Khor Virap monastery, Armenia, with mount Ararat in the background.
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MEMBERS AND OBSERVERS OF THE INTERNATIONAL ENERGY CHARTER

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FOREWORD BY THE SECRETARY-GENERAL

Brussels, December 2021.

Ladies and gentlemen,

The International Energy Charter is undergoing tremendous changes. It has been an absolute pleasure for me to be part of the Energy Charter Process for more than ten years, initially as a delegate from Slovakia, and ultimately as Secretary-General. The Energy Charter Treaty (ECT) is currently the subject of a once-in-a-generation renegotiation effort. A modernised Treaty can be expected in the foreseeable future. Additionally, ECT Contracting Parties have spent two years overhauling all internal rules and procedures, including decisions on the rules of the appointment of the Secretary-General.

Ever since I was appointed as Secretary-General in January 2012, I have devoted myself to the implementation of a thoroughly thought-out master plan to rejuvenate this institution. For ten years, I worked tirelessly, modernising and expanding the International Energy Charter Process and updating its institutional arrangements. Further to my proposals in 2012, the Energy Charter Conference significantly increased its transparency by making its decisions public from the following year. In 2013, the Secretariat established a Knowledge Centre in order to improve awareness about the Energy Charter Process. Since the first days of its establishment, the Knowledge Centre has helped hundreds of young energy professionals from all around the world to improve their knowledge and skills on energy policies, transit, investment, energy efficiency, and dispute resolution through a series of training programmes.

The year 2013 also saw the introduction of the Member state Chairmanship of the Energy Charter Conference based on a nomination system from ECT Members. In an effort to prevent the possible disruption of the gas supply to the European Union that may have resulted from the Russia-Ukraine conflict in 2014, we successfully adopted the Energy Charter Early Warning Mechanism. In the meantime, Modernisation Phase I culminated with the multi-country signing of the International Energy Charter political declaration in May 2015 in The Hague, the Netherlands. In 2016, the International Energy Charter was introduced as the informal working name for the organisation. In 2017, the Energy Charter Secretariat moved into a new, modern premises. The Secretariat launched its flagship publication, the Energy Investment Risks Assessment (#EIRA), at a high-profile public event in 2018. In 2019, ECT Contracting Parties began negotiating the modernisation of the Energy Charter Treaty. Furthermore, in 2020, we managed to fully adjust the workings of the Energy Charter Process to cope with the new and complex environment created by the COVID-19 pandemic. Throughout the pandemic, the organisation has remained fully operational and has continued to function effectively.

During my tenure of two five-year terms as Secretary-General, five countries became Contracting Parties to the ECT (Afghanistan, Montenegro, Iceland, Jordan, and Yemen). Three more have been invited by the Energy Charter Conference to accede to the ECT (Mauritania, Burundi, and Eswatini). Furthermore, 28 new countries and regional organisations became Observers of the Energy Charter Conference by signing the International Energy Charter. Unfortunately, we also had some downturns. Two of the original Signatories of the 1994 Treaty – the Russian Federation and Australia – effectively left the Energy Charter Process, while Italy withdrew from the ECT. As Secretary-General, I have been steadfastly under the guidance of the Chairman of the Energy Charter Conference, initially under Ambassador Selim Kuneralp (2012-2013), followed by the country Chairmanships of Kazakhstan (2014), Georgia (2015), Japan (2016),
Turkmenistan (2017), Romania (2018), Albania (2019), Azerbaijan (2020), and Armenia (2021). All of that being said, none of these achievements could have taken place without the contribution of many dedicated colleagues and the officials of the Energy Charter Secretariat. Over 75 officials, 65 secondees, and 145 trainees, interns and fellows participated in our work over the past ten years. All of them deserve my deep and sincere gratitude.

The year 2021 was a very special one for all of us, and for myself in particular. Our work was noticeably impacted by the consecutive waves of the COVID-19 pandemic. Our working groups repeatedly convened via videoconference and this format was also used for the 32nd Annual Energy Charter Conference. Nevertheless, six negotiation rounds on the modernisation of the Energy Charter Treaty were held successfully. I am optimistic about the overall outcome of the negotiation process, which is expected to reach a crescendo in summer 2022. Working jointly with dedicated delegations, we managed to update the methodology of the Energy Investment Risk Assessment (EIRA) publication. This year, 34 countries from all continents participated in #EIRA2021 – the highest number of countries on record (equal in participation to 2019). No new countries were invited to accede to the ECT during the past two years, however, since the Conference continued with its policy to pause the Treaty expansion process. I remain confident that the enlargement of the International Energy Charter will resume as soon as the ECT is modernised.

As 2021 draws to a close, it is duly necessary to recognise the contribution of the Armenian Chairmanship of the Energy Charter Conference. As a result of last summer’s elections in Armenia, there was a change in the post of Conference Chair. The initial Chair, Minister Mr Suren Papikyan, was succeeded by Mr Gnel Sanosyan, the Minister of Territorial Administration and Infrastructure of Armenia. Additionally, I would like to thank all delegates who served as Conference officers in the different subsidiary bodies, as well as all representatives actively participating during the meetings. My sincerest gratitude also goes to all officials of the Secretariat for their tireless contribution in working towards the successful delivery and realisation of all the objectives set by the Energy Charter Conference.

At its 32nd meeting on 14 December 2021, the Energy Charter Conference decided to appoint Mr Guy Lentz as Secretary-General of the Energy Charter Secretariat starting from January 2022. I would like to take this opportunity to wish the International Energy Charter a successful completion of the ECT Modernisation process and fruitful continuation of its mission under the Chairmanship of Mongolia (2022), Uzbekistan (2023) and Jordan (2024).

Thank you,

Ambassador Dr Urban Rusnák,
Secretary-General,
Energy Charter Secretariat
DEPUTY SECRETARY-GENERAL

Ms Atsuko Hirose was appointed Deputy Secretary-General by the Energy Charter Conference and assumed office in mid-September 2021, after a distinguished international career.

As Deputy Secretary-General, Ms Hirose advises and supports the Secretary-General in the overall management and coordination of the Secretariat’s activities, in furtherance of the objectives of the Energy Charter Treaty and its implementation.

Ms Hirose has over 30 years of international experience in government, private sector and international organisations – in particular, she has 20 years of experience working at four international development financial institutions. She obtained her Juris Doctor, Cum Laude, from Harvard Law School, United States, her Master of Science in Foreign Service from Georgetown University, United States, and her Bachelor of Arts in English Language and Literature from Ochanomizu University, Japan.

Prior to joining the Secretariat, Ms Hirose was the Secretary and the Director, Office of the Secretary at the International Fund for Agricultural Development (IFAD), a United Nations organisation based in Rome, Italy, where she was responsible for the relationship between IFAD and its Member States, as well as the management and operation of governance matters of IFAD’s supervisory organs.

Ms Hirose is qualified as an attorney in the State of New York and as a solicitor in England and Wales. She is also a Fellow of the Singapore Institute of Arbitrators and a Member of the Chartered Institute of Arbitrators in London.

The General Counsel, Dr Alejandro Carballo Leyda, acted as Deputy Secretary-General from December 2020 until the appointment of Ms Hirose in mid-September 2021.

WHO WE ARE

Based on the Energy Charter Treaty, the International Energy Charter is an intergovernmental organisation whose primary objective is to strengthen the rule of law on energy issues by creating a level playing field of multilateral rules to be observed by all participating governments. The Energy Charter Treaty is the world’s only legally binding multilateral instrument dealing specifically with cooperation in the energy sector. The Energy Charter Conference, which is made up of Member countries, leads the organisation and has a Secretariat based in Brussels.

Using this report

The 2021 Annual Report summarises the structure of the organisation and provides a breakdown of the activities and participation throughout the year.

Find out more

Website: energycharter.org
General enquiries: info@encharter.org
Tel: +32 2 775 9800
ENERGY CHARTER PROCESS BACKGROUND

The 1991 European Energy Charter declaration
The European Energy Charter provides the political foundation for the Energy Charter Process. The Charter is a declaration of the principles that underpin international energy cooperation, based on a shared interest in secure energy supply and sustainable economic development.

The 1994 Energy Charter Treaty (ECT)
The ECT and the Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects was signed in December 1994 and entered into force in April 1998. The ECT was developed on the basis of the European Energy Charter of 1991, but whereas the European Energy Charter was a declaration of political intent to promote East-West energy cooperation, the ECT is a legally binding multilateral instrument, the only one of its kind dealing specifically with intergovernmental cooperation in the energy sector.

The 2015 International Energy Charter declaration
The International Energy Charter declaration is a non-binding political declaration aimed at updating the European Energy Charter of 1991 and lifting the Energy Charter Process to a global level. It maps out universal principles aimed at strengthening energy cooperation between the signatory states and does not bear any legally binding obligation or financial commitments. The International Energy Charter declaration was formally adopted and signed at the Ministerial Conference in The Hague in 2015.

Energy Charter Conference
The Energy Charter Process is directed by the Energy Charter Conference, the governing and decision-making body which brings together representatives of Member countries. The Conference meets at least once a year to discuss policy issues affecting international energy cooperation, to review the implementation of the provisions of the ECT and to consider possible new instruments and projects on energy issues. Regular meetings of the Conference’s subsidiary bodies take place throughout the year.

