

**ENERGY CHARTER
SECRETARIAT**

CCDEC 2014

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Brussels, 26 November 2014

Related documents: CC 505 and CC 505 Rev.
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DECISION OF THE ENERGY CHARTER CONFERENCE

Subject: Astana Declaration of the Energy Charter Process for Global Energy Architecture (2015-2019)

At its 25th Meeting held on 26 November 2014 in Astana, the Energy Charter Conference,

Recalling the Conclusions of the 2014 Review under Article 34(7) ECT approved by the Conference, and

Acknowledging the semi-annual report of the Kazakh Chairmanship of the Energy Charter Conference (Mess. N. 1154/14), which contains several suggestions in line with the result of the review under Article 34(7) ECT,

1. Has **adopted** the attached **Astana Declaration** of the Energy Charter Process as a strategic orientation for the work of the subsidiary bodies of the Conference and the Secretariat towards 2019 - in line with the available resources and within the annual Programmes of Work or based on voluntary contributions - in order for the Energy Charter Treaty to remain an important legal instrument within the global energy architecture;
2. Intends to reconsider this Astana Declaration and its implementation in connection with the next Review under Article 34(7) ECT.

Keywords: Astana, Declaration, 2014, Conclusions, Energy Charter Process

Astana Declaration of the Energy Charter Process



for Global Energy Architecture

Acknowledging that the Energy Charter Treaty stands out as the only multilateral legally binding instrument in the energy sector dealing with the issues of investment protection, transit and trade; and that its unique internationally enforceable legal framework, including its strong mechanism for the settlement of disputes, is a highly useful instrument for reducing specific risks associated with the operation of the energy sector;

Believing that the internationally enforceable legal framework of the Energy Charter Treaty has an important role in global energy architecture as it provides unique rules beneficial for energy security;

Valuing greatly the increasing interest of new countries in the world in the Energy Charter Process through the negotiations for updating the 1991 Energy Charter;

On this basis we, the representatives of the Contracting Parties and Signatories to the Energy Charter Treaty

1. *Envisage* the application of two **Strategic Objectives** in order to fulfil this role: (i) *full implementation of the Energy Charter Treaty* and (ii) *global expansion of the Energy Charter Process*. The Energy Charter subsidiary bodies and the Secretariat will organise their work in order to facilitate the achievement of these strategic objectives.
 - *Full Implementation* means taking full advantage of all the benefits of the Energy Charter Treaty and applying it in an optimal way.

In order to achieve this Strategic Objective, the efforts of the Secretariat will focus i.a. on the priorities as reflected in the Conclusions of the 2014 Review:

- Investment Promotion and Protection, and Dispute Settlement: exploring voluntary mechanisms for early amicable settlement of investment disputes.

- Trade, Transit and Emergency Response: foster in-depth multilateral dialogue on security of energy transit and transparency in all segments of the international energy markets (production/export, transit, consumption/import).
 - Subject to the review of the implementation of the transit provisions of the Energy Charter Treaty, discuss the possibility to resume negotiations of a Multilateral framework Agreement on Transit of energy resources on a new basis.
 - Energy Efficiency: subject to the results of the comprehensive review, conducting in-depth Reviews on energy efficiency in the countries of the Energy Charter and conducting further monitoring mechanisms to assess the effectiveness of the recommendations of the conducted Reviews.
- *Global Expansion* means maximizing and capitalizing on both (i) the increasing interest of new countries in different regions of the world in the Energy Charter Process, and (ii) the renewed interest of signatories of the 1991 Energy Charter who have not yet ratified or acceded to the Energy Charter Treaty. The goal will be to increase accessions and ratifications of the Treaty in a broader geographical context.

In order to achieve this objective, a comprehensive review of the CONEXO policy will be undertaken in 2015 as recommended in the Conclusions of the Review. Subject to the outcome of this Review, the priorities for CONEXO policy will be the implementation of its first element i.e. Consolidation and the second element i.e. Expansion of the Charters' geographical coverage by attracting new members.

Furthermore, regional cooperation is called for as a means to achieving the expansion of the Energy Charter Treaty's scope.

2. *Recognise* that to facilitate the accomplishment of these two Strategic Objectives, the following means will be used:

- Institutional issues, management and finance: an effective institution with appropriate resources is a basic requirement to facilitate the achievement of the Strategic Objectives. This involves, inter alia, the adoption of effective rules of procedure and optimal cooperation with other relevant institutions.
- Promotion and awareness raising, training, knowledge centre: not only externally (*vis à vis* new countries), but also internally. This will allow current members to be fully aware, and make full use of all benefits of the Energy Charter Treaty.

The achievement of the above mentioned strategic goals is to be reached through cooperation among the parties on the basis of shared interest and transparency, in conformity with the main principles of the Energy Charter Treaty.