

## CURRICULUM VITAE



**Dr. Guy Block** is arbitrator and member of the Brussel and Paris Bars. He holds his Bachelor degree from Liege University, the LL.M. from the Tulane Law School and the PhD from the University of Nice Sophia-Antipolis. He has 35 years of experience in the sectors of Energy, Infrastructure and related investment arbitration. Guy Block assisted multiple times national and international organization, development banks (World Bank, Asian Development Bank, African Development Bank, EBRD, EIB, AFD), governments, public and private companies. The fields of expertise include, inter alia, arbitration and litigation on protection of foreign investment; infrastructure projects such as building transport frameworks, telecommunications and waste management to name a few; policies and institutional frameworks, design and deployment of energy efficiency measures, promotion of RE policies, strategies and actions plans and liberalisation of energy, transport markets, tax and tariff issues.

### GUY BLOCK

**Managing Partner Janson – Arbitration Department** and Department of Energy, Mobility and Climate Change

Arbitrator & member of: **EU Arbitrators and Trade Sustainable Development Experts pools, ICSID, ICC (Belgium), CEPANI (Belgium), SHIAC (China), KLRCA/AIAC (Malaysia), CIETAC (China), MCC (Mauritius), IAI (Paris)**

**Leader of the Interlaw Special Business Team on Energy Law**

**Nationality: Belgian**

### CONTACT INFORMATION

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Belgium  
Office : +32 26630724**

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**I. EDUCATION**

<i>Institution</i>	University of Nice Sophia-Antipolis (France)
<i>Date: from (month / year): to (month / year) :</i>	2002
<i>Degree(s) or Diploma(s) obtained:</i>	Doctorate of Law (PHD)

<i>Institution</i>	Cour de Cassation' (highest court of of the Judiciary in civil law countries), Belgium
<i>Date: from (month / year): to (month / year) :</i>	1999
<i>Degree(s) or Diploma(s) obtained:</i>	Certificate in the practice of 'Cour de Cassation'

<i>Institution</i>	Tulane Law School, USA
<i>Date: from (month / year): to (month / year) :</i>	(1986-1987)
<i>Degree(s) or Diploma(s) obtained:</i>	Master of Laws (LL.M.)

<i>Institution</i>	University of Antwerp, Belgium
<i>Date: from (month / year): to (month / year) :</i>	(1985-1986)
<i>Degree(s) or Diploma(s) obtained:</i>	Master degree in Transport

<i>Institution</i>	City of London Polytechnic College, UK
<i>Date: from (month / year): to (month / year) :</i>	(1985)
<i>Degree(s) or Diploma(s) obtained:</i>	Certificate of English Law (Maritime and Export Law)

<i>Institution</i>	University of Liège, Belgium
<i>Date: from (month / year): to (month / year) :</i>	(1980-1985)
<i>Degree(s) or Diploma(s) obtained:</i>	Master of Laws (LL.M.)

**Language skills:** (Mark 1 to 5 for competence, 5 being the highest)

<i>Language</i>	<i>Reading</i>	<i>Speaking</i>	<i>Writing</i>
French	5	5	5
English	5	5	5
Dutch	2	2	2
Russian	1	1	1

**Membership of professional bodies:**

- Member of the Brussels Bar (admitted 1988), and Paris Bar (admitted in 1997)
- INTERLAW – International Association of Independent Law Firms / Leader of the Energy Law Business Team

**Other skills (e.g. computer literacy, etc.):** Microsoft Office

**Present position:** Partner, Head of the Energy at Janson Baugniet Law Firm

**Key qualifications:**

- **More than 35 years' experience** in the energy sector and infrastructure sectors
- Specialist in Energy and Infrastructure projects (ports, airports, transmission lines, rail infrastructure, power plants, LNG terminals etc.)
- Expert in policy advisory to national and local government bodies/agencies and business and civil communities:
  - Technical laws for electricity transmission and distribution
  - Structure of the general tariffs and base principals of transport of natural gas and LNG
  - Smart grid infrastructure, grid interconnection, energy management systems and energy storage;
  - Promotion of carburants and bio-carburants
  - Renewable Energies, Energy Efficiency projects and Rural Electrification
  - Low-carbon growth
  - Railway infrastructure as well as allocation of slots in transport sector
  - Governance and institutional capacity building
- Drafting energy supply contracts and other energy contracts, PPA, B.O.T. of power plants (gas turbine, wind-farm, nuclear, coal biomass), LNG, pipeline matters, financial arrangements
- Drafting electrical grid codes and electrical design of slots and rules of congestion
- Drafting of rules on new infrastructure projects (as road infrastructure and energy s- infrastructures)
- Procurement support and implementation strategy
- Acting frequently before Belgian civil and administrative courts, Arbitration institutions, European Court of Justice (Luxemburg), European Court of Human Rights

## II. Arbitration cases and affiliation

### Experience in Arbitration

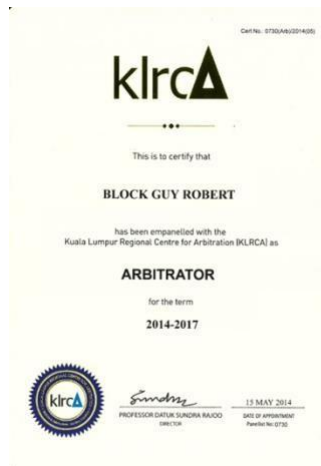
- Arbitration as President - 3 cases
- Arbitration as Co-Arbitrator – more than 20 cases
- Arbitration as Counsel – more than 15 cases

### Other ADR Experience

- Energy Matters – Panel of Mediators – for Belgian Government
- Energy Power Plant EPC, Boot PPA, LNG, Pipeline, Hydro, Windfarm, Renewables, Take or Pay Clauses, Force Majeure

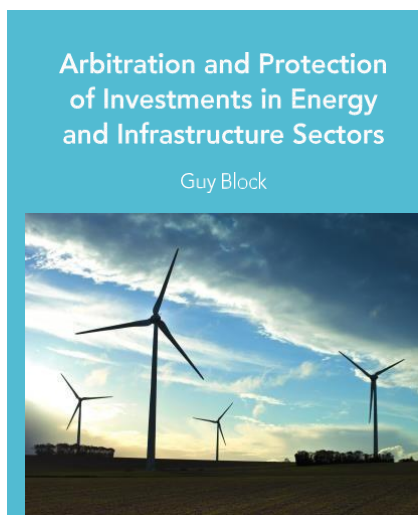
### Place and Years of Appointment as Arbitrator

- EU Arbitrators and Trade Sustainable Development Experts pools 2022
- ICSID 2022
- CIETAC 2020
- KLRCA/AIAC 2017 and 2014
- SHIAC 2015 and 2021
- ICC – 2012
- CEPANI - 2012
- IAI 2001



### III. Publications and conferences on Arbitration

#### Book on Arbitration and Investments Protection in Energy and Infrastructure sectors – Guy Block, 2020 Bruylant



This book is dedicated to special and recent issues related to international investment in the Energy and Infrastructure sectors. More than 200 investment awards are analysed, scrutinizing jurisdictional issues, standards of protection of investments (expropriation, Fair and Equitable Treatment, National Treatment, Full Protection and Security, Umbrella claim and Most Favored Nation Treatment), quantum of damages and allocation of costs of arbitration. Another added value of this book is the selection of numerous tests applied by the Arbitration Tribunals and the complex exercise of “entering the minds” of Arbitrators to ascertain the reasoning behind Arbitral awards.

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The underlining question addressed is how far the States’ rights to regulate go and to which extent the acquired rights of foreign investors are protected?

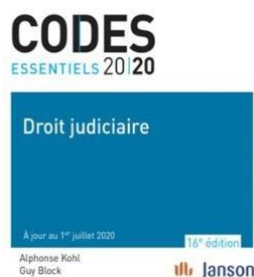
#### Other arbitration publications :

1. *ICC Bulletin, Arbitration and Price Renegotiation in Energy Contracts*, 2017, p. 49
2. *Interlaw Book on Renewable Energies*, Bruylant, 546p., 2015
3. *Arbitration and changes in energy prices: a review of ICC awards with respect to Force majeure, indexation, adaptation, hardship and take-or-pay clauses*, in *Bulletin of the ICC International Court of Arbitration*, vol. 20/2, 2009, p. 51
4. *Remarkable example of promotion of arbitration and ADR: the resolution of disputes in the Belgian newly liberalizes energy sector*, with David Haverbeke, *Arbitration International LCIA*, London, issue 2002/4, p. 401-410
5. *Arbitrage et modes alternatifs de résolution des conflits dans le cadre du nouveau marché libéralisé de l’électricité en Belgique*, Liber Amicorum Lucien Simont, Bruylant, Brussels, 2002, p. 275-287
6. *Changement dans le prix de l’énergie et arbitrage*, in *Europ’Energies*, April 2010, p. 11
7. *Revue Critique de jurisprudence Belge*, 2003, pp 456 - 478
8. *Quand une sentence arbitrale devient-elle obligatoire au sens de l’article V, 1, e, de la*

