



### Alec Van Vaerenbergh

#### Counsel

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Alec Van Vaerenbergh advises on energy, environment and administrative/regulatory law.

He advises a wide range of energy and industrial companies, governments and international organisations on energy and climate change regulations. His experience covers, among others, the EU's internal market in electricity and gas, government support regimes for renewables and security of supply, smart grids and carbon trading. Alec has ample experience in drafting, negotiating and litigating energy contracts, in particular with regard to innovative renewable energy projects (off-shore and on-shore). Alec is also regularly consulted by multinational clients on issues of EU environmental law relevant to their operations (e.g. environmental impact assessments, habitat protection, waste and packaging laws).

Alec also focuses on the law of public procurement and government concessions, including in the niche area of procurement by international organisations. He regularly represents clients in the structuring of public-private partnership projects. Alec also boasts extensive litigation experience in this field, including before the EU courts.

Alec is very knowledgeable about international economic law, the law of foreign investment and a wide range of international and European regulatory fields, and is sought after by colleagues and client for expert practical advice on these matters. He is familiar with doing legal work across different jurisdictions.

*Alec provides services to DLA Piper UK LLP through a civil company under the form of a personal liability.*

## LANGUAGES SPOKEN

- Dutch
- English
- French
- German
- Spanish

- Litigation, Arbitration and Investigations
- International Trade

- Energy and Natural Resources
- Government Contracting

Dutch English French  
German Spanish

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- Closely assisting the European Commission (DG Climate Action) with the procurement of a common auction platform and an auction monitor, as well as with the management of the contracts concluded with the selected service providers. The common platform is responsible for conducting the auctions by 24 EU member states of their greenhouse gas emission allowances in the third phase of the EU Emissions Trading System and the selected monitor supervises the auctions. DLA Piper's advice in this long-term assignment is not only innovative for laying the groundwork for the first massive-scale auctions of emissions allowances, but also for devising new multi-government governance processes since the procurement procedures are the first ever conducted at the same time on behalf of the Commission and of the individual Member States.
  - Conducting judicial review procedures before the Brussels Court of Appeal on behalf of 13 multinational industrial companies and their industry federation against a transmission tariff decision of the Belgian electricity market regulator disadvantaging large industrial consumers of electricity. This high-profile litigation is strategic since the judgment will determine the principles of allocation of electricity transmission tariffs between producers and consumers for the immediate future and may even have an EU-wide precedent value as the Court has been asked to clarify interpretations of various key provisions of the EU's internal electricity market legislation.
  - Acting for the ground handling company Aviapartner in various court procedures challenging the award of licences to operate at Brussels Airport to a third party. The legal challenge required a careful extrapolation of EU and national principles of transparency and non-discrimination to determine what is proper conduct for a private entity awarding, as a public service function, a limited number of licences.
  - Assisting a globally renowned marine infrastructure contractor in negotiations, contract management and dispute settlement related to two major and cutting-edge off-shore wind farm projects in the Belgian Exclusive Economic Zone of the North Sea. The client acts as the engineering, procurement, construction and marine installation contractor in these projects. DLA Piper's advice has, among others, focused on aligning contractual obligations of subcontractors, application of FIDIC model contracts and (successfully) obtaining relief through summary procedures.
  - Advising a large Mexican chemicals company on its industrial gases Clean Development Mechanism project under the Kyoto Protocol, including with regard to devising a structure for prospective EU-Mexico bilateral agreements.
  - Conducting different proceedings before the EU General Court against European institutions on behalf of clients not selected in award procedures.

## CREDENTIALS

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### Professional Qualifications

- Advocaat registered with the Nederlandse Orde van Advocaten bij de Balie te Brussel

### Prior Experience

Before joining DLA Piper in 2007, Alec performed long-term internships with the international secretariats of the UN Framework Convention on Climate Change and of the Basel Convention on the Transboundary Movement of Hazardous Waste and their Disposal.

### Education

- Catholic University of Leuven, Energy & Environmental Law, LLM, 2006-07
- Graduate Institute of International and Development Studies, Geneva, DEA International Relations, 2004-06
- New York University School of Law, International Legal Studies, LLM, 2003-04
- Catholic University of Leuven, Licentiaat Rechten, 1998-2003

### Memberships

- Member of the Dutch-Speaking Bar of Brussels

## Lecturer

Alec acts as a visiting lecturer for climate law at KU Leuven University's Thomas More Campus (Antwerp).