

Brussels, 4 September 2024

**35<sup>TH</sup> MEETING OF THE ENERGY CHARTER CONFERENCE**

**3 December 2024**

**FINAL REPORT OF THE MODERNISATION GROUP**

1. The Modernisation Group held six negotiation rounds in 2022: 18–21 January 2022, 1–4 March 2022, 19–22 April 2022, 16–20 May 2022, 8–10 and 14 June 2022 and 23 June 2022. The negotiation rounds were chaired by Mr Lukas Stifter (Austria), Chair of the Group. The Vice-Chairs of the Group were Messrs Felix Imhof (Switzerland), Samir Abdurahimov, later replaced by Mr Elshan Abdulazimov on 15 June 2022 (Azerbaijan), and Akiyoshi Kawabata (Japan).
2. The following delegations participated in the negotiation rounds: Armenia, Austria, Azerbaijan, Belgium, Croatia, Cyprus, Czech Republic, Estonia, the European Union, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Japan, Jordan, Kazakhstan, Kyrgyzstan, Lithuania, Luxembourg, Mongolia, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, The Netherlands, Türkiye, Turkmenistan, Ukraine, the United Kingdom, Uzbekistan, and Yemen.
3. In addition, the Modernisation Group held five meetings:
  - 29 July 2022: to discuss and confirm the result of the legal scrubbing, consistency check and editorial revision, as well as the format, structure and content of the documents communicated to Contracting Parties on 12 August 2022.
  - 20 September 2022: to consider any pending procedural issues, including the list of materials to be included in the *travaux préparatoires*.
  - 17 January 2023: to discuss any questions regarding the adoption/approval of the draft Conference decisions on the modernisation of the ECT at the Ad Hoc meeting of the Energy Charter Conference in April 2023.
  - 15 May 2023: to discuss the next steps for adopting the draft Energy Charter Conference (Conference) decisions on the modernisation of the Energy Charter Treaty (ECT), including replacing some of the dates in those decisions.
  - 26 August–2 September 2024: to discuss an additional amendment to Article 49 of the ECT (Depositary) and the next steps for adopting the draft Conference decisions on the modernisation of the ECT, including replacing some of the dates in those decisions.
4. Two of the meetings (April and May 2022) took place in hybrid mode (with some participants in person and others by Zoom videoconference) and one (23 June 2022) only in

person. The remaining meetings were held online (Zoom videoconference).

5. The Modernisation Group also held one informal online meeting on transit issues on 8 April 2022.
6. In line with the mandate of the Modernisation Group (CCDEC 2019 10), the steering group held six meetings in 2022, three meetings in 2023, and one meeting in 2024: 12 January 2022 (chaired by the United Kingdom), 4 February 2022 (chaired by the European Union), 17 March 2022 (chaired by Japan), 10 May 2022, 1 and 14 June 2022, 11 January 2023, 26 April 2023, 27 June 2023 (chaired by the Chair of the Modernisation Group), as well as 16 August 2024 (chaired by Switzerland). Debriefings of the steering group meetings were circulated to Contracting Parties before the relevant meeting. Along with the Chair and the Vice-Chairs of the Group and the Secretariat, the steering group comprised the following delegations: Azerbaijan, the European Union, Georgia, Japan, Kazakhstan, Switzerland, Türkiye, and the United Kingdom.
7. On 24 June 2022, the Energy Charter Conference confirmed the agreement in principle on the modernisation of the ECT (Message 1987/22) and approved a public communication explaining the main changes contained in the agreement in principle (CCDEC 2022 10), “thus concluding the negotiations for a modernised ECT”.
8. On 26 August–2 September August 2024, the Modernisation Group recommended the Conference adopt an additional amendment to Article 49 of the Energy Charter Treaty (Depositary). The recommended amendment will be communicated to Contracting Parties before 3 September 2024.
9. The Modernisation Group, therefore, successfully fulfilled the mandate of the Conference to conclude the negotiations on the modernisation of the ECT expeditiously.
- 10. On 3 December 2024, the Conference will be invited to take note of the Final Report of the Modernisation Group and to dissolve the Group, acknowledging the successful completion of its mandate.**