*Convention de New York de 1958 ?* Journal de Tribunaux, 1997, no. 8, p. 11

9. *Challenges arising from the organization, the conduct or the enforcement of arbitration proceedings*, RDAI/IBLJ, No 2, 1996
10. *Arbitrage – Exequatur d’une sentence arbitrale rendue à m’étranger – Droit applicable – Refus d’exequatur – Compétence du tribunal arbitral*, Journal des tribunaux, Civ. Bruxelles, 15 ch., 25 janvier 1996
11. *Le droit belge de l’arbitrage et la Convention de New York*, L’arbitrage, travaux offerts au Professeur Albert Fettweis, 1989, Story Scientis, pp. 129

**Codes Essentiels, Droit Judiciaire**, 16eme édition, Larcier, 2020. **This code contains an extensive part on arbitration.**



### ICC International Court of Arbitration Bulletin:

51 ICC International Court of Arbitration Bulletin - Vol. 20/2 - 2009

#### **Arbitration and Changes in Energy Prices: A Review of ICC Awards with respect to *Force Majeure*, Indexation, Adaptation, Hardship and Take-or-Pay Clauses**

By Guy Block\*

### Arbitration and price renegotiation in energy contracts:

ICC DISPUTE RESOLUTION BULLETIN  
2017 | ISSUE 7

49

#### **Arbitration and Price Renegotiation in Energy Contracts**

Guy Block

Guy Block<sup>1</sup> is a partner at the law firm Janson Baugniet where he is in charge of the Energy and Transport Department. For more than thirty years he has specialised in the energy field and has extensive experience in drafting a wide range of energy contracts and in evaluating, drafting and interpreting the legal framework relating to energy market liberalisation. He is the co-author of EU Energy Law published by Oxford University Press. A member of the Brussels and Paris Bars, Guy Block acts as arbitrator and counsel in arbitration proceedings at both national and international levels. g.block@janson.be

**Additionally, Guy Block presented a series of webinars, lectures, workshops etc. on the topic of arbitration**

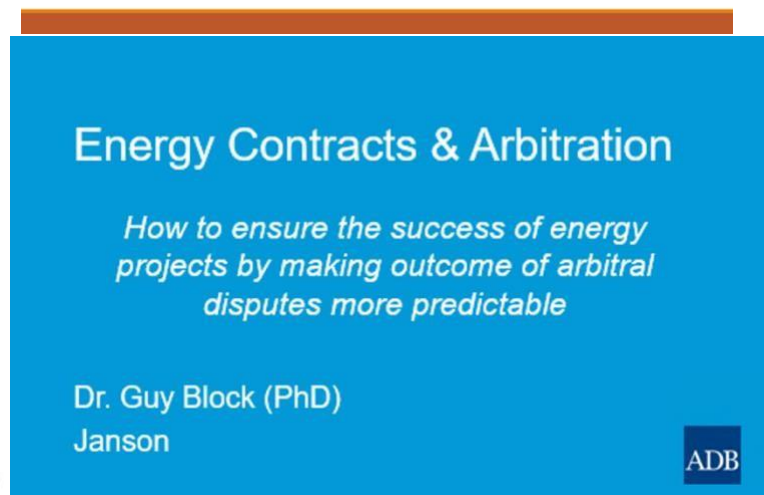


Dr. Guy Block (PhD)  
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Janson  
BAUGNIET

Green energy, arbitration and protection of investments in energy and infrastructure sectors

GUY BLOCK



Energy Contracts & Arbitration

*How to ensure the success of energy projects by making outcome of arbitral disputes more predictable*

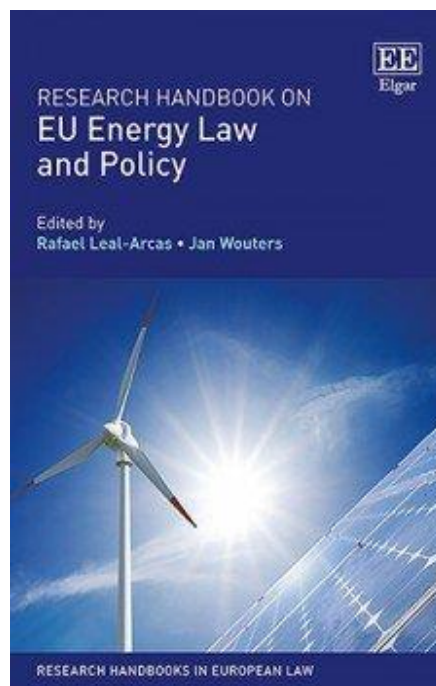
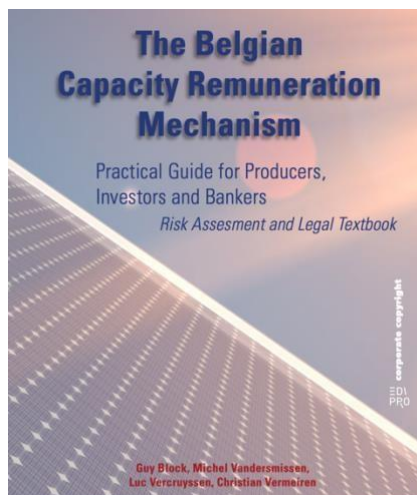
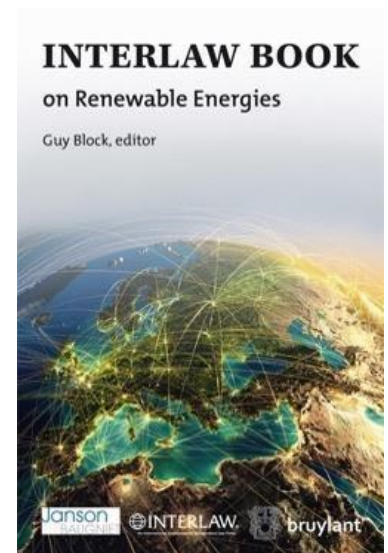
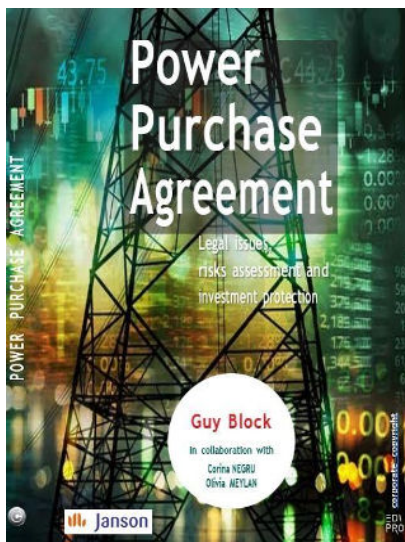
The seminar aims to review the recent case law in order to **prevent adverse /unexpected awards and to see how to make more predictable the outcome of energy related arbitral disputes**. The discussion will be focused on the following hot topics:

- 1) **Energy contracts and contractual clauses** (take-or-pay, take-and-pay, price review, stabilization clause, hardship and force majeure)
- 2) **Protection of investments : right to regulate of a host state vs. acquired investors' rights**



#### IV. Recent Publications, workshops & conferences in Energy (non-exhaustive):

1. *Power Purchase Agreements – Legal issues, risk assessment and investment protection*, EdiPro Corporate, 2023
2. *Two Hours to Understand the Belgian CRM – practical guide for producers, investors and bankers – risk assessment*, May 2021
3. *The New Law of Renewable Energy in Europe and in Belgium*, 2021
4. *Right to Regulate Vs Acquired Rights*, Legal Herald, 2019
5. *EU Energy Law and Policy*, Elgar, 2018.
6. *Electricity and gas markets in Research Handbook on EU Energy Law and Policy*, EE Elgar Publishing; 2017.
7. *Interlaw Book on Renewable Energies*, Bruylant, 546p., 2015
8. *EU Energy Law*, Oxford Press University, 520 p., 2012.





**ACER**  
European Union Agency for the Cooperation  
of Energy Regulators

Workshop on the study by  
Engie Impact and Janson

**Technical and legal definitions  
of congestions in electricity  
networks**

Thursday, 9 November 2023 | 14:00 - 15:30

**Janson**

**ENERGY LAW FOR ENGINEERS-  
Back to Basics**

30th November 2022

**Janson**

**Power Purchase Agreement: a  
critical instrument for the future**

PRESENTED BY  
**Dr. Guy BLOCK, SBT Global LEADER**

2023 APAC Regional  
Meeting Bangkok, Thailand

INTERLAW

**CHINALUX**  
中法合作

**Janson**

**CHINALUX EVENT  
Future of Energy**

Moderator: **Dr. Guy BLOCK, Partner, Head of the Energy, Climate  
Change and Mobility Department, Janson**

**Panelists:**

- Mr. Jeroen Lissens, *Head of Corporate Communications, BMW Belux*
- Ms. Min Shen, *Deputy Representative, China Southern Power Grid  
Luxembourg*
- Mr. Julian Wu, *Head of Business Development Department / Financial  
Institutions Department, Bank of Communications Luxembourg*

