

WHY COME TO THE CENTRE?



Profound **knowledge** of the energy environments of Europe and beyond;



Specific legal and technical expertise in the **energy sectors** and beyond, supported by a distinguished and experienced panel of international mediators;



Extensive knowledge of **European and International energy law** and the Energy Community Treaty;



Experience in dealing with high profile cases;



Excellent track record in the swift closure of **disputes**;



Confidentiality;



Free of charge.



Energy Community Secretariat

Dispute Resolution
and Negotiation Centre

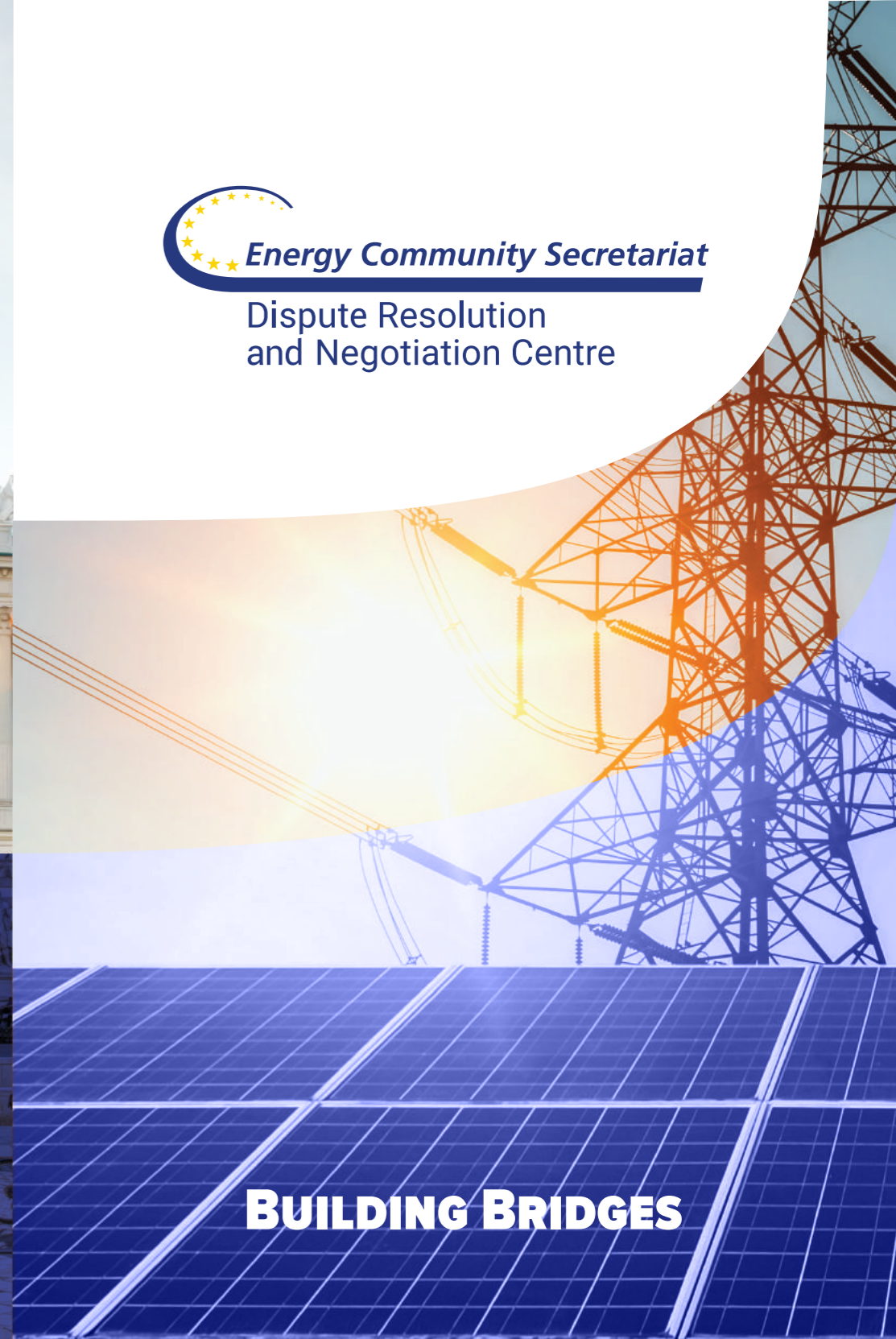


Energy Community Secretariat

Dispute Resolution
and Negotiation Centre

Energy Community Secretariat

Am Hof 4, Level 5-6, 1010 Vienna, Austria
www.energy-community.org/aboutus/disputeresolution
centre@energy-community.org
+ 431 535 2222



