

## Statement on the modernisation of the Energy Charter Treaty

The EU aims to become the indisputable climate leader and the world's first climate-neutral region. The European Green Deal and the proposed EU Climate Law are some of the most ambitious known policy instruments to combat climate change.

However, the little-known Energy Charter Treaty (ECT) is threatening the climate ambition of the EU domestically and internationally. The EU and its Member States ratified the Treaty with the aim to strengthen the EU's energy security by ensuring a continuous supply of fossil fuels from the East to the West.

Not only did the "*raison d'être*" of the ECT become obsolete since Russia's withdrawal from the Treaty in 2009. Today, the ECT is a serious threat to Europe's climate neutrality target and more broadly to the implementation of the Paris Agreement. By protecting foreign investments in fossil fuels by means of the highly controversial Investor-State-Dispute-Settlement (ISDS) mechanism, the ECT protects foreign investments in greenhouse gas emissions and multiplies the cost of the ecological transition. EU citizens are democratically calling for ambitious climate action, but are unknowingly funding the life insurance that the ECT provides to fossil fuels investors.

By 2050, cumulative greenhouse gas emissions protected by the ECT, if fossil fuels are not phased-out, would be [equivalent](#) to one-third of the remaining global Carbon budget for the period 2018-2050.

Furthermore, the cost of the continuation of the ECT is higher than the historic EU recovery fund agreed in July. On one hand, stranded fossil fuels assets protected by the ECT would potentially reach at least €2.15 trillion by 2050 if fossil fuels are not phased-out from the ECT binding investment protection. On the other hand, the potential cost of ISDS claims could reach at least €1.3 trillion by 2050 out of which 42% will be paid by EU taxpayers.

The Energy Charter Treaty is neither consistent with the European Green Deal, nor with the proposed EU climate law and national carbon neutrality targets, nor with the EIB energy lending policy and the EU taxonomy for sustainable investment. Phasing-out fossil fuels from the ECT investment protection mechanism is for us a prerequisite for the negotiations on the modernisation of the ECT.

**We, Members of the European and National Parliaments, require EU negotiators to ensure that the provisions in the ECT that protect foreign investment in fossil fuels are deleted and thus removed from the ECT. Similarly, ISDS provisions need to be scrapped or fundamentally reformed and limited. If this is not achieved at the end of the 3<sup>rd</sup> negotiation round planned for the autumn, we ask EU Member States to explore pathways to jointly withdraw from the ECT by the end of 2020.**

Our priority is to ensure the EU and its Member States are fully aligned with the Paris Agreement and EU priorities. The ECT risks our climate future and every step must be taken to ensure the EU strengthens its climate action, not undermines it.

### Signatories

#### European Parliament

1. Maria ARENA, S&D, Belgium
2. Manon AUBRY, GUE/NGL, France

3. Saskia BRICMONT, Greens/EFA, Belgium
4. Anna CAVAZZINI, Greens/EFA, Germany
5. Pascal DURAND, Renew Europe, France
6. Aurore LALUCQ, S&D, France
7. Helmut SCHOLZ, GUE/NGL, Germany
  
8. Alviina ALAMETSÄ, Greens/EFA, Finland
9. François ALFONSI, Greens/EFA, France
10. Eric ANDRIEU, S&D, France
11. Marc ANGEL, S&D, Luxembourg
12. Margrete AUKEN, Greens/EFA, Denmark
13. Pernando BARRENA, GUE/NGL, Spain
14. Benoît BITEAU, Greens/EFA, France
15. Malin BJÖRK, GUE/NGL, Sweden
16. Vilija BLINKEVIČIŪTĖ, S&D, Lithuania
17. Michael BLOSS, Greens/EFA, Germany
18. Manuel BOMPARD, GUE/NGL, France
19. Marc BOTENGA, GUE/NGL, Belgium
20. Reinhard BÜTIKOFER, Greens/EFA, Germany
21. Pascal CANFIN, Renew Europe, France
22. Damien CAREME, Greens/EFA, France
23. Fabio Massimo CASTALDO, NI, Italy
24. Catherine CHABAUD, Renew Europe, France
25. Mohammed CHAHIM, S&D, Netherlands
26. Leila CHAIBI, GUE/NGL, France
27. Tudor CIUHODARU, S&D, Romania
28. Antoni COMÍN, NI, Spain
29. David CORMAND, Greens/EFA, France
30. Ignazio CORRAO, NI, Italy
31. Ciarán CUFFE, Greens/EFA, Ireland
32. Jakop, DALUNDE, Greens/EFA, Sweden
33. Gwendoline DELBOS-CORFIELD, Greens/EFA, France
34. Karima DELLI, Greens/EFA, France
35. Bas EICKHOUT, Greens/EFA, Netherlands
36. Cornelia ERNST, GUE/NGL, Germany
37. Eleonora EVI, NI, Italy
38. Giuseppe FERRANDINO, S&D, Italy
39. Raphaël GLUCKSMANN, S&D, France
40. Claude GRUFFAT, Greens/EFA, France
41. Francisco GUERREIRO, Greens/EFA, Portugal
42. José GUSMÃO, GUE/NGL, Portugal
43. Henrike HAHN, Greens/EFA, Germany
44. Hannes HEIDE, S&D, Austria

