

DECISION OF THE MINISTERIAL COUNCIL OF THE ENERGY COMMUNITY

D/2012/03/MC-EnC: On the implementation of Council Directive 2009/119/EC in the Energy Community

Having regard to the Treaty establishing the Energy Community (“the Treaty”), and in particular Articles 100 (ii) thereof,

Having regard to Ministerial Council Decision No. 2008/03/MC-EnC concerning the implementation to the oil sector of certain provisions of the Treaty and the creation of an Energy Community Oil Forum (“the Decision”), and in particular Article 1(3) thereof,

Whereas the Ministerial Council, at its meeting of 11 December 2008, took the principle Decision to extend the scope of the Treaty to the oil sector, and to include the oil sector in the notion of “Network Energy” under Article 2 of the Treaty,

Whereas a continuous and undisrupted supply of crude oil and petroleum products is of highest importance for the societies and economies in the Contracting Parties,

Whereas the enhancement of security of supply through oil stocks availability will enable continuous provision of crucial supplies and promote solidarity between the Contracting Parties,

Whereas the changing global energy situation and new challenges in oil market require the strengthening and streamlining of the emergency response system by providing for suitable mechanisms to deal with physical oil disruption,

Whereas the legal framework in the EU in this area consists of Council Directive 2009/119/EC of 14 September 2009 imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products (“the Directive”),

Whereas the Ministerial Council, at its meeting of 6 October 2011, targeted incorporation of the Directive in 2012,

Taking into account the discussions at the meetings of the Permanent High Level Group of 23 March 2012 and 21 June 2012,

HAS ADOPTED THIS DECISION:

Article 1

Each Contracting Party shall implement Council Directive 2009/119/EC of 14 September 2009 imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products not later than 1 January 2023.

Article 2

The European Commission is invited to propose in due time relevant measures, adapting the Directive in line with the objective needs of the implementation process and the institutional framework of the Energy Community.

Article 3

The Secretariat shall monitor and review the preparation of the implementation of Directive 2009/119/EC in the Contracting Parties and shall submit an annual progress report to the Ministerial Council, the first of which shall be submitted in 2013.

Article 4

This Decision enters into force upon its adoption and is addressed to the Contracting Parties.

For the Ministerial Council



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Presidency

Budva, 18 October 2012