

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). Under Article 32 of these Rules, before taking the decision pursuant to Article 91 of the Treaty, the Presidency and the Vice-Presidency shall ask an Advisory Committee for its opinion on the reasoned request. The Advisory Committee shall be composed of three members appointed by the Ministerial Council by unanimity for a renewable term of two years, including one member nominated by 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 24 October 2013, the Ministerial Council appointed Mr Wolfgang Urbantschitsch (proposed by the European Union), Mr Rajko Pirnat and Mr Helmut Schmitt von Sydow as members of the Advisory Committee for a term of two years. Mr Nikola Radovanović (proposed Serbia), Mr Visar Hoxha (proposed by Kosovo*) and Ms Amela Alihodžić (proposed by Bosnia&Herzegovina) were appointed as alternate members of the Advisory Committee.

At the meeting on 24 June 2015, the Secretariat recalled that the current Advisory Committee's term of office expires at the end of 2015. The Secretariat proposed that the mandate of the current members and alternate members be renewed for another term of two years.

PROPOSAL FOR NEXT STEPS

The Secretariat respectfully proposes to the Ministerial Council to:

- (1) Reappoint Dr. Wolfgang Urbantschitsch, Prof. Dr. Rajko Pirnat and Prof. Dr. Helmut Schmitt von Sydow as members of the Advisory Committee until the end of 2017.
- (2) Reappoint Mr Nikola Radovanović, Mr Visar Hoxha and Ms Amela Alihodžić as alternate members of the Advisory Committee.