



DECISION OF THE MINISTERIAL COUNCIL OF THE ENERGY COMMUNITY

**2025/08/MC-EnC on the failure by Bosnia and Herzegovina to comply with the Energy Community Treaty
in Case ECS-19/24**

THE MINISTERIAL COUNCIL OF THE ENERGY COMMUNITY,

Having regard to the Treaty establishing the Energy Community ("the Treaty"), and in particular Article 91(1)(a) thereof;

Upon Reasoned Request by the Secretariat in Case ECS-19/24 dated 12 July 2024;

Having regard to the Opinion by the Advisory Committee established under Article 32 of Dispute Settlement Rules, dated 28 November 2024;

HAS ADOPTED THIS DECISION:

Article 1

Failure by Bosnia and Herzegovina to comply with the Treaty

1. By failing to adopt and apply the laws, regulations and administrative provisions necessary to comply with Regulation (EU) 2017/1938 concerning measures to safeguard the security of gas supply as amended by Regulation (EU) 2022/1032 with regard to gas storage, as adapted and adopted by Ministerial Council Decisions 2021/15/MC-EnC and 2022/01/MC-EnC, pursuant to Article 2(1) of Ministerial Decision 2022/01/MC-EnC, and by failing to forthwith notify those measures to the Secretariat, Bosnia and Herzegovina fails to comply with Articles 6 and 89 of the Energy Community Treaty as well as with Article 2(1) and (2) of Ministerial Council Decisions 2021/15/MC-EnC and 2022/01/MC-EnC.

2. For the reasons sustaining these findings, reference is made to the Reasoned Request.



Article 2

Follow-up

1. Bosnia and Herzegovina shall take all appropriate measures to rectify the breach identified in Article 1 and ensure compliance with Energy Community law immediately. Bosnia and Herzegovina shall report regularly to the Secretariat and the Permanent High Level Group about the measures taken in 2026.

2. If the breach has not been rectified by 1 July 2026, the Secretariat is invited to initiate a procedure under Article 92 of the Treaty.

Article 3

Addressees and entry into force

This Decision is addressed to the Parties and the institutions under the Treaty. It enters into force upon its adoption.

Done in Vienna on 18 December 2025

For the Ministerial Council

A handwritten signature in blue ink, appearing to be 'A. Gheras', written over a dotted line.

Presidency