**DEPLASSE & ASSOCIES**  
BUILDING ENGINEERING & ENERGY

**Janson**

**Impacts de la crise énergétique  
pour les entreprises**



29 septembre 2022

## V. Experiences record

Project - Dossier	Client - Country	Year
<p><b>Provision of Technical Consultancy Services for the Optimum Energy Mix and Storage Options Study</b></p> <p>Stage I: Review of present situation, including consideration of the following general matters as relevant to the study</p> <ul style="list-style-type: none"> <li>- industry structure (including roles of OPWP, Transmission System Operator, Distribution System Operator/Suppliers) and operating arrangements (including Grid Code);</li> <li>- generation market structure (including role of spot market and OPWP contracting/procurement);</li> <li>- relevant Government policies and regulatory initiatives (including market liberalization plans and proposals)</li> <li>- the national strategy requirement for energy transition to Net- Zero;</li> <li>- the approved national strategy towards clean energy development; and</li> <li>- the electricity sector developments including the requirement for Ancillary Services and studying direct contracts between the Electricity Transmission Company and potential services provider.</li> </ul> <p>Stage III:</p> <ul style="list-style-type: none"> <li>• Identification and assessment of implementation issues associated with different energy storage options in consultation with relevant stakeholders including consideration of such matters as: <ul style="list-style-type: none"> <li>- the potential forms of development for storage resources including procurement/contracting, Transmission/ Distribution System Operator procurement/contracting, spot market entry, customer-end “behind-the-meter” development (with or without incentives) or different forms of Government-led development or promotion;</li> <li>- the practical arrangements likely to be necessary to facilitate each form of development, with reference to international experience and best practice in relation to different storage technologies; and</li> <li>- the need for changes to industry regulations, operating arrangements, or codes such as the Grid Code and Market Rules, metering systems, etc.</li> </ul> </li> </ul> <p>Development of plans in respect of the steps required to facilitate and support the optimal deployment of energy storage including short-term plans covering the 2025-2030 period and long-term plans covering the period up to 2040.</p>	<p><b>Client:</b> Oman Power And Water Procurement Company (OPWP) SAOC</p> <p>Janson acts as sub-consultant of Tractebel Engie</p> <p><b>Country:</b> Oman</p>	<p>2023-ongoing</p>
<p><b>Drafting the Senegalese Market Code:</b></p>	<p><b>Client:</b> The French</p>	<p>2023-ongoing</p>

<ul style="list-style-type: none"> <li>- Define the obligations of the parties to the metering facilities, the modalities for correcting metering data;</li> <li>- Define the rights and obligations of market participants (eligible customers, producers and distributors...);</li> <li>- Define the rules for access to the public electricity transmission system</li> <li>- Provide a framework for an efficient, competitive, transparent and reliable wholesale electricity market</li> <li>- Define the responsibilities of participants with respect to settings, exchanges, coordination, dispatch and appointment of contracts, management, settlement and payment;</li> <li>- Regulate the tariff for use of the transmission system (make reference to the</li> <li>- the imbalance tariff, to the CRSE tariff study);</li> <li>- Describe the billing and payment conditions and the conditions for conditions for suspension and termination of contracts;</li> <li>- Provide a framework for the resolution of disputes between Market Participants or between Market Participants and the Market Operator on matters related to the Market Code</li> <li>- Define precisely the role of the TSO (estimation of the demand for generation, management of reserves, the voltage plan, etc.);</li> <li>- Describe the technical, legal and economic rules for access to the access to the network (who can buy from whom, information exchanges...);</li> <li>- Describe the activities and services related to the market (loss compensation, network congestion management);</li> <li>- Provide the specific conditions for establishing a contract between two parties;</li> <li>- Define the tariff methodology for energy flows;</li> <li>- Etc.</li> </ul>	<p>Agency of Development and the National Society of Electricity of Senegal</p> <p>- Senelec</p> <p><b>Country:</b> Senegal</p>	
<p><b>Drafting power purchase agreements (national and cross-border) for the sale of electricity from a hydroelectric power plant to large industrial consumers.</b></p> <ul style="list-style-type: none"> <li>- Rights, responsibilities and penalties of the parties involved in the event of non-compliance.</li> <li>- Contracts including financial and legal protections for reliable energy supply and payments.</li> <li>- Distribution of risks based on the parties best placed to assume them, impacting negotiated prices.</li> <li>- Commercial clauses: quantities, prices, delivery, dispute resolution, force majeure, etc.</li> <li>- Support for legal changes to power purchase agreements.</li> <li>- Adjustment of existing PPAs to comply with international best practice.</li> </ul>	<p><b>Client:</b> Project Management Group for Energy Facilities Construction under the President of the Republic of Tajikistan</p>	<p>2023-ongoing</p>

<ul style="list-style-type: none"> <li>- Bilateral workshops to define key commercial terms and conditions.</li> <li>- Drafting of technical and commercial specifications following feedback from stakeholders.</li> <li>- Drafting of PPAs, taking into account written comments from stakeholders.</li> <li>- Presentation of draft PPAs to the Client and clarification of issues with industrial contractors.</li> </ul>	<p><b>Country:</b> Tajikistan</p>	
<p><b>Legal Assistance for the K.A.CARE project:</b>Enabling Energy Storage in the Kingdom. The tasks include:</p> <ul style="list-style-type: none"> <li>- the readiness of the Saudi Market and codes (grid and distribution) for implementing ES,including institutional framework (e.g. electricity market, ancillary service procurement, plan) and supporting policies</li> <li>- gap analysis assessing the gabs hindering deployment of ES in the Kingdom with reference to political, legal, regulatory, institutional,</li> <li>- benchmarking assessment on ES development and localization across 3 countries</li> <li>- amendments to regulations governing the electricity, industry, and municipality to incentivize ES target achievement as well as to include requirements for chosen ES technology</li> <li>- advise on opportunities for the private sector to invest in ES projects, and will advise on the best way to create Private Public Partnerships (PPP) for investing in ES projects</li> <li>- project roadmap to include: <ul style="list-style-type: none"> <li>o Target ES projects in the next 10-years and20-years.</li> <li>o Definition of actions and steps with schedule and milestones for all market segments</li> </ul> </li> </ul>	<p><b>Client:</b> The K.A.CAR E-  The King Abdullah City for Atomic and Renewable Energy - Scientific, research and governmental entity in the Kingdom of Saudi Arabia  in consortium with Engie Impact  <b>Country:</b> Saudi Arabia</p>	<p>2021 - 2023</p>
<p><b>ACER Study on technical and legal definitions of congestions in electricity networks</b></p> <ul style="list-style-type: none"> <li>- The mission aimed at providing assistance to ACER in providing advice on legal definitions of congestions for structural and non-structural and physical, areal and market congestion that would enable unequivocally to identify those congestions and enforce legal provisions conditional on them.</li> <li>- The Consultant drafted a report and formulated advices and amendments/improvements of the different varieties of congestions based on the European legal framework (e.g. Regulations, Directives, Methodologies, etc.), on congestion management, bidding zones, capacity calculation and capacity allocation, on physics laws ruling the network, of industry publications (also but not mandatorily including publications published outside the European Union), and on academic publications (also but not mandatorily including publications published outside</li> </ul>	<p><b>Client:</b> European Union Agency for the Cooperatio n of Energy Regulators (ACER) <b>Country:</b> European Union</p>	<p>2023</p>

<p>the European Union).</p>  <p><b>Final report</b></p> <p>Prepared for: European Union Agency for the Cooperation of Energy Regulators (ACER)          Authors: Guy Block, Pierre Henneaux, Olivia Meylan, Corina Negru, Marina Petrelli          Date: November 2023</p> 		
<p><b>Legal Assistance for the Singapore Electricity Imports</b>          – advanced benchmark study on the following aspects:</p> <ul style="list-style-type: none"> <li>- Countries that import hydro-electricity from another country – top 5-6 jurisdictions which import hydropower</li> <li>- Parties from countries identified who required environment and social impact assessments for such hydro-electricity import/export projects (e.g. Investors, Government agencies and regulators), focusing particularly on the importing countries</li> <li>- The intent behind such requirement;</li> <li>- Specific companies that were engaged to conduct such environment and social impact assessments; and the scope and standards of such requirement.</li> </ul>	<p><b>Client:</b>          The Energy Market Authority          in collaboration with CNP Law</p> <p><b>Country:</b>          Singapore</p>	<p>08/2021          –          10/2021</p>
<p><b>Study focusing on the assessment of current situation in the energy storage system and development of recommendations for an optimal energy storage technology.</b> Precisely, the tasks performed are:</p> <ul style="list-style-type: none"> <li>- Agenda and presentation preparation on best available practices in legislation for implementation energy storage projects and their application to the power system in Kazakhstan for at least one workshop</li> </ul>	<p><b>Client:</b> The ADB - Asian Development Bank</p> <p><b>Country:</b> Kazakhstan –</p>	<p>2021 - ongoing</p>

