

**ENERGY CHARTER
SECRETARIAT**

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Brussels, 16 December 2020

Related documents: CC 703

DECISION OF THE ENERGY CHARTER CONFERENCE

Subject: Report by the Chair of the Industry Advisory Panel

The Energy Charter Conference at its 31st Meeting held on 16-17 December 2020 **took note** of the Report by Chair of the Industry Advisory Panel as outlined in CC 703 and **approved** the IAP membership list attached thereto.

Keywords: Report, Chair, Industry Advisory Panel, IAP, Membership List

REPORT BY THE CHAIR OF THE INDUSTRY ADVISORY PANEL

The International Energy Charter Industry Advisory Panel (IAP) submits the Annual Communication on its work for the attention of the Energy Charter Conference.

The Energy Charter Conference is invited to take note of the Annual Communication of the IAP and approve the attached membership list.

Membership structure and new members

1. Currently, the IAP has 66 members (expected to reach 67 on 8 December 2020) 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 2020, the IAP received membership applications from two organisations, namely SolarPower Europe and COGEN Europe.
3. Over the past three years, the IAP has admitted seven new members, which confirms the continued value of the Panel as a well-established and respected platform for the exchange of knowledge and expertise on energy matters in the service of the entire Energy Charter constituency.
4. A full list of IAP members is provided in Annex 3.

Meetings

1. The IAP held one meeting in March 2020 and planned to hold another meeting in December.
2. The first meeting was held in Tirana, Albania, on 3 March 2020, hosted by the Trans Adriatic Pipeline. The meeting was devoted to issues related to the future role of energy infrastructure and strategies and market rules for a climate-neutral energy sector. Secretary General of the Energy Charter Secretariat, Amb. Dr. Urban Rusnák highlighted the importance of the commitment of the industry to the Energy Charter Process.
3. Mr. Rafael Cayuela Valencia, Corporate Chief Economist of Dow Chemical, was presented as the company's candidate for the position of the IAP Chair. Mr. Cayuela presented his vision for the development of the energy system in line with a net-zero carbon society.
4. The IAP will also hold a virtual meeting on 21 December 2020 hosted by SOCAR. At the meeting, the members are planning to welcome the new Chair and new members of the Panel and discuss IAP Work Programme 2021 and other internal items.
5. The message of Mr. Rafael Cayuela, Chair of the IAP, welcoming the third edition of the 2021 Energy Investment Risk Assessment (EIRA) report, was included in this flagship publication of the Energy Charter Secretariat.
6. The IAP representatives also attended the virtual launch of the #EIRA2020 which took place on 6 October 2020. Two IAP members, Mr. Henning Häder, Policy

Director at Eurelectric and Mr. Iván Pineda, Director of Public Affairs at WindEurope, made interventions at #EIRA2020 launch event. A significant number of IAP members joined the #EIRA2020 launch event as participants.

New IAP Chair

1. At the IAP meeting which took place on 4 June 2019 in Brussels, Mr. Howard Chase, Senior Director of Government Affairs for Dow Europe, Middle East, Africa and India, and Chair of the IAP since its inception in 2004, announced his intention to retire from this position. Mr. Rafael Cayuela Valencia was presented as candidate for the position of Chair of the IAP. There being no other candidates and following a written procedure, the IAP established Mr. Cayuela as new Chair of the IAP. Mr. Cayuela took up the post as of 24 March 2020.
2. All the IAP members extend their gratefulness to Mr. Howard Chase for his commitment to and leadership of the IAP since its inception. His invaluable contribution was crucial for building up a well-established and functioning Industry Advisory Panel.

Work Programme for 2021

1. The IAP members would welcome an opportunity to comment and provide further expert opinion further on the modernisation of the ECT if requested. The IAP remains ready to continue contributing to other initiatives of the Contracting Parties and promotion of the Energy Charter Treaty.
2. The Panel will work on the further engagement of organisations of sufficient standing across all aspects of the energy sector. . This will allow the Panel to sustain and continue to strengthen the quality and relevance of the consultative advice provided to the Energy Charter Conference by the Panel.
3. The members of the Panel will prepare a mid-term plan on the further development and functioning of the Panel. This strategic plan will set out specific objectives and milestones.
4. The IAP invites the Contracting Parties and Observer countries to continue to promote the IAP in their respective energy sectors and to suggest additions as appropriate to the membership of the Panel.

Annex 1

Joint Message of the Former and the Current Chairs of the International Energy Charter Industry Advisory Panel

I am deeply honoured to have chaired the International Energy Charter Industry Advisory Panel from its inception in 2004 until the meeting in Tirana, Albania, in March 2020. In my view, all of us who work in and are associated with the energy sector can be proud of our resilience and adaptability to constant change over these extraordinary times. The International Energy Charter has played an important part in sustaining international energy collaboration and investment through this period and the Industry Advisory Panel has provided considerable supporting expertise from a technical and business perspective. I would like to take this opportunity to thank all members, past and present, for their greatly appreciated contributions.