Energy Charter Secretariat
The Conference is served by a permanent Secretariat that implements the will of the Conference by assisting in the duties and functions assigned to it under the ECT. The Secretariat is staffed by experts from various countries and is headed by a Secretary-General who is elected by the Conference.

The International Energy Charter
The informal working name of the organisation, consisting of the Energy Charter Conference, its subsidiary bodies and the Energy Charter Secretariat based in Brussels, Belgium.
STRUCTURE OF THE ORGANISATION 2021
(AS AT NOVEMBER 2021)

Energy Charter Conference
Chairmanship for 2021: Armenia
Chair: Mr Gnel Sanosyan (Armenia)
Vice-Chair: Mr Hakob Vardanyan (Armenia)
Vice-Chair: Mr Samir Valiyev
Deputy Minister of Energy (Azerbaijan)
Vice-Chair: Mr Bayarmagnai Myagmarsuren (Mongolia)

Strategy Group
Chair: Mr Samir Abdurahimov (Azerbaijan)
Vice-Chair: Vacant

Modernisation Group
Chair: Mr Lukas Stifter (Austria)
Vice-Chair: Mr Akiyoshi Kawabata (Japan)
Vice-Chair: Mr Guy Lentz (Luxembourg)
Vice-Chair: Mr Samir Abdurahimov (Azerbaijan)
Vice-Chair: Mr Felix Imhof (Switzerland)

Implementation Group
Chair: Ms Klara Rakhmetova (Kazakhstan)
Vice-Chair: Mr Johan Vetlesen (Norway)
Vice-Chair: Mr Aziz Khamidov (Uzbekistan)

Working Group on Governance Issues
Chair: Ms Klara Rakhmetova (Kazakhstan)
Vice-Chair: Mr Towfick Sufian (Yemen)

Budget Committee
Chair: Mr Christian Bühlmann (Switzerland)
Vice-Chair: Vacant

Industry Advisory Panel
Chair: Mr Rafael Cayuela Valencia
Chief Strategy Officer and Corporate Chief Economist at Dow EMEA

Legal Advisory Committee
Chair: To be decided ad hoc by the members of the LAC
ARMENIAN CHAIRMANSHIP OF THE ENERGY CHARTER CONFERENCE

On 1 January 2021, Armenia assumed the Chairmanship of the Energy Charter Conference for one year. The Chairmanship works on an annual rotating basis, and each year a new country assumes the leadership of the highest decision-making body of the Energy Charter Process. This responsibility includes guiding the Conference throughout the year regarding topics and activities such as regular meetings of the subsidiary bodies. At the end of the year, the Chairmanship hosts the annual session of the Energy Charter Conference. The rotating Chairmanship is an instrument for greater involvement of the Contracting Parties and their governments in the work of the International Energy Charter.

The Secretary-General and the Energy Charter Secretariat ensure regular consultations with the chairing Contracting Party on political dialogue and negotiations, preparation of meetings, coordination of the work of the subsidiary bodies, representation of the organisation and other activities of the International Energy Charter. The Chairmanship allows the host Contracting Party to influence the political agenda for the year by introducing issues that affect international energy cooperation and contribute to the achievement of national priorities.

Under its Chairmanship of the organisation for 2021, Armenia had set the following priorities:

1) Creating conditions for free, competitive and non-discriminatory, inclusive, diversified, and more independent energy markets.
2) Promoting renewable energy, energy efficiency, and energy saving.
3) Strengthening policies for sustainable development.
4) Contributing in regional energy integration.
5) Ensuring production, transmission, and distribution of energy, which is reliable and safe, digitised, innovative and knowledge-based, predictable and transparent, accessible and fair, affordable for vulnerable groups, and attractive for investors.

Furthermore, in June 2021 the high-level Yerevan International Energy Charter Forum took place with almost 100 participants from 35 countries. It discussed the importance of continuing political dialogue to facilitate regional cooperation, energy trade, and investments in cross-border infrastructure based on the Energy Charter Process.

The Forum was jointly organised and hosted by the Ministry of Territorial Administration and Infrastructure of Armenia and the International Energy Charter. It underlined the importance of overcoming global energy challenges, trusting in enhanced connectivity, and believing in open and competitive energy markets.

Yerevan, Armenia
The 32nd Meeting of the Energy Charter Conference was originally planned and scheduled to take place physically in Yerevan in December. In light of the continuing pandemic and the rising number of COVID-19 infections, the Chairmanship made the decision to conduct the event via videoconference.

The Meeting was held in two parts on Tuesday, 14 December 2021.

"I am re-affirming the position of the Government of Armenia on its continuing commitment to the Energy Charter Process. The Armenian Chairmanship of the Energy Charter Conference in 2021 was marked with remarkable events, including the selection of a new Secretary-General and conducting six rounds of negotiations on the modernisation of the Energy Charter Treaty."

HE Mr Gnel Sanosyan, Minister of Territorial Administration and Infrastructures, Armenia

The first part of the Statutory Session was mostly devoted to the budget and programme of work for 2022-2023, as well as the main priorities in 2021: modernisation of the Treaty (convening an Ad Hoc Energy Charter Conference in June 2022 aimed at reaching agreement in principle on the modernisation of the ECT) and implementation of the Conclusions of the 2019 Review.

The Conference also appointed Mr Guy Lentz as the new Secretary-General of the Energy Charter Secretariat and confirmed the members of the Management Committee established in September 2021 to support the Conference and its Chair.

The second part of the Statutory Session, which was open to all Members and Observers to the Conference, was dedicated to the report and future outlook of the Secretary-General, as well as the reports of the subsidiary bodies and Working Groups of the Conference and the Industry Advisory Panel. The session continued further with a discussion on the modernisation of the Energy Charter Treaty with Observers and concluded with the Energy Charter Award Ceremony.

The Session was attended by over 80 participants from more than 30 Contracting Parties, Observers and international organisations. Their practical interventions and remarks on the topic of the Session have underlined the significance of concerted efforts towards greater energy sustainability, in particular in light of the ambitions of the ongoing Energy Charter Treaty modernisation process.

"...I am very happy that after tremendous efforts by all participating delegates, ongoing negotiations on the modernisation of the Energy Charter Treaty are reaching their final and decisive stage. I am convinced that in 2022, delegations will accomplish the ‘master plan’ of modernising the International Energy Charter so that it is fit for the next 30 years of its activities."

Dr Urban Rusnák, Secretary-General of the International Energy Charter

Both sessions of the Energy Charter Conference were chaired and moderated by Mr Gnel Sanosyan, Minister of Territorial Administration and Infrastructure of Armenia.

The Award was introduced in 2013 to recognise the outstanding role of individuals and entities in the development of the Energy Charter Process.

In 2021, the majority of votes went to the Legal Team of the Energy Charter Secretariat, who has been nominated for its outstanding work, professionalism and efforts in the modernisation process of the Energy Charter Treaty.

According to tradition, the Award was presented to the winning nominee at the Meeting of the Energy Charter Conference by the Minister of Territorial Administration and Infrastructure and Chairman of the Energy Charter Conference, HE Mr Gnel Sanosyan and the Secretary-General, Dr Urban Rusnák.
The Energy Charter Strategy Group was established by the Energy Charter Conference in 2009 to allow Members (as well as Observers, up to 2019) to evaluate new challenges arising in the energy sector and possible means of responding to them through the Energy Charter Process. During 2021, the Group convened on four occasions – 8 February, 26 April, 13 September, and 19 October. Taking into account travel restrictions to Belgium and suspension of Belgian visa activity in light of the COVID-19 pandemic, all meetings were held remotely. All Strategy Group meetings in 2021 were chaired by Mr Samir Abdurahimov (Azerbaijan), the Chair of the Group.

At the February meeting, the Group discussed the priorities of the Armenian Chairmanship for the year ahead. There was also a discussion paper presented by Switzerland on the topic of Foreign Direct Investment (FDI) in Observer countries to the Energy Charter Conference. The objective of the presentation was to kick-start a discussion on investment as a possible criterium for evaluating the policy of Consolidation, Expansion and Outreach (CONEXO), and to further consider as to when the current pause on accession to the Energy Charter Treaty (ECT) could be lifted. Additionally, there was some discussion on CONEXO-related topics, including guidelines for improving effective implementation of CONEXO, the re-assessment of the (CONEXO) policy, and the potential criteria for granting countries Observer status.

The Group continued to address matters of substance at its April and September meetings. Substantial discussion took place on the core topic of the implementation of the Conclusions of the 2019 Review under Article 34(7) of the ECT, including the recommendations of the International Public Audit of October 2019. Furthermore, there was discussion on the scoping paper on FDI in Conference Observer countries as prepared by the Secretariat, with the paper being further shaped into a sequence of investment portraits on select countries further to comments and suggestions from the meetings.

Discussion on the re-assessment of the CONEXO policy, expected to be completed in 2020, was limited and largely postponed during these meetings, and was carried over into 2022. There was little discussion about the prospect of lifting the pause on accession, despite the Secretariat’s recommendation that prolonging the pause much further would damage relations between the Energy Charter Conference and Observer countries. There was, however, some discussion on improving the effective implementation of CONEXO, with the Group largely endorsing the view that there should be more consultation with the energy industry and civil society in shaping the further evolution of the policy.

