



Brussels, 22 November 2019  
(OR. en)

14289/19

ENER 508

#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council  
On: 4 November 2019

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Subject: ENERGY Charter Conference:  
- Draft Conclusions of the Review under Article 34(7) of the Energy Charter Treaty  
- Draft budget 2020-2021  
= Establishment of the EU position

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1. The 30th Meeting of the Energy Charter Conference will take place on 10-11 December in Tirana, Albania.
2. During the *Statutory Session under the agenda items: 2. Budgetary Issues and 3. The Review under Article 34(7) ECT*, the Energy Charter Conference is expected to adopt the Draft Conclusions of the Review under Article 34(7) of the ECT and the draft budget 2020-2021, which may have legal effects for the EU. Therefore, in analogy with the procedure laid down in Article 218(9) TFEU, the Council should be invited to establish the corresponding Union position on these draft acts.
3. Given the delay of the Energy Charter Secretariat to distribute the revised documents to the Contracting Parties and subsequently to be approved by the Strategy Group and the Budget Committee of the Energy Charter, the Commission is not in the position to make a timely proposal to the Council to establish the Union position on the Draft Conclusions of the Review under Article 34(7) of the ECT and the draft budget 2020-2021 as set out in the doc. 14382/19.

4. In light of the above, Coreper should agree to proceed by way of an "I/A" Note to establish the EU positions on the Draft Conclusions of the Review under Article 34(7) of the ECT and the draft budget 2020-2021 as set out in the doc. 14382/19.
  5. Therefore, Coreper and Council are invited to:
    - agree to proceed by way of an 'I/A' Note to establish the EU positions on the Draft Conclusions of the Review under Article 34(7) of the ECT and the draft budget 2020-2021 as set out in the doc. 14382/19,
    - to confirm the agreement on the Union position on the Draft Conclusions of the Review under Article 34(7) of the ECT and the draft budget 2020-2021 as set out in the doc. 14382/19, subject to minor adjustments;
    - to note that the European Parliament will be informed and the position will be transmitted to the European Parliament.
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