

**ENERGY CHARTER  
SECRETARIAT**

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CCDEC 2019

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Brussels, 29 December 2019

Related documents: CC 654 Rev, CC 670 Rev, Mess 1635/19, Mess 1645/20
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**DECISION OF THE ENERGY CHARTER CONFERENCE**

**Subject: Report by the Chairman of the Industry Advisory Panel**

The Energy Charter Conference at its 30<sup>th</sup> Meeting held on 10 December 2019, **took note** of the Report by the Chair of the Industry Advisory Panel (IAP), as outlined in Annex 1.

By document CC 654 Rev dated 10 December 2019, delegations were invited to adopt the renewal of the existing mandate of the IAP for a further period of five years from 2020 to 2024 (on the basis of the revised Terms of Reference, Annex 2), and to approve the IAP membership list (Annex 3).

As specified by Rule 19(b) 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 that decision should notify the Secretariat of its position in writing by 29 December 2019.

Having received no objections within the specified time limit, on 29 December 2019 the Conference

- **adopted** the renewal of the existing mandate of the IAP for a further period of five years from 2020 to 2024, on the basis of the revised Terms of Reference; and
- **approved** the attached IAP membership list.

Keywords: Communication, Chairman, Industry Advisory Panel, IAP, Terms of Reference, Membership List, Mandate, Renewal

## **REPORT BY THE CHAIR OF THE INDUSTRY ADVISORY PANEL 2019**

The International Energy Charter Industry Advisory Panel (IAP) held two meetings in 2019 and submits the Annual Communication on its work for the attention of the Energy Charter Conference (Conference).

### **Membership structure and new members**

1. Currently, the IAP has 65 members from energy companies, international associations, intergovernmental institutions and individuals spanning 33 countries, which operate in fields such as exploration, production, generation, transmission, distribution, finance, equipment, services, technology and consultancy.
2. In 2019, the IAP received and accepted membership applications from 3 new members, namely Eco Energy Consulting (Montenegro), Kantor Management Consultants S.A. (Greece) and Trans Adriatic Pipeline AG (Switzerland).
3. Over the past 3 years, the IAP has admitted 9 new members, which demonstrates the continued value of the Panel as a forum for exchange of knowledge and expertise on energy matters in the service of the entire International Energy Charter constituency.
4. A full list of IAP members is provided in Annex 3.

### **Meetings**

1. The IAP held two meetings in 2019. In line with established practice, meetings were composed of: case studies provided by the IAP members; the review of expert work presented by the Secretariat or other invited authorities; and invited guest speakers addressing a specific topic of interest for the IAP and the International Energy Charter.
2. The first meeting was held in June 2019 in Brussels and focused on investment for a low-carbon energy sector. Among other internal issues, the IAP members have concluded the IAP's position for the 2019 Review under Art. 34 (7) of the Energy Charter Treaty and discussed the renewal of the IAP Terms of Reference.
3. The IAP also will meet in Tirana, Albania on 10 December 2019 to discuss the future role of energy infrastructure and strategies and market rules for a climate-neutral energy sector. At the meeting, the members will discuss the appointment of a new Chair, the updated IAP Terms of Reference, the IAP Work Programme 2020, and other internal items.
4. IAP representatives also attended the launch of the second edition of the Energy Charter Secretariat's flagship publication, the Energy Investment Risk Assessment (EIRA), on 30 September 2019 in Brussels. During the launch event, high-level representatives of EDF, EBRD, GIE, World Bank, EIB, and Norton Rose Fulbright spoke at the panel on views from international institutions and industry. The industry

again emphasised its strong support for EIRA as a valuable international benchmark which covers relevant risks and policy issues in the energy sector of various countries. It is found to be a useful and distinctive tool for companies, especially when preparing investment decisions.