Additionally, there was also some discussion within the Group on the implementation of the International Public Audit’s individual recommendations in the area of its competence. It should also be mentioned that a number of other ‘housekeeping’ issues were addressed within the Group in 2021, including the potential supporting mechanism for the Chair of the Conference, assessment of the practice of the Chairmanship, the Chairmanship Handbook, the policy regarding access to audio recordings of the negotiation rounds, and evaluation of the Terms of Reference of the Strategy Group.
In late September 2021, the Secretariat was informed that ECT signatory country, Australia, was poised to withdraw its signature from the Treaty. Further to this development, the Strategy Group convened for an extraordinary meeting on 19 October to discuss the status of Australia, as well as that of the Russian Federation. The Group took note of Australia’s intention to withdraw from the Treaty, and requested the Secretariat to clarify as to whether the country intended to remain an Observer to the Conference based on its signature of the 1991 European Energy Charter. As regards to the Russian Federation, the Group took note of the country’s status as no longer being an ECT signatory.

MODERNISATION GROUP

On 6 November 2019, the Energy Charter Conference established and mandated the Modernisation Group to start negotiations on the modernisation of the Energy Charter Treaty (ECT), with a view to concluding the negotiations expeditiously, and invited the Modernisation Group to report on progress made in fulfilling the negotiations mandate.

The Modernisation Group is chaired by Mr Lukas Stifter (Austria), with Mr Felix Imhof (Switzerland), Mr Guy Lentz (Luxembourg), Mr Samir Abdurahimov (Azerbaijan), and Mr Sunao Orii (Japan) – later replaced on 1 July 2021 by Mr Akiyoshi Kawabata (Japan) – as Vice-Chairs.

The Modernisation Group held seven formal meetings in 2021, including six negotiation rounds. Short summaries on the negotiation rounds were made public on the International Energy Charter website. All the meetings were held in online format. During 2021, the Secretariat and the Chair of the Group participated in several webinars related to the modernisation of the ECT.

The steering group, composed of all interested delegations, continued to support the work of the Chair and Vice-Chairs to prepare the upcoming negotiation rounds.

The report to the Conference, together with the schedule of Modernisation Group meetings for 2022 was made public on: https://www.energychartertreaty.org/modernisation-of-the-treaty/
IMPLEMENTATION GROUP

The Implementation Group convened four times in 2021, on 12 February, 28 April, 17 September, and 17 November. All meetings were held remotely in light of travel restrictions to Belgium and suspension of Belgian visa activity. In general, the discussions at the Implementation Group in 2021 were devoted to the implementation of the Conclusions of the 2019 Review under Article 34(7) of the Energy Charter Treaty as well as to other areas carried over from 2020 and relating to investments in the energy sector, transit of energy resources, and energy efficiency.

The Investment Unit presented the 2021 Energy Investment Risk Assessment (EIRA) on 7 October. Participation in EIRA increased from 30 countries in 2020 to 34 in 2021. The geographical reach of EIRA spans Africa, Asia, the Americas, and Europe. Twenty-seven countries participating this year were also assessed in EIRA 2020, while two countries returned to the assessment from 2019. Five countries took part in EIRA for the first time in 2021.

Moreover, the Secretariat launched Nigeria’s 2019 Extended EIRA Country Profile during the National Energy Summit in Abuja on 13 April 2021. It is also developing the 2020 and 2021 Extended EIRA Country Profile of Nigeria and the 2021 Extended EIRA Country Profile of The Gambia. These reports are being prepared under the purview of the AgoSE technical assistance project to improve governance in the energy sector of the ECOWAS Member States.

In 2021, the Implementation Group finalised the review and revision of the EIRA scope and methodology, including the updated questionnaire. With the support and cooperation of the delegations, the Energy Charter Conference approved a revised scope and methodology for EIRA that will be implemented from 2022 onwards. The scope of EIRA now includes the following topics: achieving the clean energy transition, and increasing competition in the electricity markets.

As part of the Investment Promotion Centre activities, the Secretariat and Armenia completed research and prepared the report on implementing Stage I of the Investment Facilitation Toolbox in Armenia. Implementation of Stage II is subject to a request by the Government of Armenia.

The Implementation Group continued discussions on transit-related topics in 2021. At the request of the Group, the Secretariat prepared, and the Group addressed and reviewed the Report on the Implementation of Transit Provisions and a paper on treatment of transit swap operations and virtual flows. Transit-related activities will continue in 2022 in accordance with the underlying Programme of Work. On the regional cooperation front, despite the restrictions caused by the pandemic, the Transit Unit managed to continue its work on promoting regional energy cooperation in Central and South Asia, focusing on sustainable energy development, regional markets, and interconnection. Work on the policy dialogue was presented at the 17th Meeting of the Taskforce on Regional Energy Cooperation which took place in a hybrid format in Nur-Sultan, Kazakhstan.

In relation to the Protocol on Energy Efficiency and Related Environmental Aspects (PEEREA), the Implementation Group continued discussing the role of the International Energy Charter in achieving clean energy transition while ensuring energy security. The Energy Efficiency Unit 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. In 2021, the Secretariat also finalised the In-depth Review of the Energy Efficiency Policy of the Republic of Uzbekistan. The Implementation Group approved the Recommendations of the In-depth Review and agreed to put them forward for approval by the Energy Charter Conference.
WORKING GROUP ON GOVERNANCE ISSUES

In 2021, the Working Group on Governance Issues held four ordinary meetings and one extraordinary meeting, all of which were conducted via videoconference. All the 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) were acting as Vice-Chairs.

The Working Group addressed, among others, the following topics:

• The structure of the Secretariat.
• Potential revisions to the Staff Manual.
• Potential revisions to the Rules of Procedure of the Conference.
• International Energy Charter Whistleblowing Guidelines.

Taking into account that some activities are still in progress, the Conference approved the extension of the Working Group’s mandate until the 33rd meeting of the Conference in 2022 and aligned its Terms of Reference with the functions of the Management Committee.

BUDGET COMMITTEE

During 2021, four regular meetings and one extraordinary meeting of the Budget Committee were held. All meetings were chaired by Mr Christian Bühlmann (Switzerland), its Chair since December 2019.

Due to the persistence of the COVID-19 pandemic, all of the meetings of the Budget Committee were held by videoconference.

In addition to the regular administrative and financial matters, the Energy Charter Conference, following the 2019 Review based on Article 34(7) of the Energy Charter Treaty, mandated the Budget Committee to also:

• assess and revise the Financial Regulations and their Implementing Instructions;
• assess the structure of the biannual Budget;
• evaluate and, if necessary, propose an update of its Terms of Reference; and
• implement the International Public Audit’s individual recommendations in the area of its competence.

Discussions on these matters, which started in 2020, continued in 2021. The review of the Financial Rules and Implementing Instructions applicable to the Energy Charter Secretariat will continue in 2022.

The rules related to the External Auditor could be finalised and an extraordinary meeting of the Budget Committee was called on 31 May to select the new External Auditor following a call for tender.

Besides the usual topics for discussion (i.e. the Programme of Work, the Budget, and national contributions), the Budget Committee also:

• approved the Financial Statements for 2020 developed following the International Public Sector Accounting Standards (IPSAS);
• discussed the effect on the budget for 2022 of the withdrawal of Australia;
• considered the possible write-off of the outstanding contributions from the Russian Federation; and
• accepted the offer of a voluntary contribution from the Islamic Development Bank for the completion of five EIRA regular country profiles (https://eira.energycharter.org).
LEGAL ADVISORY COMMITTEE

The Chair of the Legal Advisory Committee, with assistance from the Secretariat, is responsible for conducting the work of the Advisory Committee and reporting to the Conference Chair or Working Group Chair on the results, as appropriate. The Legal Advisory Committee consists of experts from delegations desiring to participate with the goal of having representatives of different legal systems present.

The Legal Advisory Committee meets at the request of the Conference Chair or a Working Group Chair and is assigned specific tasks. These tasks may include: the review of the text of provisions and articles already agreed by the Charter Conference or a Working Group, and legal advice on matters put forth to the Legal Advisory Committee by the Conference Chair or by the Chair of a Working Group.

The Chair of the Legal Advisory Committee is decided ad hoc by the members of the Legal Advisory Committee.

INDUSTRY ADVISORY PANEL

The Energy Charter Industry Advisory Panel (IAP) is the expert consultative body to the Energy Charter Conference, providing policy advice from energy companies, international business associations and financial institutions on energy investment and the functioning of energy markets.

The revised Terms of Reference of the IAP and the renewed mandate up to 2024 was approved by the Energy Charter Conference in 2019.

Currently, the IAP has 68 members representing energy companies, international and industry associations, intergovernmental institutions, and individuals from 33 countries, operating in fields such as exploration, production, generation, transmission, distribution, finance, equipment, services, technology, and consultancy.

In April 2021, the IAP released its statement concerning the progress and outcomes of the Fourth Negotiation Round on the modernisation of the ECT. The IAP encouraged policymakers to promote investment in the energy sector through a sound legal framework, regulatory stability, market confidence, and availability of investment risk guarantees. The IAP members stood ready to engage, as needed, with all the stakeholders involved in the process.

