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Press release | 22.10.2020

Energy Charter Treaty

Quote from Anna Cavazzini MEP

Ahead of today's plenary debate (from 9:15am) on the reform of the Energy Charter Treaty**, Anna Cavazzini** MEP, Greens/EFA, Chair of the European Parliament's Monitoring Group on Investment, calls for the Treaty to be aligned with the goals of the Paris Agreement and the Green Deal, by means of removing protection of fossil fuel investments as well as the provisions which allow unlimited legal recourse for investors. She calls on the EU to withdraw from the Energy Charter Treaty if the objectives are not met:

"The Energy Charter Treaty is incompatible with the Paris Agreement and the European Green Deal. We call for a fundamental reform of the Treaty. In the negotiations for its modernisation, the European Commission must work to align the Treaty with the climate objectives of the Paris Agreement and the Green Deal – this means: we must end the protection of fossil fuel investments and remove the highly controversial Investor-State-Dispute-Settlement provisions. If these targets are not achievable, the EU must withdraw from the Energy Charter Treaty.
"This backward-looking treaty once again puts investor interests above the interests of citizens. It is completely unacceptable that energy giants such as Vattenfall should be able to appeal to private arbitration courts against democratically adopted decisions on climate protection measures, especially as companies have the right to take legal action at national level and also to go to the ECJ.
"The European Commission has to reconcile its negotiating mandate with the objectives of the Green Deal. If a reform that fully supports climate protection and the Green Deal is not possible, the EU must withdraw from the Energy Charter Treaty."

Background:
The Energy Charter Treaty is an international investment agreement, concluded in the mid-1990s and covering more than 50 countries from Western Europe to Central Asia and Japan, as well as the EU (except Italy). The Treaty is based on mechanisms for Investor-State-Dispute-Settlements (ISDS), which the Greens/EFA Group already rejected in the TTIP trade agreement dispute.
In July 2019, the Council mandated the European Commission to open negotiations on a reform of the Energy Charter Treaty. The mandate was published by the EU Commission on 28 May 2020. The next round of negotiations is scheduled to take place from 3 to 6 November.

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