
ASA 2023 ESG & ISDS

*The ECT & disputes involving
climate change, energy
transition, and
fossil fuel regulation*

Samantha J. Rowe, Partner

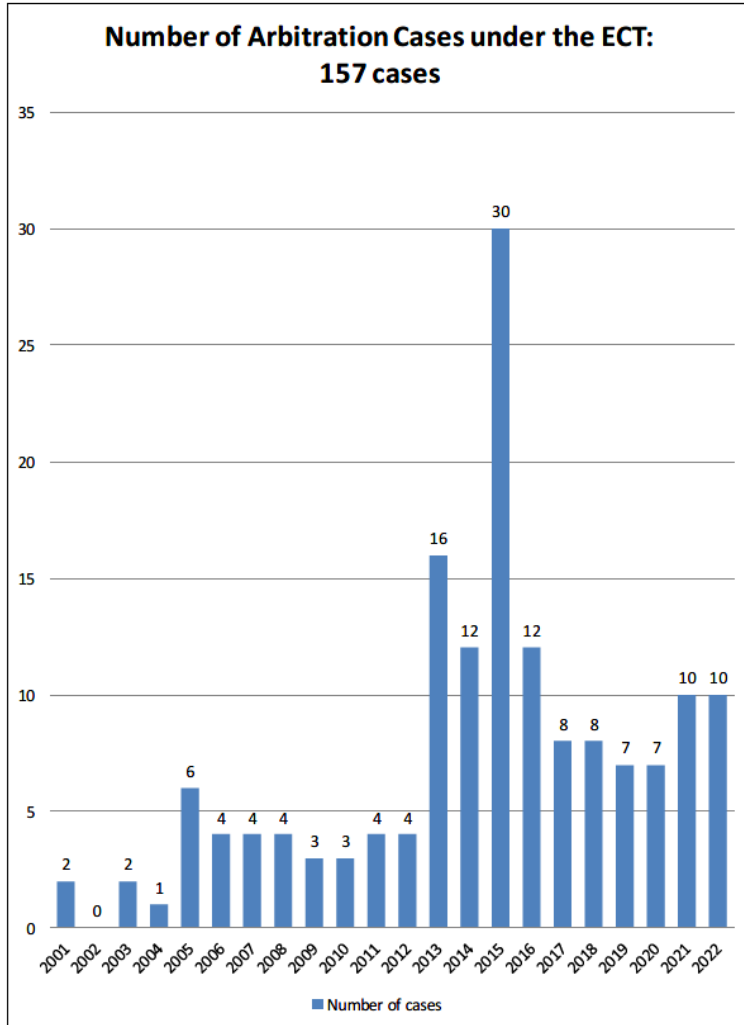
3 February 2023

**Debevoise
& Plimpton**

ISDS Under the ECT: A Story of Success

