Michael Rodi | Johannes Saurer [Eds.]

Comparative Perspectives on the Law of Energy Transition in Europe





Beiträge zum ausländischen öffentlichen Recht und Völkerrecht

Edited by

the Max Planck Society for the Advancement of Science represented by Prof. Dr. Armin von Bogdandy and Prof. Dr. Anne Peters

Volume 346

Michael Rodi | Johannes Saurer [Eds.]

Comparative Perspectives on the Law of Energy Transition in Europe



The Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data are available on the Internet at http://dnb.d-nb.de

1st Edition 2025

© The Authors

Published by Nomos Verlagsgesellschaft mbH & Co. KG Waldseestraße 3–5 | 76530 Baden-Baden www.nomos.de

Production of the printed version: Nomos Verlagsgesellschaft mbH & Co. KG

Waldseestraße 3-5 | 76530 Baden-Baden

ISBN (Print): 978-3-7560-3326-3 ISBN (ePDF): 978-3-7489-6260-1

DOI: https://doi.org/10.5771/9783748962601



Online Version Nomos eLibrary



This work is licensed under a Creative Commons Attribution 4.0 International License.

Table of Contents

Contributors	ç
Johannes Saurer and Michael Rodi Introduction	13
Part A – EU Law Framework	
Michael Rodi	
European Climate and Energy Transformation Law	29
Johannes Saurer	
EU Law Framework for Expansion of Renewable Energies	51
Kim Talus and Sirja-Leena Penttinen	
Tomorrow's EU Framework for Sustainable Fuels: The Emerging Regulatory Framework for Hydrogen and Related Fuels	71
Michael A. Mehling	
Advancing the Energy Transition through Industrial Policy: Lessons from a Transatlantic Comparison	91
Part B – The Law of Energy transition in European Countries: General Perspectives	
Till Markus	
General Perspectives on the Law of Energy Transition in Germany	129
Marie Lamoureux	
General Perspectives on the Law of Energy Transition in France	167

Table of Contents

Fabrizio Fracchia	
General Perspectives on the Law of Energy Transition in Italy	183
Chitzi C. Ogbumgbada and Kate McKenzie	
General Perspectives on the Law of Energy Transition in the United Kingdom	205
Bent Ole Gram Mortensen	
General Perspectives on the Law of Energy Transition in Denmark	223
Melina Malafry	
General Perspectives on the Law of Energy Transition in Sweden	241
Bartłomiej Nowak and Aleksandra Knap	
General Perspectives on the Law of Energy Transition in Poland	279
Part C – The Law of Energy Transition in European Countries: Special Focus on the Law of Renewable Energies	
Michael Fehling	
The Law of Renewable Energies in Germany	301
Louis de Fontenelle	
The Law of Renewable Energies in France	333
Chiara Mari	
The Law of Renewable Energies in Italy	361
Agnieszka Ason	
The Law of Renewable Energies in the United Kingdom: Focus on Contracts for Difference	379
Helle Tegner Anker and Bent Ole Gram Mortensen	
The Law of Renewable Energies in Denmark	397

https://doi.org/10.5771/9783748982601-1 - am 21.12.2025, 23:08:36. https://www.inlibra.com/de/agb - Open Access - @

Johann-Christian Pielow and Kate McKenzie

Comparing the Law of Energy Transition in Europe – Concluding
Essay 423



Contributors

Anker, Helle Tegner: Professor of Law at the University of Copenhagen. *Contact: hta@ifro.ku.dk*

Ason, Agnieszka: Senior Visiting Research Fellow, Oxford Institute for Energy Studies; Expert and Strategic Advisor, Ason Energy. *Contact: a.ason@asonenergy.com*

De Fontenelle, Louis: Associate Professor in Public Law, TREE, CNRS, Université de Pau et des Pays de l'Adour and Director of the European Research Platform for Energy and Climate Law. *Contact: louis.defontenelle@univ-pau.fr*

Fehling, Michael: Professor of Public and Comparative Law and Academic Director of the Center for Interdisciplinary Research on Energy, Climate and Sustainability at the Bucerius Law School, Hamburg. *Contact: michael.fehling@law-school.de*

Fracchia, Fabrizio: Full Professor in Administrative Law at the Bocconi University and Director of Observatory on Public Procurement and Sustainability-Green-Bocconi University. Contact: fabrizio.fracchia@unibocconi.it

Gram Mortensen, Bent Ole: Professor in Public Law including Environmental and Energy Law at the University of Southern Denmark, Odense. *Contact: bom@sam.sdu.dk*

Knap, Aleksandra: Lecturer at the Department of Civil Law and Junior Specialist for sustainability cooperation at the Kozminski University. *Contact: aknap@kozminski.edu.pl*

Lamoureux, Marie: Professor at the Faculty of Law and Political Sciences of Université d'Aix-Marseille. *Contact: marie.lamoureux@univ-amu.fr*

Malafry, Melina: Associate Professor and Senior lecturer in Environmental Law at the Uppsala University. *Contact: melina.malafry@jur.uu.se*

Mari, Chiara: Assistant Professor in Administrative Law at the Sapienza University of Rome, Department of Political Science. Contact: chiara.mari@uniromal.it

Markus, Till: Deputy Head of the Department of Environmental and Planning Law at the Helmholtz-Centre for Environmental Research, Leipzig, and Senior Lecturer at the University of Bremen. *Contact: till.markus@ufz.de*

McKenzie, Kate: Director and Chief Executive Officer of the Climate Change Legal Initiative (C2LI) and Managing Editor of the Carbon & Climate Law Review (CCLR). *Contact: kate.mckenzie@c2li.org*

Mehling, Michael: Deputy Director of the Center for Energy and Environmental Policy Research, Massachusetts Institute of Technology, Cambridge; Professor at the University of Strathclyde School of Law, Glasgow. *Contact: mmehling@mit.edu*

Nowak, Bartłomiej: Vice-Rector for Cooperation with the Environment, Kozminski University Dean, Law Department, Kozminski University. *Contact: bnowak@kozminski.edu.pl*

Ogbumgbada, **Chitzi**: Lecturer in Law at the University of Exeter and Member of the Exeter Centre for Environmental Law. *Contact: c.ogbumgbada@exeter.ac.uk*

Penttinen, Sirja-Leena: Associate Professor in Law and Sustainability Transitions, University of Lapland. *Contact: sirja-leena.penttinen@ulapland.fi*

Pielow, Johann-Christian: Professor of Public and Comparative Economic Law and Managing Director of the Institute for Mining and Energy Law at the Ruhr-University Bochum. *Contact: christian.pielow@ruhr-uni-bochum.de*

Rodi, Michael: Director of the Institute for Climate Protection, Energy, and Mobility (IKEM) in Berlin and Brussels, Professor emeritus at the University of Greifswald. *Contact: michael.rodi@ikem.de*

Saurer, Johannes: Professor of Public Law, Environmental Law, Law of Infrastructure and Comparative Law at the University of Tuebingen. *Contact: johannes.saurer@uni-tuebingen.de*

Talus, Kim: Professor of European Economic and Energy Law at the University of Eastern Finland Law School and the Director of the Center for Climate Change, Energy and Environmental Law. *Contact: ktalus@uef.fi*