BUILDING BRIDGES

THE ENERGY COMMUNITY

'06 The Energy Community is an international organisation dealing with energy policy. **Established in 2006**, it brings together the European Union, its neighbouring countries, countries from South-East Europe and countries from the Black Sea region.

The Contracting Parties are Albania, Bosnia and Herzegovina, Georgia, Kosovo*, Moldova, Montenegro, Serbia, Ukraine and former Yugoslav Republic of Macedonia.

The main purpose of the Energy Community is to create an integrated energy market allowing for cross-border energy trade and integration with the EU market.

THE SECRETARIAT

It has extensive experience in mediating high profile energy disputes.

The Secretariat has been successfully settling disputes between the investors in the region and the Contracting Parties. Parties entrusted the Secretariat with the role of facilitating their negotiations in a number of prominent cases, including ČEZ v Albania, EVN v fYR of Macedonia and Gas Natural Fenosa v Moldova. Cases solved by the Secretariat have been touching upon issues such as distribution network tariffs, environmental standards, independence of the regulators, transparency of the energy markets and non-discrimination between market participants.



Janez Kopač
Director

*This designation is without prejudice to positions on status, and it is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence

ENERGY COMMUNITY SECRETARIAT'S DISPUTE RESOLUTION AND NEGOTIATION CENTRE

'16 In 2016, the Energy Community Secretariat established the Energy Community Secretariat's Dispute Resolution and Negotiation Centre. The Center offers facilitation and mediation of disputes between private parties and investor-state and state-state disputes.

It combines technical, legal and political expertise with the independence and standing of an experienced international organization and respected negotiation facilitators and mediators.

The Centre builds on the expertise of more than thirty in-house experts of the Energy Community Secretariat, dealing with energy issues in their entirety. It also covers the related fields, including consumer protection and environmental issues. The operation of the Centre is supported by an experienced panel of international mediators and experts.

HOW DOES THE PROCESS WORK?

In dispute facilitation cases, any interested party, be it a government, public authority, market participant, civil society representative or investor, is invited to submit a request to have negotiations of a dispute facilitated or mediated by the Centre. Parties to the dispute appoint a facilitator or mediator, either from the staff of the Energy Community Secretariat or the panel of mediators. All information exchanged during the negotiations remains strictly confidential.



Dirk Buschle
Deputy director, Legal counsel
Chair of the Energy Community's Dispute
Resolution and Negotiation Centre

Negotiations typically take place at the premises of the Energy Community Secretariat, which offers the use of its conference room and services and facilities in the centre of Vienna, free of charge.

WHAT DO WE OFFER?

Dispute facilitation

The Centre supports the dispute negotiation process under terms and conditions agreed with the disputing parties, with a view to reaching a settlement that is mutually acceptable by and agreeable to the disputing parties. The process may include making concrete proposals for the settlement of a dispute.



"Mr Buschle's work as a facilitator was instrumental in the settlement of the dispute between ČEZ and Albania, and saved both parties from long and costly arbitration proceedings. The settlement agreement signed in June 2014 reinstated the stability of the sector and the good reputation of Albania as a foreign investment destination."

Damian Gjicknuri,
Minister of Energy and Industry of Albania



"The tariff deviations incurred by Gas Natural Fenosa and the subsequent dispute with the Moldovan Government threatened to put the electricity system of Moldova on the verge of extensive power outages. **Energy Community Secretariat's Dispute Resolution and Negotiation Centre** provided us with the ideal platform for the development of options to solve this major issue."

Antoni Peris Mingot,
General Director of Regulated Business,
Gas Natural Fenosa

