

## DECISION OF THE MINISTERIAL COUNCIL OF THE ENERGY COMMUNITY

**No 2021/11/MC-EnC: amending Decision No 2015/09/MC-EnC on the implementation of Regulation (EU) No 347/2013 of the European Parliament and of the Council on guidelines for trans-European energy infrastructure**

THE MINISTERIAL COUNCIL OF THE ENERGY COMMUNITY,

Having regard to the Treaty establishing the Energy Community ('the Treaty'), and in particular Articles 24, 25 and 79 thereof,

Having regard to Decision No 2015/09/MC-EnC of 16 October 2015 on the implementation of Regulation (EU) No 347/2013 of the European Parliament and of the Council on guidelines for trans-European energy infrastructure,

Having regard to the proposal from the European Commission,

Having regard to the overriding importance of the integration and utilization of energy infrastructure among the Contracting Parties to the Treaty for the achievement of the objectives of Energy Community and of decarbonisation in line with the Paris Agreement,

Taking note of the Commission's proposal of 15 December 2020 for a Regulation of the European Parliament and of the Council on Guidelines for trans-European energy infrastructure and repealing Regulation (EU) No 347/2013,

In view of the ongoing discussions at Union level on the aforementioned proposal and determined to limit, to the maximum extent possible, regulatory divergence and inconsistencies between energy infrastructure categories and criteria for Projects of Common Interest and Energy Community Interest as well as Projects of Mutual Interest between the Union and the Contracting Parties,

With the intention that the current lists of Projects of Energy Community interest will be implemented in a way to properly reflect the developments at Union and Energy Community level, in particular in respect of 2030 climate and energy targets and the reduction of greenhouse gas emissions as well as the ongoing revision of Regulation (EU) No 347/2013,

Whereas Decision No 2015/09/MC-EnC should be amended accordingly,

HAS ADOPTED THIS DECISION:

### **Article 1**

Article 7(4) of Decision No 2015/09MC-EnC is amended as follows: The following new

point (ba) is inserted after point (b):

“(b) (bis) ) the new subparagraph below shall be added following the second subparagraph:

‘By derogation from the previous subparagraph, the adoption of the Energy Community list every two years is suspended, pending the adoption by the European Union of a new Regulation repealing and replacing Regulation (EU) No 347/2013 and its subsequent incorporation and adaptation, where relevant, in the Energy Community *acquis communautaire*. Until the establishment of a new list of Projects of Energy Community interest (“Energy Community list”), the lists annexed to Decision No 2020/04/MC-EnC and Recommendation 2020/01/MC-EnC on Projects of Mutual Interest between Contracting Parties and Member States of the European Union shall remain valid.’

### **Article 2**

This Decision shall enter into force on the day of its adoption.

It is addressed to the Contracting Parties.

Done in Belgrade, on 30th November 2021

For the Ministerial Council:

*Zorana Zivanovic*

Presidency