

**ENERGY CHARTER
SECRETARIAT**

CCDEC 2021

20 WPR

Brussels, 5 December 2021

Related documents: CC 732, Mess 1900/21
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DECISION OF THE ENERGY CHARTER CONFERENCE

Subject: Adoption by Correspondence – Review of the Structure of the Programme of Work and Prioritisation of Activities

By document CC 733 dated 15 November 2021, the Energy Charter Conference was invited to approve the new structure of the Programme of Work and the prioritisation of activities (attached).

As specified by Rule 19 of the Rules of Procedure concerning the adoption of decisions by correspondence, members of the Energy Charter Conference were informed that any delegation not in a position to approve the above decision should notify the Secretariat of its position in writing by no later than 5 December 2021.

Having received no objections within the specified time limit, on 5 December 2021, the Conference **approved** the new structure of the Programme of Work and the prioritisation of activities with immediate effect (attached).

**REVIEW OF THE STRUCTURE
OF THE PROGRAMME OF WORK**

1. The proposal below is only the description of the new structure of the programme of work. It is **not** the programme of work itself. Activities shown (although close to reality) are for illustrative purpose only. At the request of the Budget Committee during its meetings on 6 May 2021 (see document BC 393 rev) and 20 September 2021 (see document BC 400), activities financed by Budget Part I have been clearly separated from activities financed by Budget Part II and new summary tables including all activities and all sources of financing have been added.
2. The structure of the programme of work would automatically follow the structure of the budget since activities under the programme of work would be financed by national contributions (or “normal resources” –Article 5 of the Financial Rules–), i.e. Budget Part I, or by “other resources” (Article 6 of the Financial Rules– including voluntary contributions, grants, other income, etc.), i.e. Budget Part II.
3. Not all of the activities included in the programme of work may be funded by national contributions (Budget Part I), due to budget limitations. A system of prioritisation shall be put in place to determine which activities shall be fully financed by national contributions while other activities could be partly financed by national contributions (Budget Part I) and partly (or fully) by voluntary contributions (Budget Part II). The choice made by Contracting Parties and Signatories to finance some activities will result in a prioritisation system based on wishes of Contracting Parties and Signatories. Those activities receiving global support would then be included in the programme of work and financed, totally or partially, by national contributions while activities not receiving any support would not receive any financing from Budget Part I but would remain in the programme of work to offer the possibility to (a group of) Contracting Parties or Signatories to finance these activities through voluntary contributions.
4. Activities of the programme of work would be divided in 3 main groups:
 - i. Administrative activities related to the Energy Charter Treaty, the Headquarters Agreement, the Staff Regulations and Rules, the Financial Rules, the Rules of Procedure of the Conference and any other binding legal document. These are the activities of management and administration of the organisation. There is no specific output/deliverable assigned by the Conference as such, except that the work has to be done according to the rules and procedures in place. These activities would be financed by Budget Part I.

***A - Administration and Management
(financed by Budget Part I)***

Activity A1 Support to the Conference, its subsidiary and consultative bodies

Activity A2 Legal Support

Activity A3 Financial and Administration Support

- ii. Programmatic activities as included in the Energy Charter Treaty and/or decided by the Energy Charter Conference which would be considered essential. These activities are financed by Budget Part I.

***B – Programmes
(financed by Budget Part I)***

Activity B1 Modernisation of the ECT

Activity B2 Implementation of the ECT

Activity B3 Consolidation, expansion and outreach

Activity B4 Cooperation

- iii. Programmatic activities as decided by the Energy Charter Conference which would be considered non-essential and would be mainly financed by Budget Part II (Voluntary Contributions, etc.). These activities financed under Budget Part II would be listed separately from activities financed by Budget Part I.

***C – Other and Extra Programmes
(mainly financed by Budget Part II, with potential additional financing by
Budget Part I based on prioritisation)***

Activity C1 Implementation of the ECT

Activity C2 Consolidation, expansion and outreach

Activity C3 Cooperation

Activity C4 Other Activities

5. Each main activity in the programme of work (A1 to A3, B1 to B4 and C1 to C4 in the example above) could eventually be divided in sub-activities, if necessary. For example activity B2 Implementation of the ECT could be divided in 4 sub-activities:

B2 Implementation of the ECT

Activity B21 Transit

Activity B22 Investment

Activity B23 Dispute Prevention and Management

Activity B24 Energy Efficiency

6. When drafting the programme of work, the Secretariat would provide a series of information regarding each activity:
- i. Description of the activity;
 - ii. Proposed Subsidiary body dealing with the matter (Conference, Strategy Group, Implementation Group, etc.), if any;
 - iii. The Secretariat's unit dealing with the matter, if any;
 - iv. Planning/timing indicating if it is a recurring activity, a new activity, an ongoing activity, a phasing out activity as well as its planned completion;
 - v. Estimated annual cost including the number of posts;
 - vi. Source(s) of financing: the budget could come from national contributions (Budget Part I) and/or "other resources" such as voluntary contributions, funds or other income (Budget Part II).

In case of a multi-annual programme of work, such information would be given for each year.

7. Below is an example of activities under the Programme of work based on activities included in the programme of work 2021. This example is **for illustrative purpose only** and does not imply any consent or agreement by Delegations or the Secretariat on activities to be included in the future programme of work.

Activities A - Management and Administration
(financed by Budget Part I)

A1 Support to the Conference, its subsidiary and consultative bodies

- organisation and logistics of all meetings of the Conference and its subsidiary and consultative bodies;
 - translation and dissemination of documents to/from the constituency;
 - relations with the Conference and its subsidiary bodies;
 - supervision of activities under the programme of work;
 - management of the Secretariat.
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A2 Legal Support

- legal support for the Conference, its subsidiary bodies and the Secretariat (including preparation of Conference decisions, revisions of contracts, personnel matters, manual on data protection, MOUs, advice on procedural and other internal rules, etc.);
 - support to the Legal Advisory Committee;
 - providing legal information to Members of the Conference;
 - relations with the Depositary and legal notifications under the ECT;
 - Accession reports on compatibility of domestic systems with the ECT.
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A3 Financial and Administrative Support

- human resources management including recruitment;
 - accounting and financial services, such as payroll, reporting, inventory, budgeting, tax and treasury services;
 - travel arrangements;
 - information, library and archive management;
 - building management including premises, furniture and other related matters;
 - daily office operations including utilities, supplies and related matters;
 - contracts management including tendering, evaluating and issuing contracts;
 - information technology management including hardware, access management to cloud services and related matters.
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Activities B – Programmes
(financed by Budget Part I)

