks**