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

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<th><strong>AGENDA</strong></th>
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**MONDAY, 28 OCTOBER 2013**

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<th>Time</th>
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<tr>
<td>09.15 – 10.15</td>
<td>Arrival and registration of all participants</td>
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<td>Venue: Energy Charter Secretariat, Conference room, 4th floor</td>
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<td>10.15 – 10.45</td>
<td>Program Opening</td>
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<td>Welcome remarks</td>
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<td>Amb Urban Rusnák, Secretary General, Energy Charter Secretariat, Brussels</td>
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<td>Amb Jan Meinte Postma, Energy Charter Special Envoy</td>
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<td>Program orientation briefing</td>
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<td>Dr Marat Teterov, Training Program Coordinator and Research Fellow, Energy Charter Secretariat Knowledge Centre, Brussels</td>
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<td>10.45 – 12.45</td>
<td>Knowledge Stream I</td>
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<td>Keynote presentation: The challenges of achieving balanced and sustainable approaches towards energy security in a rapidly changing global landscape</td>
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<td>Presenters</td>
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<td>Zhikai (Victor) Gao, Director of China National Association of International Studies &amp; Executive Director of the Beijing Private Equity Association, Beijing</td>
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<td>Amb William Ramsey, former Deputy-Executive Director, IEA, Paris</td>
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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, Groeningen,
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, 4th 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 melody 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, 4th 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

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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, 4th 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

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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, 4th floor

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

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