B1 Modernisation of the Treaty

- support to the negotiations of the modernisation of the Energy Charter Treaty;
-

B2 Implementation of the Treaty

B21 Transit (Part II of the ECT)

- publication of policy papers or best practice examples related to transit of energy materials and products;
 - participation at events on transit issues.
-

B2 Implementation of the Treaty

B22 Investment (Part III of the ECT)

- Investment climate and market structure (ICMS) country reports;
 - Energy Investment Risk Assessment;
 - Accession reports on investment climate and exceptions to national treatment;
 - Implementation of the investment facilitation toolbox.
-

B2 Implementation of the Treaty

B23 Dispute Prevention and Management (Part V of the ECT)

- Legal support, advice and assistance in dispute resolution, support to conflict resolution amongst states or between states and investors;
 - Management of the "travaux préparatoires";
 - Workshops and seminars on investment mediation/conciliation;
 - Joint accreditation training with ICSID and IMI for investment mediators;
 - Training on dispute resolution;
 - Energy Charter Legal Forum jointly organised with ICSID, SCC and PCA;
 - Technical assistance and capacity building for governments wishing to implement document(s) based on Model Instrument;
 - maintenance and update of the dedicated online website, database, digest and statistics on cases under the ECT;
 - Co-organisation and/or participation at events promoting the Model Instrument.
-

B2 Implementation of the Treaty

B24 Energy Efficiency (Protocol on EERE)

- In-depth reviews of energy efficiency policy;
 - Accession reports on energy efficiency and related environmental aspects;
 - Role of the International Energy Charter in achieving a clean energy transition while ensuring energy security.
-

B3 Consolidation, expansion and outreach

- Supporting the accession process to the ECT;
 - Supporting the signature of the 1991 and 2015 political declarations.
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B4 Promotion and Cooperation

- representation of the Organisation in inter-governmental meetings;
 - meetings with high level representatives of Members and Observers;
 - support the Task Force on Regional Energy Cooperation (RECA);
 - co-hosting of events or providing panel contributions or presentations for international events;
 - Preparation, organisation and participation at seminars, workshops on the Energy Charter Process;
 - management of the website and social media;
 - editing and publication of reports and papers including the Annual Report.
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**Activities C – Other and Extra Programmes
(financed by Budget Part II)**

C11 Transit (Part II of the ECT)

- Other Transit activities (to be determined).
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C12 Investment (Part III of the ECT)

- Extended EIRA profiles;
 - Other Investment activities (to be determined).
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C13 Energy Efficiency (Protocol on EEREA)

- Other Energy Efficiency related activities (to be determined).
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C2 Consolidation, expansion and outreach

- Cooperation in West Africa.
 - Other Consolidation, expansion and outreach related activities (to be determined).
-

C3 Promotion and Cooperation

- Beijing Research Centre;
 - organisation of trainings on ECT, energy governance, energy security and clean energy transition.
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C4 Other Activities

- to be determined.
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8. Once the programme of work is established by the Conference, only financed activities would be included in the reporting on the programme of work. Non-financed activities would only appear in a short-form to remind potential donors of the existence of these potential activities.
9. During its meeting on 20 September 2021, the Budget Committee requested the inclusion of a table listing all activities with their sources of financing, including activities financed by Voluntary Contributions in kind.

PRIORITISATION OF ACTIVITIES

1. Overall prioritisation of activities is done by Members during the Review under Article 34(7) of the Treaty every five years. In 2014, the Conference approved high and medium priorities within its core areas. Those priorities were reflected in the Programmes of Work and the Budgets (including Human Resources) during the period 2015-2019.
2. During the Review process conducted in 2019, the Conference confirmed two priorities:
 - i. The implementation of the Conclusions of the Review;
 - ii. The Modernisation of the Energy Charter Treaty.

Both priorities have been reflected in the Programme of Work 2020-2021. However, the draft Budget for the same period (2020-2021) was based on Human Resources of the previous years (2018-2019).

3. The main variables for any prioritisation exercise beyond 2021 in the Energy Charter Secretariat context are as follows:
 - i. Overall Budget Part I (annual national contributions)
 - ii. Activities to be carried out
 - iii. Human Resources available (establishment table officials, temporary officials, non-officials)
4. Considering the three variables above, the Secretariat is providing a prioritisation proposal below, together with an example based on activities included in the Programme of Work 2021 as requested by the Budget Committee.
5. Financial resources (other than salaries and allowances) available for the implementation of the programme of work can be found in the following items of the Budget according to the updated structure: 3.2 Missions, 4.2 Subsidiary bodies meetings, 4.3 Translations and Interpretation, 4.4 Other meetings and events, 5 Representation, 6.2 Communications, 6.3 Office Supplies, 6.4 Publication, 6.5 Library, 6.6 Consultants, 7.2 IT Equipment & Software. The total available envelope is about: EUR 525 000. In case of major changes in the budget, the following items could also be impacted: 6.1 Office space (in case of increase or decrease of office space), 6.7 External Auditors (in case of change of rules), 6.8 Fees to International Organisation (in case of change of rules), 6.9 Subscription to Specific services (in case of change of rules), 6.10 Financial Services (in case of increase or decrease of financial operations and/or change of financial conditions) and 7.1 Furniture (in case of increase or decrease of office space).
6. In the future, the annual prioritisation exercise for *Programmes and Activities* could be organised during the previous year as follows:

Table 1 - Schedule for the future elaboration of the Programme of Work

Date	Action
By 30 April	The Secretariat prepares and disseminates a preliminary table of activities for the upcoming year
By 30 May	Delegates may propose additional activities to be included in the prioritisation table for further consideration
By 30 June	Delegates will indicate their preferences by marking in the prioritisation table their preferred order of priority for all the activities listed
By 31 July	The Secretariat will evaluate the priority order indications. Based on the priorities expressed by the delegates, the draft Programme of Work will be prepared and disseminated
In September	The Budget Committee will discuss, conclude and recommend to Conference the approval of the PoW for the upcoming year by correspondence
In October/November	The Conference approves the PoW and the Budget for the upcoming year

7. In case of a biannual budget, the procedure could be organised in full scale every second year and, at a limited scale or skipped the first year, if no changes are envisaged.
8. The overall available resources as well as the Secretariat's structure shall be decided before the prioritisation of the Programme of Work.
9. Based on the Programme of Work for 2021, table 2 below shows the potential prioritisation for the period 2021 (as requested by the Budget committee). The table also shows the estimated posts and cost for activities under Budget Part I as approved for 2021 (see [CCDEC202014](#) and [CCDEC202015](#)). Activities without financing have been moved to Budget Part II for financing by "Other Resources" including Voluntary Contributions.

