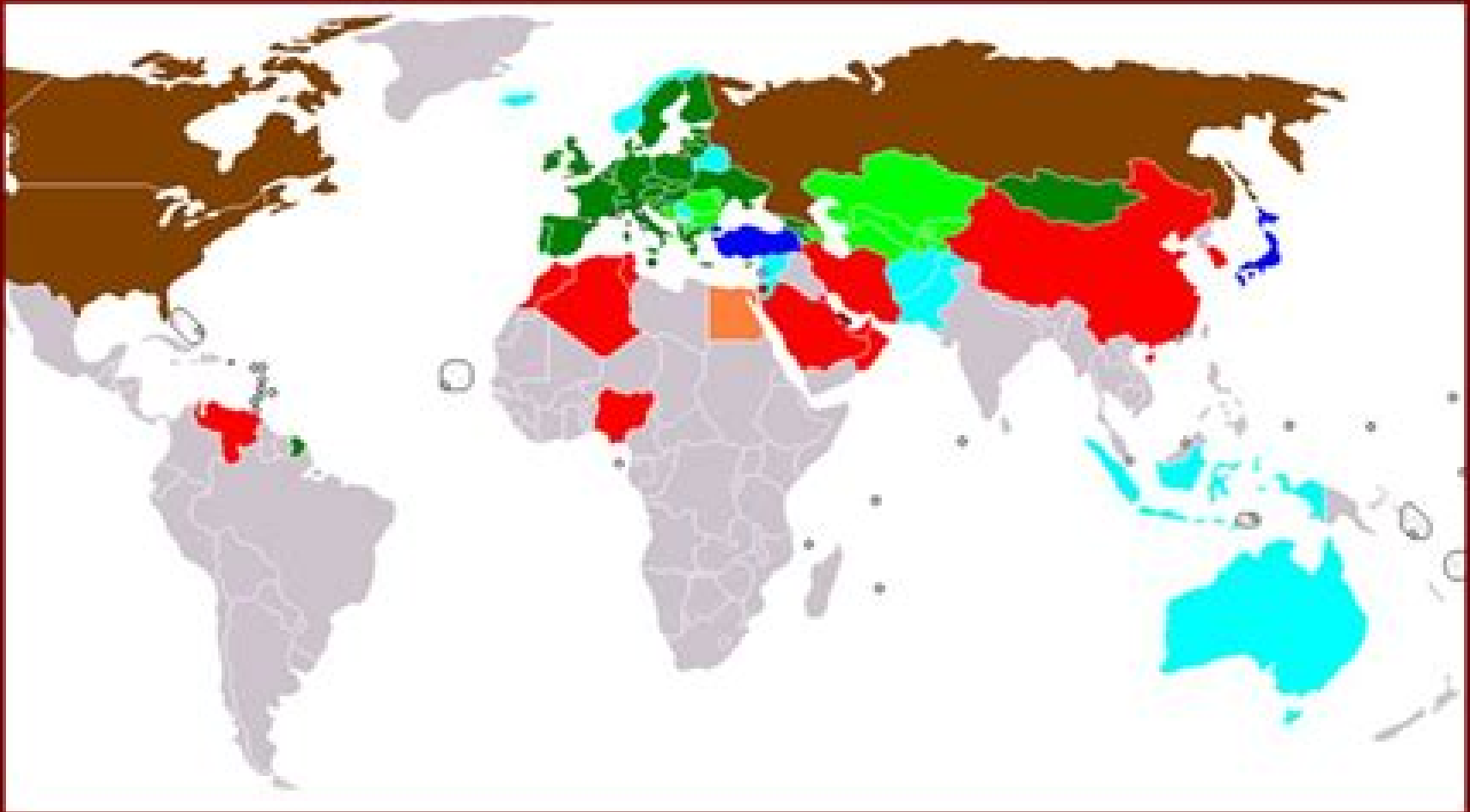


Energy Charter Treaty



Uniqueness Of The Energy Charter Treatys Investment Regime Main Features And Cases

Laura Rimšaitė



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Investment Treaty Arbitration and International Law - Volume 7 Ian A. Laird, Borzu Sabahi, Frédéric G. Sourgens, Todd J. Weiler, 2014-05-01 Is it Time for a Regime Change Protecting International Energy Investments against Political Risk The 2013 seventh annual Juris investment arbitration conference put in issue the special role of international energy projects in the development of investor state arbitration It is currently one of the most active sectors of investor state arbitration The facts of the energy sector therefore are particularly well developed in international jurisprudence The similarities in the applicable law of investment protection between the energy sector and other sectors tend to hide from view what our panelists repeatedly uncovered it is the facts of energy disputes that significantly set them apart The concerns of sovereign dominion over national energy production and the protection of foreign investors in the energy sector against stranding large investments served as a key point of departure for discussions The four questions that the Conference addressed include The Energy Sector Investment Arbitration and the ECT Carving out a Special Regime Energy Contracts and BITS Is it Fair and Equitable to be Under the Umbrella Multiparty Investor Disputes in the Energy Sector Preclusion Consolidation or Free For All Measure by Measure Calculating Damages in Energy Disputes The discussion and debate that followed is provided in this book and sure to be of tremendous value to the international business lawyer litigation specialist or trade and investment law policy expert

