

EU Targets Reform of Anti-Greening Energy Charter Treaty

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Winston & Strawn Partner Daniel Meagher shared his perspectives on the EU's newest Energy Charter Treaty (ECT). Critics say the EU will not be able to meet its emission targets unless significant reforms are made to the Treaty, and question whether the most recent proposal will be enough to stop disputes or challenges. Dan discusses a range of factors, including bilateral investment treaties, noting that "the most recent additional proposal is that it envisages a phasing out of the investor protections of the ECT, including the right to claim compensation through arbitration, for certain types of energy projects—specifically those based on coal, natural gas, and petroleum, and electricity derived from these sources."

"Whether the broader EU-proposed reforms have an impact to prevent disputes which EC states have seen in the past, that remains to be seen. If it looks like the EU proposed reforms will go ahead, there will certainly be a flurry of claims as investors rush to benefit from the existing ECT text," he added.

Read the full IHS Markit article [here](#).

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