

## **Workshop “Synergistic legal responses to climate change – focus on renewable energies, biodiversity and carbon sinks”**

Building on our first workshop in Brisbane, which reflected on the biodiversity-climate-change nexus and the need to restore natural habitats in order to abate the various environmental crises we are facing today, we invite you all to our second comparative and interdisciplinary Australian–European (and Bavarian–Queensland) workshop.

In European current environmental policy and law there appear to be frictions between climate mitigation measures (mainly by renewable energies, certificate trade/economic instruments like taxes) and nature protection/restoration (also biodiversity conservation, water quality, air quality etc.), as the laws (for example permissions under the Federal Immission Control Act) favour renewable energies and allow to disregard infringements on biodiversity or nature protection.

Since Australia’s progress has long lagged on the energy transition and emission certificates, governments have focussed on carbon abatement (e.g. through improved farming practices or vegetation projects, as well as restoration of natural carbon sinks). This has led to some interesting progress in the restoration field, including the development of a ‘blue carbon methodology’ to incentivise some types of coastal wetland restoration through the provision of carbon credits. **This poses the interesting overarching research question to look at whether and how these two approaches can (legally) be reconciled and where problems might arise if both approaches are followed by policy-makers at the same time.**

The workshop primarily focusses on renewable energies using water (tidal power, hydroelectric power in rivers etc.), wind and solar energy, and their impact on sustainable (resource) management and climate change mitigation through the use of economic instruments (CO<sub>2</sub>-certificates, taxes) and the setting of (sector-specific) CO<sub>2</sub> emission goals. It explores whether the existing legal framework(s) at national and/or international levels prefer one system over the other or at least render it easier to implement and shows how national climate change legislation and the wider regulatory environment would need to be crafted.

As far as we can see, “blue carbon” needs restorative and protective measures, whereas renewable energies (although to a lesser extent than fossil energies) might interfere with coastal and fluvial environments and might destroy potentials to store CO<sub>2</sub>. This also applies to another form of renewable energy: off-shore wind farms. In the end, these “sustainable energies” might contradict other ways to reach climate neutrality. Therefore, legal frameworks for climate change law should incorporate mechanisms to balance these two elements of climate change mitigation. It also raises the global question of, whether we need mechanisms in international law that respond to the challenge that only some coastal areas are apt to contribute in large amounts to “blue carbon” and, even though the CO<sub>2</sub> reduction by those coastal areas might even exceed the emissions of the respective states, the whole planet might profit. Hence, there might be a need for a trading system/certificates as well as a solution on bearing the costs for conserving and restoring those coastal areas.

Thursday, July 17		
9:00	Meeting at the RW café “Crazy Sheep” for some locally roasted coffee/arrival	
10:00 - 12:00	Guided tour through the University botanical gardens “Forests in climate change”	
12:00 - 13:00	Lunch break	
13:00 - 15:00	<b>Panel I: Geo-ecological and geographical perspectives on eco-system services and climate change</b>  “The Bavarian Ecosystem services atlas”  “European Grasslands: Biodiversity hotspots and carbon sinks under pressure”	Thomas Koellner   Carl Beierkuhnlein
15:00-15:30	Coffee Break	
15:30 - 17:00	<b>Panel II: Economic Communities and Regulation of environmental crises</b>  EU Law Framework on Climate Change, Renewable Energies and Biodiversity  Bridging Carbon Abatement and Renewable Energy Policy in East Africa: Legal Synergies and Conflicts	Birgit Peters   Jebby Gonza
Evening: possibility to jointly visit a beergarden/brewery in Bayreuth		
Friday, July 18		
8:30 - 10:00	<b>Panel IIIa: Lost in federalism and multi-layer legal orders (Part 1)</b>  “The EPBC and effective protection of nature and biodiversity in Australia”  “Nature restoration plans against climate change in EU law – an enabling legal tool?”	Evan Hamman (online via Zoom)   Eva Lohse
10:00 - 10:30	Tea and coffee break	

10:30 - 12:00	<b>Panel IV: Contract law, sustainability and renewable energies</b>  “Renewable energies in contract law – practical insights”  “Sustainability in Uniform Private Law: Intrinsic Value or External Requirement?”	Veronika Thalhammer  Ben Köhler
12:00 - 13:00	Lunch	
13:00 - 14:30	<b>Panel IIIb: Lost in federalism and multi-layer legal orders (Part II)</b>  “Climate Protection Plans and Programs and the Role of Biodiversity”  “Does novel restoration need novel legislative frameworks?”	Irina Lawrenz  Rose Forster
14:30 - 14:45	Tea and Coffee Break	
14:45 - 16:15	<b>Panel V: Ecological challenges of energy transition – the EU framework</b>  “Environmental conflicts in the administrative governance of the energy transition”  “Legal nature of the ‘overriding public interest’ of renewable energy in European legislation (notably the RED III Directive)”	Francesco Blasi  Annamaria Bonomo (online via Zoom)
16:15 - 16:30		
16:30 - 18:00	<b>Panel VI: Trading for climate change and/or biodiversity</b>  “The EU Emission Trading System: Global role model or toothless tiger?”  “Pursuing co-benefits through Australia’s carbon and biodiversity markets”	David Kuhlmann  Justine Bell-James
Conference dinner		
<b>Saturday, 19 July: Excursion to Pottenstein and guided bat walk through Bayreuth</b>		