The Secretariat convened one IAP meeting in December 2021. The meeting, hosted by COGEN Europe, took place virtually. It focused on the digital transformation of the critical energy infrastructure and on deepening the collaboration between international organisations, financial institutions and industry for a smooth energy transition. In this meeting, the IAP Chair presented a new mid- and long-term strategy of the IAP, which is planned to be implemented starting 2022.
Yerevan, Armenia
CONFLICT PREVENTION AND DISPUTE SETTLEMENT

Despite COVID-19 implications, the Conflict Resolution Centre continued facilitating (under certain limitations) access to the ‘travaux préparatoires’ of the ECT and providing neutral, independent legal advice and assistance in conflict prevention and dispute resolution, including good offices, for governments and companies. It also provided technical assistance for assessing, updating and/or implementing domestic frameworks for the management of investment conflicts and disputes based on the 2018 Model Instrument on Management of Investment Disputes.

The International Energy Charter continues to be one of the leading actors in the development of investment mediation and its 2016 Guide on Investment Mediation and the 2018 Model Instrument on Management of Investment Disputes are referenced as two basic tools at different international forums such as the United Nations Commission on International Trade Law (UNCITRAL) inter-sessional meeting on the use of mediation in ISDS (in October 2021).

The Conflict Resolution Centre provided expertise to the discussions on investment mediation at both UNCITRAL and the International Centre for Settlement of Investment Disputes (ICSID). In addition, the General Counsel was invited to speak on investment mediation and conflict prevention at several webinars organised by the Asia Pacific Centre for Arbitration & Mediation (APCAM) in July 2021, the International Dispute Resolution Academy (jointly with UNCITRAL and ICSID) in April 2021, the first UNCITRAL Academy on investor-State dispute settlement capacity-building in September 2021, and ICSID’s first Investment Mediation Insights webinar.

The Conflict Resolution Centre maintained and updated the International Energy Charter’s user-friendly website (energychartertreaty.org) with unique and interconnected information on cases, ECT provisions, enquiry points (to which requests for information about national laws and regulations may be addressed), and on the negotiations for the modernisation of the ECT.

The Secretariat also entered into a cooperation agreement with the ICSID, following a previous agreement with the Permanent Court of Arbitration (PCA) and providing for the possibility of reciprocal use of facilities for dispute resolution proceedings and other meetings, as well as enhanced technical collaboration.

Investor-State Mediation online workshops for State officials: April and May 2021

In April 2021, the International Energy Charter, jointly with ICSID and CEDR offered a workshop on the role of State representatives in investor-State mediation. It explored how the mediation process works and how State officials can best prepare for and participate in mediation procedures. Due to its huge success, a second edition was held a month later in May 2021, with officials from more than 40 countries in total, and it is expected to be offered on a recurring basis.

Online Legal Training on Investment Dispute Resolution: 21-23 October 2021

The training guided the participants through the main stages of investment arbitration and mediation with a special focus on the role of the government representatives and insights from officials of the Arbitration Institute of the Stockholm Chamber of Commerce (SCC), the Permanent Court of Arbitration (PCA), the UN Commission on International Trade Law (UNCITRAL) and the International Centre for Settlement of Investment Disputes (ICSID). In addition, the Conflict Resolution Centre of the Energy Charter Secretariat explained the available tools for prevention and management of investment disputes.
As of 20 March 2021, the Secretariat is aware of 136 investment arbitration cases instituted under the Energy Charter Treaty (sometimes invoked together with a Bilateral Investment Treaty). Since parties to investment arbitration under Article 26 of the ECT are not obliged to notify the Secretariat of the existence or substance of their dispute, some awards (and even the existence of some proceedings) remain confidential. The Secretariat compiles information (which cannot be considered as exhaustive) from delegates and public sources (including specialised reporting services). The Secretariat assumes no responsibility for possible errors or omissions in this data and welcomes any additional information or clarification on specific cases (at legalaffairs@encharter.org).

**Number of Arbitration Cases Under the ECT: 136 cases**

**Outcome of Final Awards (81), Including (4) Settlement Agreements Embodied in Awards**

- No jurisdiction (11)
- No breach of the ECT (23)
- Alternative ECT claim dismissed (1) *
- Manifest lack of legal merit – Rule 41(5) ICSID Arbitration Rules (1)
- Breach of the ECT but no damages awarded (3)
- Breach of the ECT and damages awarded (36)
- Settlement agreement embodied in an award (4)
- Outcome is unknown (2)

* Having found the State liable under another international agreement, the tribunal dismissed an alternative claim under the ECT.

**International Energy Charter helps ease investment conflicts and disputes 1998-2021**

- Regulatory predictability and rule of law
- Energy Charter Treaty and Energy Investment Risk Assessment (EIRA)
- Conflicts
- Helpful tools: prevention measures and Model Instrument on Management of Investment Disputes
- Disputes
- Secretariat provides good offices and support for negotiations and mediation
- Arbitral proceedings under Article 26 ECT
- Awards rendered
- Breaches found and damages awarded

145
81 incl. 4 settlement agreements embodied in awards
36 cases, incl. 3 cases in which investors renounced their right to collect damages
In five of these cases, it has not been possible to identify particular energy sources. 52 cases are still pending and in some of the cases, there is no publicly available information on the exact amounts claimed and/or awarded.

** Excluding tax gross-up and interest on damages claimed and awarded.

** Excluding tax gross-up and interest on damages claimed and awarded.
CONSOLIDATION EXPANSION OUTREACH (CONEXO)

Adopted by the Energy Charter Conference in 2012, the CONEXO policy has aimed to enlarge and externalise the Energy Charter process since that time. However, as of January 2020, the Secretariat’s supporting activities for the CONEXO policy have been largely carried out within the framework of the Conclusions of the Review under Article 34(7) of the Energy Charter Treaty (ECT), which included a provision to thoroughly review CONEXO during 2020. Additionally, in light of the commencement of the negotiations on the modernisation of the ECT in early 2020, the Conference decided to institute a temporary pause on the commencement of formal accession processes and to pause inviting countries to accede to the ECT until the review of the CONEXO policy was finalised.

Whilst it was largely anticipated within the Energy Charter Process that both the review of CONEXO and the pause on ECT accession would end prior to the beginning of 2021, both of these processes overshadowed the Secretariat’s efforts to advance the policy during the course of the year. Thus, the Secretariat’s deliverables in areas such as completing Observer country accession reports, supporting and overseeing the ECT accession process of Observer countries, and signature of the International Energy Charter by these countries remained largely constrained in 2021. It should be recalled that those activities constituted the bulk of the Secretariat’s efforts with CONEXO in previous years.

As was the case in 2020, the Secretariat’s efforts during 2021 with regards to CONEXO primarily focused on the implementation of the Conclusions of the 2019 Review. In this context, the Secretariat prepared a range of documents and in-depth discussion papers intended to assist the Conference with its efforts to review the CONEXO policy and improve its implementation. The Secretariat was obliged to direct substantial resources to updating and refining these documents based on Member country requests. This work facilitated substantial discussion during the February, June and September meetings of the Strategy Group.

Despite the limitations placed on the Secretariat’s conventional efforts with regards to CONEXO, and noting the persistence of the COVID-19 pandemic, the Secretariat continued to work with ECT expansion partners in several areas during 2021. A number of substantial deliverables, largely funded by voluntary contributions, materialised during the year. The first of these was the National Energy Summit in Nigeria, which took place in Abuja, Nigeria, in April 2021 (postponed from the previous year due to COVID-19). This high-level event, co-hosted by the government of Nigeria and the Secretariat, as based on Nigeria’s voluntary contribution, reminded all Energy Charter Process stakeholders that major energy producing countries in Africa (i.e. Nigeria) have retained interest in ECT accession, despite the current restrictions placed on ECT Observers harbouring such intentions.

A second substantial achievement of the Secretariat with regards to CONEXO in 2021 was the staging of the ‘ECOWAS-Energy Charter Regional Energy Governance Forum and Training Programme’ in Cotonou, Benin, in November 2021. This rather extensive event brought together several dozen participants from government and civil society from multiple countries in the West African sub-region to evaluate energy governance and regional cooperation. The Cotonou workshop was hosted by the Government of Benin and funded by the ECOWAS Commission through the AGoSE technical assistance project. The event was also supported by the European Union, which has provided the base funding for AGoSE. Cooperation between ECOWAS and the Secretariat within the framework of AGoSE has been ongoing since May 2019. It foresees the accession of ECOWAS Member States to the ECT, by way of long-term objective, as a means to improve energy governance in the region.

The Secretariat also conducted a number of online CONEXO-related knowledge sessions with outreach partners, including in the East African Community (EAC) gathering of states. This resulted in one new country signing the International Energy Charter in 2021: South Sudan. The East African country became the newest Observer to the Energy Charter Conference.
On 7 October 2021, the Energy Charter Secretariat launched the fourth edition of its flagship EIRA publication. The report evaluates risks to energy investment that can be mitigated through adjustments to policy, legal and regulatory frameworks. It aims to identify policy goals, provide learning opportunities, and stimulate reforms that make the investment climate of countries more robust and reduce the risk of investor-State disputes.

EIRA 2021 was launched in Brussels at a hybrid event with the participation of high-level representatives of governments, international organisations, financial institutions, and industry. It was opened by Mr Tigran Melkonyan, Head of Energy Department at the Ministry of Territorial Administration and Infrastructure, on behalf of the Armenian Chairmanship of the Energy Charter Conference 2021. Mr Melkonyan emphasised that EIRA is based on a comprehensive overview of participating countries’ existing legal and regulatory frameworks. He also added that the continuing interest of the countries demonstrates EIRA’s value, uniqueness, and importance.

