Council of the European Union

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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)/Council
No. Cion doc.:	7235/24
Subject:	Proposal for a Council Decision on the position to be taken on behalf of Euratom in the Energy Charter Conference - Adoption

1. On 1 March 2024, the Commission submitted a proposal for a Council Decision on the position to be taken on behalf of Euratom in the Energy Charter Conference[1] .

2. The proposal was discussed at the meeting of the Working Party on Energy on 26 March, 11 April and 30 April 2024 leading to revised proposals. Changes can be seen in doc. 7783/24, 8293/24 and 8818/24 + COR 1.

3. This draft Council Decision together with the draft Council Decision on the position to be taken on behalf of the European Union in the Energy Charter Conference not to exercise the Union/Euratom's right to vote and to authorise Member States to approve or not to oppose the modernised Energy Charter Treaty, and the draft Council Decisions on the withdrawal of the European Union and Euratom from the Energy Charter Conference are politically linked, as these are the two limbs of a compromise.

[1] 7235/24

4. As it was stated in the note to Coreper (6515/24), it was the intention of the Presidency that, before the draft Council Decisions on the withdrawal of the Union and Euratom from the Energy Charter Treaty are presented to the Council for final adoption, subject to the consent of the European Parliament for the Union part, the Council should have in parallel completed the process for the draft Council Decisions on the position to be taken on behalf of the European Union and Euratom in the relevant meeting of the Energy Charter Conference not to exercise the Union/Euratom's right to vote and to authorise Member States to approve or not to oppose the modernised Energy Charter Treaty, this with a view finally to adopt all draft Council Decisions by the Council on the same date. This process has now been finalised, and all 4 decisions can be adopted during the same Council meeting.

5. The legal-linguistic revision of the compromise in doc. ST 8818/24 + COR 1 has not yet been finalised. The text to be submitted for adoption, as finalised by the legal-linguistic experts, will be published as soon as possible in document ST 9617/24.

6. In light of the above, the Permanent Representatives Committee is invited to:
   - confirm the agreement on the text of the draft Council Decision on the position to be taken on behalf of the Euratom in the Energy Charter Conference as set out in doc. 8818/24 + COR 1;
   - agree to submit the text of the draft Council Decision on the position to be taken on behalf of Euratom in the Energy Charter Conference, after finalisation of the text by the legal-linguistic experts, to the Council for adoption as an A-item at one of its upcoming meetings.

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