<ul style="list-style-type: none"> <li>- overview of applied energy accumulation/storage technologies interms of legislation</li> <li>- analysis of best practices and Kazakhstan's legislation in the field of supporting energy accumulation/storageprojects (gap analysis)</li> <li>- analysis of best available practices on investment return during the implementation of energy storage projects</li> <li>- assist the team leader in developing a road map in terms of legislation amendments</li> </ul>		
<p><b>GIZ WACEC institutional implementation framework - Elaboration of the West African Clean Energy Corridor Program ; Reference number: WACEC-1/2020.</b></p> <p>The WACEC initiative includes three strategies to harness the best resources available in the sub-region:</p> <ul style="list-style-type: none"> <li>- Hydropower strategy</li> <li>- Solar strategy</li> <li>- Wind strategy</li> </ul> <p>Main tasks:</p> <ul style="list-style-type: none"> <li>- Support the development of large-scale renewable energy and its integration into the West African power system;</li> <li>- National and regional planning for the integration of cost-effective renewable energy options into national and regional electricity generation and transmission master plans;</li> <li>- Strengthening policy, regulatory and institutional frameworks conducive to the promotion of renewable energy investments;</li> <li>- Research and analysis of documents, such as: mandate and mission of the main institutions, documents related to the energy policy of the region, strategy and planning</li> <li>- analysing existing procurement practices in the field of renewable energy (solar PV, wind and hydro) in ECOWAS Member States for grid connected projects</li> <li>- Fostering public and political support for the initiative and raising awareness of its benefits.</li> </ul> <p>Elaboration of the WACEC programme :</p> <ul style="list-style-type: none"> <li>- Agreed and clearly defined roles and responsibilities of all key stakeholders,</li> <li>- Proposal for strengthening the policy, regulatory and institutional frameworks conducive to the promotion of renewable energy investments,</li> <li>- the mandate and role of the relevant ECOWAS institutions</li> </ul>	<p><b>Client:</b> The ECOWAS Centre for Renewable Energy and Energy Efficiency (ECREEE) and The German Corporation for International Cooperation GmbH - <b>GIZ</b> (Deutsche Gesellschaft für Internationale Zusammenarbeit) IRENA</p> <p><b>Country:</b> Ecowas Region</p>	<p>05/2021 – 2022</p>

<p>Implementation of Directive (EU) 2019/944 concerning common rules for the internal market in electricity and amending Directive 2012/27/EU, and in particular Articles 13 and 17 relating to flexibility services, and analysis of the impact of this implementation on the articles. 2, 64° en 66°, 8, §1, 2°, 18, §2, 19, 23, §2, 13 of the electricity law.</p>	<p><b>Client:</b> FPS Economy</p> <p><b>Country:</b> Belgium</p>	<p>2020 - ongoing</p>
<p>FPS Economy – Determination of the remuneration mechanism for Belgian capacity and preparation of the legislative framework. Within the framework of this mission, the following tasks were carried out :</p> <ul style="list-style-type: none"> <li>- Description of the flexibility mechanisms</li> <li>- Description of capability mechanisms adopted by other European Member States</li> <li>- Analysis of the European Commission's position in relation to the different mechanisms proposed</li> <li>- Evaluation of possible CRMs in relation to the characteristics of the Belgian context</li> <li>- Implementation of a CRM open to all technologies, including demand management;</li> <li>- Facilitate the participation of demand management in CRM : <ul style="list-style-type: none"> <li>o possibility of aggregation (in order to meet the 1 MW threshold)</li> <li>o Reservation of 400 MW capacity in the T- 1 auctions</li> </ul> </li> <li>- more favourable conditions for demand management within the framework of the pay-back obligation</li> <li>- Proposal for a capacity remuneration mechanism best suited to Belgium.</li> </ul>	<p><b>Client:</b> FPS Economy – The Federal Public Service</p> <p><b>Country:</b> Belgium</p>	<p>2019-ongoing</p>
<p>Assistance in the promotion of renewable energy sources and energy efficiency: advice and assistance in the promotion of electricity production from renewable energy sources and from cogeneration:</p> <ul style="list-style-type: none"> <li>- Transposition of the various European Union energy packages ;</li> <li>- implementation in the electricity and gas ordinances ;</li> <li>- establishment of a green certificate mechanism ;</li> <li>- creation of an exchange of green certificates between the Brussels-Capital Region and Wallonia ;</li> <li>- advice and assistance in the promotion of energy efficiency and the rational use of energy:</li> <li>- analysis of possible financial instruments to support</li> </ul>	<p><b>Client:</b> Government and Regulatory Authority of the Brussels- Capital Region Government Walloon Region</p> <p><b>Country:</b> Belgium</p>	<p>2017</p>

<p>local electricity production and supply (energy bonuses, white certificates, etc.) and analysis of the compatibility of these instruments with European competition law;</p> <ul style="list-style-type: none"> <li>- development of the energy bonus system and analysis of the compatibility of this system with European law on state aid;</li> <li>- advising on the joint purchase of electricity and gas by Brussels public utility real estate companies</li> </ul>		
<p>SPW Energie - Technical support in renewable energies and cogeneration in Wallonia. Within this framework, various projects have been carried out:</p> <ul style="list-style-type: none"> <li>- Transposition of Article 14 of the Energy Efficiency Directive for the promotion of efficiency in heating and cooling - Strategy for Energy Communities/Heating Networks</li> <li>- Transposition of Article 22 of the Energy Efficiency Directive for the development of Renewable Energy Communities (RECs)</li> </ul> <p>Assessment of the potential for CAMP installation in the residential and tertiary sectors</p>	<p><b>Client:</b> Directorate for the organisation of regional energy markets SPW DG04</p> <p><b>Country:</b> Belgium</p>	<p>2019 - ongoing</p>
<p>Study on the implementation of an energy production plant for district heating in the municipality of Charleroi, Walloon Region, Belgium</p>	<p><b>Client:</b> Municipality of Charleroi</p> <p><b>Country:</b> Belgium</p>	<p>2019 - ongoing</p>
<p>Assistance in the field of renewable energy at the federal level :</p> <ul style="list-style-type: none"> <li>- Assistance in the support of electricity produced from renewable energy sources and/or quality cogeneration ;</li> <li>- Advice and assistance in the promotion of electricity production from renewable energy sources and from cogeneration: transposition of Directives 2001/77 and 2004/8, establishment of green certificate mechanisms, etc.</li> </ul>	<p><b>Client:</b> Federal governments and regulatory authorities</p> <p><b>Country:</b> Belgium</p>	<p>2017</p>
<p>Assistance to the Walloon Government for the implementation of financial incentives for the development of deep geothermal energy production units in the Walloon Region (drafting of a decree, <i>benchmarking</i> study, synergy with a French <i>cluster</i>, etc.).</p>	<p><b>Client:</b> Walloon Government Belgium</p> <p><b>Country:</b></p>	<p>2014</p>



	Belgium	
Assistance to the federal authority in setting up the strategic reserve mechanism.	<b>Client:</b> DG Energy and Government  <b>Country:</b> Belgium	2013-2014 and 2017 - ongoing
Assistance in the transposition of Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on the integrity and transparency of the wholesale energy market.	<b>Client:</b> DG Energy and Government  <b>Country:</b> Belgium	2013- 2014

## Other international experiences

<b>Date: from (month / year) to (month / year)</b>	2020
<b>Country:</b>	Senegal
<b>Client:</b>	The French Agency of Development, The Commission of Energy Regulation - CRSE and the National Society of Electricity of Senegal - Senelec
<b>Position:</b>	Legal Expert
<b>Description:</b>	<p><i>Development of a network (grid) code in Senegal</i></p> <p><i>Activities performed:</i>  Drafting of a grid code and contracts  Conditions and criterions for the connection of HV, MV and LV generation units (including self-generation) and clients.  Exploitation rules;  Metering code;  Planification code;  Insertion of special provisions governing mini-grids operation (connection to the main grid in the future, access, technical specifications, rules governing the connection of LV clients and third party producers to the mini-grid);  Drafting of connection and access to the grid contracts.</p>

<b>Date: from (month / year) to (month / year)</b>	06/2019-on going (final stage)
<b>Country:</b>	Afghanistan /Uzbekistan
<b>Client:</b>	Asian Development Bank
<b>Position:</b>	Legal Expert, special negotiator
<b>Description:</b>	<p><i>MFF 2-Grant 0464/0465 - AFG: Energy Supply Improvement Investment Program (T-1):</i> The specific assignment focus on assisting the ADB to support the Afghanistan-Uzbekistan Power Interconnection Surkhan to Pule Khumri 500kV Single Circuit Transmission Line.</p> <p><i>Activities performed:</i>  Assigned to prepare investment projects and a final report consisting of information needed for ADB to bring the investment proposals for its Board/management consideration :  Prepare legal due diligence report focusing on identifying any potential legal barriers for the implementation of the Project as well as the cross-border power trade transaction between Afghanistan and Uzbekistan.  Chart that summarizes the legal barriers that have been identified as a result of the legal analysis and suggest solutions to overcome the identified barriers.  Draft power purchase and sales agreement (PPSA) in line with Afghan and Uzbek legislation, and the best international practice.  Workshops dedicated to discuss the draft PPSA.</p>

<b>Date: from (month / year) to (month / year)</b>	10/2018-2022
<b>Country:</b>	Belgium/ Benin/ Nigeria/ Togo
<b>Client:</b>	<p>Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH - GIZ/  The United States Agency for International Development - USAID</p> <p>Western Africa Power Pool - WAPP specialised Agency of ECOWAS /  Electric Community of Benin - CEB - Transmission Company of Nigeria -  TCN</p> <p>Janson Baungiet acts as subcontractor to Tractebel Engie</p>
<b>Position:</b>	Legal Expert

