



## **Executive Training Program for Young Energy Leaders:**

### **Rising to the Energy Security Challenges of Tomorrow by applying Effective Investment Protection Strategies Today**

#### **Energy Charter Secretariat**

*56 Boulevard de la Woluwe  
1200 Brussels*

#### **Autumn Session**

**28 – 30 October 2013**

#### **AGENDA**

#### ***MONDAY, 28 OCTOBER 2013***

**09.15 – 10.15**

#### **Arrival and registration of all participants**

*Venue: Energy Charter Secretariat, Conference room, 4<sup>th</sup> floor*

**10.15 – 10.45**

#### **Program Opening**

#### **Welcome remarks**

*Amb Urban Rusnák, Secretary General, Energy Charter Secretariat, Brussels*

*Amb Jan Meinte Postma, Energy Charter Special Envoy*

#### **Program orientation briefing**

*Dr Marat Terterov, Training Program Coordinator and Research Fellow,  
Energy Charter Secretariat Knowledge Centre, Brussels*

**10.45 – 12.45**

#### **Knowledge Stream I**

*Keynote presentation: The challenges of achieving balanced and sustainable  
approaches towards energy security in a rapidly changing global landscape*

#### **Presenters**

*Zhikai (Victor) Gao, Director of China National Association of International  
Studies & Executive Director of the Beijing Private Equity Association,  
Beijing*

*Amb William Ramsey, former Deputy-Executive Director, IEA, Paris*

### Discussion points

- Defining energy security benchmarks amidst rapid changes in global energy
- Changing views of energy security: is there a new consumer-supplier dialogue?
- China's arrival as a key stakeholder in the international energy markets and associated global implications
- China: a bilateral or multilateral strategy towards international energy cooperation – challenge or opportunity?
- Chinese energy companies on the world stage: impact on investment trends in global energy markets
- Energy security perspectives from the industry: investments in energy infrastructure in the European neighbourhood
- An outlook for global LNG and the implications for European security of supply

### Session Chair

Dr Marat Terterov, *Research Fellow, Energy Charter Knowledge Centre, Brussels*

### With further interventions from

Wim Groenendijk, *Vice-President International and Regulatory Affairs, N.V. Nederlandse Gasunie, Groningen,*

Amb Jan Meinte Postma, *Energy Charter Special Envoy*

12.45 – 14.00

### Lunch with participant-speaker networking

*Venue: Tri Logia Restaurant, Rue Voot 40 (next to the Energy Charter Secretariat)*

14.00 – 16.00

### Knowledge Stream II

Keynote presentation: *Investment protection in energy between private and public enforcement*

### Presenter

Dr Dirk Buschle, *Legal Counsel and Deputy Director, Energy Community Secretariat, Vienna*

### Discussion points

- Dispute settlement options under international energy law
- EU energy law after the Third Package: enforcement in networks
- The extension of the internal energy market to third countries
- Private v. public enforcement – a case study
- How well protected are energy investors?

- Impact on investor confidence and market predictability
- Arbitration trends under the Energy Charter Treaty (ECT)
- A discussion of implications given the trends (of arbitration under the ECT)
- Can the ECT help mitigate cases of market failure?

### **Primary Discussant**

Ana Stanic, *Centre for Energy, Mining, Petroleum Law and Policy at the University of Dundee and E&A Law Ltd, London*

### **Session chair**

Dr Matteo Barra, *Investment Expert, Energy Charter Secretariat, Brussels*

### **With further interventions from:**

Prof Adnan Amkhan, *MENA Chambers, former-Legal Counsel at the Energy Charter Secretariat*

Steivan Defilla, *Director, Energy Charter Secretariat, Brussels*

**16.00 – 16.30**

### **Coffee Break/participant-speaker networking**

*Venue: Energy Charter Secretariat, 4<sup>th</sup> floor*

**16.30 – 18.30**

### **Group seminar: Dispute Settlement Game**

*Orientation and start of working group for the modelling of an investor-state arbitral proceedings:*

- Briefing on the game scenario
- Presentation of the context and key facts relating to the dispute in question
- Determining the teams: investor, host state, witnesses and experts, arbitral tribunal
- Fixing the objectives and strategies for each group

Preparation of materials (notes, pleadings, decisions) to be discussed at the hearing

