

APPOINTMENT OF THE ADVISORY COMMITTEE

established under Article 32 of the Rules of Procedure for Dispute Settlement

BACKGROUND

In June 2008, the Ministerial Council of the Energy Community adopted Rules of Procedure for Dispute Settlement under the Treaty establishing the Energy Community (PA 2008/01/MC-EnC), which were revised in October 2015 (PA 2015/04/MC-EnC). The Rules of Procedure envisage that the Advisory Committee is composed of five members appointed by the Ministerial Council by unanimity for a renewable term of four years, including one member representing the European Union. Members shall be chosen from persons whose independence is beyond doubt and who possess the qualifications required for appointment to the highest judicial offices in the respective Party.

At its meeting on 14 October 2016, the Ministerial Council appointed Prof. Dr. Verica Trstenjak and Prof. Dr. Alan Riley as members of the Advisory Committee. At the same meeting, the Ministerial Council also extended the term of Dr. Wolfgang Urbantschitsch, Prof. Dr. Rajko Pirnat and Prof. Dr. Helmut Schmitt von Sydow as members of the Advisory Committee and Mr. Nikola Radovanović, Mr. Visar Hoxha as alternate members of the Advisory Committee until 31 December 2020.

To enable compliance with Article 32(3) of the Dispute Settlement Rules, and based on the confirmation of interest by the current members and alternate members to continue discharging their current functions, the Secretariat proposes reappointment of the current members and alternate members of the Advisory Committee.

PROPOSAL

The Secretariat respectfully proposes to the Ministerial Council to

”(1) Reappoint Dr. Wolfgang Urbantschitsch, Prof. Dr. Rajko Pirnat, Prof. Dr. Helmut Schmitt von Sydow, Prof. Dr. Verica Trstenjak and Prof. Dr. Alan Riley as members of the Advisory Committee established under the Rules of Procedure for Dispute Settlement until 31 December 2024.

(2) Reappoint Mr. Nikola Radovanović and Mr. Visar Hoxha as alternate members of the Advisory Committee until 31 December 2024.