It is clear to all of us that the green energy transition is accelerating on a global basis. The energy industry has for some time been stepping up to the challenge and this is evident in the membership and working agenda of the Industry Advisory Panel. Under the knowledgeable and committed leadership of my successor, Mr. Rafael Cayuela, I am confident that the Panel is very well positioned to sustain and deepen its contribution in support of the Energy Charter through this far-reaching transformation.

In this context, I would like to draw attention to a statement prepared by the current and former Chairs for use in the event of enquires to the Industry Advisory Panel on the future of the Energy Charter. I believe it sets out very clearly the industry perspective and members will find of value:

on The Energy Charter Treaty Modernisation Process

- *Investment is crucial to the global green energy transition. One of the prime purposes of the Energy Charter Treaty (ECT) is to support international investment flows in the energy sector through a rules-based approach and agreed procedures for dispute resolution. The International Energy Charter Industry Advisory Panel has for this reason given strong support over many years to the objectives of the ECT. We believe the Treaty will remain of equal or even greater relevance as investment accelerates in the green energy transition.*
- *In this context, we welcome the ongoing review of the ECT provisions and see room to clarify application of the Treaty in such areas as admissibility of claims, alternative dispute resolution procedures and pre-investment and energy transit provisions. Effective means for dispute resolution will remain fundamental to a rules-based approach to international energy investment and the successful operation of the Treaty.*
- *The Industry Advisory Panel is a voluntary consultative body to the Energy Charter Conference covering all aspects of energy supply, transportation,*

technology and use, with a strong focus on renewable energy, energy efficiency, new energy technologies and the green transition, and fully supports the ongoing process of stakeholder engagement and debate on the future of the Treaty.

Howard Chase

Former Chair of the International Energy Charter Industry Advisory Panel

Senior Advisor Global Government Affairs, Dow Europe GmbH

Our current communication occurs in such a historical and complicated time when the COVID-19 pandemic has affected nearly every single government, international organisation, business, and regular citizen.

It is a sincere honour to accept the call to serve as Chair of such an influential structure as the Industry Advisory Panel (IAP). One more time, I would like to express my gratefulness for the trust.

It is an enormous responsibility and honour to replace Howard Chase at the position of Chair of the IAP. His outstanding professionalism and diplomatic skills, as well as endless commitment, were behind the success of the IAP for such a long time.

While the IAP has definitely proved its value and importance to the Energy Charter process over time, we are facing new challenges such as the current global pandemic and subsequent recession, the consequences of climate change and the imperative need to address our energy transition. All these issues, coupled with societal changes and citizen awareness, provide us with a unique opportunity to accelerate further and expand our contribution to the Energy Charter and the overall world energy transition processes.

As the Chair of the Panel, I would like to present my vision on the evolution of the IAP and indicate the areas, which, in my opinion, should attract our attention and where joint efforts should be intensified to reach common goals. Climate change and the ongoing energy transition will present unprecedented historical challenges and opportunities to our societies, industries and economy. In this sense, it is important to acknowledge that during this transition, no single technology, firm and industry will be able to provide emissions reductions on its own. A new wave of technological innovations should be accompanied by a new collaborative spirit across all stakeholders in society. The next decade is poised to be critical for our planet, society and industries. It is crucially important to create the right open and transparent policy dialogue between industry and all participants of the Energy Charter Process.

I believe that the Energy Charter Treaty modernisation process will eventually lead to the approval of an improved and expanded version of the Treaty. The modernised Treaty will create the necessary conditions for proper implementation of the energy transition and

ensure sustainable development based on a functioning climate-neutral energy industry. The Panel is always there to provide its expert opinion on the process and feasibility of specific measures considered by the negotiating parties.

The Panel will work on the further engagement of organisations which are active in the entire energy value chain. The expansion of the Panel should be based on both quantitative and qualitative growth. This will allow the Panel to continually extend the scope and deepen the quality of the consultative advice it provides to the Energy Charter Conference.

With this in mind, the members of the Panel are requested to cooperate on the preparation of a mid-term plan on the further development and functioning of the Panel. This strategic plan will be targeted to reach specific milestones.

The Panel will continue to be technologically neutral; however, the main ambition would be the facilitation of low-carbon and sustainable energy industry. The work of the Panel should contribute in and ensure a successful and efficient energy transitions process. For the sake of society, the challenge will be the minimisation of the costs, the risks, the resources and the timing of this transition.

The Panel might contribute in the implementation of such an ambitions agenda by :

- a) providing sector-specific, tailored and technical consultations and advice, which will be based on practical, institutional and scientifically proven knowledge and data, and
- b) by sustaining a platform for multi-stakeholder dialogues which will involve representatives of all segments and types of energy producers and related sub-sectors and services, as well as civil society. Based on the needs of the Panel and the Energy Charter Conference, external experts will be invited to provide an opinion or to conduct research on specific topics. This expertise can be utilised for responding to a specific consultation, when necessary, and to spread knowledge on relevant topics.

