



Council of the  
European Union

Brussels, 26 October 2021  
(OR. en)

12822/21

LIMITE

ATO 77  
ENER 424  
WTO 233  
FDI 22

## LEGISLATIVE ACTS AND OTHER INSTRUMENTS

---

Subject: COUNCIL DECISION authorising the entering into negotiations, on behalf of the European Atomic Energy Community, on the modernisation of the Energy Charter Treaty

---

## **COUNCIL DECISION**

**of ...**

**authorising the entering into negotiations,  
on behalf of the European Atomic Energy Community,  
on the modernisation of the Energy Charter Treaty**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 101, second paragraph, thereof,

Having regard to the recommendation from the European Commission,

whereas:

- (1) By its Decision of 15 July 2019<sup>1</sup>, the Council authorised the Commission to enter into negotiations on the modernisation of the Energy Charter Treaty on behalf of the Union. Those negotiations are ongoing.
- (2) The participation of the European Atomic Energy Community (Euratom) in such negotiations should also be ensured.
- (3) The negotiating directives set out in the addendum to the Council Decision of 15 July 2019 should be applicable to the conduct of negotiations on behalf of Euratom to the extent that they are relevant for Euratom.
- (4) The members of the Working Party on Atomic Questions should be invited to participate in meetings of the special committee appointed by the Council Decision of 15 July 2019 to the extent that the negotiations are relevant for Euratom,

HAS ADOPTED THIS DECISION:

---

<sup>1</sup> See document ST 10745/1/19 REV 1 for the English language version and document ST 10745/19 INIT for other language versions.

### *Article 1*

The Commission is hereby authorised to enter, on behalf of the European Atomic Energy Community (Euratom), into negotiations on the modernisation of the Energy Charter Treaty.

### *Article 2*

The negotiating directives set out in the addendum to the Council Decision of 15 July 2019, to the extent that they are relevant for Euratom, shall apply *mutatis mutandis*.

### *Article 3*

The members of the Working Party on Atomic Questions shall be invited to participate in meetings of the special committee appointed by the Council Decision of 15 July 2019 to the extent that the negotiations in question are relevant for Euratom.

*Article 4*

This Decision is addressed to the Commission.

Done at ...,

*For the Council*

*The President*

---