

**ENERGY CHARTER
SECRETARIAT**

CCDEC 2015

16 STR

Brussels, 26 November 2015

Related documents: CC 528, Mess 1258/15
--

DECISION OF THE ENERGY CHARTER CONFERENCE

Subject: Approval of the Conclusions of the CONEXO Policy Review

By document CC 528, dated 6 November 2015, delegations were invited to approve the Conclusions and Recommendations of the CONEXO policy review as recommended by the Strategy Group. As specified by Rule 20 of the Rules of Procedure concerning the adoption of decisions by correspondence, members of the Energy Charter Conference were informed that any delegation that wished to object to this proposal should notify the Secretariat of its position in writing by 26 November 2015.

Having received no objections within the specified time limit, on 26 November, the Conference:

- **approved** the conclusions of the CONEXO policy review;
- **confirmed that the status of states as “observers by invitation”, i.e. states that are not signatories to the European Energy Charter or the International Energy Charter, will be abolished as of 31 December 2016.**

CONCLUSIONS OF THE CONEXO POLICY REVIEW

The Energy Charter Conference, *takes note of* the report adopted by the Strategy Group on the ‘Comprehensive Review of the CONEXO Policy (Consolidation, Expansion and Outreach) 2012-2015 and beyond’ *and adopts* the following conclusions:

A. General Conclusions

1. The Conclusions of the 2014 Review under Article 34(7) of the Energy Charter Treaty (ECT) included a brief reference to the CONEXO Policy:
 - a. reconfirming the importance of enlarging the constituency;
 - b. calling on the Secretariat to continue encouraging interest by third countries to join the Energy Charter Process by signing the International Energy Charter;
 - c. recalling that full consolidation remains a challenge for the coming years and should be considered as a priority.
2. The Astana Declaration¹ confirmed ‘global expansion of the Energy Charter Process’ as one of the two strategic objectives in order for the ECT to fulfil its important role in the global energy architecture. Global expansion is to be understood as maximising and capitalising on both (i) the increasing interest of new countries in different regions of the world in the Energy Charter Process, and (ii) the renewed interest of Signatories of the 1991 Energy Charter who have not yet ratified or acceded to the ECT.
3. The Strategy Group at its meeting of 22 October 2015 reconfirmed the importance of enlarging the constituency, welcomed the significant results achieved through the CONEXO policy and approved the comprehensive review of the CONEXO policy (StG 82).
4. Delegates referred to the “Hague II Conference” on the International Energy Charter and the successful implementation of the Warsaw mandate which allowed new countries to join the Energy Charter Process in 2015. In this regard, it was suggested that the CONEXO policy should focus on countries which had been invited and/or had adopted the International Energy Charter. Otherwise further efforts should be extended only to those Outreach countries who have demonstrated an actual interest in the Energy Charter Process.
5. The successful means used to implement the CONEXO by the Secretariat as listed in the comprehensive review were supported. In particular, there was the valuable support of the Contracting Parties through ECLE Embassies (Netherlands, Germany, Turkey, Hungary, Poland, Slovakia), and from the European External Action Service through EU delegations abroad.

¹ CCDEC 2014 (07).

6. **Lessons learnt:** the single most important requirement for success of the CONEXO Policy is that the targeted countries show interest in the Energy Charter Process. The geographical situation of the country and its relationship with existing Contracting Parties are also important factors. Other factors are the support from Contracting Parties for targeted countries, and a dialogue between the Secretariat and targeted countries.
7. The synergy between support from Contracting Parties, the activities and efforts undertaken by the Secretariat and the internal political environment in targeted countries produce tangible results (i.e. China).
8. Contracting Parties are invited to provide voluntary contributions to the ECS Budget to strengthen the Secretariat resources and capabilities in implementing CONEXO policy in different geographical areas.

B. Cooperation in international platforms

9. The ECS has developed good working relations with a number of international organisations in the energy sector such as UFM, OPEC and IRENA through joint activities and publications. The ECS has also engaged with the IEA, ASEAN, APEC, ECO, SAARC, ECOWAS and OLADE in an effort for better coordination of activities and support for the geographical expansion of the ECT. The active involvement of such organisations has provided added value to the activities of the ECS and produced results as seen at The Hague Conference on the International Energy Charter.
10. In 2015, the ECS was invited for the first time to participate in the G20 Sustainable Energy working group meetings and to the G20 Energy Ministerial Meeting under the Turkish Presidency. This has allowed the ECS to deepen its relations with G20 countries in the framework of the CONEXO policy.
11. The ECS hopes to continue to receive support from Member States in its participation and involvement in international platforms (G20/G7) and to continue its activities with international organisations subject to available Voluntary Contributions.

C. Short-term priorities: *Accessions to the ECT*

12. The suggested priority for CONEXO is to be the countries currently in the process of accession to the ECT and those new countries that have engaged in the Energy Charter Process by signing the International Energy Charter.
13. The Secretariat will continue working with countries in the accession stage to the ECT. In 2015, Iceland ratified the ECT and Montenegro acceded to the Treaty. Morocco and Mauritania have finalised their accession reports. Burundi, Niger and Yemen are preparing their respective accession reports. China has made a significant step by signing the International Energy Charter. The CONEXO policy will give priority to the countries which have made progress in their accession to the ECT.

D. Mid-term priorities: *The International Energy Charter and Consolidation*

14. **Signing of IEC/EEC:** The Secretariat will continue welcoming new signatories to the 2015 International Energy Charter and to the 1991 European Energy Charter from among countries which share the same principles and values in energy cooperation to promote the ECT. Signing events have been planned for 2015 and 2016 for countries wishing to sign the International Energy Charter (i.e. Iran, Vietnam, Republic of Korea). Future setting of signing events should be organised by the ECS in an efficient manner with a preference for group signing events, but not limited to those.
15. **Consolidation:** The Secretariat will continue its Consolidation efforts by building on its successful results with Iceland and Belarus. Iceland completed ratification in 2015. Belarus has been actively participating in the Energy Charter working groups and is applying the ECT provisionally.

E. DEVCO project for Sub-Saharan Africa

16. The financial and political support of the European Commission through DEVCO and the European External Action Service for the implementation of the CONEXO policy in Africa is welcomed and supported. The Secretariat will continue providing support and capacity building programs for African countries which adopted the International Energy Charter and which are covered by the DEVCO program (Tanzania, Botswana, Chad, Burkina Faso, Uganda and Burundi). The financial contribution of DG DEVCO to this project was welcomed and it was suggested for the project to extend the geographical scope of its capacity building program.
17. The Secretariat welcomes suggestions of similar schemes to support outreach activities in other regions. This could be done for example through their existing development schemes and agencies.

F. Implementation of these Review Conclusions

18. The implementation of these conclusions will require further decisions by the Conference, through the Secretariat's Programme of Work for each year, on the basis of available resources (both human and financial).

G. Reporting on implementation of the CONEXO policy

19. The Secretariat will provide written progress reports for the targeted countries through the Strategy Group and to the Energy Charter Conference on an annual basis. If and when necessary, Members and the Secretariat may propose adjustments to the policy or the priority list for discussion in the Strategy Group and approval by the Conference. The next CONEXO progress report is to be submitted for end of the year 2016.