Table 2 - Proposed activities and their financing under Budget Part I

Proposed Activities	Posts		Estimated cost	
	Establ. Table	Temp. Off.	EUR	%
A1 Support to the Conference, its subsidiary and consultative bodies	3.05	1.10	859 366	21.2%
2021 Activity 1				
A2 Legal Support	0.60	1.05	230 290	5.7%
2021 Activity 11				
A3 Financial and Administrative Support	3.60	0.00	480 629	11.9%
2021 Activity 13				
B1 Modernisation of the ECT	1.35	0.90	452 476	11.1%
2021 Activity 2				
B21 Transit	0.70	0.60	201 707	5.0%
2021 Activity 3				

Proposed Activities	Posts		Estimated cost	
	Establ. Table	Temp. Off.	EUR	%
B22 Investment including:				
B22a Investment obligations under the ECT including ICMS reports	0.45	0.10	111 525	2.9%
2021 Activity 6				
B22b Energy Investment Risk Assessment (EIRA)	1.20	2.90	465 533	11.4%
2021 Activity 5				
B22 Investment (Subtotal)	1.65	3.00	577 048	14.3%
B23 Dispute Prevention and Management				
	0.30	0.05	89 867	2.2%
2021 Activity 8				
B24 Energy Efficiency				
	0.95	1.00	298 192	7.4%
2021 Activity 7				
B3 Expansion of the ECT				
	2.00	1.00	445 517	11.0%
2021 Activity 9				
B4 Promotion and Cooperation including:				
B41 Cooperation	0.55	0.10	142 607	3.5%
2021 Activity 10				
B42 Raising Awareness	0.00	2.00	177 092	4.4%
2021 Activity 12				
B45 Regional Energy Cooperation in Asia (RECA)	0.25	0.20	92 265	2.3%
2021 Activity 4				
B4 Promotion and Cooperation (Subtotal)	0.80	2.30	411 964	10.2%
C21 Regional Energy Cooperation in West Africa	<i>transferred to Budget Part II call for Voluntary Contributions use of Working Capital Funds</i>			
2021 Activity 17				
C32 Beijing Research Centre	<i>transferred to Budget Part II call for Voluntary Contributions use of Working Capital Funds</i>			
2021 Activity 17				
Total	15.00	11.00	4 047 056	100.0%

10. Once the financing of activities under Budget Part I has been decided, the activities which did not receive financing from national contributions (Budget Part I) are transferred to Budget Part II for financing by "Other Resources", including Voluntary Contributions and Working Capital Funds.

Table 3 - Proposed Activities and their financing under Budget Part II

Proposed Activities	Comment	Budget (EUR)
C12b EIRA extended profiles 2021 Activities 15	Voluntary Contributions requested use of Voluntary Contributions	3 736
C12c Investment Promotion Centre 2021 Activities 16	Voluntary Contributions requested	-
C21 Regional Energy Cooperation in West Africa 2021 Activity 17	Voluntary Contributions requested use of Voluntary Contributions incl. in kind (ECOWAS, The Gambia)	26 996
C31 Knowledge Centre Activities 2021 Activity 12	Voluntary Contributions requested use of Other Income (WCF KC)	11 971
C41 Legal Affairs Activities 2021 Activity 11	use of Other Income (WCF LA)	19 738
C32 Beijing Research Centre 2021 Activity 17	Voluntary Contributions requested use of Voluntary Contributions	4 516
Total		66 957

11. The full programme of work can then be established (based on programme of work 2021):

Programme of Work 2021	Posts		Estimated cost	
	Establ. Table	Temp. Off.	EUR	%
Budget Part I				
A1 Support to the Conference, its subsidiary and consultative bodies 2021 Activity 1	3.05	1.10	859 366	21.2%
A2 Legal Support 2021 Activity 11	0.60	1.05	230 290	5.7%
A3 Financial and Administrative Support 2021 Activity 13	3.60	0.00	480 629	11.9%
B1 Modernisation of the ECT 2021 Activity 2	1.35	0.90	452 476	11.1%
B21 Transit 2021 Activity 3	0.70	0.60	201 707	5.0%
B22 Investment 2021 Activities 5, 6	1.65	3.00	577 048	14.3%
B23 Dispute Prevention and Management 2021 Activity 8	0.30	0.05	89 867	2.2%
B24 Energy Efficiency 2021 Activity 7	0.95	1.00	298 192	7.4%
B3 Expansion of the ECT 2021 Activity 9	2.00	1.00	445 517	11.0%
B4 Promotion and Cooperation 2021 Activities 4, 10, 12	0.80	2.30	411 964	10.2%
Subtotal Budget Part I	15.00	11.00	4 047 056	100.0%

Programme of Work 2021		Posts		Estimated cost	
		Establ. Table	Temp. Off.	EUR	%
Budget Part II					
<i>C12b EIRA extended profiles</i>	<i>2021 Activities 15</i>	<i>0.00</i>	<i>0.00</i>	<i>3 736</i>	<i>N/A</i>
<i>C21 Regional Energy Coop. in West Africa</i>	<i>2021 Activity 17</i>	<i>0.00</i>	<i>0.00</i>	<i>26 996</i>	<i>N/A</i>
				<i>+in kind</i>	
<i>C31 Knowledge Centre Activities</i>	<i>2021 Activity 12</i>	<i>0.00</i>	<i>0.00</i>	<i>11 971</i>	<i>N/A</i>
<i>C41 Legal Affairs Activities</i>	<i>2021 Activity 11</i>	<i>0.00</i>	<i>0.00</i>	<i>19 738</i>	<i>N/A</i>
<i>C32 Beijing Research Centre</i>	<i>2021 Activity 17</i>	<i>0.00</i>	<i>0.00</i>	<i>4 516</i>	<i>N/A</i>
Subtotal Budget Part II		0.00	0.00	66 957	N/A
Total Budget		15.00	11.00	4 114 013	N/A

