

**ENERGY CHARTER
SECRETARIAT**

CCDEC 2021

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Brussels, 14 December 2021

Related documents: CC 727 Rev

DECISION OF THE ENERGY CHARTER CONFERENCE

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

The Energy Charter Conference at its 32nd Statutory Meeting held on 14 December 2021 **took note** of the attached Report by of the Chair of the Working Group on Governance Issues.

REPORT BY THE CHAIR OF THE WORKING GROUP ON GOVERNANCE ISSUES

Meetings and officers

1. The Working Group held four ordinary meetings (10 February, 21 April, 9 September and 16 November) and one extraordinary meeting (on 31 May). In view of the general worldwide sanitary situation related to COVID-19 and related travel restrictions, all the meetings were conducted via Zoom videoconference.
2. All meetings were chaired by the Working Group's Chair, Ms. Klara Rakhmetova (Kazakhstan), while Mr. Towfick Sufian (Yemen) and Mr. Guy Lentz (Luxembourg) (until 22 March 2021)¹ were acting as Vice-Chairs.

The Working Group continued to address the following main topics (in line with the mandate given in the Conclusions of the 2019 Review, the Group's terms of reference and related tasks by delegations)²

3. The Working Group addressed *the structure of the Secretariat* in all its meetings except the final one. Each revision of the draft structure took into account comments made by delegates and was duly consulted with the Staff Committee. Finally, on 19 September 2021, the draft provisional structure was approved by the Working Group by correspondence (no objections were received to document GOV 17 Rev 5) to be used for the draft Budget as of 1 January 2022. Delegates were informed about the approval of the structure by the Working Group by Message 1893/21.
4. The Working Group has been discussing *potential revisions to the Staff Regulations and Rules and the Code of Conduct* throughout the year in close consultation with the Staff Committee. This activity is still in progress and will be subject to further discussions next year.
5. *Revisions to the Rules of Procedure of the Conference* were addressed by the Working Group at each of its ordinary meetings. At the last meeting of the Working Group in 2021, one delegation tabled several proposals regarding, *inter alia*, bureaus and a new section on governance/institutional structure of the organisation, which will be discussed next year.
6. Discussions on the *appointment of the Deputy Secretary-General* finalised on 28 April 2021, when the Conference approved the appointment (CCDEC 2021 08). After that, the Working Group addressed the draft appointment letter for DSG, which was approved by correspondence by the Working Group on 28 June 2021 (no objections were received to document GOV 25). The DSG took office on 15 September 2021.
7. In the first half of the year, the Working Group continued discussing the draft "*International Energy Charter Whistleblowing Guidelines*", which were prepared by the

¹ Message 1803/21.

² More details can be found in CC 723 on "Report on the Implementation of the Conclusions of the Review under Article 34(7) ECT, including the recommendations of the International Public Audit".

Secretariat (in consultation with the Staff Committee) at the request of the Working Group. On 5 July 2021, the Whistleblowing Guidelines were approved by the Conference (CCDEC 2021 12).

8. At the extraordinary meeting in May, the Working Group tasked the Secretariat with preparing a manual on the applicability of the Staff Regulations and Rules to the Secretary General. For the meeting in September, the Secretariat uploaded the outline of the requested manual, extending the scope also to the relevant Rules of Procedures of the Conference regarding the appointment of the SG, as well as the relevant provisions applicable to the DSG since the post is also appointed by the Conference. The revised Manual was discussed by the Working Group at its last meeting in 2021 and will be subject of further discussions.

Procedural issues

9. At the meeting in April, the Working Group discussed and reintroduced the practice of mentioning delegations in the summary records of the Working Group meetings for clarity and better reflection.

Outlook

10. The initial term of the Working Group's mandate was until the 32nd meeting of the Energy Charter Conference in 2021 (CCDEC 2020 07). Taking into account that some of activities are still in progress, on 5 December 2021, the Energy Charter Conference approved the extension of the term of the mandate of the Working Group on Governance Issues until the 33rd meeting of the Energy Charter Conference in 2022 and aligned its Terms of Reference with the functions of the Management Committee (CCDEC 2021 18).