

**ENERGY CHARTER  
SECRETARIAT**

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Related documents: CC 803
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**DECISION OF THE ENERGY CHARTER CONFERENCE**

**Subject: Report by the Chair of the Implementation Group**

The Energy Charter Conference at its 34<sup>th</sup> Statutory Meeting held on 20 November 2023 **took note** of the attached Report by the Chair of the Implementation Group.

# REPORT BY THE CHAIR OF THE IMPLEMENTATION GROUP

*This report provides an overview of the activities of the Implementation Group in 2023.*

The Implementation Group convened twice in 2023, on 18 April and 21 September. All meetings were held by videoconference. The discussions at the Implementation Group in 2023 were dedicated to areas relating to investments in the energy sector, transit and energy security, and energy efficiency.

Implementation Group meetings were chaired by Ms Klara Rakhmentova (Kazakhstan).

## **Energy Investment Risk Assessment (EIRA) (Activity B22 of the Programme of Work (PoW))**

1. In 2023, in line with the previous Energy Charter Conference (the "Conference") decision, CCDEC 2022 03 INV, the Implementation Group requested the Secretariat to develop the EIRA 2023 report.

2. The number of countries that confirmed participation in EIRA was twenty in 2023. The geographical reach of EIRA spans countries in Africa, Asia, the Americas, and Europe. Two countries, the United Arab Emirates and Guatemala, are taking part in EIRA for the first time. In line with the updated scope of EIRA, the 2023 report includes the participating countries' information on environmental protection, human rights and gender, as well as countries' efforts in achieving the clean energy transition. To guarantee the quality of the country profiles that have become more research and time-intensive with the new methodology and due to work-load management within the Secretariat, given the delay in receiving government responses, the Secretariat finalised 15 country profiles in 2023. The Secretariat proposed to move the participation of five countries to EIRA 2024.

3. As in EIRA 2022, more information on investment trends in the participating countries is available in EIRA 2023. EIRA features a table of key metrics on area, population, GDP per capita, total energy supply, net energy imports, the share of renewables in final energy consumption, and total CO<sub>2</sub> emissions. It also includes information from Orbis Crossborder Investment<sup>1</sup> on energy projects and deals completed between 2015-2023 in the participating countries. The profile of each country reflects the strengths and areas for improvement. The implementation status of the recommendations provided to governments through EIRA between 2018 and 2023 is available for recurrent participants. There is, naturally, no status of recommendations page for the countries participating in EIRA for the first time in 2023.

4. The sixth edition of the EIRA report will be launched on 4 December 2023 in videoconference format. A diverse set of external parties have contributed to the development of the publication, all on a pro bono basis.

## **Managing Investor Grievances in the Renewable Energy Sector (Activity B23 of the PoW)**

5. At the meeting of the Implementation Group on 18 April 2023, the Secretariat presented

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<sup>1</sup> Orbis Crossborder Investment is a data analysis tool developed by Bureau Van Dijk, which is a Moody's Analytics Company. It looks at globalization via projects and deals, and delivers information on the companies behind these investments – both listed and private. It tracks information daily, and monitors announced, completed and cancelled/withdrawn projects and deals. There is information available on details of the investor, aquirer or target companies including financial data, their structures, project size estimates, project financials, job creation, motives, incentives, sources of finance, comments, rationale, contacts and links to other relevant projects/deals.

the final report "Enabling Foreign Direct Investment in the Renewable Energy Sector: Reducing Regulatory Risks and Preventing Conflicts" jointly prepared with the World Bank and the policy recommendations contained therein. The Secretariat provided an update on the work and invited interested countries to volunteer as pilots in implementing the policy recommendations. A proposal asking for volunteers was distributed in June (Message 2090/23). The project would provide technical assistance to participating countries in the form of policy recommendations, helping the countries to establish investor-state conflict prevention tools and mechanisms. The proposal included specific steps, sets of activities, required funding and deliverables to achieve this aim.

### **Transit and Energy Security (Activity B21 of the PoW)**

6. The discussions on transit and the recently added energy security topics continued in 2023, and the Secretariat has continued developing its paper on the legal and regulatory environment surrounding hydrogen in the ECT constituency and beyond. This work was based mainly on the comments received from the Contracting Parties and the new information on the subject matter as appearing on a rolling basis.

### **Energy Efficiency (Activity B24 of the PoW)**

7. In 2023, the Implementation Group continued its discussion on energy efficiency-related topics. On 21 September, the Secretariat provided an update on the In-Depth Review of the Energy Efficiency Policy of Mongolia. In 2023 the Secretariat started the preparation of the In-Depth Review of the Energy Efficiency Policy of Jordan.

8. The Secretariat continued raising awareness to promote energy efficiency, climate neutrality and sustainable development, in line with the Paris Agreement objectives, during its internal events and other events organised by international and donor organisations.

### **Cooperation for Restoring the Ukrainian Energy Infrastructure (Activity C33 of the PoW)**

9. On 18 April, the Implementation Group took note of the update on the activities of the Task Force, established as a part of Activity "Cooperation for Restoring the Ukrainian Energy Infrastructure". Being created on 1 August 2022, the Task Force has produced a number of essential deliverables which were commended by the Implementation Group, as follows:

- development and regular update of the "Ukrainian Energy Sector Evaluation and Damage Assessment" reports;
- development and regular update of the Coordination Matrix of activities related to the restoration of the Ukrainian energy infrastructure;
- establishing and regularly conducting Coordination Meetings with the participation of the representatives from the Ukrainian Ministries, foreign governments, international organisations, NGOs and think-tanks. The Coordination Meetings aimed to have efficient coordination of all current and future activities related to the restoration of the Ukrainian energy infrastructure;
- development and regular update of "Report on Key Legislative Changes Addressing the Negative Impact of the War and the Energy Crisis Related to the Damaged Energy Infrastructure In Ukraine";

- conducting webinar, "Legal Tool For Protection Of Ukrainian Energy Companies From Russian Military Hostilities"; and
- contribution to the development of the Ukraine Recovery Plan and providing recommendations to the Government of Ukraine on the post war recovery and synchronisation of energy strategies.

This project, supported by the voluntary contribution from the European Union, invited two groups of secondees to the Secretariat from the Ukrainian Government as the members of the Task Force, each group for the duration of six months. With the return of the second group to Ukraine, the project is now completed, having produced deliverables as listed above. It is our understanding that some of the activities initiated by the Task Force are being continued with the involvement of the Ukrainian Government.

## **Outlook**

10. On 10 October 2023, the Conference approved to rename the Implementation Group as the "Strategy and Implementation Group," and for such Group to undertake additional functions previously handled by the Strategy Group, all effect from 1 January 2024 ( CCDEC 2023 12). **The Conference is invited to take note of the report of the Implementation Group.**