## **Main issues considered in 2019**

### **IAP's position - Review under Art. 34 (7) of the Energy Charter Treaty**

#### **A. Assessment of the Energy Investment Risk Assessment (EIRA)**

The IAP appreciates the comprehensive efforts made by the Energy Charter Secretariat for preparation and publication of the EIRA which reflects the core values of the Energy Charter Treaty and addressed interests of the industry. The IAP is committed to promoting the EIRA publication. EIRA should be conditioned by sufficient resources for their preparation.

#### **B. Assessment of the mandate and the activities of the Knowledge Centre**

Overall, the IAP members find the training programmes to be a valuable activity of the Energy Charter Secretariat and the industry uses the publications of the Knowledge Centre for business purposes. The IAP believes that the outcomes of the Knowledge Centre to be in line with the Energy Charter Treaty's provisions and principles.

#### **C. The functioning of the Energy Charter Conference and its subsidiary bodies, relationship with other international organisations and the business community.**

The IAP appreciates the positive cooperation between the Panel and the International Energy Charter Governing Bodies and the setup of IAP meetings organised back-to-back with the Ministerial Conference. The industry is regularly consulted on important issues and that its opinion is taken into consideration when priorities are discussed.

The industry notes the successful development and signature of the International Energy Charter and finds it to be a significant achievement that confirms the Energy Charter principles with a considerably extended international community. The industry also sees its relevance for addressing investment disputes and this continues to demonstrate the enduring importance of the Treaty provisions for promotion and protection of international energy investment. The Panel believes that collaboration with other organisations and with financial institutions can help to avoid overlaps and could contribute to the overall process of promoting and protecting energy investment.

The topics to be addressed, among others, include but are not limited to the impact of the energy transition process on investments, public policy in the investment area, moving towards a lower carbon environment and information sharing on foreign and domestic investment in the energy sector.

#### **D. The activities of the Investment Promotion Centre.**

The panel considers a broader awareness campaign on the Investment Facilitation Toolbox among the industry as beneficial and would encourage the members to monitor implementation.

#### **Renewal of the IAP Terms of Reference**

The current IAP Terms of Reference (ToR) for the period 2015-2019 were revised and adopted in 2018 in Bucharest (CCDEC 2018 23, Annex 2). The updated version of the ToR for the period 2020-2024 was endorsed by all the IAP members on 12 November 2019, through written procedure.

Modifications in the updated ToR include the following: a) updated terminology and improved consistency of the document; b) inclusion of a provision on the potential establishment of an internal IAP steering committee (provision 9); c) inclusion of a provision on the potential introduction of a membership fee (provision 10); and d) inclusion of a provision on personal data protection (provision 11).

#### **IAP Work Programme for 2020**

1. The IAP stands ready to engage with all stakeholders involved in the International Energy Charter process. The IAP remains ready to continue contributing to other initiatives of the International Energy Charter and promoting the Energy Charter Treaty.
2. In light of the approved mandate, procedural issues and the timeline for negotiations on modernisation of the ECT by the Conference, the IAP members are ready, if requested, to provide their input for modernisation of the ECT.
3. In the context of the 2019 Review conducted under Article 34(7) of the ECT and revised Terms of Reference of the IAP, the Panel will initiate discussions on establishment of a steering committee to assess the progress and the outcomes of the IAP work, to propose forward priorities and programme ideas and to assist logistics and administration of the IAP activities.
4. The IAP will initiate a discussion on the introduction of a small membership contribution which will be managed by the IAP and will be utilised exclusively for covering the expenses concerning the IAP activities.
5. The IAP will continue to fulfil its mandate. The Panel members will welcome the further engagement of the Energy Charter Secretariat in facilitating the work of the IAP.
6. The IAP invites the Contracting Parties and Observer countries to promote the IAP in their respective energy sectors and enlarge as appropriate the membership of the Panel.

