



Council of the
European Union

Brussels, 25 June 2015
(OR. en)

9720/15

LIMITE

PV/CONS 30
TRANS 201
TELECOM 145
ENER 240

DRAFT MINUTES

Subject: **3393rd** meeting of the Council of the European Union (**TRANSPORT, TELECOMMUNICATIONS AND ENERGY**) held in Luxembourg on 8 June 2015

CONTENTS

Page

1. Adoption of the provisional agenda	3
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NON-LEGISLATIVE ACTIVITIES

2. Approval of the list of "A" items	3
3. Implementation of the Energy Security Strategy - Security of supply	3
4. Draft Council conclusions on the implementation of the Energy Union: empowering consumers and attracting investments in the energy sector	3
5. Any other business	4
a) External energy relations	
b) Outcome of the 10th Plenary meeting of the European Nuclear Energy Forum (ENEF) (Prague, 26-27 May 2015)	
c) Work programme of the incoming Presidency	
ANNEX - Statements for the Council minutes	5

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1. Adoption of the provisional agenda

9325/15 OJ CONS 30 TRANS 181 TELECOM 130 ENER 227

The Council adopted the above agenda.

NON-LEGISLATIVE ACTIVITIES

2. Approval of the list of "A" items

9426/15 PTS A 44

The Council approved the list of "A" items as set out in doc. 9426/15.

Statements to these items are set out in the Annex.

3. Implementation of the Energy Security Strategy - Security of supply

– Policy debate

10409/14 ENER 208 ENV 494 CLIMA 61 POLGEN 79

+ REV 1 (ro)

9285/15 ENER 223 ENV 366 CLIMA 58 POLGEN 84

The Council held a policy debate on the above on the basis of questions set out in doc. 9285/15.

4. Draft Council conclusions on the implementation of the Energy Union: empowering consumers and attracting investments in the energy sector

– Adoption

9073/15 ENER 185 CLIMA 56

The Council adopted conclusions on "the implementation of the Energy Union: empowering consumers and attracting investments in the energy sector ", as set out in doc. 9073/15.

The Greek delegation issued a statement to the Council minutes, as set out in the Annex.

5. Any other business

a) External energy relations

(i) Trilateral Ukraine-Russia-EU

(ii) Energy Community

- Information from the Commission
9090/15 ENER 187 COEST 146 COWEB 40 RELEX 403

The Council took note of the above information.

b) Outcome of the 10th Plenary meeting of the European Nuclear Energy Forum (ENEF) (Prague, 26-27 May 2015)

- Information from the Czech delegation
9093/1/15 ATO 32 REV 1

The Czech delegation informed the Council on the basis of doc. 9093/1/15 REV 1.

c) Work programme of the incoming Presidency

- Information from the Luxembourg delegation
9091/15 ENER 188

The Council took note of the above information.

STATEMENTS FOR THE COUNCIL MINUTES

- Ad "A" item 1:** **International Energy Charter (The Hague, 20-21 May 2015)**
Declaration by the Commission on behalf of the European Union on the
applicability of the part of the International Energy Charter devoted to
dispute settlement mechanisms
– **Approval of the statement by the Council**

STATEMENT BY THE COUNCIL

"The Council notes that the Commission made a declaration, on behalf of the European Union, relating to Title II, Heading 4 of the International Energy Charter at the international conference in the Hague on 20-21 May 2015, where that Charter was adopted and signed.

The Commission did not present the Council in good time with a draft of the declaration it intended to make on behalf of the European Union.

The Council recalls that Article 13(2) TEU requires each institution to act within the limits of the powers conferred on it in the Treaties. Article 16(1) TEU requires the Council to carry out policy-making and coordinating functions as laid down in the Treaties. The Commission cannot autonomously ensure the external representation of the European Union on the basis of Article 17(1) TEU alone without respecting the policy-making role of the Council concerning the content of instruments containing policy commitments on behalf of the Union. The external representation of the Union and the determination of the policy content of positions to be adopted on behalf of the Union are two separate functions. The determination of the Union's position regarding policy questions dealt with in the International Energy Charter forms part of the Council's policy-making functions.

The Council recalls that it established the position of the European Union and EURATOM on the adoption and the signature of the International Energy Charter (doc. 8416/15) at its 3386th meeting on 11 May 2015.

Any declaration on behalf of the European Union in connection with the adoption and signature of the International Energy Charter should also be determined by the Council, in accordance with the Treaties.

The Council recalls that competence with regard to investment under the Charter is shared between the Union and its Member States. Any declaration on behalf of the Union must be limited to matters for which the Union is competent.

With regard to any declaration that falls partly within the competence of the European Union, and partly within that of its Member States, it is essential to ensure close cooperation between the Member States and the Union institutions.

This Statement is without prejudice to the special nature of the EU internal legal order, which establishes the relations between the European Union and its Member States and between the Member States."

**Ad "B" item 4: Draft Council conclusions on the implementation of the Energy Union:
empowering consumers and attracting investments in the energy sector
– Adoption**

STATEMENT BY GREECE

"The Energy Union and the energy policies of the EU should not be market-oriented. Such an Energy Union would most probably have an adverse effect on energy security, energy cost and the goals for a non-polluting energy production in all EU countries. An Energy Union that would prioritize the markets would also not help development and innovation in the energy sector in Europe. On the contrary, it would exacerbate the existing inequalities, cause distortions and imbalance and strengthen the oligopolistic structure of the market, jeopardizing the energy security in Europe.

The Commission, in the context of its efforts for energy security, should undertake drastic initiatives to combat energy poverty, curb energy inequalities amongst the European countries and regions, enhance energy infrastructure, bridge the technology gap and reduce the energy cost in the weaker economies of Europe."