45. Martin HOJSÍK, Renew Europe, Slovakia
46. Pär HOLMGREN, Greens/EFA, Sweden
47. Irena JOVEVA, Renew Europe, Slovenia
48. Yannick JADOT, Greens/EFA, France
49. Agnes JONGERIUS, S&D, Netherlands
50. Petros KOKKALIS, GUE/NGL, Greece
51. Dietmar KÖSTER, S&D, Germany
52. Philippe LAMBERTS, Greens/EFA, Belgium
53. Pierre LARROUTUROU, S&D, France
54. Javi LOPEZ, S&D, Spain
55. Erik MARQUARDT, Greens/EFA, Germany
56. Marisa MATIAS, GUE/NGL, Portugal
57. Emmanuel MAUREL, GUE/NGL, France
58. Nora MEBAREK, S&D, France
59. Tilly METZ, Greens/EFA, Luxemburg
60. Alessandra MORETTI, S&D, Italy
61. Hannah NEUMANN, Greens/EFA, Germany
62. Niklas NIENAU, Greens/EFA, Germany
63. Ville NIINISTÖ, Greens/EFA, Finland
64. Younous OMARJEE, GUE/NGL, France
65. Grace O'SULLIVAN, Greens/EFA, Ireland
66. Jutta PAULUS, Greens/EFA, Germany
67. Piernicola PEDICINI, NI, Italy
68. Anne-Sophie PELLETIER, GUE/NGL, France
69. Kira Marie PETER-HANSEN, Greens/EFA, Denmark
70. Manu PINEDA, GUE/NGL, Spain
71. Clara PONSATÍ, NI, Spain
72. Carles PUIGDEMONT, NI, Spain
73. Evelyn REGNER, S&D, Austria
74. Sira REGO, GUE/NGL, Spain
75. Michèle RIVASI, Greens/EFA, France
76. María Eugenia RODRÍGUEZ PALOP, GUE/NGL, Spain
77. Caroline ROOSE, Greens/EFA, France
78. Mounir SATOURI, Greens/EFA, France
79. Andreas SCHIEDER, S&D, Austria
80. Günther SIDL, S&D, Austria
81. Ivan Vilibor SINČIĆ, NI, Croatia
82. Jordi SOLÉ, Greens/EFA, Spain
83. Paul TANG, S&D, Netherlands
84. Marie TOUSSAINT, Greens/EFA, France
85. Miguel URBAN CRESPO, GUE/NGL, Spain
86. Ernest URTASUN, Greens/EFA, Spain
87. Kathleen VAN BREMPT, S&D, Belgium

- 88. Kim VAN SPARENTAK, Greens/EFA, Netherlands
- 89. Monika VANA, Greens/EFA, Austria
- 90. Idoia VILLANUEVA RUIZ, GUE/NGL, Spain
- 91. Mick WALLACE, GUE/NGL, Ireland
- 92. Salima YENBOU, Greens/EFA, France
- 93. Chrysoula ZACHAROPOULOS, Renew Europe, France

**National Parliaments**

- 94. Miquel AUBA, ERC, Spain
- 95. Delphine BAGARRY, EDS, France
- 96. Erwan BALANANT, Modem, France
- 97. Hugues BAYET, Parti Socialiste, Belgium
- 98. Sandra BECKERMAN, Socialistische Partij, Netherlands
- 99. Joan CAPDEVILA, ERC, Spain (on behalf of the entire Grupo Parlamentario Republicano Congreso)
- 100. Laura CASTEL, ERC, Spain
- 101. Xavier CASTELLANA, ERC, Spain
- 102. Annie CHAPELIER, EDS, France
- 103. Jean-Charles COLAS-ROY, LREM, France
- 104. Samuel COGOLATI, Ecolo, Belgium
- 105. Éric COQUEREL, LFI, France
- 106. Yolaine de COURSON, EDS, France
- 107. Maria DANTAS, ERC, Spain
- 108. Jennifer de TEMMERMAN, EDS, France
- 109. Frédérique DUMAS, L&T, France
- 110. Jean-Luc FUGIT, LREM, France
- 111. Yannick HAURY, LREM, France
- 112. Anissa KHEDHER, LREM, France
- 113. François-Michel LAMBERT, L&T, France
- 114. Célia de LAVERGNE, LREM, France
- 115. Sandrine LE FEUR, LREM, France
- 116. Laurence MAILLAIRT-MEHAIGNERIE, LREM, France
- 117. Robert MASIH, ERC, Spain
- 118. Marjolaine MEYNIER-MILLEFERT, LREM, France
- 119. Joan Josep NUET, EUiA, Spain
- 120. Matthieu ORPHELIN, EDS, France
- 121. Mathilde PANOT, LFI, France
- 122. Benedicte PETELLE, LREM, France
- 123. Valérie PETIT, Agir Ensemble, France
- 124. Damien PICHEREAU, LREM, France
- 125. Gerardo PISARELLO, En Comú Podem, Spain
- 126. Dominique POTIER, SOC, France
- 127. Michel REIMON, Greens, Austria

128. Cécile RILHAC, LREM, France
129. Véronique RIOTTON, LREM, France
130. Marta ROCIQUE, ERC, Spain
131. Enrique SANTIAGO, Unidas Podemos, Spain
132. Huguette TIEGNA, LREM, France
133. Elisabeth TOUTUT-PICARD, LREM, France
134. Frédérique TUFFNELL, EDS, France
135. Laurence VANCEUNEBROCK, LREM, France
136. Michèle de VAUCOULEURS, Modem, France
137. Cédric VILLANI, EDS, France
138. Martine WONNER, EDS, France
139. Jean-Marc ZULESI, LREM, France