



Council of the  
European Union

Brussels, 4 December 2023  
(OR. en)

15880/23

LIMITE

ENER 634  
RELEX 1374  
COEST 635  
COWEB 151

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Interinstitutional File:  
2023/0395 (NLE)

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#### LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union in the Ministerial Council of the Energy Community to be held in Vienna, Austria, on 14 December 2023

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**COUNCIL DECISION (EU) 2023/...**

**of ...**

**on the position to be taken  
on behalf of the European Union  
in the Ministerial Council of the Energy Community  
to be held in Vienna, Austria, on 14 December 2023**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(1), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Energy Community Treaty was concluded by the Union by means of Council Decision 2006/500/EC of 29 May 2006<sup>1</sup> and entered into force on 1 July 2006.
- (2) Pursuant to Article 47 of the Energy Community Treaty, the Ministerial Council is to take Measures, which, pursuant to Article 76 of that Treaty, may take the form of a Decision or of a Recommendation.
- (3) The Ministerial Council, during its 21st session on 14 December 2023, will adopt a number of acts, attached to this Decision, which fall under the scope of Article 218(9) of the Treaty on the Functioning of the European Union and on which representatives of the Union will vote.
- (4) The purpose of the envisaged acts is to facilitate the achievement of the objectives of the Energy Community Treaty.
- (5) It is appropriate to establish the position to be taken on the Union's behalf in the Ministerial Council regarding the acts attached to this Decision, as those acts will have legal effects for the Union,

HAS ADOPTED THIS DECISION:

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<sup>1</sup> Council Decision 2006/500/EC of 29 May 2006 on the conclusion by the European Community of the Energy Community Treaty (OJ L198, 20.7.2006, p. 15).

*Article 1*

1. The position to be taken on the Union's behalf in the 21st session of the Ministerial Council to be held in Vienna, Austria, on 14 December 2023, regarding the issues falling under the scope of Article 218(9) of the Treaty on the Functioning of the European Union is to approve the adoption of the acts attached to this Decision.
2. Minor changes to the acts attached to this Decision, in the light of comments from Contracting Parties to the Energy Community, may be agreed by the Commission, before or at the Ministerial Council, without a further decision of the Council.

*Article 2*

This Decision shall enter into force on the date of its adoption.

Done at Brussels,

*For the Council*

*The President*

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