ANNEX

EXAMPLE OF PROGRAMME OF WORK UNDER THE NEW STRUCTURE
BASED ON THE PROGRAMME OF WORK APPROVED FOR 2021
(per Budget Part and activity)

<i>Activities</i>	<i>Posts Est. Table</i>	<i>Posts Temp. Off.</i>	<i>BP I (EUR) incl. GRF</i>	<i>BP II at hand (EUR)</i>	<i>BP II new (EUR)</i>
<i>Budget Part I</i>					
<i>Act. A1 Support to the Conference, subs. and consult. bodies</i>	3.05	1.10	859 366		
<i>Act. A2 Legal Support</i>	0.60	1.05	230 290		
<i>Act. A3 Financial and Admin. Support</i>	3.60	0.00	480 629		
<i>Act. B1 Modernisation of the ECT</i>	1.35	0.90	452 476		
<i>Act. B21 Transit</i>	0.70	0.60	201 707		
<i>Act. B22 Investment</i>	1.65	3.00	577 049		
<i>Act. B23 Dispute Prevention and Management</i>	0.30	0.05	89 867		
<i>Act. B24 Energy Efficiency</i>	0.95	1.00	298 192		
<i>Act. B3 Consolidation, expansion and outreach</i>	2.00	1.00	445 517		
<i>Act. B4 Promotion and Cooperation</i>	0.80	2.30	411 964		
<i>Subtotal Budget Part I</i>	15.00	11.00	4 047 056	0	0
<i>Budget Part II</i>					
<i>Act. C12b EIRA extended profiles</i>				3 736	<i>Requested</i>
<i>Act. C12c Investment Promotion Centre</i>					<i>Requested</i>
<i>Act. C21 Regional Energy Coop. and promoting accession to ECT</i>				26 996 +In kind	<i>Requested</i>
<i>Act. C31 Working Capital Fund (WCF) Knowledge Centre</i>				11 971	
<i>Act. C32 Beijing Research Centre</i>				4 516	<i>Requested</i>
<i>Act. C41 WCF Legal Affairs</i>				19 738	
<i>Subtotal Budget Part II</i>	0.00	0.00	0.00	66 957	0
<i>Total</i>	15.00	11.00	4 047 056	66 957	0

**EXAMPLE OF PROGRAMME OF WORK UNDER THE NEW STRUCTURE
BASED ON THE PROGRAMME OF WORK APPROVED FOR 2021**

(per activity)

Activities	Accountable Body(ies)¹ and Units²	Timing	Posts Est. Table	Posts Temp. Off.	Total Estimated costs (EUR)	BP I incl. GRF (EUR)	BP II at hand incl. GRF (EUR)	BP II new (EUR)
<i>Support to the Conference, subsidiary and consultative Bodies</i>	<i>Conference and all groups</i>	<i>Recurring</i>	<i>3.05</i>	<i>1.10</i>	<i>859 366</i>	<i>859 366</i>		
<i>incl. Act. A1, C10</i>	<i>All units</i>	<i>31.12.2021</i>						
<i>Legal Support</i>	<i>Conference and all groups</i>	<i>Recurring</i>	<i>0.60</i>	<i>1.05</i>	<i>250 028</i>	<i>230 290</i>	<i>19 738</i>	
<i>incl. Act. A2 and C41</i>	<i>LA</i>	<i>31.12.2021</i>						
<i>Financial and Admin. Support</i>	<i>CC, WGGL, BC</i>	<i>Recurring</i>	<i>3.60</i>	<i>0.00</i>	<i>480 629</i>	<i>480 629</i>		
<i>incl. Act. A3</i>	<i>DSGo, FinAd</i>	<i>31.12.2021</i>						
<i>Modernisation of the ECT</i>	<i>Mod</i>	<i>Ongoing</i>	<i>1.35</i>	<i>0.90</i>	<i>452 476</i>	<i>452 476</i>		
<i>incl. Act. B1, C10</i>	<i>SGo, LA, Inv, EE, Tr, FinAd</i>	<i>31.12.2021</i>						
<i>Transit</i>	<i>Impl</i>	<i>Recurring</i>	<i>0.70</i>	<i>0.60</i>	<i>201 707</i>	<i>201 707</i>		
<i>incl. Act. B21</i>	<i>Tr</i>	<i>31.12.2021</i>						
<i>Investment</i>	<i>Impl</i>	<i>Recurring</i>	<i>1.65</i>	<i>3.00</i>	<i>580 784</i>	<i>577 048</i>	<i>3 736</i>	<i>requested</i>
<i>incl. Act. B22, C10, C12a, C12b</i>	<i>Inv</i>	<i>31.12.2021</i>						
<i>Dispute Settlement</i>	<i>N/A</i>	<i>Recurring</i>	<i>0.30</i>	<i>0.05</i>	<i>89 867</i>	<i>89 867</i>		
<i>incl. Act. B23</i>	<i>LA</i>	<i>31.12.2021</i>						
<i>Energy Efficiency</i>	<i>Impl</i>	<i>Recurring</i>	<i>0.95</i>	<i>1.00</i>	<i>298 192</i>	<i>298 192</i>		
<i>incl. Act. B24</i>	<i>EE</i>	<i>31.12.2021</i>						
<i>Consolidation, expansion and outreach</i>	<i>StG</i>	<i>Recurring</i>	<i>2.00</i>	<i>1.00</i>	<i>472 513</i>	<i>445 517</i>	<i>26 996</i>	<i>requested</i>
<i>incl. Act. B3, C21</i>	<i>Exp</i>	<i>31.12.2021</i>					<i>+in kind</i>	
<i>Promotion and Cooperation</i>	<i>CC, StG, Impl</i>	<i>Recurring</i>	<i>0.80</i>	<i>2.30</i>	<i>428 451</i>	<i>411 964</i>	<i>16 487</i>	<i>requested</i>
<i>incl. Act. B4, C31, C32</i>	<i>SGo, DSGo, TR, KC</i>	<i>31.12.2021</i>						
Total			15.00	11.00	4 114 013	4 047 056	66 957	0

¹ CC = Conference, StG = Strategy Group, WGGL = Working Group on Governance Issues, Mod = Modernisation Group,

Impl = Implementation Group, BC = Budget Committee, IAP = Industry Advisory Panel, LAC = Legal Advisory Committee