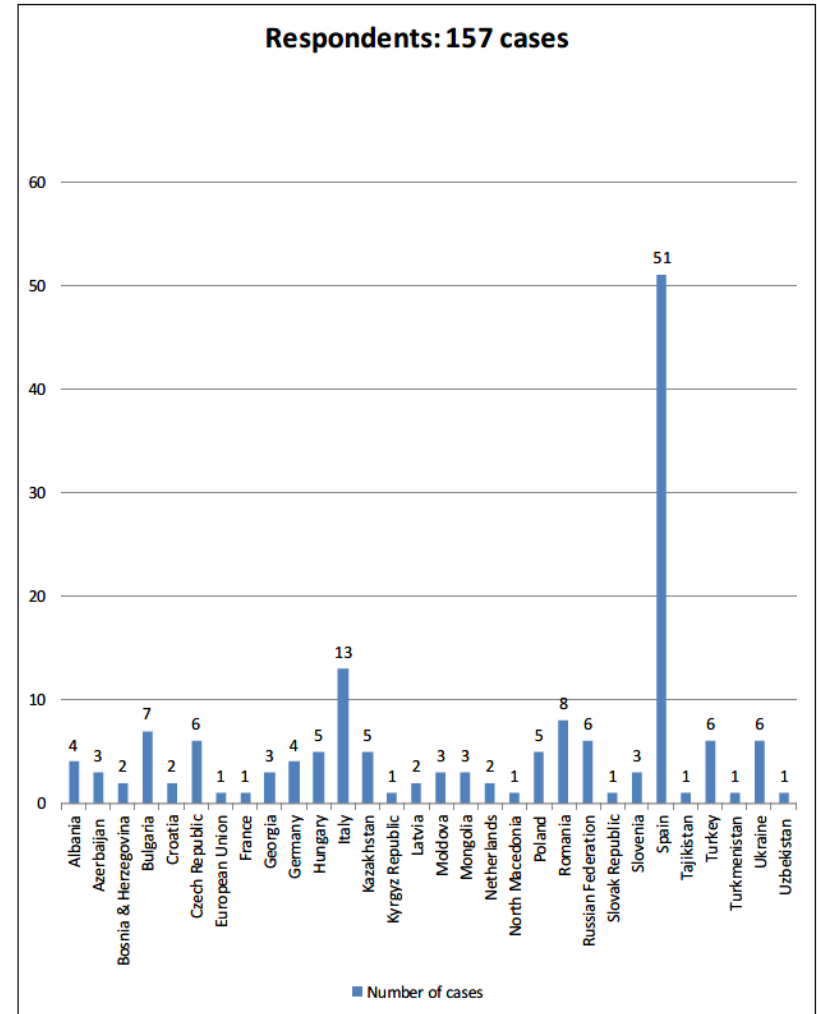
Statistics of ECT Cases

(as of 10/1/2023)



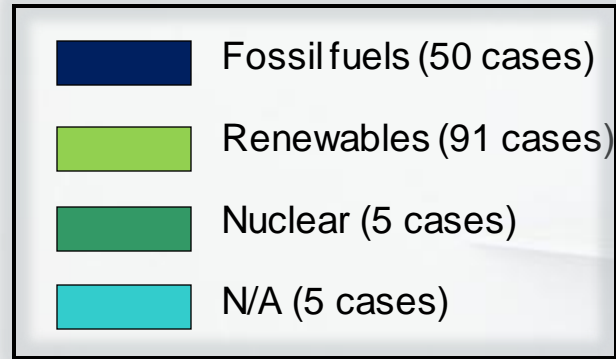
Statistics of ECT Cases

(as of 10/1/2023)



Source: ECT Secretariat, *Statistics of ECT Cases* (10 January 2023)