The Crossroads of Competition Law and Energy Regulation Laura Rimšaitė, 2024-11-15 This book explores the delicate balance between fostering competitive energy markets and ensuring effective regulation It addresses the difficulty of reconciling competitive market dynamics with regulatory objectives such as ensuring reliability fairness and sustainability In the highly dynamic energy sector the convergence of competition law and energy regulation is a critical factor that greatly influences the trajectory of energy markets The intersection of these significant domains can be complex and transformative when the goals of fostering fair competition and guaranteeing dependable and eco friendly energy provision coincide Market power in the energy sector can lead to a concentration of power among a handful of firms which can hinder competition and limit consumer options The dual objective of tackling market dominance and promoting energy security constitutes a significant challenge In turn the book discusses the challenges posed by natural monopolies in energy networks the need for regulatory frameworks to support investment in infrastructure and renewable energy and the complexities of price fluctuations The topic of market dominance is also considered as dominant corporations are capable of controlling prices and suppressing competition resulting in higher prices for consumers and stifling innovation The book offers valuable perspectives on creating a regulatory framework that promotes fair competition and achieves long term policy goals in the energy sector To do so it draws on case studies and analyses from various countries

The Law of Investment Treaties Jeswald W. Salacuse, 2021 In this new edition of an authoritative work in the field Jeswald W Salacuse thoroughly examines the law of international investment treaties particularly with respect to its origins structure content and effects He

takes into account all major developments in the law to provide an up to date guide for students scholars and practitioners

International Investment Law and the Energy Transition Rahmi Kopar, Volker Roeben, 2025-02-20 The global energy sector is in flux transitioning from reliance on fossil fuels to clean energy sources at an unprecedented pace This book explores the complex interplay between this transition and international investment law The book navigates the tension between attracting crucial and expensive investments in clean energy and protecting a state's right to regulate its energy sector for environmental and other reasons It analyses how international treaties and investment arbitration tribunals are evolving to address these challenges examining how the scope of investment protection is being redefined and the delicate balance between stability and regulatory flexibility is being recalibrated The book delves into this complex landscape exploring how established legal frameworks especially international investment law grapple with the unique characteristics of renewable energy critical minerals and rapidly evolving technologies While offering a roadmap for the current energy transition the book also identifies unanswered questions It paves the way for further discussion on critical mineral supply chains and the future of international investment law in a transformed energy landscape International Energy Investment

Law Mustafa Erkan, 2011-01-01 Presents the results of a questionnaire based survey circulated to the main players in the petroleum sector revealing actual existing contractual risk management techniques and showing a true picture of the political risk situation in the petroleum sector P 4 of cover **International Investment Law and Dispute Resolution in**

the Western Balkans Fahira Brodlija, Armela Ramić, 2025-03-24 This book provides a comprehensive and in depth analysis of the legal and institutional frameworks for investment law and dispute resolution in the Western Balkans region filling a significant gap in understanding the regional dynamics in the field It is the first book of its kind drawing on unique insights from government officials legal practitioners international development organizations and scholars who address the existing frameworks and transformative reform efforts In two carefully curated sections the book first analyses the regional developments in the context of EU and international reforms then zooms into the legal and institutional frameworks for investment protection and dispute resolution in each economy based on robust analysis and unique empirical data

International Arbitration and EU Law Nikos Lavranos, Stefano Castagna, 2024-08-06 In this substantially revised and updated second edition this work examines the intersection of EU law and international arbitration based on the experience of leading practitioners in both commercial and investment treaty arbitration law It expertly illustrates the depth and breadth of EU law's impact on party autonomy and on the margin of appreciation available to arbitral tribunals This second edition covers all relevant new developments in law and practice and tracks the ever increasing influence of EU law and the jurisprudence of the Court of Justice of the EU CJEU in international arbitration **The Future of Investment Treaty**

