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General Secretariat

Brussels, 19 November 2025

WK 15778/2025 INIT

LIMITE

**ENER
POLCOM
CODEC**

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Energy
Subject:	REPowerEU Regulation: BG comments (ST 15361/25)

Delegations will find in the annex the BG comments on the REPowerEU Regulation (ST 15361/25).

Brussels, 14 November 2025
(OR. en)

15361/25

LIMITE

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Interinstitutional File:
2025/0180 (COD)

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on phasing out Russian natural gas imports, improving monitoring of potential energy dependencies and amending Regulation (EU) 2017/1938

With a view to the Energy Working Party on 18 November, delegations will find in the annex a four-column table on the above file.

Delegations are invited to examine the compromise texts highlighted in yellow and to indicate whether they would see it as an acceptable way forward. Please note that elements in the fourth column that are not highlighted in yellow are yet to be discussed, and should thus not be considered agreed parts of the compromises that are proposed at this stage.



	CLEAN Commission Proposal	vs.EC EP Mandate	vs.EC Council Mandate	vs.EC Draft Agreement
Recital 9				
21	(9) Diversifying LNG import capacity is essential for strengthening and maintaining energy security within the Union. A significant portion of that capacity is controlled by Russian companies via long-term contracts of more than 10 years, creating a risk that the capacity rights reserved in those contracts could be used to obstruct imports from alternative sources through capacity hoarding practices. Similar practices could make Union energy markets subject to	(9) Diversifying LNG import capacity is essential for strengthening and maintaining energy security within the Union. A significant portion of that capacity is controlled by Russian companies via long-term contracts of more than 10 years, creating a risk that the capacity rights reserved in those contracts could be used to obstruct imports from alternative sources through capacity hoarding practices. Similar practices could make Union energy markets subject to	(9) Diversifying the LNG import capacity is essential for strengthening and maintaining energy security within the Union. A significant portion of that To avoid any risk that long-term reservations of LNG terminal capacity is controlled held by Russian companies via long-term contracts of more than 10 years, creating a risk that the capacity rights reserved in those contracts could be used to obstruct imports from alternative sources through capacity hoarding practices-	(9) Diversifying <u>the</u> LNG import capacity is essential for strengthening and maintaining energy security within the Union. A significant portion of that <u>To avoid any risk that long-term reservations of LNG terminal capacity is controlled</u> held by Russian companies via long-term contracts of more than 10 years, creating a risk that the capacity rights reserved in those contracts could be used to obstruct imports from alternative sources through capacity hoarding practices-

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	<p>the prolonged influence of Russian companies, which have previously demonstrated a significant capacity to distort markets in the Union, using existing dependencies. Past instances of gas storage hoarding have further led to substantial market distortions, increased prices, and threats to critical security measures¹. Given the essential role that LNG is expected to play in securing alternative energy supplies in the it is essential to complement the gas import ban with a prohibition on providing LNG terminal services to Russian entities. To assist Member States in ending their dependency on Russian gas supplies, and to</p>	<p>the prolonged influence of Russian companies, which have previously demonstrated a significant capacity to distort markets in the Union, using existing dependencies. <i>Past instances of gas storage hoarding have further led to substantial market distortions, increased prices, and threats to critical security measures¹.</i> Given the essential role that LNG is expected to play in securing alternative energy supplies <i>in the</i> it is essential to complement the gas import ban with a prohibition on providing LNG terminal services to Russian entities. To assist Member States in ending their dependency on Russian gas supplies, and to</p>	<p>Similar practices could make Union, national regulators and competition authorities are to make full use of the robust legal instruments which are available under national and European energy markets subject to the prolonged influence of Russian companies, which have previously demonstrated a significant capacity to distort markets in the Union, using existing dependencies. Past instances of gas storage hoarding have further led to substantial market distortions, increased prices, and threats to critical security measures¹ and competition law where appropriate. Given the essential role that LNG is expected</p>	<p><i>Similar, such as practices could make Union energy markets subject to the prolonged influence of Russian companies, which have previously demonstrated a significant capacity to distort markets in the Union, using existing dependencies. Past instances of gas to book liquefaction or storage hoarding have further led to substantial market distortions, increased prices, and threats to critical security measures¹. Given the essential role that LNG is expected to play in securing alternative energy supplies in the it is essential to complement the gas import ban with a prohibition on providing LNG terminal services</i></p>

