

Energy Law Institute

Newsletter Winter 2019 - Issue 5

ELI Director's Introduction



As our fifth year closes it is worth spending time to reflect upon our progress. We have during that time welcomed over 190 students from 59 countries and five continents (and many more have attended our modules).

We have created a support network through our membership scheme with major law firms, barristers chambers and corporations which has had a profound effect upon the breadth of extracurricular help our students receive by way of mentoring, internships and practical workshops.

We have created a Forum and New Voices Forum which meets several times a year to discuss the issues affecting the sector and established an Energy Fundamentals course to introduce our students to the energy sector each year, which is open to representatives of our members.

This year will see the first award of our Lord Browne Energy Law Institute Essay Prize and the launch of our Journal. We expect another busy and rewarding year for the Institute and our students. My thanks, as ever, to all those who support the work of the Institute.



Our Members:

20 Essex Street Chambers
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Clifford Chance
Covington & Burling

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Energy Cooperation in Northeast Asia



Last June, at the invitation of the EU Delegation to Mongolia, I had the pleasure of speaking as an expert at a roundtable on energy connectivity organised in the context of the Ulaanbaatar Dialogue Initiative on Northeast Asian Security. The Ulaanbaatar Dialogue is an annual meeting for representatives of China, Japan, Mongolia, North Korea, Russia and South Korea as well as think

thanks and academics to discuss topics relating to security and cooperation in the Northeast Asian region.

My presentation focused on the legal and regulatory aspects of the European model of electricity transmission networks, ie the European Network of Transmission System Operators for Electricity (or ENTSO-E). I was extremely pleased to take part in this important initiative and share the lessons learned from the liberalisation of the European electricity market, the Third Energy Package and the establishment of ENTSO-E, a successful model of a regional electricity transmission network which has greatly contributed to ensuring a more secure, more sustainable and cheaper electricity supply in Europe.

While in Mongolia, I was also invited to visit the Salkhit Wind Farm, the first wind farm established in the country which provides clean electricity to its capital Ulaanbaatar. I was very glad to see that Mongolia is taking serious steps towards the energy transition and that its President Battulga is leading discussions on the development of a North East Asian Super Grid. The envisaged regional super grid, for which electricity would be mostly supplied by large scale solar and wind farms, is a ground-breaking project which would enhance energy security and sustainability in the region.

- Dr Tibisay Morgandi, Lecturer in International Energy & Natural Resources Law

The Energy Law Forum

Maria Taylor Chair of the Energy Law Institute Forum



From Activism to Innovation, from Regulation to Legislation: Convergence on Climate Change Solutions

“Both interesting and frightening” was how one attendee summarised our summer forum,

held on 4 July 2019.

The diverse panel all agreed on the gravity of the climate change problem and the imperative for urgent action.

Common themes emerged from the discussion:

- The bravery of those that press for action
- The importance of demonstrating the economic benefits of climate change initiatives
- The value of continuous lobbying as demonstrated by the small island states concerned about rising sea levels
- A warning against too much self-congratulation, and the need for increased transparency in reporting reductions in emissions against targets
- Carbon capture and storage is necessary but insufficient without recourse to geoengineering solutions such as those which might inhibit sea level rise

A number of cases against governments and public bodies as well as corporations were discussed, including Urgenda Foundation v State of Netherlands, Juliana v USA, and Friends of the Irish Environment v Ireland. Whilst it was noted that its pace may be slow, litigation is one of the solutions that can encourage a sense of urgency for states to implement climate change mitigation measures.

We are grateful to our panel who provided a range of arguments which generated a lively discussion amongst our audience that continued on long after the forum had concluded. In her closing remarks Norah recalled Sir David King: “What we do over the next 10 years will determine the future of humanity for the next 10,000 years.” Action requiring convergence from across a range of disciplines will be necessary.