<b>Description:</b>	<p><b>Consultancy services for the feasibility study and preparation of bidding documents for the 330 kV Nigeria-Benin interconnection:</b> The Transmission Company of Nigeria (TCN) and the 'Communauté Electrique du Bénin' (CEB) are <b>studying the reinforcement of the 330kV Nigeria-Benin interconnection with the support of the WAPP</b> because the existing interconnection line is a single circuit line and it does not provide the necessary security of supply. There is presently no other possibility to import energy from Nigeria. Nigeria is also willing to increase its energy exports and the present single circuit will possibly be saturated in the near future.</p> <p><b>Activities performed:</b> Data collection mission in Nigeria, Benin and Togo</p> <ul style="list-style-type: none"> <li>• Review of the existing legal framework in Nigeria, Benin, CEB treaty, WAPP, ECOWAS;</li> <li>• Due Diligence of the prevailing institutional framework for the project;</li> <li>• Benchmark of institutional best practices for the establishment of a single entity in charge of implementing an interconnection project in order to identify the most appropriate structure; Elaboration of the necessary agreements to implement the above mentioned single entity;</li> <li>• Drafting of a <b>PPA</b> for the purchase of electricity flowing through the interconnection from Nigeria to Benin;</li> <li>• Drafting of a Transmission Service Agreement (TSAs)</li> </ul>
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<b>Date: from (month / year) to (month / year)</b>	03/2018-04/2019
<b>Country:</b>	Belgium
<b>Client:</b>	Belgian Federal Government and the Federal Public Service Economy, S.M.E.s, Self-employed and Energy
<b>Position:</b>	Legal expert
<b>Description:</b>	<p><b>Assistance in implementing the new European Network Codes into Belgium:</b></p> <ul style="list-style-type: none"> <li>• Review of the proposal for a new Federal Grid Code made by the TSO;</li> <li>• Drafting of comments on behalf of DG Energy with respect to the repartition of competencies between public authorities (NRA, GD Energy, Ministry, TSO, DSO, federal and regional exclusives competencies);</li> <li>• Drafting of amendments to the changes proposed to the grid code by the TSO ;</li> <li>• Drafting of advises, notably on the necessity to modify the federal law on electricity in order to adequately implement the European Network Codes.</li> <li>• Finalisation of the grid code and the Royal Decree that will adopt the new grid code and drafting of the law modifying the law on electricity.</li> </ul>

<b>Date: from (month / year) to (month / year)</b>	10/2017-07/2018
<b>Country:</b>	Mali
<b>Client:</b>	The African Development Bank Group  Janson Baugniet acted as member of a consortium led by Tractebel Engie
<b>Position:</b>	Legal & regulatory expert
<b>Description:</b>	<p><b>Revision of the national energy policies and legal energy framework:</b> The assignment provided assistance to the Government of Mali in <b>updating the National Energy Policy (2006), as well as related legal and regulatory documents.</b></p> <p><b>Activities performed:</b></p> <ul style="list-style-type: none"> <li>• Data collection and review of the existing legal and regulatory framework;</li> <li>• Analysis of existing trends, constraints and opportunities for the development of key subsectors: hydroelectricity, renewable energies, electricity, oil, gas and biofuels, rural electrification.</li> <li>• Definition and validation of strategic development axes of the sector (by 2036);</li> <li>• Updating strategy documents taking into account SE4ALL objectives;</li> <li>• Drafting of the new electricity law and institutional framework with the aim to attract private investments, develop renewable energies, expand access to electricity notably by drafting provisions for the granting of</li> <li>• authorization for green/hybrid mini-grids (urban and rural areas).</li> </ul>

<b>Date: from (month / year) to (month / year)</b>	10/2017-ongoing
<b>Country:</b>	Tajikistan
<b>Client:</b>	The Asian Development Bank
<b>Position:</b>	Legal advisor

<b>Description:</b>	<p><b>Implementation of the restructuring programme of Barqi Tojik:</b> The assignment aims to <b>ensure the long term financial sustainability of the electricity sector in Tajikistan.</b></p> <p><b>Activities performed:</b></p> <ul style="list-style-type: none"> <li>• Review the existing legal framework governing electricity distribution and transmission and propose specific contractual provisions to facilitate the successful implementation of management contracts;</li> <li>• Review and amendments to <b>PPA</b> model agreement, transmission and distribution agreement;</li> <li>• Draft Government Decree on the creation of an Escrows Account and Funds Flow Mechanism;</li> <li>• Finalize drafting of the Government decrees on the creation of the transmission and distribution JSCs, and draft Government Decree on the restructuring of BT Holding;</li> <li>• Draft charters of the Transmission and Distribution JSCs and revised charter for BT Holding</li> </ul>
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<b>Date: from (month / year) to (month / year)</b>	02//2017-08/2017
<b>Country:</b>	Niger
<b>Client:</b>	Association Internationale de Développement (AID) / Ministry of Energy and Oil / Nigerien Electricity Society (NIGELEC), electric power generation and transmission utility of Niger
<b>Position:</b>	Legal expert

<b>Description:</b>	<p><b>Electricity Access Expansion Project (NILACEP):</b> The assignment aimed at <b>developing an electricity access strategy with a five-year action plan.</b></p> <p><b>Activities performed:</b></p> <ul style="list-style-type: none"> <li>• Assessment of the existing energy policy and electricity access programs; diagnostic of the existing legal and regulatory framework;</li> <li>• Development of a national electricity access policy and strategy based on SE4ALL objectives; institutional, legal and regulatory improvement suggested to be put in place including the drafting of specific provisions fit for mini-grids, and for the promotion of renewable energies.</li> <li>• Preparation of a five-year action plan;</li> </ul>
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<b>Date: from (month / year) to (month / year)</b>	01/2017-09/2017
<b>Country:</b>	Jordan

<b>Client:</b>	Jordan Atomic Energy Commission (JAEC)  Janson Baugniet acted as member of a consortium led by Tractebel Engie
<b>Position:</b>	Legal & regulatory expert
<b>Description:</b>	<p><b>Grid integration of Nuclear Power Plant with the Jordanian Electric Transmission network:</b> The project aimed at assist JAEC, the government of Jordan and their partners in <b>assessing the technical and legal barriers to the construction and exploitation of two NPPs (2*1000 MW)</b> in Jordan. The project also aimed at <b>ensuring utmost nuclear safety with regard to recommendations of the International Atomic Energy Agency (IAEA).</b></p> <p><b>Activities performed:</b></p> <ul style="list-style-type: none"> <li>• Review of the legislative and regulatory framework governing the electricity sector in Jordan;</li> <li>• Review of the existing grid code, connection contract, interconnection contracts, <b>PPAs</b> governing acquisition of electricity from photovoltaic power plants;</li> <li>• Recommendation regarding how to deal with hard Take-Or-Pay clauses contained in <b>PPAs</b> with photovoltaic power plants and in interconnection agreements, forcing Jordan to import/take electricity or pay for it. Thus leaving no network capacities left for electricity generated by the NPPs;</li> <li>• Recommendation and proposal to amend the existing Grid code so as to ensure its adequacy with the exploitation of 2 NPPS and nuclear safety. Modification to the market rules were also proposed</li> </ul>

<b>Date: from (month / year)</b>	12/2016-02/2017
<b>to (month / year)</b>	
<b>Country:</b>	Benin, Guinea, Mali, Ivory Coast
<b>Client:</b>	Western Africa Power Pool (WAPP) specialised Agency of ECOWAS  Janson Baugniet acted as subcontractor to Tractebel Engie
<b>Position:</b>	Legal & regulatory expert

<b>Description:</b>	<p><b>Mission to support the implementation of the Guinea-Mali Interconnection Project Implementation Unit (225 kv) in the framework of the Technical Assistance in support of the West African Power Pool (FED/2013/318-953)</b> : The 225 kV Guinea-Mali interconnection is one of WAPP's priority projects. As part of its implementation, feasibility studies and Environmental and Social Impact Assessment (ESIA) were carried out with the financing of the AfDB. The WAPP General Secretariat asked the EU Technical Assistance to carry out <b>a specific mission to better identify and clarify the institutional framework and management structures to be implemented for the project feasibility.</b></p> <p><b>Activities performed:</b></p> <ul style="list-style-type: none"> <li>• Data collection mission in Benin (WAPP), Côte d'Ivoire (CI-Energies and Transco-CSLG), Guinea (Ministry and EDG) and Mali (Ministry and EDM);</li> <li>• Analysis of the legal and regulatory framework applicable to the electricity sector, with regard to public procurement and public-private partnerships in Guinea and Mali;</li> <li>• Evaluation and comparison of the different possible variants for the implementation of the project - at the institutional level and from the point of view of the management structures and the implementation of the appropriate recommendations.</li> </ul>
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<b>Date: from (month / year) to (month / year)</b>	05/2016-12/2017
<b>Country:</b>	Djibouti
<b>Client:</b>	The Electricity of Djibouti (Public company)  Janson Baugniet acted as member of a consortium led by Tractebel Engie
<b>Position:</b>	Regulatory Expert
<b>Description:</b>	<p><b>Technical and legal conditions for the connection of charges and of generation units to the grid of 'Electricité de Djubuti'</b>: The energy sector in Djibouti is undergoing important changes and the demand for electricity is increasing quickly. Numerous infrastructure project planned will potentially impact the electricity system (railroads; windfarms; decentralised production of electricity and mini-grids; strengthening of the interconnection with Ethiopia). The 'Electricity of Djibouti' needed to <b>draft a new grid code</b> to anticipate the expected impact,</p> <p><b>Activities performed:</b> Drafting of a grid code for the connection of HV, MV and LV generation units and HV clients.</p>