EIRA 2021 highlights the key strengths and areas for improvement in each participating country and gives recommendations to improve results. The profiles of the recurrent participants include a year-on-year comparison table. Each country’s profile contains information from the Orbis Crossborder Investment database on the investment trends, the number of completed energy projects and deals between 2015-2021, the energy sub-sectors that received the investments, the financial value of the investments, and the source country of the investment. In addition, the report includes an annex that summarises the actions taken by governments to mitigate the risks assessed in EIRA and address the improvements suggested in the previous editions of EIRA.

Participation in EIRA increased from 30 countries in 2020 to 34 in 2021. It now spans Africa, Asia, the Americas, and Europe. Twenty-seven countries participating this year were also assessed in EIRA 2020, while two countries returned to the assessment from 2019. Five countries took part in EIRA for the first time in 2021.

Secretary-General Dr Urban Rusnák presented the 2021 edition of EIRA at the launch event. He indicated that while unpredictable policy and regulatory change was the most prominent risk in the EIRA countries for the fourth consecutive year, it was also the area that saw the most progress in risk mitigation. He also added that the Secretariat, with support from the Energy Charter Conference’s Working Groups and delegations, expanded EIRA’s scope and refined its methodology to serve the interests of the Energy Charter constituency. He emphasised that these efforts have led to a more robust scope and methodology to be utilised in EIRA from next year.

A website dedicated to EIRA was launched in 2019. It offers extensive and updated data on the evolving regulatory regimes of the participating countries. It projects the year-on-year trajectory of each country on different EIRA parameters, provides detailed information for each question on the EIRA questionnaire, and includes an online library of over 1,900 primary legal documents.

Visit the EIRA website and download the #EIRA2021 publication.
In 2021, the Knowledge Centre continued promoting the visibility of the Energy Charter Process, raising awareness on Energy Charter Treaty issues, and contributing to the Secretariat’s capacity-building activities.

In June 2021, under the Chairmanship of the Republic of Armenia, the Knowledge Centre, in cooperation with the Ministry of Territorial Administration and Infrastructure, organised the Yerevan International Energy Charter Forum on ‘Facilitating Energy Infrastructure for Sustainable Development’. The event brought together over 100 participants, including high-level officials and leading experts from 35 countries, international organisations, the energy industry, and academia to discuss regional energy cooperation, energy trade, and investments in cross-border infrastructure. High-level speakers highlighted the importance of continuing political dialogue to facilitate open and competitive energy markets, enhance connectivity, and promote energy infrastructure to attain the objectives of the 2030 Sustainable Development Agenda and facilitate the energy transition.

In November 2021, in cooperation with the Kyrgyz Ministry of Energy and Industry, the Energy Charter Secretariat organised a high-level side event on ‘Promoting sustainable energy and energy transition in Central Asia’ on the margins of the EU-Central Asia Forum. The event addressed the challenges the countries of Central Asia and the region face on the way to energy transition. High-level officials and experts representing regional and international organisations and the private sector held substantial discussions on regional energy cooperation, connectivity and market integration, clean energy technologies, and frameworks. The participants adopted the conclusions aiming to promote bilateral and multilateral cooperation between the EU and Central Asia as an input to the first EU-Central Asia Economic Forum.

Additionally, the Knowledge Centre continued to promote cooperation with international organisations through active participation in forums and workshops. The Knowledge Centre also continued to coordinate different activities related to publications, public outreach, library, and archives.
ENERGY CHARTER FORUMS AND OTHER ACTIVITIES

Yerevan International Energy Charter Forum

On 16 June 2021, the high-level Yerevan International Energy Charter Forum took place online to discuss the topic ‘Facilitating Energy Infrastructure for Sustainable Development’. The Forum was jointly organised and hosted by the Ministry of Territorial Administration and Infrastructure of Armenia and the International Energy Charter.

The Forum was the first public event under the Chairmanship of the Republic of Armenia in the Energy Charter Conference. Recognising global energy challenges, trusting in enhanced connectivity, and believing in open and competitive energy markets are crucial steps in attaining the objectives of the 2030 UN Sustainable Development Goals and facilitating energy transition. Almost 100 participants, including high-level officials and leading experts from 35 countries, international organisations, energy industry and academia participated in the discussions that highlighted the importance of continuing political dialogue to facilitate regional cooperation, energy trade, and investments in cross-border infrastructure based on the Energy Charter Process.

In two sessions, the Forum covered topics such as regional energy cooperation, upgrading technologies to enable clean energy transition, development of regulatory frameworks for investment security, and cross-border energy trade amongst others. In addition, the protection of energy infrastructure and its digitalisation were discussed.

The Forum was a remarkable event under the 2021 Chairmanship and demonstrated the results of outstanding work of the Conference Chair, the Contracting Parties and the Energy Charter Secretariat.

RECA Annual meeting

On 5 October 2021, the 17th annual Regional Energy Cooperation Asia (RECA) meeting took place in Nur-Sultan (Kazakhstan) and was organised in conjunction with the World Energy Week and the Kazenergy Eurasian Forum taking place the same week in Nur-Sultan. The Kazenergy Association and the World Energy Council contributed to the general running of the meeting.

Due to certain remaining limitations, the meeting was held in a hybrid format, with three speakers attending live and two speakers participating via the virtual platform. This 17th RECA meeting secured speakers from all Central Asian countries and Mongolia and ran under the headline ‘The energy industry in Central Asia: New national initiatives and partnerships’.

Presentations from the speakers were designed to accommodate traditional RECA topics such as cross-border electricity projects and industry data per country, with new areas related to the role of natural gas as bridge fuel on the way to decarbonisation, and risks and opportunities of integrating renewables into the national and regional energy systems. Other issues were also discussed, the role of fossil fuels in the future energy systems of Central and South Asia; investments in upgrading balance capacities and renewables; and improvement of regulatory frameworks for the managerial and operational activities of the energy sector.

Vice-Minister of Energy of the Republic of Kazakhstan, Mr Aset Magauov and Secretary-General Dr Urban Rusnák delivered keynote addresses at the meeting.
International Energy Charter contributes to the First EU-Central Asia Economic Forum and organises a high-level side event on the transition to sustainable energy

On 4 November 2021, the Energy Charter Secretariat, in cooperation with the Kyrgyz Ministry of Energy and Industry and UNDP Kyrgyzstan, organised a high-level side event on ‘Promoting sustainable energy and energy transition in Central Asia’ on the margins of the EU-Central Asia Forum in Bishkek. The Minister of Energy and Industry Mr Doskul Bekmurzaev, Energy Charter Deputy Secretary-General Ms Atsuko Hirose, UNDP Regional Team Leader for Nature, Climate and Energy Ms Laura Altinger and Members of the Kyrgyz Parliament addressed the participants in the opening session.

High-level speakers including Deputy Ministers of Energy from Kazakhstan, Kyrgyzstan and Uzbekistan and experts from the Turkmen Ministry of Energy provided an update on sustainable energy development in their respective countries. They addressed the challenges the countries and the region face on the way to energy transition. Substantial discussions on regional energy cooperation, connectivity and market integration, clean energy technologies, and frameworks continued in the subsequent panels with contributions from experts representing regional and international organisations and the private sector.

On 5 November, Ms Atsuko Hirose, Deputy Secretary-General of the International Energy Charter, participated in the EU-Central Asia Economic Forum and contributed to the thematic session ‘Transitioning to a green, sustainable, climate and ecological friendly-neutral economy’. In her intervention, Ms Hirose stressed the importance of international energy cooperation in attaining the goals of the UN Sustainable Development Agenda and the objectives of the Paris Agreement. She also shared the discussion conclusions held during the high-level side event on 4 November, which recommended establishing a dedicated platform for energy dialogue under the auspices of the EU-Central Asia Economic Forum.

ECOWAS-Energy Charter Regional Energy Governance Forum

From 15-25 November 2021, the ECOWAS-Energy Charter Regional Energy Governance Forum and Training Programme, hosted by HE the Minister of Energy and Petroleum of Benin, took place in Cotonou within the AGoSE Project on Energy Governance in West Africa.

This event brought together several governmental and civil society participants from countries in the West African sub-region to evaluate energy governance and regional cooperation. The event was also supported by the European Union, which has provided the base funding for AGoSE. Cooperation between ECOWAS and the Secretariat within the framework of AGoSE has been ongoing since May 2019. It foresees the accession of ECOWAS Member States to the ECT, by way of long-term objective, as a means to improve energy governance in the region.
ACTIVITIES IN 2021

JANUARY 2021

1 January 2021
Armenia assumes the Chairmanship of the Energy Charter Conference for 2021
As of 1 January 2021, Armenia assumed the Chairmanship of the Energy Charter Conference for one year. The Conference works on an annually rotating basis, and each year a new country takes over leadership to direct the highest decision-making body of the Energy Charter Process.

FEBRUARY 2021

12 February 2021
Energy Charter Secretariat and ICSID conclude Cooperation Agreement
The Energy Charter Secretariat and ICSID have entered into an Agreement on General Arrangements. The Agreement seeks to build on the strong foundation of cooperation that exists between the two institutions. It provides for the possibility of reciprocal use of facilities for dispute resolution proceedings and other meetings, as well as enhanced technical collaboration.

