

74th PERMANENT HIGH LEVEL GROUP

Vienna, 11 December 2024

1. The meeting was chaired by Ms. Branka Knežević for the Presidency and Ms. Yolanda Garcia Mezquita for the European Commission.
2. The Permanent High Level Group (PHLG) approved the agenda and finalized the Conclusions of the 73rd PHLG meeting.

I. Decisions endorsed by the PHLG

New acquis

3. Following the discussions held at previous meetings, the PHLG endorsed the adoption by the Ministerial Council of:
 - Recommendation R/2024/01-MC-EnC on accelerating the deployment of renewable energy projects and implementing the energy efficiency first principle
 - Decision D/2024/xxx/MC-EnC on the establishment of the list of projects of Energy Community interest ('Energy Community list')

Implementation of the Treaty

4. Following progress by the respective Contracting Parties in transposing the respective *acquis*, the PHLG did not hear the parties to the following cases nor the President of the Advisory Committee and the following Reasoned Requests under Article 91 of the Treaty were not put on the agenda of the Ministerial Council:
 - Reasoned Request under Article 91 of the Treaty against Georgia in Case ECS-7/24
 - Reasoned Request under Article 91 of the Treaty against Serbia in Case ECS-12/24
 - Reasoned Request under Article 91 of the Treaty against Georgia in Case ECS-15/24
 - Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Kosovo* in Case ECS-16/24
 - Reasoned Request under Article 91 of the Treaty against Moldova in Case ECS-17/24
 - Reasoned Request under Article 91 of the Treaty against Montenegro in Case ECS-18/24
 - Reasoned Request under Article 91 of the Treaty against Georgia in Case ECS-20/24
 - Reasoned Request under Article 91 of the Treaty against Georgia in Case ECS-25/24
 - Reasoned Request under Article 91 of the Treaty against Kosovo* in Case ECS-26/24
 - Reasoned Request under Article 91 of the Treaty against Moldova in Case ECS-27/24
 - Reasoned Request under Article 91 of the Treaty against Montenegro in Case ECS-28/24

- Reasoned Request under Article 91 of the Treaty against North Macedonia in Case ECS-29/24
5. Upon hearing of the parties to the respective cases and the President of the Advisory Committee, taking into account the late submission of opinions of the Advisory Committee on the Secretariat's Reasoned Requests under Article 91 of the Treaty, the PHLG endorsed the inclusion of the following decisions as Appendix II of the Ministerial Council agenda and recommend to postpone the decision:
- Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Serbia in Case ECS-2/21
 - Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Montenegro in Case ECS-15/21
 - Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Bosnia and Herzegovina in Case ECS-14/24
 - Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Bosnia and Herzegovina in Case ECS-19/24
 - Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against North Macedonia in Case ECS-21/24
 - Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Serbia in Case ECS-22/24
 - Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Albania in Case ECS-23/24
 - Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Bosnia and Herzegovina in Case ECS-24/24
6. Upon hearing of the parties to the respective cases and the President of the Advisory Committee on the Secretariat's Reasoned Requests under Article 91 of the Treaty for non-transposition of the Electricity Integration Package, the PHLG endorsed the inclusion of the following decisions as Appendix III of the Ministerial Council agenda and recommend to postpone the decision:
- Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Albania in Case ECS-5/24
 - Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Bosnia and Herzegovina in Case ECS-6/24
 - Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Kosovo* in Case ECS-8/24
 - Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Moldova in Case ECS-9/24
 - Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Montenegro in Case ECS-10/24
 - Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against North Macedonia in Case ECS-11/24
 - Decision 2024/xxx/MC-EnC on the Reasoned Request submitted by the Secretariat under Article 91 of the Treaty against Ukraine in Case ECS-13/24

7. The PHLG acknowledged the referral of cases ECS-10/20 and ECS-7/22 to the European Commission in accordance with Article 21 of the Dispute Settlement Procedures.
8. Upon presentation by the Secretariat, the PHLG endorses the following acts to be included as “A” points on the agenda of the Ministerial Council:
 - Annual Report on the Activities of the Energy Community
 - Decision 2024/xx/MC-EnC on the Financial Discharge of the Director of the Energy Community Secretariat for 2023
 - Appointment of the members of the Advisory Committee

II. New acquis adopted by the PHLG

9. The PHLG adopted the Decision adapting and adopting Commission Implementing Regulation (EU) 2022/2299 of 15 November 2022 laying down rules for the application of Regulation (EU) 2018/1999 of the European Parliament and of the Council as regards the structure, format, technical details and process for the integrated national energy and climate progress reports, with agreed adjustments. The Secretariat commits to provide a report to the PHLG on the progress in implementing Article 1(1) the draft PHLG Decision adapting and adopting Commission Implementing Regulation (EU) 2022/2299 of 15 November 2022 lying down rules for the application of Regulation (EU) 2018/1999 after 15 March 2026.
10. The Contracting Parties invited the European Commission to present a proposal for a PHLG Decision adapting and adopting Commission Regulation (EU) 2024/264 of 17 January 2024 amending Regulation (EC) No 1099/2008 of the European Parliament and of the Council on energy statistics, as regards the implementation of updates for the annual, monthly and short-term monthly energy statistics for adoption at its meeting in June 2025.

III. Update of the Decarbonisation Roadmap

11. Building upon discussions at the Informal Ministerial Council in July 2024, the PHLG recommended the Ministerial Council to welcome the results the Impact Assessment for the establishment of a regional Emission Trading System in the Contracting Parties. Based on the study results, the PHLG recommended that the Contracting Parties will communicate to the European Commission and the Secretariat preferred carbon pricing policy scenarios by end of March 2025. The resulting policy document will then inform the discussion at the informal Ministerial Council. Following this, the informal Ministerial Council is expected to invite the European Commission to present a draft proposal to update the Decarbonisation Roadmap, including a commitment to achieve climate neutrality by 2050, with a view for its possible adoption by the Ministerial Council in December 2025.

IV. Organizational matters

12. The PHLG welcomed the Secretariat’s proposal for a number of events and activities marking the 20th anniversary of the Energy Community in 2025.

13. The PHLG endorsed the draft conclusions of the upcoming Ministerial Council meeting.

Done in Vienna on 11 December 2024

For the Permanent High Level Group

THE PRESIDENCY