



Update on implementation of the IGA Decision (EU) 2017/684

Security of Supply Coordination Group –
11th meeting GAS Sub Group

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Background

- **Entry into force: 02.05.2017**
- **Scope**
 - Intergovernmental agreements (no commercial contracts)
 - Non-binding instruments – voluntary assessment by the EC
 - Mandatory ex-ante assessment for oil and gas agreements
 - Mandatory ex-post (all existing and new in electricity)
- **What is new?**
 - Incompatible clauses with EU law only detected after signature and difficult to change
 - IGAs often do not contain effective legal mechanism for amendment or termination
 - Non legally-binding instruments can have similar effect as IGAs



Implementation

- Since May 2017, the Commission received several notifications from Member States. More expected....
- Notifications and the Commission's assessment are handled internally within the Commission and in relation to the Member State concerned.
- There are no public Commission documents on the implementation of Decision (EU) 2017/684.

Way forward

- Optional **model clauses** and guidance by the Commission in progress
- **Revision clause**
=> Possibility to extend the mandatory ex-ante assessment to IGAs in the field of electricity