

PROCEDURAL ACT

No 2014/01/MC-EnC of the Ministerial Council of the Energy Community of 23 September 2014 regarding the Report of the High Level Reflection Group of 11 June 2014

The Ministerial Council of the Energy Community,

Having mandated, at its meeting in October 2013, a High Level Reflection Group, under the chairmanship of Professor Jerzy Buzek MEP, to make an independent assessment of the adequacy of the institutional set up and working methods of the Energy Community to the achievement of the objectives of the Treaty establishing the Energy Community, taking into consideration the hitherto evolution of this organisation and its extended membership, and to make proposals for improvements to the Ministerial Council in 2014,

Welcoming the comprehensive and well-balanced Report submitted by the High Level Reflection Group in June 2014 and inviting all stakeholders to discuss it and to provide additional input for the debate,

Determined to reform the Energy Community in order to increase its attractiveness for investment, to improve the implementation of the Treaty and the rule of law, to use the Energy Community's potential for developing a true pan –European energy policy and to make this organization attractive for further countries to join,

Having regard to the Treaty establishing the Energy Community ("the Treaty"), and in particular Articles 47(c) and 86 thereof,

Having regard to the Secretariat's proposal,

HAS ADOPTED THIS PROCEDURAL ACT:

Article 1

This Act sets out the process and timelines to realize the proposals made by the Report of the High Level Reflection Group, as well as proposals made by other stakeholders, and distribute tasks and responsibilities in this respect.

Article 2

(1) The Secretariat shall prepare in agreement with the European Commission an analytical paper identifying options for the implementation of the proposals made by the High Level Reflection Group and proposals made by Parties and other stakeholders, as well as the consequences of their implementation.

(2) In particular, the paper shall contain an analysis of the proposals made by the High Level Reflection Group, the Parties and by other stakeholders to the Treaty in respect to:

- (a) the legal procedures necessary for implementation;
- (b) cost and benefits as well as the budgetary impact;
- (c) implementation effort required;
- (d) effectiveness, efficiency and coherence with the objectives of the Energy Community.

Article 3

(1) The paper shall be submitted to public consultation by the end of 2014. It shall be presented for endorsement to the Permanent High Level Group in March 2015.

(2) On this basis the Permanent High Level Group is tasked to identify measures in June 2015 and submit identified measures for consideration and adoption at the Ministerial Council in 2015. Where feasible the Ministerial Council adopts measures in its meeting in 2015.

Article 4

This Procedural Act shall enter into force upon adoption.

Article 5

The Energy Community Secretariat shall make this Procedural Act available to all Parties within seven days of its adoption.

Done in Kyiv on 23 September 2014

For the Ministerial Council:

(Presidency)