² SGo = SG office, DSGo = DSG office, LA = Legal Affairs, Inv = Investment unit, EE = Energy Efficiency unit, Tr = Transit Unit, Exp = Expansion unit,

KC = Knowledge Centre, FinAd = Financial and Administrative unit

**EXAMPLE OF PROGRAMME OF WORK UNDER THE NEW STRUCTURE
BASED ON THE PROGRAMME OF WORK APPROVED FOR 2021**

(see [CCDEC202015](#))

BUDGET PART I

<i>Activities</i>	<i>Posts Establ. Table</i>	<i>Posts Temp. Officials</i>	<i>Est. Costs (EUR)</i>	<i>%</i>
<i>Act. A1 Support to the Conference, its subsidiary and consultative bodies 2021 Activity 1</i>	3.05	1.10	859 366	21.2%
<i>Act. A2 Legal Support 2021 Activity 11</i>	0.60	1.05	230 290	5.7%
<i>Act. A3 Financial and Administrative Support 2021 Activity 13</i>	3.60	0.00	480 629	11.9%
<i>Act. B1 Modernisation of the ECT 2021 Activity 2</i>	1.35	0.90	452 476	11.1%
<i>Act. B21 Transit 2021 Activity 3</i>	0.70	0.60	201 707	5.0%
<i>Act. B22 Investment 2021 Activities 5 and 6</i>	1.65	3.00	577 048	14.3%
<i>Act. B23 Dispute Prevention and Management 2021 Activity 8</i>	0.30	0.05	89 867	2.2%
<i>Act. B24 Energy Efficiency 2021 Activity 7</i>	0.95	1.00	298 192	7.4%
<i>Act. B3 Consolidation, expansion and outreach 2021 Activity 9</i>	2.00	1.00	445 517	11.0%
<i>Act. B4 Promotion and Cooperation 2021 Activities 4, 10 and 12</i>	0.80	2.30	411 964	10.2%
Total	15.00	11.00	4 047 056	100.0%

A Management and Administration

A1 Support to the Conference, its subsidiary and consultative bodies

Description

In accordance with Article 35(4) of the Energy Charter Treaty, *the Secretariat shall provide the Charter Conference with all necessary assistance for the performance of its duties and shall carry out the functions assigned to it in the Treaty or in any Protocol and any other functions assigned to it by the Charter Conference.*

The activity includes:

- (a) As priority, the implementation of the conclusions of the 2019 Review under Art. 34(7) of the ECT including specifically the implementation of the recommendations of the International Public Audit Report, including necessary revisions and/or development of internal provisions and rules;
- (b) Coordination with the chairpersons and vice-chairpersons of the different bodies;
- (c) Management of meetings including support for logistics, interpretation, translations, technical aspects, invited experts and any other issues related to meetings;
- (d) Coordination with the Energy Charter Conference Chairmanship;
- (e) Dissemination of information to the Energy Charter Conference (Delegates website);
- (f) Travel arrangement of ECS Officials to attend meetings, conferences, fora or other events outside Brussels as well as of speakers to attend meetings or events organised by the Energy Charter Secretariat
- (g) Facilitation of the activities of the Industry Advisory Panel (IAP), including channelling policy advice from energy companies, international business associations and financial institutions to ECT constituency;
- (h) Management of the Archives and the Library

Deliverables

- Full implementation of the International Public Audit Recommendations by 2021 with a mid-term report on the progress by mid-2021 and final report to the Conference by 2021
- Implementation of decisions and actions derived from the conclusions of the 2019 Review under Art. 34(7) of the ECT based on the views of members of the Conference with a report every six months and a final report to the Conference by 2021
- Annual Energy Charter Conference meeting (Ministerial)
- Meetings of subsidiary and consultative bodies of the Energy Charter Conference including the Industry Advisory Panel

Bodies involved

- Energy Charter Conference
- Strategy Group
- Working Group on Governance Issues
- Modernisation Group
- Implementation Group

- Budget Committee
- Industry Advisory Panel
- Legal Advisory Committee

Units involved

- Office of the SG
- Office of the DSG
- Legal Affairs

- Investment unit
- Transit unit
- Financial and Administrative unit

Planning

- Recurring activity

- Deadline: 31 December 2021

Estimated Resources (Budget Part I)

- Establishment table: 3.05 posts
- Temporary Officials: 1.10 posts
- Estimated Costs: EUR 859 366 (21.2%)

A Management and Administration

A2 Legal Support

Description

Provision of legal advice to the Conference, its subsidiary bodies and the Secretariat on the interpretation and application of the Energy Charter Treaty, as well as on internal and administrative matters, and external agreements (including MoUs).

Deliverables

- Legal support for the Secretariat/Conference (including preparation of conference decisions, revision of contracts, personnel matters, advice on procedural rules...), the Legal Advisory Committee and the Legal Advisory Task Force, as well as providing legal information to Members of the conference
- Implementation of the conclusions of the 2019 Review under Art. 34(7) ECT including necessary revisions and /or development of internal provisions and rules together with Activity A1
- Supervision of compliance with Manual on data protection
- Relations with the Depository, drafting of MOUs and legal notifications under the ECT
- Maintain and translate into other languages the dedicated online website and database
- Accession Reports on compatibility of the domestic system with the ECT – 1-2 p.a. estimated countries should be identified subject to the conclusions of the 2019 Review under Art. 34(7) of the ECT

Bodies involved

- Energy Charter Conference
- Strategy Group
- Working Group on Governance Issues
- Modernisation Group
- Implementation Group
- Budget Committee
- Legal Advisory Committee

- Legal Affairs

Planning

- Recurring activity
- Deadline: 31 December 2021

Estimated Resources (Budget Part I)

- Establishment table: 0.60 post
- Temporary Officials: 1.05 posts
- Estimated Costs: EUR 230 290 (5.7%)

Units involved

- Office of the DSG

A Management and Administration

A3 Financial and Administrative Support

Description

Provide support to the Conference, its subsidiary bodies, the Industry Advisory Panel and the Secretariat on internal financial and administrative issues:

