

The EU and investment arbitration under the Energy Charter Treaty

Date: 11-12 February 2015

Venue: Queen Mary University of London

Conference programme

Thursday 11 February 2016

13:00

Introduction and welcome: Dr Urban Rusnak, Secretary General of the Energy Charter Secretariat

13:15-15:15 Intra-EU aspects of the ECT: investment tribunals dealing with EU law

Chair: Prof. Loukas Mistelis (QMUL)

13:20 The use of the ECT in intra-EU disputes (Dr. Matteo Barra, Energy Charter Secretariat)

13:40 The applicability of the ECT in intra-EU disputes (Prof. Christian Tietje, University of Halle)

14:00 EU law as applicable law in intra-EU investment disputes (Krister Soderlund, Magnusson Law)

14:20: The enforcement of arbitral awards (Markus Burgstaller, Hogan Lovells)

14:40: Q&A

15:15-15:45 coffee break

15:45- 17:30 Intra-EU aspects of the ECT: compatibility with EU law

Chair: Dr Pedro Claros (Cuatrecasas, Gonçalves Pereira)

15:45 The role of Regional Economic Integration Organisations in the Energy Charter Treaty (Dr Alejandro Carballo Leyda, Energy Charter Secretariat)

16:00 The compatibility of the ECT with EU law (Tim Rusche, European Commission)

16:20 The principle of autonomy of EU law and its implications for intra-EU disputes under the ECT (Dr. Constanze Von Papp, Keele University)

16:40 Disconnection clauses and the ECT (Dr. Andres Delgado, Durham University)

17:00 Q&A

17:30- End of Day 1

17:30- 19:00 Reception drinks for participants

19:30 Conference dinner for speakers

Friday 12 February 2016

9:00- 10:30 The extra-EU aspects of the ECT: compatibility with EU law

Chair: Dr Violeta Moreno-Lax (QMUL)

9:00 The ECT as a mixed agreement (Dr. Robert Basedow, OECD)

9:20 EU exclusive competence and the ECT (Dr Catherine Titi, CNRS)

9:40 The autonomy of EU law and its implications for EU participation in ISDS (Dr Angelos Dimopoulos, Queen Mary University of London)

10:00 Q&A

10:30-11:00 coffee break

11:00-12:30 The participation of the EU and its Member States in ISDS under the ECT

Chair: Prof. Malgosia Fitzmaurice (QMUL)

11:00 The application of the Financial Responsibility Regulation in the context of the ECT (Colin Brown, European Commission)

11:20 International responsibility of the EU and its Member States under the ECT (Dr. Martins Paparinskis, University College London)

11:40 Direct effect of the ECT and access to EU (local) Courts (Prof. Panos Koutrakos, City University London)

12:30 – 13:30 Lunch

13:30- 15:30 Alternatives to ECT investment arbitration for EU energy disputes

Chair: Prof. Rafael Leal Arcas (QMUL)

13:30 The protection of Energy Investments in EU Courts (Dr. Anna DeLuca, Bocconi University)

13:50 Standards of protection of energy investments under EU law (Prof. Leigh Hancher, Allen& Overy, Tilburg University)

14:10 International energy disputes beyond investment arbitration (Prof. Peter Cameron, University of Dundee)

14:30 The ECT vs BITs and other IIAs: Investment protection through sectoral agreements (Dr. Mavluda Sattorova, University of Liverpool)

14:50 Q&A

15:30- 16:00 Coffee break

16:00-17:30: **Roundtable:** Revisiting the application of the ECT for protecting intra-EU and extra-EU energy investments

Esa Paasivirta (European Commission) (tbc)

Prof. Catherine Kessedjian (University of Panthéon-Assas, Paris II)

Dr Alejandro Carballo Leyda (Energy Charter Secretariat)

Ms Maiko Meguro (METI, Japan)