MARCH 2021

5 March 2021
14th Summit of Economic Cooperation Organisation
Upon the invitation of HE Mr Recep Tayyip Erdogan, the President of Turkey, Secretary-General Dr Urban Rusnák, participated in the virtual ECO Summit. Leaders of ten ECO member states focused their attention on the Regional Economic Cooperation in the Aftermath of the COVID-19 pandemic. Dr Urban Rusnák highlighted the role of energy and its use in the post-COVID recovery. He also referred to the progressing Energy Charter Treaty modernisation negotiations and the need to embrace the ongoing energy transition. The Energy Charter Secretariat, in close cooperation with the ECO Secretariat, launched a joint cooperation on the establishment of the ECO regional electricity markets in 2020.
On 2-5 March 2021, the Fourth Negotiation Round on the modernisation of the Energy Charter Treaty was held by videoconference.

On 8 March 2021, the Energy Charter Secretariat contributed to the Annual Day of International Law in Africa. The Secretariat was invited to contribute to the Annual Day of International Law in Africa organised by the African Academy for International Law Practice and law firm GIDE Loyrette Nouel. The main topic of the colloquium was the challenges of environmental law in Africa, while the Secretariat was invited to intervene in the panel focused on the legal framework for achieving objectives of sustainable development.

On 19 March 2021, the Secretariat contributed to the workshop on ‘Governing the Energy Transition’ organised by King’s College, London. The Secretariat contributed to the knowledge exchange workshop ‘Governing the Energy Transition’ that brought together academia, experts and policymakers. The initial workshop was planned to be organised as a joint event by the Energy Charter Secretariat and the King’s College in Brussels back in 2020, but due to the COVID-19 pandemic, the event took place virtually. The goal of the workshop was to share and exchange new ideas on the legal framework of energy transition. The Secretariat was represented by the Secretary-General and the Head of the Energy Efficiency Unit.

On 25 March 2021, Mr Ilkhom Nimatullaev of Uzbekistan successfully completed his secondment programme. The Energy Charter Secretariat congratulates Mr Ilkhom Nimatullaev on the successful completion of his secondment programme. Despite the restrictions and general uncertainties dictated by the COVID-19 situation, Mr Nimatullaev has successfully completed all planned activities and provided invaluable input to the development of the draft In-Depth Energy Efficiency Review of the Republic of Uzbekistan.

On 29 March 2021, the Energy Charter Secretariat contributed to the European Union Visitors Programme (EUVP). In March, the Energy Charter Secretariat participated in the European Union Visitors Programme (EUVP). The programme aims to offer visiting experts from a range of targeted countries access to first-hand information about the EU, including its founding values, the way it functions, as well as some of its core activities, policies and perspectives.
Secretary-General Dr Urban Rusnák officially communicates the Secretariat’s proposals to assist COP26 goals under the Presidency of the United Kingdom

“Today we have much experience of the Treaty’s application that can predominantly facilitate the implementation of the UK’s four goals for COP26”, wrote Dr Rusnák in his letter to Prime Minister Mr Boris Johnson and COP26 President Mr Alok Sharma. In his proposal, the Secretary-General explained that over the last 23 years, the ECT has efficiently fulfilled its functions related to the facilitation and protection of energy-related foreign investments, access to technology, and capital. The ECT has a unique capacity to facilitate cooperation between investors and governments and foster commitments of mutual trust, legal stability, and policy predictability beyond election cycles. The Energy Charter Treaty envisages legal tools and commitments to reassure that today’s promises will result in the honoured commitments of tomorrow.

MAY 2021

6 May 2021
Uzbekistan uses the International Energy Charter on its way to carbon neutrality

The Energy Charter Secretariat participated in a hybrid event jointly organised with the Mission of Uzbekistan to the EU on ‘Fostering ground breaking European investment in Uzbekistan as a means of powering economic growth and creating jobs galore’.

The Energy Charter Secretariat was physically represented by Dr Marat Tertorov, the Head of Expansion of the Secretariat, as moderator, Dr Antonenko, the Head of Energy Efficiency of the Secretariat, and Secretary-General Dr Rusnák who gave a keynote speech on the importance of the modernisation of power generation in Uzbekistan.

11 May 2021
National Energy Summit: Nigeria retains an interest in joining the Energy Charter Treaty

The National Energy Summit of Nigeria, postponed by over a year due to the COVID-19 pandemic, took place in Abuja, Nigeria, over two long days on 13-14 April 2021. The Summit was organised by the Federal Government of Nigeria, namely by the Energy Commission of Nigeria, with the support of the Energy Charter Secretariat. It occurred within the bilateral cooperation between Nigeria and the International Energy Charter, supported by the Federal Government of Nigeria’s voluntary contributions to the Secretariat.

In its second edition, the Summit is fast becoming one of Nigeria’s most important gatherings in the national energy calendar of events. During the Summit, the Secretariat released Nigeria’s 2019 EIRA Extended Country Profile developed through the voluntary contribution of the Federal Government of Nigeria. The Extended Country Profile provides technical assistance and policy recommendations to the Federal Government.
on creating an enabling environment for FDI in energy.

20 May 2021
Newly designated Kazakhstan’s Ambassador to the EU visits the Energy Charter Secretariat

The Secretary-General Dr Urban Rusnák received the newly appointed Head of the Mission of the Republic of Kazakhstan to the European Union, HE Mr Margulan Baimukhan.

During the meeting, partners discussed the most pressing issues of international cooperation in the energy sector and the modernisation of the Energy Charter Treaty. Ambassador Baimukhan stressed that Kazakhstan is interested in deepening further international energy cooperation and underlined the importance of modernising the Energy Charter Treaty.

JUNE 2021

1-4 June 2021
Fifth Negotiation Round on the modernisation of the Energy Charter Treaty

On 1-4 June 2021, the Fifth Negotiation Round on the modernisation of the Energy Charter Treaty (ECT) was held by videoconference.

9-10 June 2021
Energy Charter Secretariat contributes to the UN ESCAP’s Expert Group Meeting on Sustainable and Clean Energy in North and Central Asia

The Energy Charter Secretariat’s Knowledge Centre participated in the Expert Group Meeting on Sustainable and Clean Energy in North and Central Asia under the auspices of the UN Economic and Social Commission for Asia and the Pacific (ESCAP). The expert group meeting brought together experts and relevant stakeholders from North and Central Asia to discuss the key determinants of clean energy in the region as well as the relationship between clean energy and the Sustainable Development Agenda.

16 June 2021
Yerevan International Energy Charter Forum

The high-level Yerevan International Energy Charter Forum took place online and discussed the topic ‘Facilitating Energy Infrastructure for Sustainable Development’. The Forum was jointly organised and hosted by the Ministry of Territorial Administration and Infrastructure of the Republic of Armenia and the International Energy Charter. It underlined the importance of overcoming global energy challenges, trusting in enhanced connectivity, and believing in open and competitive energy markets are crucial steps in attaining the objectives of the 2030 UN Sustainable Development Goals and facilitating energy transition.

21 June 2021
Armenia and the Energy Charter – cooperation within the Chairmanship

As a follow-up to the Yerevan International Energy Charter Forum ‘Facilitating Energy Infrastructure for Sustainable Development’ that took place on 16 June 2021, the Armenian Government and the Energy Charter Secretariat attempted to evaluate and quantify some preliminary results of the joint work over the last years and the ongoing cooperation within the Armenian Chairmanship in 2021.
22 June 2021

**Energy Charter contributes to the ECO High-Level Experts Group Meeting**

The Energy Charter Secretariat took part in the 4th ECO High-Level Experts Group Meeting. The meeting was virtually hosted by the Republic of Azerbaijan and attended by delegates from Afghanistan, Iran, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkey, Turkmenistan and Uzbekistan.

23 June 2021

**Milli Mejlis, the Parliament of the Republic of Azerbaijan, adopts the draft EE Law in the first reading**

The Parliament of the Republic of Azerbaijan voted and adopted in the first reading the draft Law ‘On the Rational Use of Energy Resources and Energy Efficiency’ that was developed with the technical assistance of the Energy Charter Secretariat within the EU4Energy project.

30 June 2021

**The Secretariat contributes to the workshop on ‘Strengthening national capacities in applying sustainable energy policy and practices’ organised by the UNECE**

On 30 June, the Secretariat contributed to the workshop on “Strengthening national capacity in applying sustainable energy policies and practices based on the recommendations of the Environmental Performance Reviews’ that was jointly organised by the Environment and Sustainable Energy Divisions of the United Nations Economic Commission for Europe (UNECE). The Secretariat presented the key challenges and opportunities for the development of sustainable energy policies in Kyrgyzstan, Azerbaijan, and Uzbekistan based on the analysis and findings of the In-Depth Energy Efficiency Reviews.

**JULY 2021**

9 July 2021

**Sixth Negotiation Round on the modernisation of the ECT**

On 6-9 July 2021, the Sixth Negotiation Round on the modernisation of the Energy Charter Treaty (ECT) was held by videoconference.

14 July 2021

**The Energy Charter Secretariat congratulates Mr Tigran Zakaryan of Armenia on the successful completion of his secondment programme**

The Energy Charter Secretariat congratulates Mr Tigran Zakaryan on the successful completion of his secondment programme. Mr Zakaryan has managed to implement all planned activities and prepared the Report on the implementation of Stage I of the International Energy Charter Investment Facilitation Toolbox (IEC IFT) in Armenia.