- (a) Internal financial management, budgeting, financial and fiscal reporting and other financial and fiscal procedures;
- (b) Preparation of financial statements, cooperation with auditors and management of national and voluntary contributions ;
- (c) Human resources management, including recruitment, posting, advancement, salaries and other related personnel matters;
- (d) Implementation of the relevant conclusions of the 2019 Review under Art. 34(7) of the ECT including necessary revisions and/or development of internal provisions and rules together with Activity A1;
- (e) Building management, including premises, furniture, and other related matters;
- (f) IT management, including hardware management, accounts and access management and all related IT matters;
- (g) Contracts management, including tendering, evaluating and issuing contracts;
- (h) Daily office operations, including utilities, office supplies and all related matters;

Deliverables

- Financial Statements 2020 audited by external auditor
- Progress and final status report of the Programmes of Work for 2020 and 2021
- Smooth administrative operations of the Secretariat
- Implementation of financial and administrative aspects of the conclusions of the 2019 Review under Art. 34(7) of the ECT including necessary revisions and/or development of internal provisions and rules together with Activity A1
- Finalising financial report of the EU4Energy project following expenses verification by Auditors

Bodies involved

- Energy Charter Conference
- Working Group on Governance Issues
- Budget Committee

Units involved

- Office of the DSG
- Financial and Administrative unit

Planning

- Recurring activity
- Deadline: 31 December 2021

Estimated Resources (Budget Part I)

- Establishment table: 3.60 posts
- Temporary Officials: 0.00 post
- Estimated Costs: EUR 480 629 (11.9%)

B Programmes
B1 Modernisation of the Energy Charter Treaty

Description

On 6 November 2019, the Energy Charter Conference approved the mandate to start negotiations of the Modernisation of the Energy Charter Treaty. This activity is considered as a priority.

Deliverables

- Support to the negotiations of the modernisation of the Energy Charter Treaty, including matters related to transit, energy efficiency and investment

Bodies involved

- Modernisation Group

Units involved

- Office of the SG
- Office of the DSG
- Legal Affairs
- Investment unit
- Energy efficiency unit
- Transit unit

Planning

- Ongoing activity
- Deadline: 31 December 2021

Estimated Resources (Budget Part I)

- Establishment table: 1.35 posts
- Temporary Officials: 0.90 post
- Estimated Costs: EUR 452 476 (11.1%)

B Programmes
B2 Implementation of the Treaty
B21 Transit (Part II of the ECT)

Description

Policy papers, suggestions, best practices examples (pending requests by Members)

Analysis of transit issues via soft law instruments not included in the list of modernisation topics based on proposals of the Implementation Group

Deliverables

- Regular presentation of policy papers and deliverables to the Implementation Group (based on specific requests by delegations).
- Promotion and dissemination of transit-related deliverables at international events (industry and academic conferences) and with ECT member states and observers, and in conjunction with country chairmanships.

Bodies involved

- Implementation Group

Units involved

- Office of the DSG
- Transit unit

Planning

- Recurring activity
- Deadline: 31 December 2021

Estimated Resources (Budget Part I)

- Establishment table: 0.70 post
- Temporary Officials: 0.60 post
- Estimated Costs: EUR 201 707 (5.0%)

B Programmes
B2 Implementation of the Treaty
B22 Investment (Part III of the ECT)

Description

In the context of investment promotion, the Secretariat will continue joint preparation of in-depth reviews on Investment Climate and Market Structure (ICMS) in the energy sector the interested Member and Observer countries.

ICMS country in-depth reviews are usually subject to the peer-review of two Contracting Parties and are concluded by policy recommendations aimed at improving the national investment climate.

The practice of considering ICMS country in-depth reviews, of peer-reviews, and of policy recommendations allows the Energy Charter Conference to maintain a constant political focus among Members and Observers on domestic investment climate.

Providing support for the development of accession reports on Investment Climate and Exceptions to National Treatment of acceding countries.

Awareness raising activities to promote the Investment Facilitation Toolbox.

Developing and publishing the International Energy Charter publication #EIRA2021. The intention is that the 2021 edition will take into account methodological improvements. Countries are expected to participate in EIRA on a voluntary basis.

Deliverables

- ICMS report with approved policy recommendations: no new report expected in 2021, finalisation of reports for Afghanistan and Jordan if not concluded in 2020
- Accession Report on Investment Climate and Exceptions to National Treatment (estimated 1-2 reports p.a.) subject to the conclusions of the 2019 Review under Art. 34(7) of the ECT
- Implementation of the investment facilitation toolbox in a contracting party, on a voluntary basis (estimated: for 1 contracting party p.a.).
- Publication of EIRA Reports
- Improved EIRA methodology
- Update of the web-resource of regulatory documents relevant to the energy investment climate
- Public launch events

Bodies involved

- Implementation Group

Units involved

- Office of the DSG
- Investment unit

Planning

- Recurring activity
- Deadline: 31 December 2021

Estimated Resources (Budget Part I)

- Establishment table: 1.65 posts
- Temporary Officials: 3.00 posts
- Estimated Costs: EUR 577 048 (14.3%)

B Programmes
B2 Implementation of the Treaty
B23 Dispute Prevention and Management (Part IV of the ECT)

Description

The Conflict Resolution Centre of the ECS will continue providing neutral, independent legal advice and assistance in dispute resolution including good offices, mediation, neutral legal expert reports (if requested by the arbitral tribunal), as well as access to the "*travaux préparatoires*" of the ECT. At the same time, it will continue providing the successful accreditation training for investment mediators, as well as workshops and seminars on dispute prevention and management (including investment mediation).

Based on the Model Instrument on Investment Dispute Management the Secretariat shall provide technical assistance if requested.

Deliverables

- Legal support, advice and assistance in dispute prevention and management if requested. Support to conflict resolution [CCDECs 2014 (06) para. 5; 2015 (11) Rule 9; 2016 (12) para. 2; Article 19.2 and Annex D of the ECT]
 - Assistance with good offices, mediation and conciliation, if requested and with the agreements of the parties
 - Provide neutral, independent legal advice and assistance in dispute resolution, and participate in pre-trial proceedings between Contracting Parties (before they revert to the mechanisms contained in Art. 27 ECT or Annex D).
- Access to "*travaux préparatoires*"
- Joint accreditation training with ICSID and IMI for investment mediators – 1-2 p.a.
- Workshops and seminars on investment mediation/conciliation – 1-2 p.a.
- Annual training on dispute resolution – 1 p.a.