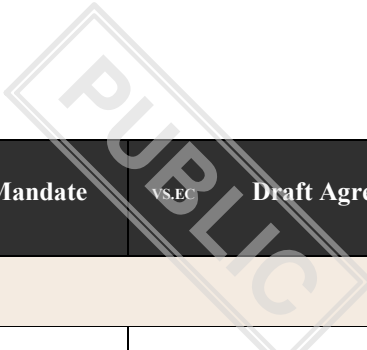
	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	<p>ensure the effective delivery of LNG imports from alternative sources, it is important to avoid that the necessary import infrastructure can be blocked by Russian customers of LNG terminal services. The provision of long-term LNG terminal services to entities from Russia or controlled by Russian should be therefore prohibited as of 1 January 2026. Those provided under a contract concluded before 17 June 2025, should be prohibited as of 1 January 2028. This should enable the reallocation of terminal capacity to alternative LNG suppliers and strengthen the resilience of the energy market in the Union.</p>	<p>ensure the effective delivery of LNG imports from alternative sources, it is important to avoid that the necessary import infrastructure can be blocked by <u>prevent</u> Russian customers of LNG terminal services <u>from blocking the necessary import infrastructure</u>. The provision of long-term LNG terminal services to entities from Russia or <u>to entities owned or directly or indirectly via various frameworks, such as intermediate structures or subsidiaries</u>, by Russian <u>Federation, or under significant influence from the Russian Federation</u> should be therefore prohibited as of 1 January 2026. Those provided</p>	<p>to play in securing alternative energy supplies in the it is essential to complement the gas import ban with a prohibition on providing LNG terminal services to Russian entities. To assist Member States in ending their dependency on Russian gas supplies, and to ensure the effective delivery of LNG imports from alternative sources, it is important to avoid that the necessary import infrastructure can be blocked by Russian customers of LNG terminal services. The provision of long-term LNG terminal services to entities from Russia or controlled by Russian should be therefore prohibited as of 1 January 2026.</p>	<p>to Russian entities. To assist Member States in ending their dependency on Russian gas supplies, and to ensure the effective delivery of LNG imports from alternative sources, it is important to avoid that the necessary import capacities without actually using them or with the purpose to prevent competitors from using the infrastructure can be blocked by Russian customers of LNG terminal services. The provision of long-term LNG terminal services to entities from Russia or controlled by national regulators and competition authorities are to make full use of the robust legal instruments which are available</p>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	<p>_____</p> <p>1. See Assessment of Impact, page 4.</p>	<p>under a contract concluded before 17 June 2025, should be prohibited as of 1 January 20282027. This should enable the reallocation of terminal capacity to alternative LNG suppliers and strengthen the resilience of the energy market in the Union.</p> <p>_____</p> <p><i>1. See Assessment of Impact, page 4.</i></p>	<p>Those provided under a contract concluded before 17 June 2025, should be prohibited as of 1 January 2028. This should enable the reallocation of terminal capacity to alternative LNG suppliers and strengthen the resilience of the energy market in the Union.</p> <p>_____</p> <p>1. See Assessment of Impact, page 4.</p>	<p><u>under national and European energy and competition law where appropriate. In case customs authorities identify risks for safety or security resulting from Russian gas should be therefore prohibited as of 1 January 2026. Those provided under a contract concluded before 17 June 2025 entering the Union customs territory, they should be prohibited as of 1 January 2028. This should enable the reallocation of terminal capacity to alternative LNG suppliers and strengthen the resilience make use of the energy market provisions concerning risk management in the Union Customs Code to avoid such risks.</u></p>



