

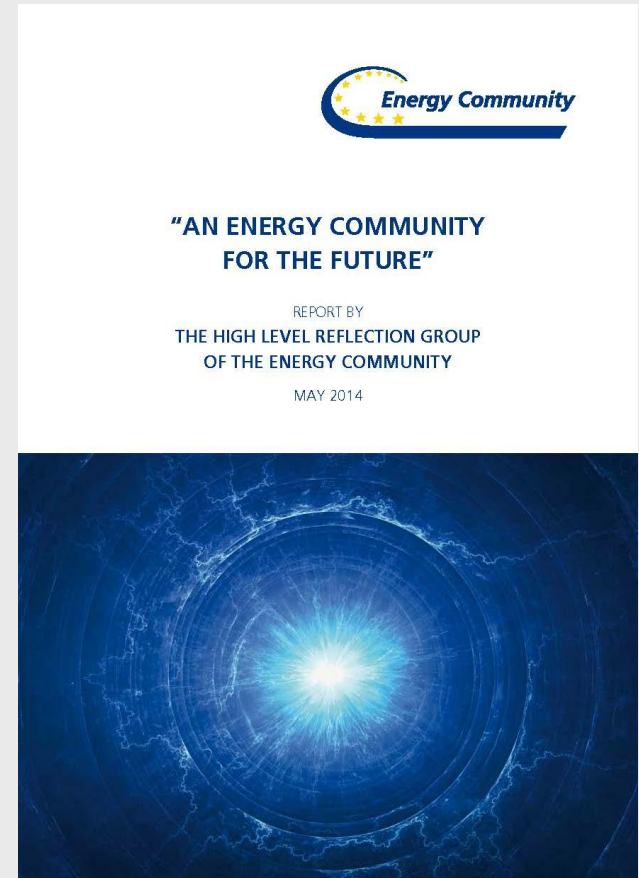


Energy Community for the Future - What next?

Oil Forum

28 September 2016, Belgrade

- ▶ **Report of the Energy Community High Level Reflection Group**
- ▶ **Two public consultations + analytical work by the Secretariat and the European Commission**
- ▶ **Initial reforms of the Ministerial Council in 2015 + adoption of General Policy Guideline - Roadmap on Reform of the Energy Community for 2016/2017**
- ▶ **Amendments of the Treaty possible without ratification by the Parties**
- ▶ **What deliverables for the 2015 Ministerial Council?**



- **Bring the Treaty up to date with international and European climate change developments**

Revision of Article 13

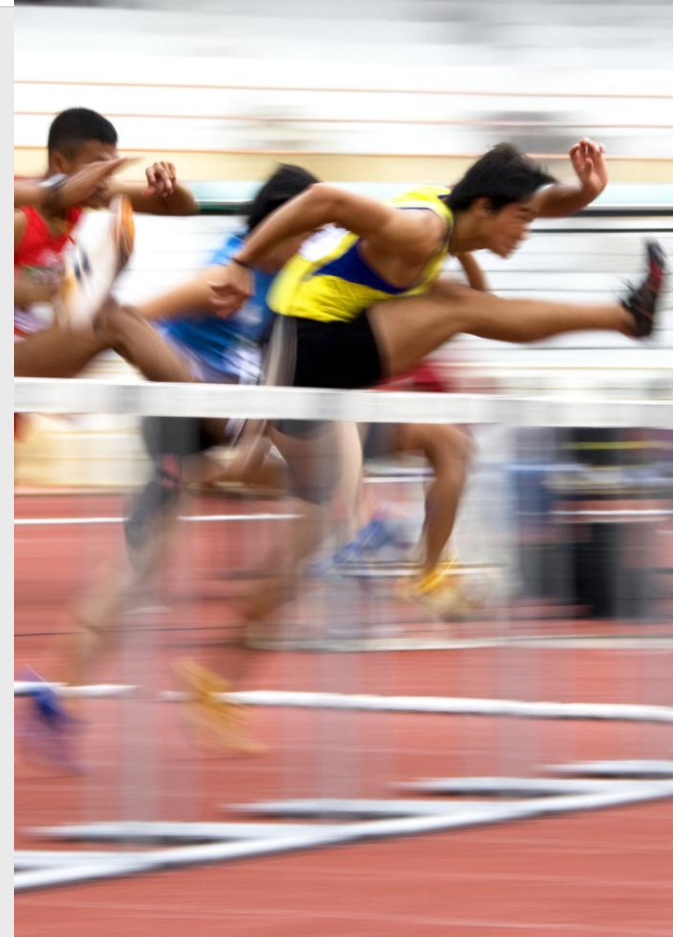
“The Parties recognize the importance of the Kyoto Protocol and the Paris Agreement. The Energy Community shall implement them in line with the European Union’s policy.”



➤ Improve State aid law enforcement

New paragraph in Article 18

“(3) The competent authorities of the Contracting Parties shall inform the Secretariat of all systems of aid existing in the Contracting Parties as well as of any notification received of plans to grant new aid and any decisions taken.”



➤ Boost further pan-European market integration

A new Article after current Article 41

“1. To the extent affecting Network Energy within the Energy Community, restrictions on the free movement of capital shall be prohibited between the Parties.

2. The provisions of this Article and measures taken in pursuance thereof shall not prejudice the applicability of provisions laid down by law, regulation or administrative action providing for special treatment for foreign nationals on grounds of public policy, public security or public health.”

- **Ensure non-discriminatory treatment in terms of rights and obligations on the interface between EU Member States and Contracting Parties**

A new Article after current Article 42

“Article xx

The Energy Community shall aim at creating equal conditions in the relations between authorities, market participants and infrastructure projects of Member States of the European Union and of the Contracting Parties in accordance with Article 7. For this purpose, the Ministerial Council may adopt a Decision based on Article 42.”