Thank you for your trust, commitment and continuous support throughout all these years. Each and every member of the IAP has played a critical role in building and sustaining this important institution. We have all been striving, and all of us can be proud of the Panel's achievements. I am confident that your engagement and commitment will help to overcome existing and potential challenges and move forward towards the common goals.

I am looking forward to the upcoming activities of the Industry Advisory Panel. I hope that the next few years will be marked with new success stories and will result in considerable positive developments in the mentioned areas.

Rafael Cayuela Valencia
Chair of the International Energy Charter Industry Advisory Panel
Corporate Chief Economist & Strategy Director, Dow Europe GmbH

Annex 2

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 14th 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.

Annex 3



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

MEMBERS AS OF 16 DECEMBER 2020:

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)

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.	CAVALLARIN Anna	Head of Media Relations & Digital Channels

Japan

Japan Oil, Gas and Metals National Corporation (JOGMEC)	MASAYUKI Yokoyama	Deputy General Manager London Office
Mitsubishi Corporation International (Europe) Plc.	WADA Tetsuro	General Manager, Natural Gas and Petroleum Div.

Mitsui&Co. LTD	KIKKAWA Yuji	Senior Vice President & Divisional Operating Officer of Energy Division
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	SUGIMOTO Shigeo	European Affairs Manager
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Jordan

Jordan Petroleum Refinery Company LTD	AL-REFAI Ahmed	Chief Executive Officer
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Kazakhstan

Kazakhstan Electricity Grid Operating Company (KEGOC)	KATYSHEV Sergei	Managing Director
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KAZENERGY Association	RAKHMETOVA Klara	Energy Charter Project Manager
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Luxembourg

R-square RiskLab	MAJUMDAR Chitro	Managing Partner
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Moldova

Moldovagaz	MORARU Marcelina	Adviser for international cooperation and regulations
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Montenegro

Eco Energy Consulting	BARJAKTAROVIC Danilo	CEO
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Norway

Equinor	ENGE Trond	Vice President of Policy and Regulatory Affairs & Country Manager Belgium
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Poland

Gas Transmission Operator GAZ-SYSTEM S.A.	KUŚ Piotr	Deputy Director Development Division
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Portugal

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

Transgaz FODOR Alexandra Head of International Relations

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 Managing Counsel

Serbia

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

Spain

ACS Servicios, Comunicaciones y Energía, S.L. NEBRERA Jose A. General Manager Grupo Cobra

DALMAU José Luis Martínez Institutional Relations Director
President of the European Solar Thermal Electricity Association (ESTELA),

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

Asociación Nacional de Productores de Energía Fotovoltaica (ANPIER) GARAU Laura Brussels Office Representative

Slovakia

Eustream SEDLÁČEK Milan Head of EU Affairs and Strategy

Vychodoslonenska energetika Holding (VSE Holding)	CZETŐ Daniel HEJCMAN Thomas Jan	Representative for EU Affairs Chief Executive Officer
Switzerland		
Axpo Group	HESELBARTH Thomas	Axpo Power AG Gas Asset/Infrastructure Management
	ROEHM-MALCOTTI Eberhard	Axpo Services AG Head of EU Energy Policy
Dow	CAYUELA Rafael (IAP Chair)	Corporate Chief Economist
Trans Adriatic Pipelenie 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	VOROCHEK Victoria	Deputy Head of Strategic Planning Department of NJSC
NEC "Ukrenergo"	BNO-AIRIAN Mykhailo	Director of Communications and International Cooperation
NNEGC "Energoatom"	KUKHARCHUK Mykola TIURIN Andriy	Director for International Cooperation Director of Brussels Office
United Kingdom		
BHP Billiton	KILKENNY Carmel	Commercial Manager
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

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

COGEN Europe	KORTEWEG Hans	Managing Director
Central Europe Energy Partners	KAWNIK Mariusz	Executive Director
Eurelectric	RUBY Kristian	Secretary General
	NOYENS Koen	Director of Communication & Corporate Affairs
Eurogas	WATSON James	Secretary General
EU Turbines	BARON Sonia	Manager European Affairs
Gas Infrastructure Europe (GIE)	ACHOVSKI Boyana	Secretary General
GO15. Reliable and Sustainable Power Grids	DOBBENI Daniel	President
	STEVEN Alain	Secretary General
Home Appliance Europe	FALCIONI Paolo	Director General
International Association of Oil & Gas Producers (IOGP)	BROS Thierry	Senior Manager European Affairs & Lead Analyst
SolarPower Europe	HEISZ Máté	Head of International Cooperation

WindEurope

DICKSON Giles

Chief Executive Officer

INDEPENDENT EXPERTS

KALKAVOURA Anastasia

(Deputy Chair of IAP)