19 July 2021

**Uzbekistan is interested in deepening cooperation within the International Energy Charter**

During his visit to Uzbekistan on 15-17 July 2021, Secretary-General Urban Rusnák participated in the high-level international conference ‘Central and South Asia: Regional Connectivity. Challenges and Opportunities’. He presented his views about energy transit and connectivity at the panel session dedicated to the Trade and Transport Connectivity for Sustainable Growth in Central and South Asia.
27 July 2021

ECS signs a Memorandum of Understanding with the Brussels Diplomatic Academy of the Vrije Universiteit Brussel

The Energy Charter Secretariat is proud to announce that a Memorandum of Understanding with the Brussels Diplomatic Academy (DBA) has been signed.

The Brussels Diplomatic Academy of the Vrije Universiteit Brussel specialises in postgraduate education in economic diplomacy, international trade, and investment.

AUGUST 2021

11 August 2021

Mongolia prepares for the upcoming Chairmanship of the Energy Charter Conference in 2022

On 11 August 2021, the Ambassador Extraordinary and Plenipotentiary of Mongolia to the Kingdom of Belgium, and Head of the Mission to the EU, HE Mr Od Och met with the Secretary-General Dr Urban Rusnák. During the meeting, partners discussed the upcoming Chairmanship of Mongolia at the Energy Charter Conference in 2022 and also exchanged views on the further development and deepening of relations between the International Energy Charter and Mongolia.

SEPTEMBER 2021

21-24 September 2021

Energy Charter reviews energy efficiency policy in Uzbekistan

Under the auspices of the Protocol on Energy Efficiency and Related Environmental Aspects (PEEREA), and at the request of Uzbekistan, the Energy Charter Secretariat implemented a four-day mission to review the energy efficiency policy of the Republic of Uzbekistan. The Peer Review Team met with high-level representatives and experts of the Ministry of Energy, other ministries, state authorities and energy companies.

28 September 2021

Foreign Minister of the Kyrgyz Republic meets with the Secretary-General

Secretary-General Dr Urban Rusnák met with HE Mr Ruslan Kazakbaev, the Minister of Foreign Affairs of the Kyrgyz Republic. They discussed cooperation issues between Kyrgyzstan and the Energy Charter related to the modernisation of the Energy Charter Treaty (ECT) and the Energy Investment Risk Assessment (EIRA). Both sides exchanged views on regional developments in Central and South Asia, including the situation in Afghanistan and its implication for the countries of the region.
28 September – 1 October 2021
Seventh Negotiation Round on the modernisation of the ECT
On 28 September – 1 October 2021, the Seventh Negotiation Round on the modernisation of the Energy Charter Treaty (ECT) was held by videoconference.

5 October 2021
17th RECA meeting takes place in Kazakhstan
The meeting was organised in conjunction with the World Energy Week and Kazenergy Eurasian Forum taking place the same week in Nur-Sultan. The Kazenergy Association and the World Energy Council contributed to the general running of the meeting. This 17th RECA meeting secured speakers from all Central Asian countries and Mongolia, and ran under the headline ‘The Energy Industry in Central Asia: New National Initiatives And Partnerships’.

4-5 October 2021
High-Level Meetings in the Republic of Kazakhstan
On 4-5 October 2021 in Nur-Sultan, Kazakhstan, in conjunction with and at the margins of the World Energy Week and KAZENERGY Eurasian Forum, Secretary-General Dr Urban Rusnák held a number of bilateral meetings with high-level officials of the Republic of Kazakhstan.

7 October 2021
Energy Charter Secretariat publishes Energy Investment Risk Assessment 2021
On 7 October 2021, the Energy Charter Secretariat launched the fourth edition of its flagship publication, the Energy Investment Risk Assessment (#EIRA2021). The report was launched in Brussels at a hybrid event.

EIRA evaluates risks to energy investment that can be mitigated through adjustments to policy, legal and regulatory frameworks. The publication aims to identify policy goals, provide learning opportunities, and stimulate reforms that make the investment climate of countries more robust and reduce the risk of investor-State disputes. It highlights the key strengths and areas for improvement in each country and gives recommendations to improve results.

18 October 2021
Secretary-General to speak at the 10th Conference of the Global Forum on Energy Security
Secretary-General Dr Urban Rusnák gave the opening remarks at the 10th Conference of the Global Forum on Energy Security, which was hosted by the Chinese Academy of Social Science, a close partner of the International Energy Charter. In his statement, Dr Rusnák pointed out that China’s relationship with the Energy Charter Process spans well over a decade and has expanded substantially during his tenure as Secretary-General.

18 October 2021
Secretary-General Dr Urban Rusnák address the Belt and Road Energy Ministerial Conference
The International Energy Charter was invited by the National Energy Administration of China to contribute to the Belt and Road Energy Ministerial Conference. Dr Rusnák spoke about the importance of energy transition in order to combat...
climate change and also about the importance of international cooperation and a steady investment into sustainable energy along the lines of the theme of the hybrid conference “Join hands toward a greener and more inclusive energy future”.

18 October 2021

**International Energy Charter is welcomed by high-level officials in Armenia**

On 18 October 2021, the recently appointed Chair of the Energy Charter Conference (ECC), the Armenian Minister of Territorial Administration and Infrastructure, Mr Gnel Sanosyan, welcomed Secretary-General Dr Urban Rusnák in Yerevan. The meeting was dedicated to Armenia’s Chairmanship of the ECC this year and the upcoming 32nd meeting of the ECC.

On the same day, Secretary-General Dr Urban Rusnák was hosted by Mr Vahe Gevorgyan, Deputy Minister of Foreign Affairs of Armenia. Mr Gevorgyan was updated by Secretary-General Dr Urban Rusnák on the ECT process, negotiations on the ECT modernisation, Armenia’s Chairmanship of the ECC, and the preparations for the upcoming ECC meeting.

19 October 2021

**The Secretary-General’s Statement at the UNCTAD High-Level International Investment Agreements Conference 2021**

On 19 October 2021, Secretary-General Dr Urban Rusnák took part in the High-Level International Investment Agreements Conference 2021 which focused on international investment treaty-making in the new era of global economy.

21 October 2021

**Energy Charter Secretariat contributes to the Climate Change Hackathon to support COP26 goals**

On 21 October 2021, the Energy Charter Secretariat participated in the final event on the Climate Change Hackathon for the evaluation of 12 proposals to support one of the UN Climate Conference (COP26) Goals. The Climate Change Hackathon was an excellent opportunity to develop innovative climate-related policy proposals and exchange opinions among over 130 experts.

22 October 2021

**Energy Charter Secretariat participates in the Thirty Sixth ITF Public Conference of the British Institute of International and Comparative Law**

On 22 October 2021, the British Institute of International and Comparative Law (BIICL) invited the Energy Charter Secretariat’s Investment Coordinator, Ms Ishita Pant, to preside over the second session of the Thirty Sixth Investment Treaty Forum Public Conference: ‘Time Limits in International Investment Law’. The event brought together senior practitioners, arbitrators,
academics and other experts. The topics discussed included the retroactive application of the law, application of treaties before entry into force (including provisional application), the applicability of commercial law statutes of limitation in ISDS, sunset clauses in international investment agreements, and consequences of mutually agreed termination of treaties.

23 October 2021
Secretary-General Dr Urban Rusnák visits Tashkent and Samarkand
Dr Rusnák met with Mr Furkat Sidikov, Deputy Minister of Foreign Affairs to discuss a broad range of topics with the Uzbek hosts: the road to decarbonisation of the energy sector, the deployment of renewables and investment conditions in Uzbekistan, prospects for a hydrogen economy, regional cooperation including transit of energy resources, and power interconnections.

Regionalism in Central Asia and the role of parliaments in promoting mutually beneficial cooperation were topics of a roundtable discussion between postgraduate students, faculty members and foreign guests at the Tashkent Jean Monet Centre of Excellence in European studies. Ms Gulnoza Ismailova, Vice-rector of the University of World Economy and Diplomacy opened the event. Secretary-General Dr Urban Rusnák intervened in the roundtable discussion focused on energy-related cooperation in Central Asia and experiences of the International Energy Charter.

On 25 October, Mr Sherzod Khojaev, Deputy Minister of Energy invited Secretary-General Rusnák to visit the data centre collecting all billing and technical information from more than 7 million smart meters in households and small enterprises in Uzbekistan. With 99.9% coverage of retail consumers connected to the grid, Uzbekistan is one of the most advanced users of smart meters in the world.

27-28 October 2021
Secretary-General participates in the 26th Oil & Gas Conference, Ashgabat, Turkmenistan
On 27-28 October 2021, Dr Urban Rusnák took part in the 26th Oil & Gas Conference, which was held in hybrid format in Ashgabat, Turkmenistan, and online.

NOVEMBER 2021

4 November 2021
International Energy Charter contributes to the First EU-Central Asia Economic Forum and organises a high-level side event on transition to sustainable energy
The Energy Charter Secretariat, in cooperation with the Kyrgyz Ministry of Energy and Industry and UNDP Kyrgyzstan, organised a high-level side event on ‘Promoting sustainable energy and energy transition in Central Asia’ on the margins of the EU-Central Asia Forum in Bishkek. Ms Atsuko Hirose, Deputy Secretary-General, participated in the EU-Central Asia Economic Forum and stressed the importance of international energy cooperation in attaining the goals of the UN Sustainable Development Agenda and the objectives of the Paris Agreement.