**Terms of Reference (ToR) of the International Energy Charter Industry Advisory Panel  
(2020-2024)**

1. The Industry Advisory Panel (IAP) was established by decision of the Energy Charter Conference (Conference) at its 14<sup>th</sup> Meeting on 15 June 2004 (document CCDEC 2004 6 IAP) and its mandate was renewed by subsequent Conference decisions in 2008, 2012, and 2015 (revised in 2018).
2. The IAP is a consultative body to the Conference and its Subsidiary Bodies, with the goal of putting forward the views of business on matters related to energy investment, dispute settlement, energy trade, transit, and energy efficiency. The IAP's mission is to forge closer ties between the Energy Charter Treaty (ECT) constituency and the industry, with a particular focus on the effective implementation of the ECT and principles of the International Energy Charter and the accession to the ECT.
3. The IAP is invited to promote the key principles of the International Energy Charter at relevant international conferences and events. To achieve the goal of providing advice and views of the industry, IAP Members (i) may regularly contribute to the activities, events (e.g. training programs, seminars) and publications (e.g. country reviews, reports, occasional papers) of the Energy Charter Secretariat (Secretariat); and (ii) sponsor additional activities, events, publications of the International Energy Charter, as well as assign energy industry experts to assist the Secretariat.
4. The composition of the IAP shall be representative of the energy industry of Members of the ECT and Observers to the Conference, both in terms of geography and sectors of economy. IAP Members shall be selected from energy companies, business associations and other organisations with substantial business interests in the energy sector, having their headquarters in the territories of Members of the ECT and Observers to the Conference. Interested representatives from the financial sector may be nominated. Members shall be at a senior level and actively involved in the decision-making process of their companies/organisations.
5. Interested candidates may submit their request for IAP membership to the IAP Chair. Members of the ECT may also propose candidates for IAP membership through the Secretary General of the Secretariat (Secretary General). It is at the discretion of the IAP Chair to initiate silent procedure or reach a decision in this respect at the subsequent IAP meeting.
6. Upon review of a membership request in the light of Paragraph 4 above, the IAP will submit a list of members by means of annual communication to the Conference. To the extent that the Conference cannot reach a consensus, the decision shall require a simple majority of the Contracting Parties of the ECT. Membership is renewed every year by submission of the list of members to the Conference.
7. The Conference or its Subsidiary Bodies may ask the IAP for advice. The IAP's advice will be presented to the Conference and/or its Subsidiary Bodies and annual

Policy Conferences as appropriate and, as general rule, be considered in the context of the relevant Subsidiary Body before its submission to the Conference.

8. The IAP may request the Conference or its Subsidiary Bodies to consider issues falling within its mandate through a Formal Communication, at least on an annual basis. The Secretary General shall recommend that the Conference take account of such suggestions at a high political level. The Secretariat shall ensure that the Formal Communication is annexed or referred to in the final declaration of the Conference; it is proposed for implementation in the Programme of Work of the Secretariat and it is cited in the International Energy Charter meetings and activities.
9. The IAP may elect a Chair and other officers and organise its activities in accordance with these, as it deems appropriate. The IAP may establish a steering committee to assess the progress and the outcomes of the IAP work, to propose forward priorities and programme ideas and to assist logistics and administration of the IAP activities, when needed. The IAP may establish regional Chairs. The Secretariat shall assist the IAP in the organisation of its work. The Secretariat should prepare IAP meetings, draft IAP Formal Communications and statements; promote IAP membership and correspond with candidate members; and invite IAP members to contribute to its activities.
10. The Members of the IAP shall cover their own costs. The IAP may decide a membership fee. These contributions will solely be managed by the IAP and will be utilised exclusively for covering the expenses in relation to the IAP activities.
11. Representatives of the Industry Advisory Panel members consent to Secretariat's processing of their personal data in accordance with the Energy Charter Secretariat Manual on Data Protection. Contacts details of representatives of members of the IAP can be shared with the Chair and other IAP member representatives for purposes in relation to IAP activities. The Energy Charter Secretariat shall regularly make public the current membership list with the names of the representatives.
12. The Conference may periodically review the working methods of the IAP and its ToR in the light of the experience acquired through the years.



