

REPORT OF UPES'S CONFERENCE

SECURITY OF ENERGY SUPPLY – NOTHING WILL BE THE SAME

At the very beginning, Dr. Branislava Lepotić Kovačević, President of UPES thanked the participants for attending the conference and expressed her satisfaction that UPES is organizing an international conference for the fifth year in a row. She also emphasized the importance of the topic being discussed, especially in the complex geopolitical circumstances in which the energy is and is trying to adapt. She also expressed satisfaction that the number of UPES members, both lawyers and other experts in the field of energy is constantly growing, which shows the importance of UPES.

The President of EFELA, Mr. Vicente Lopez-Ibor Mayor, expressed his satisfaction of addressing the participants of the annual UPES conference again this year and stressed the importance of topics discussed. He pointed out several examples of challenges that energy and energy law are currently facing, and expressed hope that the efforts made in EU countries and EFELA members will contribute to ensuring the security of energy supply in these hard times.

I Session – Rule of Law and the Security of the Energy Supply

Moderator: UPES, Ms. Aleksandra Petrović, lawyer, Moravčević, Vojnović and Partners and Belgrade

The introductory speech in this session was given by the Deputy Director and Legal Counsel of the Energy Community Secretariat, Prof. Dirk Buschle who spoke about the reasons for the current energy crisis with special emphasis on macroeconomic aspects of the crisis. On the example of the Republic of Serbia, he pointed out certain problems we are facing in this crisis and presented the way in which the Energy Community can help solve it. He also linked the consequences of the crisis on the security of energy supplies and outlined the efforts undertaken by the European Union to mitigate these consequences.

Ms. Soo-Young Hwang, a lawyer at UNEP, spoke about the right to clean, healthy and sustainable environment as a human right. She presented the reasons why the right to clean, healthy and sustainable environment is in the corpus of human rights, relevant acts that confirm this and the global influence of recognizing this right as human. She presented the current efforts of the United Nations in promoting environmental rights as a human right and presented further steps in this direction.

Mr. Gligo Vukovic, Energy Manager at the Delegation of the European Union to the Republic of Serbia, spoke about RePowerEU actions of the European Union aimed at reducing the influence of the European Union from fossil energy sources of the

Russian Federation. He pointed out that these actions are fully aligned with the European Green Deal. He paid special attention to actions aimed at ensuring the security of gas supply in conditions where it would not be obtained from the Russian Federation.

Mr. Aleksandar Dedinec, scientific advisor to the Macedonian Academy of Sciences and Arts, spoke about the ways in which European countries have solved energy crises in the past as well as the ways in which the existing energy crisis could be solved. He also presented the development of the energy market and investments, and their responses to crises in the previous period. In the end, recommendations were made for solving the energy crisis, with the message that every crisis creates some new opportunities that it is advisable to take.

This was followed by the comment of Mr. Predrag Bjelić, professor at the Faculty of Economics, University of Belgrade, who gave a brief review of the economic causes and consequences of both the occurrence of the energy crisis and its impact on the security of supply in the energy sector.

Mrs. Mira Todorović Simeonides, Partner in the Rokas Law Firm in Athens, presented measures taken by Greece to ensure the security of electricity supply in the context of the current energy crisis. It was talked about measures related to electricity producers and consumers, as well as measures related to access to the system and the electricity market. In the end, it was pointed out that due to the effects and complexity of the energy crisis, the adequacy of the measures themselves is questionable, and that there is a risk that market participants affected by the measures could often seek legal protection against such measures.

The closing remarks of this session were given by Ms. Andjelka Todorovic, a lawyer, Miroslav Stojanović Law Office in cooperation with Wolf Theiss, who effectively summarized the lessons learned. With her recommendations and conclusions, she gave a wind in the back of policymakers and especially policy makers in the field of energy and energy law, with the final message that only dedicated work can lead us all together to the desired results.

II Session – Security of the Energy Supply - Search for Remedy

Moderator: UPES, Iva Đinđić Ćosić, jsc EMS

The introductory speech in this panel was held by Graham Coop, partner at Walter Fietta International Law Firm, who spoke about the future modernization of the Energy Charter Treaty. He presented the basic shortcomings of the Energy Charter Treaty, proposals for improving the existing mechanism as well as the complexity of the procedure for amending the Energy Charter Treaty. In the end, he presented the current status of negotiations on the modernization of the Energy Charter Treaty and the basic motive that member states and NGOs have when they oppose amendments to the Energy Charter Treaty.

In her presentation, Ms. Anna Butenko, Legal Manager System Operations at ENTSO-E, briefly presented the role of ENTSO-E, the directions of its development as well as the current challenges facing this body. She emphasized the importance of connecting electricity transmission system operators on the European continent and the key benefits arising from such connection. In particular, she focused on the role of ENTSO-E in ensuring the security of electricity supply in times of energy crisis.

Mr. Fokke Elskamp, Chair of the Legal and Regulatory Group (LRG) at ENTSO-E, spoke about the emergence of the Synchronous Area Framework Agreement (SAFA) and the regulation stipulated prior to the adoption of this Agreement. He spoke about the structure of the Agreement itself, the effects that the Agreement aims to achieve and the impact of the solution from this Agreement on the further coordination of transmission system operators on the European continent. In particular, he stressed the importance of implementing SAFA in circumstances of difficulties of security of energy supply on the European continent.

This was followed by the presentation of Ms. Rosetta Karova, Senior Legal Lawyer at the Energy Community Secretariat, who spoke about the measures taken by the Energy Community in the current energy crisis. She presented the current measures in the field of electricity and natural gas taken by the European Union to respond to the energy challenges it faces in complex geopolitical circumstances. She pointed out that all these measures should contribute to mitigating the consequences of the current energy crisis and lead to stable security of energy supply on the European continent.

The concluding remarks of this panel were presented by Mr. Milos Kuzman, Senior Upstream Advisor at NIS jsc Novi Sad, who briefly summarized the key messages of the panelists and emphasized the importance of joint cooperation and efforts of all participants in ensuring the security of energy supply. He pointed out that in the coming period a lot of work must be done regarding this issue, that all of us shall be efficient, flexible and constantly think outside of the box.

The conference was officially closed by Dr. Branislava Lepotić Kovačević, President of UPES, who thanked all panelists, moderators, participants and sponsors who took part in organizing the conference and concluded that the panelists gave answers to the main questions. She pointed out that in the discussion new questions were opened that will be answered at the next events organized by UPES and in cooperation with other organizations and experts in the field of energy, because only through dialogue between relevant participants in such a complex situation the best answers could be given.

Report drafted by:

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