Bodies involved

- N/A

Units involved

- Office of the DSG
- Legal Affairs

Planning

- Recurring activity
- Deadline: 31 December 2021

Estimated Resources (Budget Part I)

- Establishment table: 0.30 post
- Temporary Officials: 0.05 post
- Estimated Costs: EUR 89 867 (2.2%)

B Programmes
B2 Implementation of the Treaty
B24 Energy Efficiency (Protocol on EERE)

Description

The PEERE review process, based on regular and in-depth energy efficiency reviews, provides a unique platform of international analysis and discussion on efficiency and

environmental issues. Peer guidance to Governments in developing and implementing their energy efficiency policies. Providing support for the development of accession reports on Energy Efficiency and Related Environmental Aspects.

Increasing awareness of the provisions of the Energy Charter Treaty and the role of the International Energy Charter process in supporting the clean energy transition while ensuring energy security by promoting and protecting energy efficiency investment and trade of energy efficient products and services.

Deliverables

- In-Depth Reviews of the Energy Efficiency Policy (estimated 1-2 reports p.a.)
Uzbekistan started in 2020 to be finalised in 2021
- Accession Reports on Energy Efficiency and Related Environmental Aspects. (estimated 1-2 reports p.a.) subject to the conclusions of the 2019 Review under Art. 34(7) of the ECT
- Raising awareness to promote energy efficiency, climate neutrality and sustainable development in line with the objectives of the Paris Agreement
- Organisation or co-organisation of one public event related to the role of the International Energy Charter in achieving clean energy transition while ensuring energy security
- Report on the role of the Energy Charter Treaty in achieving clean energy transition while ensuring energy security

Bodies involved

- Implementation Group

Units involved

- Office of the DSG
- Energy Efficiency unit

Planning

- Recurring and ongoing activity
- Deadline: 31 December 2021

Estimated Resources (Budget Part I)

- Establishment table: 0.95 post
- Temporary Officials: 1.00 post
- Estimated Costs: EUR 298 192 (7.4%)

B Programmes
B3 Consolidation, expansion and outreach

Description

The Secretariat will undertake limited efforts in the sphere of Expansion, Outreach and (particularly) Consolidation. It will primarily focus on assisting the Conference in finalising the Review of the CONEXO policy as a whole. This position takes into account the fact that the Conference decided at its 30th Meeting in December 2019 to institute a temporary pause on issuing invitations to accede to the ECT.

In this context, the Secretariat’s Expansion Unit will continue to focus on preparing relevant reporting and other supporting inputs aimed at facilitating the efforts of the Conference to finalise the Review of CONEXO, as well as to further improve its implementation. Additionally, the Secretariat will provide assistance to select Observer countries already deeply embedded in the ECT accession process in various ways, and to the degree allowed by the limitations placed upon accession by the Conference.

This could include, but should not be limited to, providing capacity building services to ECT accession countries, raising awareness about the ECT amongst Observers in accession, and responding to enquiries about ECT ratification by the four countries already invited by the Conference to accede to the Treaty. The Secretariat will also maintain contact with Uganda, which requested an invitation to accede to the ECT in December 2019. It is anticipated that the Secretariat will primarily engage countries already in the process, rather than any Conference Observer per se. The Secretariat may also be expected to respond to countries with an expressed interest in signing the International Energy Charter, in the event that such interest materialises.

Deliverables

- Implementation of the Conclusions of the 2019 Review under Art. 34(7) of the ECT with specific reference to assisting the Conference in finalising the Review of CONEXO 2020 and improving its implementation.
- Providing limited support for Observers in accession to the Treaty through capacity building and awareness raising about the ECT on a selected basis, based on members’ prioritisation
- Possibly overseeing and coordinating with other Secretariat Units the completion of 1-2 accession reports for countries that have already commenced accession, drafted an accession report or have notified the Secretariat of their intention to accede (examples could be Kenya, Tanzania, Benin, Panama, Colombia, Cambodia, Indonesia).
- Responding to enquiries about ratification of the ECT by countries already invited by the Conference to accede (Pakistan, Mauritania, Eswatini, Burundi), or to countries which have officially requested an invitation to accede (i.e., Uganda).
- Responding to countries which express interest in signing the International Energy Charter where feasible.

Bodies involved

- Strategy Group

Units involved

- Office of the DSG
- Expansion and Outreach

Planning

- Recurring activity
- Deadline: 31 December 2021

Estimated Resources (Budget Part I)

- Establishment table: 2.00 posts
- Temporary Officials: 1.00 post
- Estimated Costs: EUR 445 517 (11.0%)

B Programmes
B4 Promotion and Cooperation

Description

In order to achieve the development and delivery of coherent narrative/messages from the International Energy Charter, the Energy Charter Secretariat, in all areas of activity described in the Programme of Work (PoW), will strive to ensure that its activities are broadly supported by Members and complementary with those of other relevant international organisations. The Secretariat shall provide relevant policy advice based on PoW activities and international best practices to ECT Constituency on energy investment and the functioning of energy market.

Promoting the visibility of the Energy Charter Process amongst all relevant external stakeholders at the global level through information spreading activities like trainings, seminars, publications and research tasks. Activities related to raising awareness of the Energy Charter Process are co-funded by voluntary contributions and non governmental participants of the trainings

Deliverables

- Organising meetings of the Task Force on Regional Energy Cooperation in Asia (RECA) established in 2007 (1 p.a.)
- Representation of the organisation in inter-governmental meetings
- Meetings with high-level representatives of Members and Observers
- Co-hosting events or providing panel contributions or presentations for international events
- Communication and public affairs related tasks
- Administration of the Public website
- Annual report
- Organisation of International Energy Charter Forums - 1-2 p.a. topics and place to be determined in cooperation with upcoming Chairmanship (Armenia)
- Trainings; 1 p.a. execution of trainings on ECT, PEEREA, energy governance, energy security and clean energy transition in Energy Charter Member and Observer Countries (preferably by videoconference and subject to available resources)
- Preparation, organisation, and active participation at seminars, workshops on ECT and related issues
- Outcomes of research tasks: Editing and publication of occasional papers authored by secondees, visiting researchers, research fellows and interns

Bodies involved

- Energy Charter Conference
- Strategy Group
- Implementation group

Units involved

- Office of the SG
- Office of the DSG
- Transit Unit
- Knowledge Centre

Planning

- Recurring activity
- Deadline: 31 December 2021

Estimated Resources (Budget Part I)

- Establishment table: 0.80 post
- Temporary Officials: 2.30 posts
- Estimated Costs: EUR 411 964 (10.2%)

