



**BRUSSELS INTERNATIONAL ENERGY CHARTER FORUM
MOBILISING INVESTMENTS FOR A SUSTAINABLE ENERGY FUTURE**

Jointly organised by

International Energy Charter
Florence School of Regulation (FSR)
Arbitration Institute of the Stockholm Chamber of Commerce (SCC)
International Centre for Settlement of Investment Disputes (ICSID)
Permanent Court of Arbitration (PCA)

Hosted by the International Energy Charter

12 May 2017

Venue: Boulevard de la Woluwe 46, Brussels

The forum aims to deliver cutting-edge thinking and debate on policy, legal and regulatory aspects concerning the undergoing transition towards a sustainable energy model. The global energy architecture needs to build on stable and transparent frameworks to mobilise huge investment to enable the low-carbon energy transition. From different and complementary angles, the five institutions co-organising the forum participate in the promotion and protection of energy investment and in the analysis and policy dialogue on energy markets.

The first morning session deals with the necessity of stable investment conditions to implement the UNFCCC Paris Agreement and achieve the UN Sustainable Development Goals on universal energy access. The second session focuses on best practices in regulatory reform to attract investment while minimising disputes.

The policy-oriented, preventive and ex-ante regulatory presentations of the morning, are complemented in the afternoon with an ex-post legal approach related to dispute settlement. The third session tackles the concept of investment protection standards, which are ultimately interpreted by arbitral tribunals in actual investor-state disputes. The fourth and last session reviews the work in progress in investment dispute settlement.

DRAFT AGENDA

9.00 – 9.30 **Opening remarks**

- High level official, Turkmenistan Chairmanship
- Urban Rusnák, Secretary General, Energy Charter Secretariat
- Meg Kinnear, Secretary-General, ICSID
- Brooks Daly, Deputy Secretary-General, PCA
- Annette Magnusson, Secretary-General, Arbitration Institute of the SCC
- Jean-Michel Glachant, Director, FSR

9.30 – 09.45 **Keynote speech** : Rachel Kyte, CEO Sustainable Energy for All (SEforAll) and Special Representative of the UN Secretary-General for SEforAll.

9.45 – 11.15 **First Session: The necessity of stable investment conditions to implement the Paris Agreement**

Moderator: Andris Piebalgs, Florence School of Regulation, former EU Commissioner for Energy and for Development

- Hamid Chitchian, Minister of Energy, Iran (*tbc*)
- Li Xian, Deputy Minister, National Energy Administration, China (*tbc*)
- Christophe Bazivamo, Deputy Secretary-General, East African Community
- Katerina Florou, International Relations Officer, DG Energy, EU Commission



11.15 – 11.30 **Coffee break**

11:30 – 13.00 **Second session: The Right to Regulate : Best practices in regulatory reform to attract investment and minimise investment disputes**

Moderator: Ernesto Bonafé, Expert, Energy Charter Secretariat

- Alberto Potoshnik, Director, EU Agency for the Cooperation of Energy Regulators
- Honoré Bogler, Chairman, Economic Community Of West African States (ECOWAS) Regional Electricity Regulatory Authority
- Emmanuel Opoku, General Counsel, African, Caribbean and Pacific Secretariat
- Felice Zaccheo, Head of Unit, DG DEVCO, EU Commission

13:00 – 14.15 **Lunch**

14:15 – 15.45 **Third Session: Investment protection standards under the Energy Charter Treaty, is there a need to clarify?**

Moderator: Fredrik Andersson, Mannheimer Swartling

- Martins Paporinskis, University College London (UCL)
- Shotaro Hamamoto, Kyoto University
- Elisabeth Tuerk, United Nations Conference on Trade and Development (UNCTAD), Chief, Section on International Investment Agreements
- Claudia Annacker, Cleary Gottlieb Steen & Hamilton
- David Gaukrodger, Senior Legal Adviser, Organisation for Economic Co-operation and Development (OECD), Investment Division (*tbc*)

15.45 – 16:00 **Coffee break**

16:00 – 17.30 **Fourth Session: Works-in-progress in investment dispute settlement**

Moderator: Frauke Nitschke, Team Leader/Legal Counsel, ICSID

- Investment Mediation: Mark Appel, Chairman, Investor-State Task Force, International Mediation Institute (IMI)
- Enforcement of settlement agreements and concurrent proceedings : UNCITRAL
- Investment Court: European commission, DG Trade
- Procedural Innovation in Investment Arbitration, Dirk Pulkowski, Senior Legal Counsel, PCA

17.30 –17.35 **Concluding remarks**

PRACTICAL INFORMATION

The forum is free for public officials upon registration at legaffairs@encharter.org.

Participants from the private sector and academics will have to pay a fee of 200 euro upon registration at legaffairs@encharter.org

The evening before, **11 May**, there will be a **reception** for participants and the diplomatic community to inaugurate the new premises of the International Energy Charter.