<b>Date: from (month / year) to (month / year)</b>	01/2017 – 10/2017
<b>Country:</b>	Pakistan
<b>Client:</b>	The Asian Development Bank
<b>Position:</b>	Legal Advisor
<b>Description:</b>	<p><b>Electricity sector reform in Pakistan (SC 108606 PAK and SC 108227 PAK):</b> The assignment is aimed at <b>reviewing the legal documents of the electricity sector in Pakistan, especially related to electricity sector regulatory framework.</b></p> <p><b>Activities performed:</b></p> <ul style="list-style-type: none"> <li>• General professional legal advice on the potential restructuring of NEPRA and related amendments in NEPRA regulatory regime and NEPRA laws taking into account: <b>(i)</b> ongoing sector restructuring and creation of electricity market; <b>(ii)</b> financial challenges faced by the sector due to high losses and low collection especially in areas with security concerns;</li> <li>• Recommendations on considering the independence of the power sector regulator;</li> <li>• Development of a policy framework/directive to be prescribed by Government of Pakistan’s Ministry of Water &amp; Power to improve the power sector of Pakistan.</li> </ul>

<b>Date: from (month / year) to (month / year)</b>	10/2016-07/2017
<b>Country:</b>	Madagascar
<b>Client:</b>	<p>Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH - GIZ / Ministry of Energy of Madagascar / Energy Regulatory Authority of Madagascar (ORE)</p> <p>Janson Baugniet acted as member of a consortium led by GAUFF GmbH &amp; CO.KG</p>
<b>Position:</b>	Legal & regulatory expert



<b>Description:</b>	<p><b>Modification program of the electricity legal framework in Madagascar:</b> The assignment aimed at <b>proposing a new Law regulating the electricity sector that solves the identified problems and that matches with international standards</b>, based on the diagnostic of the electricity sector made along with the results of a national survey</p> <p><b>Activities performed:</b></p> <ul style="list-style-type: none"> <li>• Implementation of the Electricity Legal Review Program (PPP, tariffs structure, RES, local/municipal electrification, security and investments etc.);</li> <li>• Review of current <b>PPAs</b> and PPP;</li> <li>• Restructuring the electricity market;</li> <li>• Delimiting clearly the competences between the Minister of Energy, the National Regulatory Authority (ORE), TSO/DSO and the Funds for rural electrification;</li> <li>• Reinforcing the independence and powers of the National Regulatory Authority;</li> <li>• Advising on the restructurings of the National State Company in charge of transport, production and distribution of electricity with the view to address its critical financial situation (loss of production capacities, high losses on network, very poor collection);</li> <li>• Creation of clear and adequate procedure for the granting of authorization for the generation of electricity and the operation of transport, distribution and mini-grids in rural areas.</li> <li>• Developing a regulatory framework for the promotion of electricity from renewable energies and energy efficiency;</li> <li>• Conduct 5 trainings, seminars or workshops on 5 chapters of the new Electricity Code : <ul style="list-style-type: none"> <li>○ Legal aspects (repartition of competencies between authorities, rural electrification and fund, planification, IPP, PPP, procedure for the authorisation to generate and sell electricity, administer a transmission and distribution network)</li> <li>○ Promotion of renewable energies</li> <li>○ Rural electrification</li> <li>○ Technical requirements for connection of power plants to the grids (transmission, distribution and closed distribution networks) and international standards for electrical equipments and networks;</li> <li>○ Tariffs and protection of foreign investments</li> </ul> </li> </ul> <p>This lead to the passing of Law n°2017-020 adopting the Electricity Code of Madagascar: <a href="http://www.ore.mg/">http://www.ore.mg/</a></p>
<b>Date: from (month / year) to (month / year)</b>	07/2016-08/2016
<b>Country:</b>	Burkina Faso

<b>Client:</b>	Western Africa Power Pool (WAPP) specialised Agency of ECOWAS  Janson Baugniet acted as subcontractor to Tractebel Engie
<b>Position:</b>	Legal & regulatory expert
<b>Description:</b>	<p><b>Regional Solar Power Project in Burkina Faso (Contract n°FED/2013/318-953 – EuropeAid/132289/C/SER/BJ): One of the objectives of WAPP is to develop regional power plants. In this context, it was decided to launch a pre-feasibility study for the construction of a 150 MW solar power plant in Burkina Faso. This study should make it possible to: a) analyze and define all the necessary regional and national conditions for the construction and operation of the regional solar power plant in Burkina Faso; b) recommend the configurations and preferential locations of this solar power plant and the reinforcements of the interconnected system.</b><i>Activities performed:</i></p> <ul style="list-style-type: none"> <li>• Analysis of the institutional, legislative and regulatory framework of Burkina Faso, analysis of the technical conditions foreseen in this country to ensure the connection and access of production units, the conditions for marketing the electricity produced, the existence of subsidies and financial incentives, energy exchange contracts and impact study;</li> <li>• Analysis of support measures for renewable energies and conditions of electricity imports in Côte d'Ivoire, Ghana, Mali and Niger. <ul style="list-style-type: none"> <li>• Formulation of proposals to improve the integration of a regional power station on the WAPP interconnected networks (to give a regional vocation to a power plant built in Burkina Faso, to promote and integrate renewable energies into the interconnected electricity network, WAPP).</li> </ul> </li> </ul> <p>Proposal for a management structure for the regional plant.</p>

<b>Date: from (month / year) to (month / year)</b>	05/2016-06/2016
<b>Country:</b>	Madagascar
<b>Client:</b>	Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH - GIZ / Ministry of Energy and Hydrocarbon / JIRAMA, public company of Water and electricity (generation, transmission, distribution)  Janson Baugniet acted as subcontractor to GAUFF GmbH & CO.KG
<b>Position:</b>	Legal Expert

<b>Description:</b>	<p><b>Technical support to the technical committee in charge of bids evaluation of generation capacities:</b> In the context of the <b>consolidation of the electrical production in Madagascar</b>, the Ministry of Energy and Hydrocarbon (MEH) has launch a <b>restricted international call for tenders for the development of the hydropower site of Sahofika, of Antetazambato and Volobe</b> in October 2015. As the formulation of the files for the restricted international call for tenders has left open a lot of questions and options on both, the economy of the project (including its potential financing) and the legal and institutional structuration, and its technical aspect.</p> <p><b>Activities performed:</b> Assure a technical, legal and financial support to the committee in charge of the evaluation of the tenders.</p> <ul style="list-style-type: none"> <li>• Analysis of the of the files for the restricted international call for tenders ;</li> <li>• Analysis of the model contract – project agreement between MEH and the retained bidder;</li> <li>• Analysis of the project of <b>PPA</b> (Power Purchase Agreement) model contract between JIRAMA and the retained bidder;</li> <li>• Analysis of the project of model contract of concession between MEH and the retained bidder;</li> <li>• Analysis of the project of the turnkey contract;</li> </ul> <p>Recommendations and propositions modifications to the contracts.</p>
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<b>Date: from (month / year) to (month / year)</b>	04/2016-ongoing
<b>Country:</b>	Morocco
<b>Client:</b>	<p>Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH - GIZ</p> <p>Janson Baugniet acts as member of a consortium led by Tractebel Engie</p>
<b>Position:</b>	Legal Expert
<b>Description:</b>	<p><b>Opening of Low Voltage network to renewable energies / Development of Self-generation framework:</b> The law n°58-15 adopted early 2016 to modify the law 13-09 opened the low voltage network to energy production (self-generation) from renewable energy. A decree must be adopted for the law to be fully implemented. The scope of the mission was subsequently modified to <b>develop a framework for self-generation at all voltage levels of transmission and distribution networks</b></p> <p><b>Activities performed:</b> Analysis of Moroccan legislation and regulations, a benchmark of policies adopted in other countries to promote decentralized energy production from renewable sources and the drafting of minimum technical requirements.</p> <ul style="list-style-type: none"> <li>• Stakeholders meeting and workshops</li> <li>• Elaboration of a legal framework for self-generation at all voltage levels</li> </ul>

	and generation capacities: Law and regulation.
<b>Date:</b> <i>from</i> <i>(month / year)</i> <i>to (month /</i> <i>year)</i>	2015
<b>Country:</b>	<b>Lithuania</b>
<b>Client:</b>	LITGRID AB - a Lithuanian electricity transmission system operator
<b>Position:</b>	Legal Expert
<b>Description:</b>	<p><b>Comprehensive high-level analysis of the draft System Operation Agreement and Market Operation Agreement between <i>Polskie Sieci Elektroenergetyczne S.A.</i> and <i>Litgrid AB</i> on LiPol Link</b></p> <p>Integration of the national power system into the European power infrastructure and electricity market. For this purpose LITGRID AB is implementing projects regarding strategic electricity cross-border links, namely: (1) NordBalt (Lithuania-Sweden) and (2) LitPol Link (Lithuania-Poland).</p> <p>Activities performed:</p> <ul style="list-style-type: none"> <li>- legal consultations and comprehensive analysis of 2 agreements (market operation agreement, system operation agreement) regarding LitPol Link Project with the aim to provide the Supplier with the comments, analysis and conclusions regarding Belgium and the EU legal requirements for such type of the agreements</li> </ul>
<b>Date:</b> <i>from</i> <i>(month / year)</i> <i>to (month /</i> <i>year)</i>	10/2015-03/2017
<b>Country:</b>	Burkina Faso
<b>Client:</b>	National company of Electricity of Burkina Faso (SONABEL)  Janson Baugniet acted as subcontractor to Tractebel Engie
<b>Position:</b>	Legal expert
<b>Description:</b>	<p><b>Assistance to the ‘<i>Société Nationale d’Electricité du Burkina Faso</i>’ (SONABEL) for the study of the reliability and optimisation of electricity production and importation (includes training):</b></p> <ul style="list-style-type: none"> <li>• Analysis of energy exchange contracts, PPP contracts and Recommendations</li> <li>• Organization of legal training to ensure knowledge transfer (2 weeks) in the area of the liberalization of electricity markets, PPP, promotion of renewable energies, PPA, BOT, protection of investment, etc...</li> <li>• Analysis of the different project structure modes (PPP, PPA, BOT, etc.) and identification of factors that could impact the WACC of a solar power plant project</li> </ul>

