15 Years of Energy Investment Promotion and Protection under the Energy Charter Treaty

Discussion Note

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Practice of Promoting Energy Investments

- How do Conference participants assess the role and performance of ECT in promoting investments?

- What are critical success factors for investments?

- What can be done to strengthen investment promotion under ECT?
Experience of Protecting Energy Investments

- Accede (or not) to the new treaty on transparency rules? Or incorporate these rules into the ECT?

- How can the potentially active role of states be better communicated?

- How to ensure that litigation costs are borne by the losing party?
Recent Trends in International Investment Agreements

- Advantages / disadvantages of regional dispute settlement?

- Would the ECT be more acceptable to other regions if it provided for a regional arbitration centre to administer disputes?
Challenges to Investment Protection

- How to balance rights and obligations of states and investors, and how to accommodate sustainable development in investment arbitration?

- What is required to initiate a dialogue on the subject of investment protection with regions outside ECT?
THANK YOU FOR YOUR ATTENTION

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