



Environmental Liability from Offshore CCS in the European Union

- **CCS – Carbon dioxide capture and storage**
 - Capturing CO₂ at large emission sources, compressing, and injecting it into geological formations like saline aquifers and depleted oil and gas fields.
 - Already existing technology
- **The importance of the legal aspects**
 - Informs investors, operators and policy makers about
 - Risk
 - Insurance and other security
 - Overall cost of the project





International law

- United Nations Convention on the Law of the Sea 1982
- London Convention 1972 on dumping
- London Protocol 1996 on dumping
- OSPAR Convention 1992 on the protection of the NE Atl.
- Basel Convention 1989 on hazardous wastes





European law

- **The CCS Directive**
 - Permit regime
 - Corrective action in case of leakage
 - Responsibility transferred to the State
 - Financial security and mechanism
- **The Environmental Liability Directive**
 - General environmental liability regime applying to CCS in strict form
- **The European Emission Trading System**
 - Emission allowances are to be purchased and surrendered in case of a leakage – a major concern for operators.