9-12 November 2021
Eighth Negotiation Round of the modernisation of the ECT
On 9-12 November 2021, the Eighth Negotiation Round on the modernisation of the Energy Charter Treaty (ECT) was held by videoconference.

15 November 2021
Representatives of the Ministry of Foreign Affairs of the Republic of Kazakhstan visit the Energy Charter Secretariat
On 15 November 2021, the Deputy Secretary-General, Ms Atsuko Hirose, received the Director of the Department of Multilateral Cooperation of the Ministry of Foreign Affairs of the Republic of Kazakhstan, Mr Didar Temenov.
Joint ECOWAS-Energy Charter Regional Energy Governance Forum and Training Programme on Improving Energy Governance and Promoting Regional Cooperation in West Africa


The workshop was run in hybrid format, with a group of some 30 core in-person participants, together with multiple contributions delivered by video conference. Thematic sessions focused on the ECT and the Energy Charter Process; ECT accession outlook of the ECOWAS Member States and the pause on ECT accession; regional integration and cooperation; energy governance and investment outlook of the ECOWAS Member States/country-by-country; renewables in the West African power sector; energy efficiency, heating and cooling; investment risk assessment and the energy outlook for the ECOWAS region through 2050. There were also site visits and a cultural program organized. This event brought together several dozen participants from government and civil society from multiple countries in the West African sub-region, to evaluate energy governance and regional cooperation. The event was also supported by the European Union, which has provided the base funding for AGoSE.

December 2021

Secretariat highlighted key findings from the recent In-Depth Energy Efficiency Reviews during the Energy Investment Forum organised by CAREC

Dr Antonenko, the Head of the Energy efficiency Unit, contributed on behalf of the Secretariat to the CAREC Energy Investment Forum and discussed business and investment opportunities in the field of energy efficiency in the CAREC region.

The intervention of the Energy Efficiency Unit was based on the In-Depth energy Efficiency Reviews of Azerbaijan, Kyrgyzstan and Uzbekistan conducted by the Secretariat in 2017-2021.

The 32nd Meeting of the Energy Charter Conference held under the Chairmanship of Armenia

On 14 December 2021, more than 30 Contracting Parties to the Energy Charter Treaty convened for the 32nd Meeting of the Energy Charter Conference, the governing and decision-making body for the Energy Charter Process.

The Meeting of the Conference was held online due to the COVID-19 pandemic.

The first part of the Statutory Session was mostly devoted to the budget and programme of work for 2022-2023, as well as the main priorities in 2021: modernisation of the Treaty and implementation of the Conclusions of the 2019 Review.

The second part of the Statutory Session, which was open to all Members and Observers to the Conference, was dedicated to the report and future outlook of the Secretary-General, as well as the reports of the subsidiary bodies and Working Groups of the Conference and the Industry Advisory Panel.
Energy Charter Award 2021
At the 32nd Meeting of the Energy Charter Conference, HE Mr Gnel Sanosyan delivered the Energy Charter Award for 2021. The award was presented to the Legal Team of the Energy Charter Secretariat for its outstanding work, professionalism and efforts in the modernisation process of the Energy Charter Treaty.

15 December 2021
Industry Advisory Panel holds its 45th meeting
The event, which took place via videoconference, was hosted by COGEN Europe and brought together the members of the IAP, and representatives of energy companies and associations.

It was devoted to ‘digital transformation of the critical energy infrastructure and deepening the collaboration between international organisations, financial institutions and industry for a smooth energy transition.’
PUBLICATIONS RELEASED IN 2021

8 June 2021
International Energy Charter Annual Report 2020

20 September 2021
Nigeria Extended Profile 2019
The Second EIRA Extended Country Profile for Nigeria is a collaboration between the Energy Commission of Nigeria and the Energy Charter Secretariat. The report provides policy recommendations and technical assistance to the Federal Government of Nigeria to reduce policy, legal and regulatory risks in the energy sector and unlock investment for a sustainable energy future. It identifies the main priorities for the country’s energy sector and the progress made towards these in the last year. Updates are available on the key energy projects and programmes implemented during the EIRA assessment year.

23 September 2021
EIRA Monitoring Report 2020 – BELARUS
Within the context of the EU4Energy Initiative, and based on the principles of the Energy Investment Risk Assessment (EIRA), the Energy Charter Secretariat developed the EU4Energy EIRA Monitoring Report 2020 for Belarus. It monitors the recommendations provided to Belarus in the EU4Energy EIRA 2017 Extended Country Risk Profile as well as the areas for improvement outlined in Belarus’ country profile in the EIRA 2018 report.
23 September 2021

**EIRA Monitoring Report 2020 – ARMENIA**

Within the context of the EU4Energy Initiative and based on the principles of the Energy Investment Risk Assessment (EIRA), the Energy Charter Secretariat developed the EU4Energy/EIRA Monitoring Report 2020 for Armenia. It monitors the recommendations provided to Armenia in the 2017 Extended Country Risk Profile and the areas for improvement outlined in Armenia’s country profile in the EIRA 2018 Report.

11 October 2021

**Energy Investment Risk Assessment – EIRA 2021**

The Energy Investment Risk Assessment (EIRA) is a publication of the Energy Charter Secretariat that evaluates specific risks to energy investment that can be mitigated through adjustments to policy, legal and regulatory frameworks.

Download the 2021 version [here](#) or from the EIRA website at: eira.energycharter.org
WORKED AT THE SECRETARIAT IN 2021

ECS officials 2021
Vlatka ANIC
Oleksandr ANTONENKO
Margaret BOLAN
Kanat BOTBAEV
Ardit ÇAMI
Alejandro CARBALLO LEYDA
Iryna DE MEYER
Özlem DUYAN
Monica EMMANUEL
Ruslan GALKANOV
Vitali HIARLOUSKI
Atsuko HIROSE
Mara NOVELLO
Aidana ORYNBEKOVA
Ishita PANT
Anna PITARAKI
Yuriy POCHTOVYK
Ruslan RAKHMETOV
Yves RAYEUR
Urban RUSNÁK
Edward SAFARYAN
Bernhard STOCKER
Nidal TAYEH
Marat TERTEROV
Francine UWINEZA
Hava YURTTAGUL

Secondees
Ilkhom NIMATULLAEV – Uzbekistan
Tigran ZAKARYAN – Armenia

Staff on Loan
Samba SOWE – Gambia

Fellows
Betty SUMARNO – Indonesia
Noreen KIDUNDUHU – Kenya

Trainees
Marcos A. CASTELLA – United States
Constantin BOROSAN – Romania

The Energy Charter Secretariat is an equal opportunities employer and with officials currently from 19 countries.

26 ECS officials from 19 countries
12 ♀, 14 ♂

33 total staff – including secondees, fellows and trainees, from 25 countries
14 ♀, 19 ♂

Nationality of Officials, Secondees, Staff on Loan and Interns (2021)

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<th>Nationality</th>
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<tr>
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STRUCTURE OF THE ORGANISATION FOR 2022

Energy Charter Conference
Chairmanship for 2022: Mongolia
Chair: Mr Nansal Tavinbekh (Mongolia)
Vice-Chair: Mr Bayarmagnai Myagmarsuren (Mongolia)
Vice-Chair: Mr Hakob Vardanyan (Armenia)
Vice-Chair: Mr Sherzod Khodjaev (Uzbekistan)

Strategy Group
Chair: Mr Samir Abdurahimov (Azerbaijan)
Vice-Chair: Vacant

Implementation Group
Chair: Ms Klara Rakmetova (Kazakhstan)
Vice-Chair: Mr Johan Vetlesen (Norway)
Vice-Chair: Mr Aziz Khamidov (Uzbekistan)

Modernisation Group
Chair: Mr Lukas Stifter (Austria)
Vice-Chair: Mr Akiyoshi Kawabata (Japan)
Vice-Chair: Mr Samir Abdurahimov (Azerbaijan)
Vice-Chair: Mr Felix Imhof (Switzerland)

Working Group on Governance Issues
Chair: Ms Klara Rakmetova (Kazakhstan)
Vice-Chair: Mr Towfick Sufian (Yemen)
Vice-Chair: Vacant

Budget Committee
Chair: Mr Christian Bühlmann (Switzerland)
Vice-Chair: Vacant

Legal Advisory Committee
Chair: To be decided ad hoc by the members of the LAC

Industry Advisory Panel
Chair: Mr Rafael Cayuela Valencia
Chief Strategy Officer and Corporate Chief Economist at Dow EMEAI

Management Committee
(established in September 2021)
FURTHER INFORMATION


The Secretariat also publishes an electronic newsletter with details of Energy Charter meetings, activities and developments. If you are interested in receiving this newsletter, please subscribe by visiting the homepage.

For any other queries, please contact the Secretariat at info@encharter.org

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We invite you to follow our activities throughout the year via social media:

www.twitter.com/SecGenEnCharter
www.twitter.com/Energy_Charter
www.linkedin.com/company/energy-charter

Websites:

energycharter.org
enerychartertreaty.org
eira.energycharter.org