Energy Forum Panel Members

Norah Gallagher, ELI Academic Director, chaired the panel

- **Matthew Bell OBE**, Director of Public Policy for Frontier Economics and former CEO of the Committee of Climate Change 2014-2017
- **Bob Ward**, Policy and Communications Director for the Grantham Research Institute
- **John Higgs**, retired energy engineer and member of Xtinction Rebellion
- **Nigel Pleming QC**, 39 Essex Chambers

Student Awards and Alumni News

Juan Carlos Luna, Published Article, LLM Candidate 2019

In the Spring 2019 issue of the International Newsletter from the State Bar of Texas International Law Section, Juan Carlos Luna, Energy and Natural Resources LLM Candidate 2019, published the article “The New Upstream Hydrocarbons Strategy in Mexico in light of the USMCA and the Legitimate Expectations Concept”.

The article is available at the following link:

<https://conta.cc/2JXeGQO>

Alumni, please send any news stories to:
ccls-alumni@qmul.ac.uk



Students on the Windfarm Trip

Student News and Trips

My Life as a Student Rep



I was the 2018-19 Energy and Natural Resources LLM Student Representative.

I was the 2018-19 Energy and Natural Resources LLM Student Representative.

During the first term I arranged pub outings and a Christmas party for my fellow students. With the help of Professor Norah Gallagher, we hosted an academic event on the energy transition in Uruguay.

In the second term we organized a lecture on State Energy Agreements with Professor Tibisay Morgandi, as well as the Herbert Smith Freehills' European Law 101 with Professor Silke Goldberg and a presentation on the uses of Blockchain technology in energy markets with Lauren Downes and Professor Chris Reed. We also held three professional events: the Dentons Termination Talk, a panel on The Future of Renewable Energy Arbitration, and a New Voices Forum on the future of energy law professions.

In the third term we visited the Rampion Windfarm near Brighton, and spent three days in Scotland, where we toured the Torness Nuclear Power Plant and the biomass power plant located at the University of St. Andrews.

- **Gustavo Rochette, the 2018-19 Energy LLM Student Representative**



Scotland Visit



Students on their visit to Marrakesh

Mining Conference: Marrakesh

The World Association of Mining Lawyers (WAOML) was established in 2014 to provide a forum for the exchange of ideas, discussion and debate on mineral law and policy.

This year WAOML generously offered three places and a stipend (bolstered by further assistance from the Energy Law Institute) to CCLS students Khulan Batbayar (Mongolia), George Karanikolas (Greece) and Mariana Mihaela Paul (Romania) to attend the June 2019 conference in Marrakesh, which brought together 120 leading professionals, academics and policy makers from over 35 countries. Topics ranged from the challenges of artisanal mining to slavery and mining, mine closure and reclamation, and streaming finance.

“It was a tremendous opportunity to attend presentations and discussions about current and future mining trends, as well as network with the speakers, lawyers, business partners and other participants.” – George Karanikolas

Thank you to our generous sponsors. Further details on the WAOML can be found at:

<https://www.waoml.com>

- **Norah Gallagher, Mining & Natural Resources Law**



Scotland Windfarm Trip

For further information:

ccls-events@qmul.ac.uk

Centre for Commercial Law Studies, 67-69 Lincoln's Inn Fields, London WC2A 3JB

www.ccls.qmul.ac.uk/energy

Dates for the Diary 2020

February 2020

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| Thursday 13th | Energy Law Institute Annual Lecture, sponsored by Clifford Chance: Claire Perry, President of COP26 |
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| Friday 28th | Friday Lecture Series: Eric Nitcher General Counsel BP |
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March 2020

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| Friday 13th | Friday Lecture Series: Stephen Tromans QC |
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To register for events contact ccls-events@qmul.ac.uk.

Energy Law Institute Team

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| Maria Taylor | Chair of Energy Forum and Membership | m.taylor@qmul.ac.uk |

The Energy and Natural Resources Law LLM can be taken in both London and Paris. The Paris programme is available with a September or January start.

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