



**AGREEMENT ON GENERAL ARRANGEMENTS
BETWEEN THE INTERNATIONAL CENTRE FOR SETTLEMENT
OF INVESTMENT DISPUTES AND THE ENERGY CHARTER
SECRETARIAT**

Preamble

THE INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT
DISPUTES (ICSID)

and

THE ENERGY CHARTER SECRETARIAT (ECS)

hereinafter referred to as ‘the Parties’

WHEREAS the Parties share the view that use of arbitration, conciliation, mediation, and other alternative methods of dispute resolution through fair and expeditious proceedings lends confidence and stability to international investment and trade,

WHEREAS the Parties wish to ensure cooperation between their institutions to support international arbitration, conciliation, mediation, and other alternative methods of dispute resolution,

WHEREAS each Party plays an important role in achieving this goal,

WHEREAS Article 63(a) of the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (‘the ICSID Convention’) provides that conciliation and arbitration proceedings under the Convention may, if parties agree, be held at the seat of any appropriate institution with which ICSID may make arrangements for that purpose,

WHEREAS the Additional Facility Arbitration and Conciliation Rules of ICSID also allow proceedings under those Rules to be hosted by other institutions,

WHEREAS ICSID also provides support and services for fact-finding and mediation proceedings,

WHEREAS ICSID and the ECS wish to conclude appropriate arrangements to facilitate the implementation of these objectives,

WHEREAS the ECS is established as the administrative body of the Energy Charter Conference (ECC), which is the governing body of the Energy Charter Treaty (ECT) and the Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects,

WHEREAS in 2014, the Energy Charter Conference mandated the Secretariat to assist with good offices, mediation and conciliation, as well as to provide neutral, independent legal advice and assistance in dispute resolution and participate in pre-trial proceedings between Contracting Parties. As a result, the Secretariat established a Conflict Resolution Centre,

WHEREAS it is understood that the arrangements concluded pursuant to this agreement are reciprocal in nature, and that each Party will endeavor to accommodate requests by the other Party, but that each must give priority to proceedings conducted pursuant to its own mandate,

THE PARTIES HAVE AGREED AS FOLLOWS:

Article 1

When the parties to a proceeding conducted under the auspices of either Party ('Requesting Party') desire to meet or conduct all or any part of a proceeding at the seat of the other Party, the Officer of the Requesting Party will inform the Officer of the other Party ('Host Party') indicating the facilities and services required and the dates of such requirement, and specifying in particular the need for:

- (a) meeting rooms, offices and other premises;
- (b) simultaneous interpretation and other equipment; and
- (c) services of interpreters, translators and other personnel.

Article 2

The Officer of the Host Party will indicate the extent to which the required facilities and services can be made available on the dates indicated upon receipt of such a request.

Article 3

After the Officer of the Requesting Party has consulted with the parties and with the members of the Tribunal, Commission, *ad hoc* Committee, or Mediator(s) concerned, the Officers of the two Parties will conclude specific arrangements for the particular proceeding by an exchange of correspondence.

Article 4

The Requesting Party will reimburse the Host Party for any expenditures incurred by the latter under such arrangements, as provided in the exchange of correspondence.

Article 5

Staff members of the Host Party assigned temporarily to the Requesting Party will, in connection with such assignments, work under the direction of and be answerable to the Officer of the Requesting Party.

Article 6

For purposes of this Agreement, "Officer" means: (a) in the case of ICSID, its Secretary-General; and (b) in the case of the ECS, its Secretary General.

Article 7

Each Party may also request facilities and services of the other Party for conferences, meetings, or other events. In such circumstances, the Officers of the two Parties will conclude specific arrangements through an exchange of correspondence.

Article 8

The Parties agree to co-operate in disseminating knowledge about arbitration, conciliation, mediation, and other alternative methods of dispute resolution and, subject to confidentiality or other relevant considerations, to exchange information and publications in these fields. The Parties also agree to enhance their technical collaboration with respect to sharing facilities, attendance at relevant programs, coordination of joint events where appropriate, and such other matters as may foster cooperation.


Article 9

This Agreement on General Arrangements may be modified or supplemented at any time by agreement between ICSID and the ECS. Each of the Parties may, after reasonable notice, terminate the Agreement, provided that such termination shall not affect any prior specific arrangements entered into pursuant to Articles 3 or 7.

Article 10

This Agreement on General Arrangements shall become effective upon signature.

FOR THE ENERGY CHARTER
SECRETARIAT



Urban Rusnák

Secretary General

Date: 9/21/2021

FOR THE INTERNATIONAL CENTRE
FOR SETTLEMENT OF INVESTMENT
DISPUTES



Meg Kinnear

Secretary-General

Date: Jan. 29/2021