Arbitration in the EU Crina Baltag, Ana Stanić, 2020-07-16 In March 2018 the Court of Justice of the European Union EU ruled in Achmea that investor state dispute resolution provisions in intra EU bilateral investment treaties BITs are

incompatible with EU law and ipso facto invalid In January 2019 EU Member States issued Declarations on the Legal Consequences of the Judgment in Achmea undertaking to take steps formally to terminate intra EU BITs However at present there is no consensus among them on the implications of Achmea on the Energy Charter Treaty the multilateral energy treaty to which the EU and its Member States are all parties Many EU law scholars consider the Achmea judgment as the death knell to intra EU investment treaty arbitrations Some have even predicted the end of Investor State Dispute Settlement itself Investment treaty and public international law scholars and legal practitioners however have a different view of the schism now growing between EU and international law The Future of Investment Treaty Arbitration in the EU examines the current and the proposed new framework for investment protection in the EU and internationally with a particular focus on investment treaty arbitration and energy related investments With contributions from leading academics and practitioners the book addresses the following themes Intra EU investment protection and the rule of law including the proposed Multilateral Investment Court The original purpose and features of investment protection with particular focus on the EU The Achmea judgment and its impact on the Energy Charter Treaty and energy investments The ongoing discussion to modernize the Energy Charter Treaty post Achmea EU state aid and investment arbitral awards Recognition and enforcement of investment arbitral awards post Achmea in EU Member States including in the light of Brexit Recognition and enforcement of investment arbitral awards post Achmea in China Singapore Switzerland and the United States This eminently informative book is very timely given the ongoing debate taking place in the EU and internationally regarding the interrelationship between investment treaty arbitration public international law and EU law The contributions from leading academics scholars and European Commission officials provide a balanced contextualized detailed and critical analysis that will aid interested stakeholders to navigate their way with confidence through this difficult and changing area of the law Testimonial is a welcome addition to the already vast literature focusing on EU investment arbitration Perhaps the main merit of the book is that it brings together different perspectives on the debates ensuing in this field offering the reader both the EU perspective and that of public international investment lawyers As such it harmoniously integrates those sometimes conflicting views and is a great starting point for anyone unfamiliar with the subject while also being of relevance to practitioners and academics with a knowledge of intra EU investment arbitration allowing the reader to gain an in depth and fully comprehensive understanding of the legal problems raised in this area Alexandros Catalin Bakos LL M Editor Revista Rom na de Arbitraj Volume 54 Issue 3 2020 p183 194

International Investment Agreements and EU Law Tomas Fecak, 2016-09-25 The rapidly growing number of investors disputes with states and the approach of arbitral tribunals perceived by some whether rightly or not as being too investor friendly underlie a contentious debate about the need to strike a more effective balance between investors rights under international investment agreements IIAs and the right of states to pursue legitimate regulation in the public interest In this regard the European Union with the exclusive external

competence in foreign direct investment vested in it under the Lisbon Treaty is emerging as the leader and driving force in the future development of international investment law This book examines the competence of the EU to conclude investment treaties in the light of the investment protection rules of IIAs explores how far the EU regime for cross border investment and investors rights under IIAs can be considered comparable and brings about an extensive analysis of existing agreements of Member States and their compatibility with EU law with detailed investigation of how the potentially conflicting obligations of Member States under the two regimes can be reconciled The book covers such elements of the debate as the following standards of treatment under IIAs investment related provisions of EU law dispute settlement mechanisms and the conduct of investment disputes how recent controversies over bilateral investment treaties BITs shape emerging EU international investment policy effect of political and institutional interests transitional arrangements for BITs between Member States and third countries established by Regulation 1219/2012 CJEU decisions concerning BITs concluded between EU Member States and third countries significant arbitral awards involving intra EU BITs allocation of international responsibility for breaches of investors rights intra EU dimension of the Energy Charter Treaty ECT possibilities for review of arbitral awards by courts of Member States desirability of international protection of foreign investment in developed countries and role of the Convention on the Settlement of Investment Disputes between States and Nationals of Other States ICSID Convention The author provides a number of well grounded recommendations taking into account throughout the legitimate interests and expectations of individual investors As an invaluable commentary on developments related to the interplay between international investment law and EU law and a guide to ameliorating the tensions and controversies surrounding this relationship this book will appeal to a wide variety of readers The questions dealt with are faced not only by negotiators and others involved in policymaking in the area of foreign investment but also by specialists in international investment law investment arbitration EU international relations law and anyone involved in cross border law as well as others who encounter these questions in the course of their professional or academic activities

New International Tribunals and New International Proceedings Angela Del Vecchio, 2006

The book delves into Uniqueness Of The Energy Charter Treatys Investment Regime Main Features And Cases. Uniqueness Of The Energy Charter Treatys Investment Regime Main Features And Cases is a vital topic that needs to be grasped by everyone, ranging from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into Uniqueness Of The Energy Charter Treatys Investment Regime Main Features And Cases, encompassing both the fundamentals and more intricate discussions.

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