Investment protection in energy between private and public enforcement

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Executive Training Program for Young Energy Leaders
Energy Charter Secretariat, Brussels, 28 October 2013
introduction

- international energy relations and energy disputes
- options for dispute settlement under international law
  - private enforcement
  - public enforcement
- dispute settlement under the energy charter treaty
the European Union - a regional model for the juridification and judicialization of energy relations

the classic enforcement architecture

- private enforcement national
- public enforcement national
- public enforcement EU
- private enforcement EU
the case of European competition law

- public enforcement
- private enforcement

new elements of energy enforcement after the third package

- ACER and national regulators
- the European Commission
extension of eu energy law to third countries

- the european economic area
  - institutional model
  - homogeneity rules

- the energy community
  - institutional model
  - enforcement in theory and practice
  - reform discussions
private v public enforcement – case studies

- arbitration vs EU competition law – the AES case
- investment protection vs EU energy rules – the ATEL case
- investment protection vs Energy Community law – the EVN case
conclusions

- Europe’s situation on the axis from diplomatic to legal dispute resolution

- How efficient is energy investor protection in (wider) Europe?

- Can it serve as a model for other parts of the world?
thank you for your attention!

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