Energy from the Sea: Introduction

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One of the main challenges of our time is to be able to guarantee energy supply at a reasonable price. Policy makers, international institutions and the private sector increasingly look to the oceans as a significant source of energy. Consequently, activities at sea multiply and sometimes become riskier. For example, the oil and gas industry is reaching out towards deeper waters and more remote exploration targets. Moreover, energy security and efficiency imperatives, coupled with climate change mitigation mechanisms, push the development of marine renewable energy technologies. These changes may have a significant impact on the marine environment and also on the continuity of traditional maritime uses, such as navigation and fishing.

Several studies have tackled energy issues in recent years, mainly from the viewpoint of international trade and investment law, or within the framework of the climate change regime in relation to the promotion of renewable energy technologies and the control of greenhouse gas emissions. Little has been done so far to put together these different perspectives and to frame the discussion within general international law. This is of particular relevance in relation to energy projects in marine areas, whose planning and operation are subject to the international law of the sea. The law of the sea provides the legal framework

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within which any maritime activity is performed, and (tries to) strike(s)\footnote{Many of the contributions in this volume highlight how the law of the sea, and specifically the United Nations Convention on the Law of the Sea (LOSC; Montego Bay, 10 December 1982, in force 16 November 1994) 183\textsuperscript{396} \textit{UNTS} 396 do not always succeed in finding a balance between the multiple maritime uses; see the contributions by Redgwell, chapter 2, Bonfanti and Romanin Jacur, chapter 3 and Trevisanut, chapter 4.} a balance between the multiple activities that can take place simultaneously in the same maritime zone. The workshop held in Utrecht on 19–20 February 2014 on “Energy from the Sea: An International Law Perspective”\footnote{The workshop was co-organized by Seline Trevisanut (University of Utrecht), Erik Molenaar (University of Utrecht/ University of Tromsø), and Nigel Bankes (University of Calgary/ University of Tromsø) with the support of the Netherlands Institute for the Law of the Sea (NILOS) / Utrecht Centre for Water, Oceans and Sustainability Law (Utrecht University), the K.G. Jebsen Centre for the Law of the Sea (University of Tromsø), and the Marie Curie Project OFFSHORELAW (FP7-PEOPLE-2011-IEF Project 299703). Further information concerning the workshop is available at http://ucwosl.rebo.uu.nl/en/type-activiteiten/workshop-energy-from-the-sea-an-international-law-perspective-on-ocean-energy/; accessed 17 September 2014.} aimed to problematize energy from the oceans by framing it in general international law terms, and within the law of the sea and its interactions with the relevant international legal regimes. The workshop proposed to flag the main legal challenges raised by the expansion of the ocean energy sector and its consequences for the relevant international normative and institutional framework. This volume is the result of that workshop.

The Utrecht workshop ended with a roundtable composed of three commentators: René Lefeber of the Netherlands Ministry of Foreign Affairs, André Nollkaemper of the University of Amsterdam, and Alex Oude Elferink of Utrecht University and the K.G. Jebsen Centre for the Law of the Sea (University of Tromsø). This introduction identifies some of the main issues which emerged from the papers and from the discussion during the workshop. This volume was first published as a special issue of \textit{The International Journal of Marine and Coastal Law}\footnote{(2014) 29(4) \textit{The International Journal of Marine and Coastal Law}.}.

**Crosscutting Themes of the Volume**

Five main themes emerge from the seven contributions which compose this volume: 1) energy sources and the competition for marine space; 2) energy security; 3) private actors and corporate social responsibility;