(INSTEAD OF RECIPROCITY CLAUSE)



- **Limitation to two Fora (gas and electricity) no longer corresponds to reality**

In Article 63, the word “Two” is deleted.

In Article 66, a new sentence is added:

“The Security of Supply and Infrastructure Development Forum shall meet in Kyiv.”

- Ensure homogeneity in the pan-European market

A new paragraph 4 in Article 76

“A Decision incorporating a Regulation adopted by the European Union shall be binding in its entirety and directly applicable in all Contracting Parties it addresses.”





➤ Improve implementation of the acquis

A new paragraph 3 in Article 91

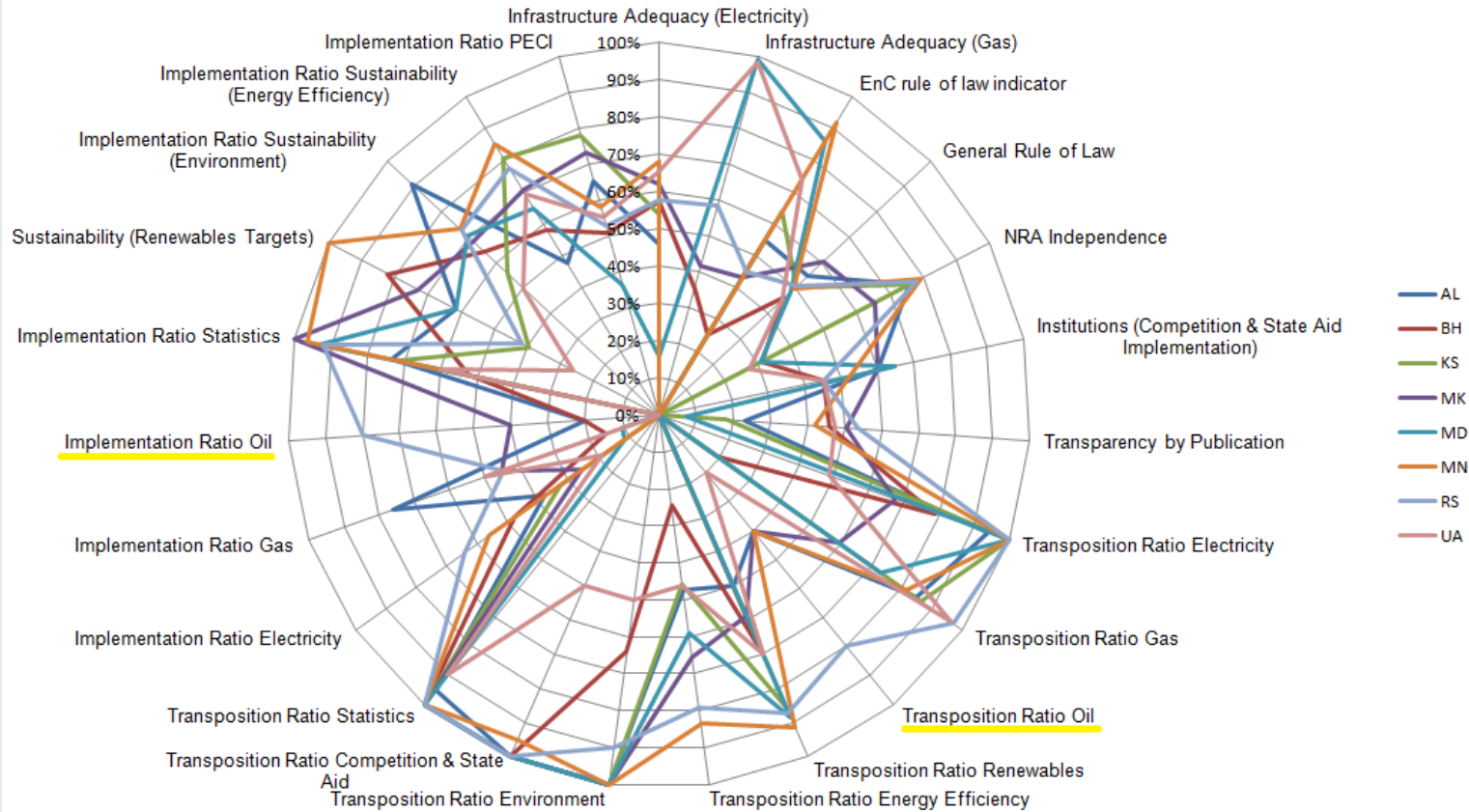
“The Ministerial Council shall set out the reasons for its decisions in writing.”

A new Article before current Article 92

- Introduction of lump sum or penalty payment as last step in dispute settlement procedure

- Based on EU methodology taking into account the seriousness of the infringement, its duration and the Contracting Party’s ability to pay
- To be used to support Projects of Energy Community Interest and Projects of Mutual Interest

Transposition and implementation indicators



PECs

New frontiers (Belarus, Azerbaijan)

Turkey – first Implementation Report in standard EnC format

Armenia next to come

Georgia to become the 9th Contracting Party in October

Environmental acquis

Summer schools

Tables of concordance

Dispute Resolution and Mediation centre

Assessment of NRAs

Regional Initiatives: -*Western Balkans 6 (Berlin) process*
 -*CESEC*

The background is a composite image of the Earth from space, showing the Western Hemisphere. Overlaid on the satellite-style image are numerous glowing blue lines that represent energy transmission or a network. These lines are curved and connect various points across the continents, creating a sense of global connectivity and energy flow.

*Thank you
for your attention!*

www.energy-community.org