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## Towards ecological governance in EU energy law

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STELLINGEN  
behorende bij het proefschrift  
'Towards ecological governance in EU energy law'

- 1) Legal frameworks will remain to be ill-equipped to deal with the environmental and climatological issues we face, as long as any legislative reform is not accompanied by a reappraisal of the assumptions underlying these frameworks themselves.
- 2) The pertaining risk of a 'carbon debt' shows that the new RED does not effectively reduce emissions from biomass used for energy purposes.
- 3) The inclusion of POT/WAT conclusions in future BREFS could expedite the transition to more sustainable forms of energy production, as it would provide guidance on which technologies will be phased out.
- 4) Under WTO law, there are no categorical, legal impediments to adopting a new interpretation of what constitutes a product, in particular electricity.
- 5) In our legislative designs, we have to stop thinking about what can be achieved by existing technologies, but instead focus on what cannot currently be achieved and subsequently impose corresponding norms and standards to force the adoption of cleaner (energy) production methods.
- 6) The current definition of sustainable development does not ensure a sustainable outcome of decisions, as it only requires a balancing of interests, hence allowing for trade-offs, rather than reflecting the factual hierarchy of the environment as the foundation of both the economy and society.
- 7) The concept of ecosystem services is good for learning and data gathering, but it is unsuitable for decision-making, as it reinforces an anthropocentric approach and maintains nature in a position of servitude to humankind.
- 8) System change, not climate change.