### **Supervisory Board**

Steivan Defilla, *Director, Energy Charter Secretariat, Brussels*

Alejandro Carballo Leyda, *Legal Counsel, Energy Charter Secretariat, Brussels*

Dr Matteo Barra, *Investment Expert, Energy Charter Secretariat, Brussels*

Leonard Hawkes, *Solicitor, DBB Law, Brussels*

Prof Adnan Amkhan, *MENA Chambers, former-Legal Counsel at the Energy Charter Secretariat*

**18.30**

### **Wrap up of Day One**

**18.45 Departure of all speakers and participants from the Energy Charter Secretariat for the gala dinner**

*Courtesy transportation provided by the Energy Charter Secretariat*

**19.30 – 22.30 Gala dinner for all speakers and participants (with VIP speaker mystery guest)**

*hosted by the Energy Charter Secretariat*

*Venue: Restaurant Eurostars Montgomery Hotel, Brussels*

**TUESDAY, 29 OCTOBER 2013**

**09.45 – 11.15 Knowledge Stream III (taking place at the European Parliament)**

*Venue: The European Parliament, Entrance Altiero Spinelli, room JAN 6Q1*

*Arrival of participants: 8.45–9.15 for a group security check*

*Keynote presentation: Promoting growth and economic development by optimising relations between sovereign states and investors in the global energy sector*

**Presenters**

*Dr Alexander Naumov, Macro Economist, BP*

**Session chair**

*Howard Chase, Director of Government Affairs, Dow Europe & Chairman of the Energy Charter Industry Advisory Panel*

**With further interventions from**

*César Ortiz Sotelo, Deputy-Director of International department, GDF Suez*

*Filippo Gamba, Director for Strategy and Development at Counterpoint & Senior Advisor at Global Resources Corporation, London*

*Amb William Ramsey, former Deputy-Executive Director, IEA, Paris*

**Discussion points**

- Energy security and the role of markets
- BP world energy outlook
- Market structures and foreign investors in the global energy sector
- Investment strategies from leading players
- What constitutes a good investment and why?
- Practical considerations of fiscal and financial due diligence
- Risk and risk management: what are the main challenges involved?
- National champions, access to reserves and foreign investors: where do

the real challenges and opportunities lie?

- When states overtake markets to become investors: an objective impact assessment

**11.15 – 11.45 Coffee Break including group photo with all participants**

*Venue: The European Parliament, Building Jozsef Antall*

**11.45 – 13.00 Knowledge Stream IV (taking place at the European Parliament)**

*Venue: The European Parliament, Building Jozsef Antall, JAN 6Q1*

Keynote presentation: *Working towards an effective regulatory environment in order to stimulate investments in global energy: case experience from upstream and downstream markets*

**Presenters:**

Dr Andrei Belyi, *Associate Professor at the Institute of Government and Politics, University of Tartu, Estonia*

**Session Chair**

Howard Chase, *Director of Government Affairs, Dow Europe, and Chairman of the Energy Charter Industry Advisory Panel*

**With further interventions from**

Ana Stanic, *Centre for Energy, Mining, Petroleum Law and Policy at the University of Dundee and E&A Law Ltd, London*

Dr Rafael Leal-Arcas, *Reader in Law, Queen Mary University of London*

Alejandro Carballo Leyda, *Legal Counsel, Energy Charter Secretariat, Brussels*

Zhikai (Victor) Gao, *Director of China National Association of International Studies & Executive Director of the Beijing Private Equity Association, Beijing*

**Discussion points**

- Reassessing the investor protection focus from the upstream side, to mid-stream and downstream markets
- Investment protection instruments in consideration of energy infrastructure projects
- Creating an effective investment environment in transnational gas pipelines
- Interlinking global energy governance, investments and investment protection
- Multilateral investment protection frameworks and their application
- Do ECT member countries attract greater investment volumes?
- The experience of the internal EU energy market: a view from within and from without

- Movement towards new patterns in regulatory risk in developed market economies?