ISDS, the ECT and Energy Source



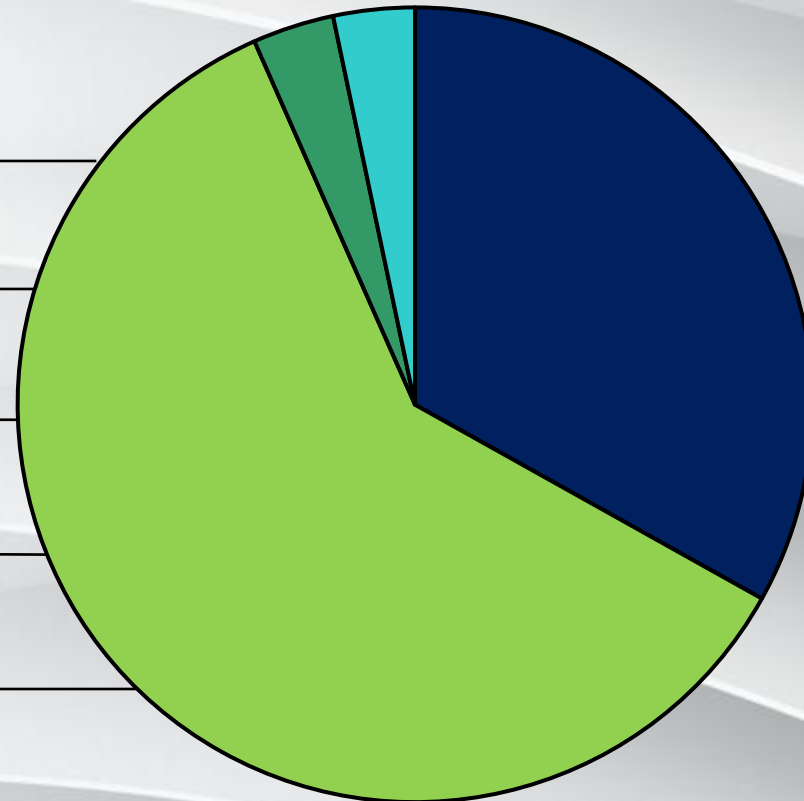
Solar PV: 45 cases

CSP: 15 cases

Wind-onshore: 11 cases

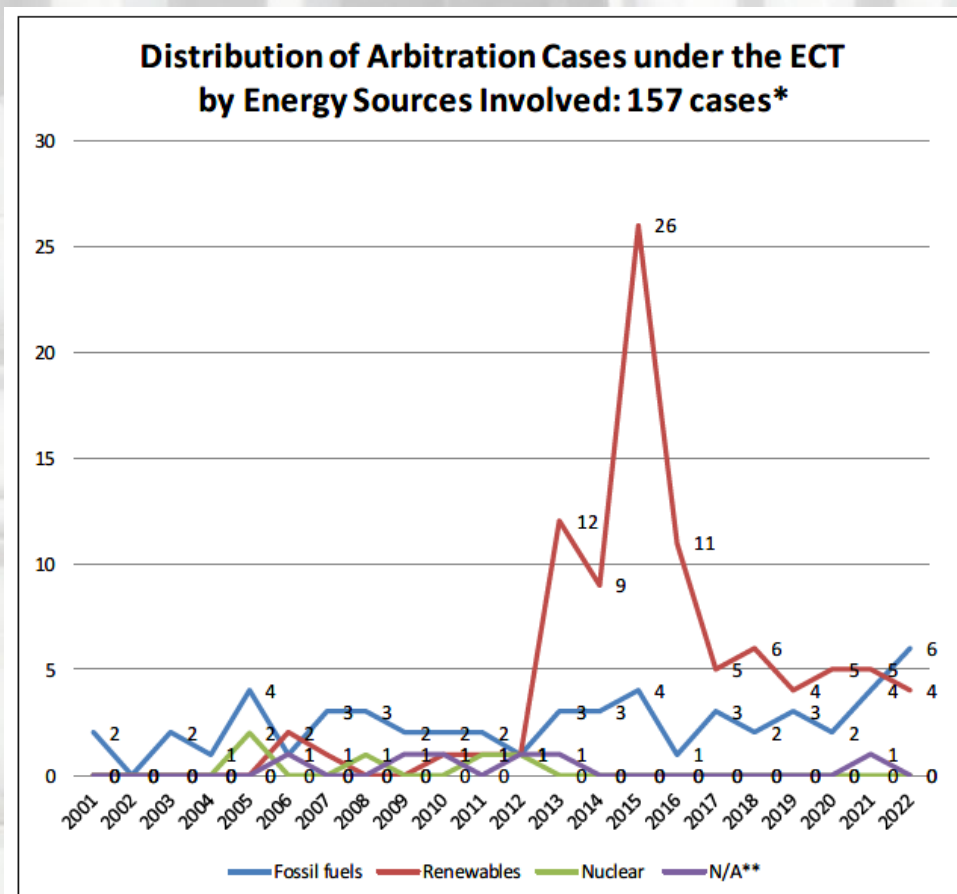
Wind-offshore: 2 cases

Other: 18 cases



Source: ECT Secretariat, *Statistics of ECT Cases* (10 January 2023)

ISDS, the ECT and Energy Source



Fossil Fuels		Renewables		Nuclear		N/A	
Total Damages Claimed***	Total Damages Awarded***	Total Damages Claimed	Total Damages Awarded	Total Damages Claimed	Total Damages Awarded	Total Damages Claimed	Total Damages Awarded
approx. EUR 13 billion + the Yukos cases (EUR 87 billion)	approx. EUR 900 million + the Yukos cases (EUR 40 billion)	approx. EUR 23 billion	approx. EUR 1.25 billion	approx. EUR 4.5 billion	approx. EUR 74 million	approx. EUR 550 million	0

Source: ECT Secretariat, *Statistics of ECT Cases* (10 January 2023)

What Future for the ECT?

