

**Expert Roundtable:**

**The Energy Charter Treaty between Modernization and Termination: Prospects for Danish Energy Investors**

Thursday, 19<sup>th</sup> January 2023, 16.00-17.30 CET

Flex Room, Faculty of Law, University of Copenhagen and online via Zoom

The **Centre for International Law and Governance (CILG)**, Faculty of Law, University of Copenhagen is hosting an expert roundtable on the Energy Charter Treaty. The event is organized under the framework of the '[Green Corner](#)' and the participation of CILG's Green Partners. The event is also organized within the [FWO Scientific Research Network Climate Change Law in Europe](#).

Over the past decade, this treaty has played a major role in investment disputes brought by both renewable energy and fossil fuel investors. In June 2022, the Energy Charter Secretariat announced that, after long-standing negotiations, an agreement has been reached for a 'modernization' of the treaty, which also aims at ensuring a better alignment of the treaty with international climate commitments. However, the modernization proposal has faced criticism by both by legal scholars and several EU Member States, who have announced their intention to withdraw from the treaty.

While a final decision on the adoption of the modernization by the ECT parties is likely to take place in April 2023, this Roundtable aims to explore the prospects for Danish energy investors of, respectively, the modernization of the Energy Charter Treaty, or termination/withdrawal from the treaty.

Key topics discussed in the roundtable panels include:

- Advantages and disadvantages of ECT modernisation and termination to attract and protect energy investments, with a focus on the green transition.
- Amended provisions in the ECT Modernization proposal on, among others, third party funding, dispute settlement, standards of treatment, damages.
- Practical implications of the (modernised) ECT and other legal instruments to support Danish foreign investments in the energy sector.

An informal networking will follow the roundtable discussion.

Time	Programme
16:00 – 16:05	<p><b><u>Welcome &amp; opening</u></b></p> <p><i>Alessandro Monti</i>, Assistant Professor, University of Copenhagen</p> <p><i>Beatriz Martinez Romera</i>, Associate Professor, University of Copenhagen</p>
16:05 – 16:15	<p><b><u>Introductory remarks: The ECT modernization process – state of affairs</u></b></p> <p><i>Alessandro Monti</i>, Assistant Professor, University of Copenhagen</p>
16:15 – 16:45	<p><b><u>Panel 1: Modernizing or terminating the ECT? Challenges and prospects</u></b></p> <p><i>Ana Maria Daza Vargas</i>, Lecturer, University of Edinburgh</p> <p><i>Monika Feigerlová</i>, Research Fellow, Czech Academy of Sciences</p> <p><i>Matteo Fermeglia</i>, Assistant Professor, Hasselt University</p>
16:45 – 17:15	<p><b><u>Panel 2: The international protection of energy investments: counsel’s and third party funder’s perspectives</u></b></p> <p><i>Jens Blomgren-Hansen</i>, Partner, Kromann Reumert</p> <p><i>Alexander Severance</i>, Special Counsel, DLA Piper</p> <p><i>Giacomo Lorenzo</i>, Senior Legal Counsel, Deminor</p>
17:15 – 17:30	<p><b><u>Q&amp;A</u></b></p>