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Brussels, 16 December 2020

Related documents: CC 702, Message 1788/21
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**DECISION OF THE ENERGY CHARTER CONFERENCE**

**Subject: Report by the Chair of the Working Group on Governance Issues**

The Energy Charter Conference at its 31<sup>st</sup> Meeting held on 16-17 December 2020 **took note** of the Report by the Chair of the Working Group on Governance Issues as set out in document CC 702.

Keywords: Report, Chair, Working Group on Governance Issues

# **REPORT BY THE CHAIR OF THE WORKING GROUP ON GOVERNANCE ISSUES**

## **Officers and Terms of Reference**

1. The Working Group on Governance Issues (the Working Group) was established on 10 December 2019 at the 30<sup>th</sup> Meeting of the Energy Charter Conference. At the same meeting, the Conference approved the designation of Ms Klara Rakhmetova (Kazakhstan) as its Chair, and Mr Guy Lentz (Luxemburg) as its Vice-Chair (CCDEC 2019 12). On 2 January 2020, the nomination of Mr Towfick Sufian (Yemen) as a Vice-Chair of the Working Group on Governance Issues was approved ([CCDEC 2020 01](#)).
2. The Energy Charter Conference approved the terms of reference of the Working Group ([CCDEC 2020 07](#)) on 16 July 2020. The initial term is until the 32<sup>nd</sup> meeting of the Energy Charter Conference in 2021, after which the Conference should assess the Group's work and role.

## **Meetings**

3. The Working Group held three ordinary meetings in 2020 (on 6 February, 25 June and 8 October) and one extraordinary meeting (on 30 November), chaired by its Chair. In view of the outbreak of the Coronavirus (COVID-19), and taking into account the general worldwide sanitary situation and the resulting travel restrictions, all the meetings were conducted via Zoom videoconference. The Working Group appreciates the Secretariat's logistical assistance and support for the discussions of the Working Group in 2020.

## **Following the mandate of the Conclusions of the Review and the approved terms of reference, the Working Group addressed the following main topics:**

4. The Working Group took into account the organigram recommended by the International Public Audit and requested the Secretariat to provide some additional background information. Having in mind that any change should be consulted with the Staff Committee, the Working Group discussed the possible new structure of the Secretariat and at its last extraordinary meeting requested the Secretariat to prepare - in consultations with the Staff Committee - a revised draft structure.
5. At its first meeting, the Working Group confirmed that the position of the Deputy Secretary-General (DSG) should be resumed instead of the post of Assistant Secretary-General. Since the Group agreed that the DSG's vacancy should be uploaded upon finalisation of his tasks, the Group's subsequent meetings were focused on the functions, qualifications and experience for the post, which were finalised on 14 October 2020 (no objections were received to the Room Document 4 of the meeting of 8 October 2020). In addressing this task, the Working Group also noted the relation with the topic on the structure of the Secretariat. At the last (extraordinary) meeting in 2020, the Group agreed on the draft Message on the vacancy, which was disseminated the following day, and

modified the timeline to allow the appointment of the DSG within a shorter period of time.

6. At its first meeting, the Working Group requested the Secretariat to prepare a list of the potential Rules of Procedure of the Conference that could be considered for an amendment, as well as a paper with potential changes and proposed wording for changes to Staff Regulations and Rules (Staff Manual). At the subsequent meetings, the Working Group discussed the potential amendments to the Rules of Procedure and the Staff Manual, taking into consideration the text proposals from the Secretariat and suggestions and comments from delegations made during the meetings.
7. The Working Group also discussed draft “Energy Charter Whistleblowing Guidelines”, which were prepared by the Secretariat (in consultation with the Staff Committee) at the request of the Working Group. At the last (extraordinary) meeting in 2020, the Working Group discussed the draft whistleblowing guidelines and requested to revise them based on comments received.
8. In coordination of the implementation of the conclusions of the 2019 Review, on 30 November 2020, the Working Group provided some suggestions with regard to the format of the relevant Progress Report (GOV 14 Rev).

#### **Procedural issues**

9. The Working Group agreed that for its physical meetings, the Secretariat will only provide printed copies of room documents or last minute Messages. In addition, the Chair will try to prepare and disseminate one week in advance draft conclusions to be used during the discussions of each meeting. Final conclusions will be agreed by the Working Group at the meeting. It is expected that summary records will be approved by the group at its following meetings.