<b>Date: from (month / year) to (month / year)</b>	09/2015
<b>Country:</b>	Senegal
<b>Client:</b>	The National Electricity Company of Senegal (Senelec)  Janson Baugniet acted as subcontractor to Tractebel Engie
<b>Position:</b>	Legal Expert
<b>Description:</b>	<b><i>Strategic study for the integration of renewable energies in the energy mix, definition of a planning and an implantation strategy</i></b>  <b><i>Activities performed:</i></b> <ul style="list-style-type: none"> <li>• Capacity building – training on the legal aspects of Power Purchase Agreements (<b>PPA</b>) and analysis of clauses usually found in it</li> <li>• Problematic of combining <b>PPAs</b> with support schemes for the promotion of renewable energies : <ul style="list-style-type: none"> <li>○ Priority dispatch and congestion rules ;</li> <li>○ connection costs</li> <li>○ permits and licences</li> </ul> </li> </ul>

<b>Date: from (month / year) to (month / year)</b>	09/2014-2015
<b>Country:</b>	Morocco
<b>Client:</b>	The European Bank for Reconstruction and Development - EBRD and Energy Investments Company (SIE)  Janson Baugniet acts as member of a consortium led by Tractebel Engie
<b>Position:</b>	Legal expert
<b>Description:</b>	<b><i>Analysis of the potential market for electricity generation from RES on medium-voltage grid - Assistance to SIE - Renewable Energy Programme</i></b> : In the framework of the liberalization of the medium-voltage grid, Energy Investments Company (SIE) needed <b>scenarios for the integration of electricity from RES on the medium-voltage grid</b> . The project overall purpose is to <b>foster investment from the private sector in the production of electricity from RES</b> .  <b><i>Activities performed:</i></b> <ul style="list-style-type: none"> <li>• Collect consumption data of medium-voltage clients from Distribution System Operators;</li> <li>• Study of the conditions and modalities for the opening of the medium-voltage sector RE Market to the private sector;</li> <li>• Analysis of potential scenarios for the opening of medium-voltage grid to</li> </ul>

	<p>the RE;</p> <ul style="list-style-type: none"> <li>• Implementation of the chosen scenario.</li> </ul>
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<b>Date: from (month / year) to (month / year)</b>	08/2013 - 09/ 2016
<b>Country:</b>	Morocco
<b>Client:</b>	The European Bank for Reconstruction and Development - EBRD  Janson Baugniet acted as member of a consortium led by Tractebel Engie
<b>Position:</b>	Legal expert
<b>Description:</b>	<p><b>Activities performed:</b></p> <ul style="list-style-type: none"> <li>• Inventory of Moroccan legislation and regulation ;</li> <li>• Diagnostic and analysis for the medium-voltage energy market;</li> <li>• Study of the conditions and modalities for the opening of the medium-voltage sector RE Market and grid to the private sector;</li> <li>• Identification of best practices : benchmarking overview of different countries ;</li> <li>• Conduct trainings, seminars or workshops;</li> <li>• Preparation of possible scenarios for the opening of the medium-voltage;</li> <li>• Implementation of the chosen scenario.</li> </ul> <p>This lead to the passing of the Decree N 2-15-772 on the access to the medium voltage national grid on the 12<sup>th</sup> of October 2015 (Décret N 2-15-772 relatif à l'accès au réseau électrique national de moyenne tension par le Royaume du Maroc).</p>

<b>Date: from (month / year) to (month / year)</b>	12/2013-04/2013
<b>Country:</b>	Morocco
<b>Client:</b>	The European Bank for Reconstruction and Development - EBRD / Energy Investments Company (SIE)
	Janson Baugniet acted as member of a consortium led by Tractebel Engie
<b>Position:</b>	Legal Expert

<b>Description:</b>	<p><b><i>Sustainable development of the power sector programme :Assistance to the SIE: Renewable Energy Programme (consultancy contract C25530/BEL-2012-11-011021Fc570) :</i></b> ADEREE launched several energy efficiency programmes in buildings, industry and transportation and the Société d’Investissements Energétiques (“SIE”) has been funded with \$100 million to foster the development of market-based energy efficiency and renewable energy investment in Morocco.</p> <p>To assist in addressing these issues and in helping Morocco to realise its renewable energy and energy efficiency potential, the European Bank for Reconstruction and Development (“EBRD” or the “Bank”) intends to engage in a capacity building programme with SIE (the “assignment”).</p> <p><b><i>Activities performed:</i></b></p> <ul style="list-style-type: none"> <li>• establishment an action plan for all existing projects for due diligence and preparation purposes;</li> <li>• establishment contract models which would govern SIE projects, using standard industry norms adapted for the regulatory regime in Morocco;</li> <li>• establishment a contractual framework for medium voltage Solar MV projects for private clients and ONE (to enable peak cost reduction);</li> </ul>
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<b>Date: from (month / year) to (month / year)</b>	12/2013-03/2014
<b>Country:</b>	Belgium
<b>Client:</b>	The Walloon Region Government
<b>Position:</b>	Attorney-at-Law
<b>Description:</b>	<p><b><i>Legal analysis of the opinions resulting from the public survey, municipal consultations, commissions and neighbouring countries/regions on the mapping of wind energy in Wallonia:</i></b> The Walloon Region commissioned the making of a <b>map showing lands/zone adequacy for wind farms as part of a legislation (project of) dedicated to speed up the granting of building and exploitation permit for wind farms.</b> The goal was to put to auctions the dedicated zone and grant a building and exploitation permit for the whole zone and no longer per project.</p> <p><b><i>Activities performed:</i></b></p> <ul style="list-style-type: none"> <li>• Draft the executive order adopting the mapping and the environmental declaration required by EU Directive 2001/42 on the Assessment of the effects of certain plans and programmes on the environment (SEA) and implemented in the Article D60 of the Environmental Code;</li> <li>• Drafting of the environmental declaration after reviewing and integrating the opinions resulting from the public survey by topic</li> </ul>
<b>Date: from (month / year) to (month / year)</b>	May 2013

<b>Country:</b>	Algeria
<b>Client:</b>	European Commission DG Enlargement and the Belgian Federal Commission for Electricity and Gas Regulation
<b>Position:</b>	Legal Expert
<b>Description:</b>	<p><b>Mission TAIEX (Mission EU, ETT IND/EXP 52914) : Technical Assistance Information Exchange Instrument</b></p> <p><b>Main project features and activities performed:</b> Benchmarking of applicable laws on the guarantee of renewable origin of electricity; Advising on the options available to the CREG ; Drafting of legislation on the certification of the guarantee of renewable origin of renewable origin of electricity; Drafting of support schemes.</p>

<b>Date: from (month / year) to (month / year)</b>	04/2011-02/2012
<b>Country:</b>	France Spain Morocco
<b>Client:</b>	The French Federal Agency of Development - AFD  Consortium avec BMHAvocats, Prat Rubi Advocats, Ecofys, Enovos – Creos Luxembourg, UGGC Avocats
<b>Position:</b>	Legal Expert
<b>Description:</b>	<p><b>Assistance for the export of renewable electricity from marocco to france in the framework of the mediterranean solar plan</b> The project aims, in the framework of the Mediterranean Solar Plan, at the implementation of a joint project between a Member State of the EU and a third country in accordance with art. 9 of Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC. This project aimed at the production of electricity from thermo-solar power plants (CSP) in a third country from the Mediterranean Basin and to the export of part of the electricity so produced to the European Community in the prospect of its consumption and its taking into account in the renewable energy objective of the European Member State party to the joint project. A particular attention was given in the frame of this project to the conditions to be fulfilled to ensure the traceability of the electricity, both to ensure that the electricity produced in the third country is exported to the European Union (nominations, schedule balancing, etc.) and that the electricity produced has a green quality (certification of the production units and of the quantity of electricity produced, also known as “output”).</p> <p><b>Activities performed:</b></p> <ul style="list-style-type: none"> <li>• review of the existing policy and legal framework ( EU, France, Spain, Morocco),</li> </ul>