**13.00 – 14.30    Networking Lunch with guest speakers:**

George Hamilton, *Vice President, Dow Olympic Operations, The Dow Chemical Company*

Jeffery Piper, *International Relations and Enlargement, European Commission, DG Energy*

*Venue: The European Parliament, Salon du Restaurant des Députés*

**15.00 – 18.00    Group seminar: Dispute Settlement Game (at the Energy Charter Secretariat)**

*Venue: The Energy Charter Secretariat, Conference room, 4<sup>th</sup> floor*

*Modelling of a hearing in an investor-state arbitral proceeding:*

- Pleadings by the parties
- Hearing of witnesses and experts
- Final conclusions by the parties

**Supervisory Board**

Mr Steivan Defilla, *Director, Energy Charter Secretariat, Brussels*

Alejandro Carballo Leyda, *Legal Counsel, Energy Charter Secretariat, Brussels*

Dr Matteo Barra, *Investment Expert, Energy Charter Secretariat, Brussels*

Leonard Hawkes, *Solicitor, DBB Law, Brussels*

Prof Adnan Amkhan, *MENA Chambers, former-Legal Counsel at the Energy Charter Secretariat*

**18.00                End of Day Two leading into team building dinner for all speakers and participants**

**18.30 – 22.00    Team building dinner for all speakers and participants**

*hosted by the Energy Charter Secretariat*

*Venue: Restaurant Moulin de Lindekemaele, Avenue Jean-François Debecker 6, Brussels*

**WEDNESDAY, 30 OCTOBER 2013**

**10.00 – 11.00    Reflection exercise**

*Venue: The Energy Charter Secretariat, Conference room, 4<sup>th</sup> floor*

*Summation of the first two days leading into day three with*

Dr Marat Terterov, *Research Fellow, Energy Charter Knowledge Centre, Brussels*

Patrice Dreiski, *Senior Expert for Expansion and Outreach, Energy Charter Secretariat, Brussels*

Alejandro Carballo Leyda, *Legal Counsel, Energy Charter Secretariat, Brussels*

**11.00 – 12.30 Knowledge Stream V**

Panel Debate: *Energy security, investments and risk assessment: what to do when markets fail and governance institutions falter*

**Opening address**

Aad van Bohemen, *Manager International Affairs, Energy Academy Europe, Groningen*

**Session Chair**

Amb Vladimir Rakhmanin, *Deputy-Secretary General, Energy Charter Secretariat, Brussels*

**With further contributions from**

Dr Andrei Belyi, *Associate Professor at the Institute of Government and Politics, University of Tartu, Estonia*

Filippo Gamba, *Director for Strategy and Development at Counterpoint & Senior Advisor at Global Resources Corporation, , London*

Dr Rafael Leal-Arcas, *Reader in Law, Queen Mary University of London*

Zhikai (Victor) Gao, *Director of China National Association of International Studies & Executive Director of the Beijing Private Equity Association, Beijing*

**Discussion points**

- Which countries succeed in attracting investment into their energy sectors and why
- Are resource rich countries always in an advantageous position?
- What hope for countries with weak governance structures?
- Addressing governance failure in practice
- Is there a link between fragmented energy governance, investment and investment risk?
- What role do new technologies play in stabilising markets?
- A final word on energy security in the global context

**12.30 – 14.00 Lunch and speaker-participant networking**

*Venue: Tri Logia Restaurant, Rue Voot 40 (next to the Energy Charter Secretariat)*

**14.00 – 15.30 Group seminar: Negotiation game**

*Conclusion of the modelling of a hearing in an investor-state arbitral proceeding:*

- Final award (dispositive and reasoning) by the arbitral tribunal
- Press statements and media briefings
- Q&A and feedback from participants
- Evaluation of the group seminar

**Supervisory Board**

Alejandro Carballo Leyda, *Legal Counsel, Energy Charter Secretariat, Brussels*

Dr Matteo Barra, *Investment Expert, Energy Charter Secretariat, Brussels*

Leonard Hawkes, *Solicitor, DBB Law, Brussels*

Prof Adnan Amkhan, *MENA Chambers, former-Legal Counsel at the Energy Charter Secretariat*

**15.30 – 17.00**

**Finale: Close of programme and farewell reception**

*Venue: The Energy Charter Secretariat, 4<sup>th</sup> floor*

Award of Energy Charter Secretariat Knowledge Centre Certificates of Excellence to all participants followed by cocktail reception at the Energy Charter Secretariat

\*\*\*