**COMPOSITION OF THE ENERGY CHARTER INDUSTRY ADVISORY PANEL (IAP)**

MEMBERS AS OF 15 NOVEMBER 2019:

**COMPANIES**

**Azerbaijan**

State Oil Company of Azerbaijan Republic (SOCAR)	VELIYEV Nazim	Head of Science and Technical Department
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**Bulgaria**

Bulgarian Energy Holding EAD	IVANOV Petyo	Chief Executive Officer
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**People's Republic Of China**

China National Petroleum Corporation (CNPC)	WANG Haiyan	Deputy Director International Department
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Electric Power Planning & Engineering Institute (EPPEI)	XIE Qiuye	President
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**Czech Republic**

ČEZ a.s.	JEDLICKA Michal	Lawyer – European Affairs
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**France**

EDF	CATENOS Laurent	Vice President Coordination and Performance
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**Georgia**

Georgian Oil and Gas Corporation	TSITSISHVILI David	Head of Commercial Department
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## Germany

UNIPER SE	AHLUWALIA Kavita	Senior Vice President and Head of EU office Political & Regulatory Affairs
EWE AG	SCHULTE-DERNE Sebastian	Head of Brussels Representative Office

## Greece

Hellenic Petroleum SA	GOUTA Liana	Director of Energy Policy & International Affairs
Kantor Management Consultants S.A.	KASTRINAKIS Costas S.	Chairman of the Board & CEO

## Guyana

Power Producers & Distributors Inc.	FRASER Arron	Chief Executive Officer
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## Hungary

MOL Group	VARI Ilona	Head of EU Regulatory Affairs
	PÁLMAI Márton	Brussels Representative

## Italy

Edison S.p.A.	PALMISANO Valeria	Head of EU Affairs
Enel S.p.A.	ZANGRANDI Roberto	Head of Institutional European Affairs
Eni S.p.A.	GIANSANTI Luca	SVP Head of European Government Affairs
ERG S.p.A.	GAZOLETTI Francesco	SVP International Affairs

## Japan

Japan Oil, Gas and Metals National Corporation (JOGMEC)	TAKAHIRO Mochizuki	Deputy General Manager London Office
Mitsubishi Corporation	MATSUSHITA Takeshi	Senior Vice-President Energy

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International (Europe) Plc.		Business
Mitsui&Co. LTD	UENO Eiichi	Senior Vice President & Divisional Operating Officer of Energy Division
	SUGIMOTO Shigeo	European Affairs Manager
<b>Jordan</b>		
Jordan Petroleum Refinery Company LTD	AL-REFAI Ahmed	Chief Executive Officer
<b>Kazakhstan</b>		
Kazakhstan Electricity Grid Operating Company (KEGOC)	KATYSHEV Sergei	Managing Director
KAZENERGY Association	RAKHMETOVA Klara	Energy Charter Project Manager
<b>Luxembourg</b>		
R-square RiskLab	MAJUMDAR Chitro	Managing Partner
<b>Moldova</b>		
Moldovagaz	MORARU Marcelina	Adviser for international cooperation and regulations
<b>Montenegro</b>		
Eco Energy Consulting	BARJAKTAROVIC Danilo	CEO
<b>Norway</b>		
Equinor	ENGE Trond	Vice President of Policy and Regulatory Affairs & Country Manager Belgium
<b>Poland</b>		
Gas Transmission Operator GAZ-SYSTEM S.A.	KUŚ Piotr	Deputy Director Development Division

## **Portugal**

EDP Energias de Portugal SA	BEIRAO Francisco	Head of Brussels Office
	FERREIRA Ricardo	Head of Market Studies and Competition Department

## **Romania**

Transgaz	FODOR Alexandra	Head of International Relations
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## **Russian Federation**

Gazprom	POTAPOV Maxim	Head of Division International Business Department
Lukoil	BUNIN Maxim	Director Corporate Affairs

