

## ENERGY COMMUNITY MINISTERIAL COUNCIL

### MEETING CONCLUSIONS

Skopje, 24 September 2010

1. The Ministerial Council meeting was opened by H.E. Mr. Fatmir Besimi – Minister of Economy – on behalf of the Presidency in office.
2. The Ministerial Council thanked the Presidency Authorities for their hospitality.
3. The meeting was preceded by the signature of the Protocol of Accession by Ukraine to the Energy Community. The Protocol was signed by Minister Boyko, for Ukraine, and Minister Besimi, for the Presidency in the presence of Mr. Barbaso, Deputy Director General at the European Commission, representing the Vice-Presidency. The Ministerial Council expressed its satisfaction for this historical step and congratulated Ukraine for the signature.
4. The meeting started with a welcome address by Mr Creffier, on behalf of the Belgian Presidency of the European Union. The Ministerial Council approved the agenda and adopted the A-points as indicated in Annex 1, except for the adoption of the conclusions of the PHLG held on 23 September, to be adopted by written procedure in the coming days. It then proceeded with the examination of the other agenda items.
5. The Ministerial Council reviewed the state of play of the implementation of the Treaty. It welcomed that in general the Contracting Parties in all sectors established legal frameworks based on the elements contained in the acquis. However, the progress is mitigated by the lack of transposition of certain elements, or the lack of implementation and application of these elements in practice. Thus, the Ministers expressed their concerns that the demonstrated political will is not sufficiently followed by concrete actions in the form of legislative work. Further, the formal transposition needs additional efforts for actual implementation and enforcement. Therefore, the Ministerial Council recalled the need that both the political and the expert level work should focus mainly in this direction. It requested the Secretariat to elaborate a document drawing conclusions from the report and identifying next steps.
6. The Ministerial Council had an exchange of views concerning the security of supply status for the winter 2010/2011. The Ministers welcomed the initiative of Serbia for considering a regional energy strategy. Upon discussion the Ministerial Council asked the Secretariat – in consultation with all Contracting Parties - to develop a more concrete proposal for consideration. The Ministerial Council urged all Contracting Parties to increase their levels of preparedness to potential shortages.
7. The Ministers noted the steps undertaken in the area of renewables following the report of the RES TF Chair. The Ministers agreed on the extension of the RES TF mandate till the end of 2011 as proposed by the Secretariat. A Recommendation on the promotion of the use of energy from renewable sources was adopted as a legal basis for the Contracting Parties to start working on the implementation of the relevant rules.
8. The Ministerial Council noted the work performed by the Energy Efficiency Task Force. The Ministers adopted a Decision amending and replacing Decision 2009/05/MC-EnC of 18 December 2009 on the implementation of certain Directives on Energy Efficiency, which shows the flexibility of the decision making procedures under the Energy Community Treaty. Further, they agreed on

the extension of the Energy Efficiency Task Force mandate until the end of 2011 in accordance with the proposal of its Chair.

9. The Ministers welcomed the work in the context of the oil dimension, targeting adoption of oil stocks' related acquis in 2011.
10. The Ministers agreed that the implementation of the Third Internal Energy Market Package is a major goal also for the Energy Community Contracting Parties, and addressed a formal Recommendation to the Contracting Parties to start implementing the relevant provisions.
11. The proposal of the Secretariat for the establishment of a Task Force on Environment was approved. The PHLG was authorized to adopt a concrete mandate of the TF taking account of the proposal and the discussions and to elect its Chair.
12. The Ministerial Council reviewed the state of play on the development of priority infrastructure projects in the Contracting Parties and invited both the Donors and the Contracting Parties to consider more active measures, supporting their development. The Ministers thanked the Presidency for its initiative in organizing and hosting the Ministerial Investment Debate (23.09.2010).
13. The Ministerial Council took note of the report by the Secretariat on dispute settlement under the Treaty and reiterated its support to the use of the dispute settlement procedure for achieving the objectives of the Energy Community.
14. The Ministerial Council thanked the current Presidency of the Energy Community in the person of Minister Besimi and welcomed the incoming Presidency – the Republic of Moldova. The Ministers concluded that the main priorities for the incoming Presidency shall be concrete steps on:
  - investments' promotion in the context of development of the regional market;
  - energy efficiency (focus on the performance along the action plans) and RES (focus on the implementation of the Recommendation of the MC);
  - development of the Oil dimension;
  - improving the social dialogue in line with the Memorandum on Social Issues in the Energy Community.

These Conclusions are adopted.

For the Ministerial Council,

THE PRESIDENCY



## Annex 1

- 1) The Ministerial Council takes note of the Director's report on the implementation of the Work Programme of the Energy Community for 2010.
- 2) The Ministerial Council takes note of the Report of Audit as of 31 December 2009, presented by "Ernst & Young", of the Budget Committee report on Audit 2009 and of the Director's Report on the implementation of the budget of the Energy Community for 2009.
- 3) Based on the information under item 2 above, the Ministerial Council adopts a Decision on the Financial Discharge of the Director of the Energy Community Secretariat.
- 4) The Ministerial Council adopts a Decision on the budget of the Energy Community 2011 in relation to the accession of the Republic of Moldova to the Energy Community.
- 5) The Ministerial adopts the Conclusions of the 16<sup>th</sup> and 17<sup>th</sup> Permanent High Level Group meetings. The Conclusions of the 18<sup>th</sup> PHLG meeting shall be presented for adoption at a later stage.