BUDGET PART II

<i>Activities</i>	<i>Estimated Costs (EUR)</i>
<i>Act. C12b EIRA extended country profiles</i> 2021 Activity 15	3 736 VC requested
<i>Act. C12c Energy Charter Investment Promotion Centre</i> 2021 Activity 16	VC requested
<i>Act. C21 Regional Energy Cooperation and promoting accession to the ECT</i> 2021 Activity 17	26 996 In kind VC requested
<i>Act. C31 WCF Knowledge Centre</i>	11 971
<i>Act. C41 WCF Legal Affairs</i>	19 738
<i>Act. C32 Beijing Research Centre</i> 2021 Activity 17	4 516 VC requested
Total	66 957

C Other and Extra Programmes

C1 Implementation of the ECT

C12 Investment

C12b EIRA extended country profiles

Description

Developing and publishing extended EIRA country profiles, depicting the policy, legal and regulatory risk for investment in the energy sectors of participating countries. Depending on specific needs, such profiles contains detailed strengths, areas for improvement and, in comparison with regular EIRA country profiles, more in-depth and tailored recommendations.

Deliverables

- Extended country profile publications, including their presentation.

Bodies involved

- Implementation Group
- Donor country

Units involved

- Investment unit

Planning

- One-time activity per financed country
- Deadline: to be defined

Requested Resources (Budget Part II)

Voluntary contribution of EUR 15 000 needed per extended EIRA profile.

Voluntary contributions received

- WCF Nigeria EUR 3 736 for Nigeria extended profile 2019 (presentation in Abuja initially planned in March 2020 delayed because of Covid-19 pandemic) to take place in April 2021

C Other and Extra Programmes
C1 Implementation of the ECT
C12 Investment
C12c Energy Charter Investment Promotion Centre

Description

Creating awareness on the Investment Promotion Centre, which provides a platform for knowledge exchange and best practices on energy investments. It promotes the Energy Investment Risk Assessment and the Energy Charter Investment Facilitation Toolbox.

Deliverables

- Extended country profile publications, including their presentation.

Bodies involved

- Implementation Group
- Donor country

Units involved

- Investment unit

Planning

- One-time activity per financed country
- Deadline: to be defined

Requested Resources (Budget Part II)

Voluntary contribution of EUR 15 000 needed

C Other and Extra Programmes
C2 Consolidation, expansion and outreach
C21 Regional Energy Cooperation and Promoting Accession to the ECT

Description

The Secretariat will continue supporting the involvement in the Energy Charter Process of member as well as non-member countries by means of accepting seconded experts from accession countries and/or organising various events and trainings to enhance capacity building in matters related to the Energy Charter Process.

This activity can be divided in as many sub-activities as necessary depending on the geographical scope of the projects:

- Country level;
- Central Asia;
- North East Asia;
- South Caucasus;
- Middle East;
- Maghreb;
- West Africa;
- Sub-Saharan Africa;
- East Africa;
- South America;
- Central America;
- South Asian Association for Regional Cooperation (SAARC);
- ASEAN Region;
- etc.

Deliverables

- Studies and reports on energy projects and policies in the region concerned
- Training and capacity building for seconded/national experts
- Workshops and studies related to the Energy Charter Process
- Recommendations for Governments on Regional Energy Cooperation, Energy Efficiency and Investment Policies, EIRA Extended profiles, etc.
- Signings of the International Energy Charter and supporting accession to the Energy Charter Treaty subject to the conclusions of the 2019 Review under Art. 34(7) of the Treaty

Bodies involved

- Implementation Group
- Donor country

Units involved

- Office of the SG
- Expansion and Outreach

Planning

- One-time activity per financed country
- Deadline: to be defined

Voluntary contributions received/available

- The Gambia Staff on Loan from the Gambia for the period 1 June 2020 – 31 May 2021 (see Message 1666/20)
- WCF Nigeria EUR 26 996 for Nigeria related activities
- ECOWAS Voluntary Contribution in kind

Requested Resources (Budget Part II)

Minimum voluntary contribution of EUR 15 000 per country or region needed

C Other and Extra Programmes C3 Promotion and Cooperation C31 WCF Knowledge Centre

Description

The Working Capital Fund "Knowledge Centre" is used to account for income and expenditure related to the Knowledge Centre which are not eligible under Budget Part I. In particular, it

includes the participation fees to attend the trainings organised by the Secretariat as well as the expenses related to these trainings.

Deliverables

- Organisation and delivery of trainings, seminars, roundtables, conferences, etc.

Bodies involved

- None

Units involved

- Knowledge Centre

Planning

- Recurring activity
- Deadline: 31 December 2021

Resources (Budget Part II)

- Balance of the previous years (Working Capital Fund)
- Fees or other income received during the year

C Other and Extra Programmes
C4 Promotion and Cooperation
C41 WCF Legal Affairs

Description

The Working Capital Fund "Legal Affairs" is used to account for income related to the work done by Legal Affairs and invoiced to third parties as well as expenditure linked to Legal events. The amount shown is the balance of the fund at the end of the previous year that can be used during the year.

Deliverables

- Organisation and delivery of trainings, seminars, roundtables, conferences, etc.

Bodies involved

- None

Units involved

- Legal Affairs

Planning

- Recurring activity
- Deadline: 31 December 2021

Resources (Budget Part II)

- Balance of the previous years (Working Capital Fund)
- Fees or other income received during the year

C Other and Extra Programmes
C3 Promotion and Cooperation
C32 Beijing Research Centre

Description

The Beijing Research Centre will deepen and share the knowledge of the International Energy Charter through research and public activities. The Centre will promote the Energy Charter Treaty and its principles in China.

The activities of the Centre will be focused on Energy Charter Treaty Core Parts: Energy Trade, Energy Transit, Energy Efficiency, Energy Investment Promotion & Protection, Energy Investment and Dispute Settlement. In addition, the Centre may conduct studies on Energy Transition and Market Reforms.

Deliverables

- Training and capacity building for seconded/national experts
- Workshops and studies related to the Energy Charter Process

Bodies involved

- Donor country

Units involved

- Office of the DSG
- Knowledge Centre

Planning

- Ad-hoc activity
- Deadline: 31 December 2021

Voluntary contributions received/available

- WCF Poland EUR 4 516

Requested Resources (Budget Part II)

Minimum voluntary contribution of EUR 10 000