## **The Netherlands**

Gasunie	GROENENDIJK Wim	Head of International Business
Shell International B.V.	VAN DOESBURG Ruben	Senior Legal Counsel

## **Serbia**

NIS a.d. Novi Sad	RADOVANOVIC Nikola	Chief legal officer for EU legislation
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## **Spain**

ACS Servicios, Comunicaciones y Energía, S.L.	NEBRERA Jose A.	General Manager Grupo Cobra
	José Luis Martínez Dalmau	President of the European Solar Thermal Electricity Association (ESTELA), Institutional Relations Director
Abengoa S.A.	BEJARANO GARCIA Germán	Advisor to the Chairman, Director for Institutional Affairs
Gas Natural Fenosa		
La Unión Española Fotovoltaica (UNEF)	GONZALEZ Aida	Chief Policy & Regulatory Officer

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Asociación Nacional de Productores de Energía Fotovoltaica (ANPIER)

GARAU Laura

Brussels Office Representative

## **Slovakia**

Eustream

SEDLÁČEK Milan

Head of EU Affairs and Strategy

CZETŮ Daniel

Representative for EU Affairs

Vychodoslonenska energetika Holding (VSE Holding)

HEJCMAN Thomas Jan

Chief Executive Officer

## **Switzerland**

Axpo Group

HESSELBARTH Thomas

Axpo Power AG Gas Asset/Infrastructure Management

ROEHM-MALCOTTI Eberhard

Axpo Services AG Head of EU Energy Policy

Trans Adriatic Pipeline AG

VEYSALOV Vugar

Head, External Affairs

## **Turkey**

BOTAŞ Petroleum Pipeline Corporation

AKTAN Hülya

Foreign Relations and EU Coordination Manager International Projects

## **Ukraine**

Naftogaz of Ukraine

VOROCHOK Victoria

Deputy Head of Strategic Planning Department of NJSC

NEC "Ukrenergo"

BNO-AIRIIAN Mykhailo

Director of Communications and International Cooperation

NNEGC "Energoatom"

KUKHARCHUK Mykola

Director for International Cooperation

TIURIN Andriy

Director of Brussels Office

## **United Kingdom**

BHP Billiton

KILKENNY Carmel

Commercial Manager

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BP	HUIJGENS Rutger	Director European Government Affairs
John Crane	MORTON John	Product Line Director
	LAIMINA Liene	Senior Manager Government Relations
The Prince of Wales's Corporate Leaders Group	KOEGLER Peter	Programme Manager

### **United States**

The Dow Chemical Company	CHASE Howard <b>(IAP Chair)</b>	Director of Government Affairs Europe
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### **INTERGOVERNMENTAL ORGANISATIONS**

CIS Electric Power Council	MISHUK Evgeny	Chair Executive Committee
European Bank for Reconstruction and Development (EBRD)	RASMUSSEN Eric	Director Natural Resources

### **INTERNATIONAL BUSINESS ASSOCIATIONS**

European Committee of Domestic Equipment Manufacturers (CECED)	FALCIONI Paolo	Director General
Eurelectric	RUBY Kristian	Secretary General
	NOYENS Koen	Director of Communication & Corporate Affairs
Eurogas	WATSON James	Secretary General
EU Turbines	BARON Sonia	Manager European Affairs
Central Europe Energy Partners	JAKUBIK Maciej	Executive Director
Gas Infrastructure Europe (GIE)	ACHOVSKI Boyana	Secretary General
GO15. Reliable and Sustainable	DOBBENI Daniel	President

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Power Grids

STEVEN Alain

Secretary General

International Association of Oil &  
Gas Producers (IOGP)

SCHWARCK Christian

Deputy Director, EU Affairs

WindEurope

DICKSON Giles

Chief Executive Officer

**INDEPENDENT EXPERTS**

KALKAVOURA Anastasia

**(Deputy Chair of IAP)**

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