	<ul style="list-style-type: none"> <li>• assistance in the drafting, negotiation and adoption of contracts;</li> <li>• contacts with the European Commission;</li> <li>• analysis of the lines of financing;</li> <li>• assessment of the best option for the support of renewable energy;</li> <li>• assessment of the mechanism of flexibility of cooperation between Member States of EU and between EU Member States and thirdCountries.</li> </ul>
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<b>Date: from (month / year) to (month / year)</b>	04/2007-12/2009
<b>Country:</b>	Tajikistan
<b>Client:</b>	<b>The Asian Development Bank</b>
<b>Position:</b>	Legal expert
<b>Description:</b>	<p><b>Assistance to the Tajik Government for the strengthening of the Corporate Management of Barki Tojik (ADB -TA N°4908-TAJ):</b></p> <p><b>Provided legal advice on the elaboration of a policy and adequate tariff methodology to subsidize electricity consumers, in the framework of the liberalization of the electricity market in Tajikistan:</b></p> <ul style="list-style-type: none"> <li>• Determination of the objectives of tariff support programme and identification of the specific loans affected;</li> <li>• Review of the existing tariff methodology and evaluation of its appropriateness for the subsidy of electricity consumers;</li> <li>• Drafting of a proposed methodology for the subsidy of electricity consumers;</li> <li>• Presentation of the proposed methodology to representatives of the Tajik Government and the ADB.</li> </ul>

<b>Date: from (month / year) to (month / year)</b>	10/2009-12/2011
<b>Country:</b>	Burundi, Rwanda, DR Congo
<b>Client:</b>	<b>European Investment Bank / Organization for the Energy of the Laker Country</b>
<b>Position:</b>	Legal expert

<p><b>Description:</b></p>	<p><b>Energy cooperation in the great lakes region (Ruzizi hydro power plants)</b>  <b>EIB 2008/5-186-245623:</b> Countries members of the Economic Community of the Laker Country are Burundi, Rwanda and Democratic Republic of Congo. Those countries entrusted the regional energetic planning to the <b>Organization for the Energy of the Laker Country ('Energie des Pays des Grands Lacs', EGL)</b>. The overall mission of EGL is to improve access of population to energy. The team was appointed in order to <b>assist the EGL in technical and organisational studies for the energetic cooperation in the Laker Country.</b></p> <p><b>Activities performed:</b></p> <ul style="list-style-type: none"> <li>• Assistance to the institutional restructuring of the regulatory framework and the management of community hydro power plants as well as the energy tariffication;</li> <li>• Analysis of the question of watershed and the integrated management of the basin in light of applicable provisions of international law;</li> <li>• Analysis of the interconnection of South KIVU and North KIVU and the RD Congo with its interfaces with the interconnected grid of ECGLC;</li> <li>• Assistance with the reinforcement of the institutional capacity of ECGLC;</li> <li>• Assistance with drafting the International Treaty, the Agency of Basin and related issues as permitting (international concessions);</li> <li>• Modelling a combined management of 3 power plants (offtake issues related to historical rights of founding States);</li> <li>• Access (shared access to infrastructure);</li> <li>• Grid connection issues;</li> <li>• Tariff issues.</li> </ul>
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## **VI. The list of pleaded cases before the Council of State, the Constitutional Court and the CJEUR**

### Belgian Council of State

1. Arrêt. 250733 du 31/05/2021, Numéro de Rôle A. 226.916/XV-3939
2. Arrêt. 249198 du 10/12/2020, Numéro de Rôle A. 225.589/XV-3.782
3. Arrêt. 247836 du 18/06/2020, Numéro de Rôle A. 220.153/XIII-7774
4. Arrêt. 242356 du 18/09/2018, Numéro de Rôle A. 222.309/VIII-10.499
5. Arrêt. 240.228 du 19 décembre 2017 Numéro de Rôle A. 217.610/VIII-9889
6. Arrêt. 238268 du 19/05/2017, Numéro de Rôle A. 215.944/XIII-7325
7. Arrêt. 238267 du 19/05/2017, Numéro de Rôle A. 215.812/XIII-7312
8. Arrêt. 238.122 du 9 mai 2017 Numéro de Rôle A. 217.610/VIII-9889
9. Arrêt. 237861 du 30/03/2017, Numéro de Rôle A. 215.798/XV-2799
10. Arrêt. 237860 du 30/03/2017, Numéro de Rôle A. 214.510/XV-2708
11. Arrêt. 237360 du 14/02/2017, Numéro de Rôle A. 219.882/VIII-10.184
12. Arrêt. 237027 du 12/01/2017, Numéro de Rôle A. 220.153/XIII-7774
13. Arrêt. 235665 du 05/09/2016, Numéro de Rôle A. 214.184/XIII-7159
14. Arrêt. 235585 du 04/08/2016, Numéro de Rôle A. 219.882/VIII-10.184
15. Arrêt. 233754 du 05/02/2016, Numéro de Rôle A. 216.880/VIII-9814
16. Arrêt. 233.936 du 25 février 2016 Numéro de Rôle A. 217.041/VIII-9827
17. Arrêt. 233.143 du 4 décembre 2015 Numéro de Rôle A. 217.610/VIII-9889
18. Arrêt. 232.401 du 1er octobre 2015 Numéro de Rôle A. 217.041/VIII-9827
19. Arrêt. 231515 du 10/06/2015, Numéro de Rôle A. 208.494/XIII-6583
20. Arrêt. 230966 du 23/04/2015, Numéro de Rôle A. 211.113/XIII-6841
21. Arrêt. 230789 du 03/04/2015, Numéro de Rôle A. 208.354/XIII-6559
22. Arrêt. 227447 du 16/05/2014, Numéro de Rôle A. 210.212/XIII-6746

23. Arrêt. 226761 du 13/03/2014, Numéro de Rôle A. 208.494/XIII-6583
24. Arrêt. 226630 du 06/03/2014, Numéro de Rôle A. 208.354/XIII-6559
25. Arrêt. 225870 du 17/12/2013, Numéro de Rôle A. 210.212/XIII-6746
26. Arrêt. 224924 du 01/10/2013, Numéro de Rôle A. 208.354/XIII-6559
27. Arrêt. 220733 du 25/09/2012, Numéro de Rôle A. 204.374/XIII-6190
28. Arrêt. 220732 du 25/09/2012, Numéro de Rôle A. 204.372/XIII-6189
29. Arrêt. 197802 du 13/11/2009, Numéro de Rôle G./A. 151.769/VI-16.705
30. Arrêt. 183798 du 04/06/2008, Numéro de Rôle G./A. 106.119/VI-17.761
31. Arrêt. 169495 du 28/03/2007, Numéro de Rôle A. 106.119/XIII-2405
32. Arrêt. 169378 du 26/03/2007, Numéro de Rôle A. 155.166/XIII-3470
33. Arrêt. 125958 du 02/12/2003, Numéro de Rôle A. 109.791/XIII-2376
34. Arrêt. 105675 du 19/04/2002, Numéro de Rôle A. 109.791/XIII-2376

#### Belgian constitutional Court

1. Arrêt n° 5/2021 du 14 janvier 2021
2. Arrêt n° 162/2020 du 17 décembre 2020
3. Arrêt n° 144/2020 du 12 novembre 2020
4. Arrêt n° 34/2020 du 5 mars 2020
5. Arrêt n° 82/2017 du 22 juin 2017
6. Arrêt n° 17/2017 du 9 février 2017
7. Arrêt n° 56/2016 du 28 avril 2016
8. Arrêt n° 8/2016 du 21 janvier 2016
9. Arrêt n° 114/2015 du 17 septembre 2015
10. Arrêt n° 106/2014 du 17 juillet 2014
11. Arrêt n° 104/2014 du 10 juillet 2014
12. Arrêt n° 30/2014 du 20 février 2014
13. Arrêt n° 117/2013 du 7 août 2013
14. Arrêt n° 98/2013 du 9 juillet 2013
15. Arrêt n° 32/2010 du 30 mars 2010

16. Arrêt n° 25/2005 du 2 février 2005

17. Arrêt n° 21/2005 du 26 janvier 2005

Court of Justice of the European Union

1. C-767/19, 03/12/2020 Commission v Belgium (Marchés de l'électricité et du gaz nature'); Approximation of laws
2. C-767/19, 15/01/2021 Commission v Belgium (Marchés de l'électricité et du gaz nature'); Approximation of laws
3. C-411/17, 29/07/2019 Inter-Environnement Wallonie and Bond Beter Leefmilieu Vlaanderen ; Environment
4. C-163/14, 14/01/2016 Commission v Belgium ; Privileges and immunities
5. C-163/14, 26/02/2016 Commission v Belgium ; Privileges and immunities
6. C-227, 14/02/2007 Commission v Belgium ; Free movement of goods
7. C-227, 13/03/2008 Commission v Belgium ; Free movement of goods
8. C-227, 09/05/2008 Commission v Belgium ; Free movement of goods and Competition
9. C-288, 06/04/2000 Commission v Solvay ; Agreements, decisions and concerted practices, Concerted practices and Competition
10. C-287, 06/04/2000 Commission v Solvay ; Agreements, decisions and concerted practices, Concerted practices and Competition
11. T-58/01, 17/12/2009 Solvay v Commission ; Agreements, decisions and concerted practices, Concerted practices and Competition
12. T-58/01, 13/02/2010 Solvay v Commission ; Agreements, decisions and concerted practices, Concerted practices and Competition
13. T-58/01, 29/01/2010 Solvay v Commission ; Agreements, decisions and concerted practices, Concerted practices
14. T-57/01, 13/02/2010 Solvay v Commission ; Competition, Dominant position
15. T-57/01, 29/01/2010 Solvay v Commission; Competition, Dominant position
16. T-57/01, 17/12/2009 Solvay v Commission; Competition, Dominant position