

TOWARDS A EUROPEAN ENERGY UNION

The European Union is poised to establish a genuine European Energy Union with the new powers conferred on it by the Lisbon Treaty. The European Energy Union aims to provide secure, sustainable and affordable energy throughout the cycle of production, transport and consumption by 2030. This book outlines, analyses and evaluates the legal regime underpinning this regulatory strategy, which integrates EU law with international law and with the law of member states and affiliated states. It demonstrates that and how these legal orders work together in achieving the universally shared objective of governing and transforming the European and global energy systems. This book will appeal to scholars and students of energy law and policy and the emerging global regulatory law at international, European and national levels.

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European Energy Strategy in International Law

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For Petra, Johanna, Karl, Georg and Lukas. May fortune smile.

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PREFACE AND ACKNOWLEDGEMENTS

Providing clean energy for present and future generations is one of the key challenges of the twenty-first century. The European Energy Union is a strategic project for the transformation of the European and indeed the global energy system in the period up to 2030. The ensuing dynamic regulatory change has an internal and equally important external dimension. As a result, EU-level governance of the energy cycle will come to be based on a legal regime that integrates three normative orders: international law, EU law and the domestic law of member states and affiliated states. This book analyses the trajectory of this regulatory change. For this purpose, it proposes a different perspective on the law of the European Union. Rather than being isolated, it is embedded in a broader normative context. The book then makes a methodological plea: normative orders ought to be understood as working towards strategic objectives that they can achieve only by working with others. This has concrete implications for the way each is to be interpreted. The essence of the emerging global regulatory law, as the law underpinning governance of global priorities, lies in this integration of international law, European Union law and other regional and domestic law. Energy exemplifies this global regulatory law.

This book reflects the law as it stood on 18 January 2017, although I have been able to include some essential updates.

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