	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				1. See Assessment of Impact, page 4.
Recital 15				
27	(15) Some landlocked countries which are currently still supplied under existing long-term supply contracts for Russian pipeline gas are specifically affected by recent changes of supply routes from the Russian Federation, due to limited or no alternative routes for the transport of the contracted gas to them. To remedy the situation, suppliers from other Member States currently ensure the delivery of	(15) Some landlocked countries which are currently still supplied under existing long-term supply contracts for Russian pipeline gas are specifically affected by recent changes of supply routes from the Russian Federation, due to limited or no alternative routes for the transport of the contracted gas to them. To remedy the situation, suppliers from other Member States currently ensure the delivery of pipeline gas under	(15) Some landlocked countries which are currently still supplied under existing long-term supply contracts for Russian pipeline gas are specifically affected by recent changes of supply routes from the Russian Federation, due to limited or no alternative routes for the transport of the contracted gas to them. To remedy the situation, suppliers from other Member States currently ensure the delivery of	(15) Some landlocked countries which are currently still supplied under existing long-term supply contracts for Russian pipeline gas are specifically affected by recent changes of supply routes from the Russian Federation, due to limited or no alternative routes for the transport of the contracted gas to them. To remedy the situation, suppliers from other Member States currently ensure the delivery of

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	<p>pipeline gas under short-term supply contracts with suppliers from the Russian Federation via uncongested interconnection points. Due to this very specific situation, the transition time necessary to find new suppliers should also apply to those short-term supply contracts with suppliers from the Russian Federation which serve to supply landlock countries affected by changes of supply routes for Russian gas.</p>	<p>short-term supply contracts with suppliers from the Russian Federation via uncongested interconnection points. Due to this very specific situation, the transition time necessary to find new suppliers should also apply to those short-term supply contracts with suppliers from the Russian Federation which serve to supply landlock countries affected by changes of supply routes for Russian gas. deleted</p>	<p>pipeline gas under short-term supply contracts with suppliers from the Russian Federation via uncongested interconnection points. Due to this very specific situation, the transition time necessary to find new suppliers should also apply to those short-term supply contracts with suppliers from the Russian Federation which serve to supply landlocklandlocked countries affected by changes of supply routes for Russian gas.</p>	<p>pipeline gas under short-term supply contracts with suppliers from the Russian Federation via uncongested interconnection points. Due to this very specific situation, the transition time necessary to find new suppliers should also apply to those short-term supply contracts with suppliers from the Russian Federation which serve to supply landlocklandlocked countries affected by changes of supply routes for Russian gas.</p> <p><u>[Customs/authorising authorities] should monitor if the specific conditions of the landlocked countries described in paragraph 2 continue to be fulfilled.</u></p>



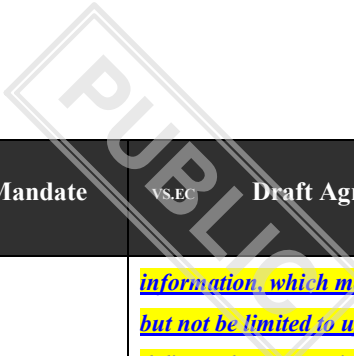
	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Recital 20a				
32a			<p>(20a) Due to the specific characteristics of pipeline gas and LNG, and in order to allow for a smooth verification process of the country of production and the conditions for possible exemptions before the gas enters the Union customs territory, a prior authorisation process should be introduced. Imports should be refused in the absence of an authorisation. Authorising authorities should be informed in advance about intended imports into the Union, and the information should be submitted to them which is necessary to verify the country of production</p>	<p><u>(20a) Due to the specific characteristics of pipeline gas and LNG, and in order to allow for a smooth verification process of the country of production and the conditions for possible exemptions before the gas enters the Union customs territory, a prior authorisation process should be introduced. Imports should be refused in the absence of an authorisation. [Customs/authorising authorities] should be informed in advance about intended imports into the Union, and the information should be submitted to them which is necessary to verify the</u></p>

Commented [A1]: Union customs legislation provides for the possibility of releasing goods from presentation by submitting a customs declaration in the form of an entry in the declarant's records. In this case, the goods are considered to be released at the time of entry in the declarant's records.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			<p>or whether the conditions for an exemption under this Regulation are met. While authorising authorities should strive to issue an authorisation within the period between submission of information by the importer and the planned entry into the customs territory in order to facilitate imports of gas to the EU, they may also decide at a later stage, in particular, in case there are doubts concerning the information provided. The prior authorisation is without prejudice to existing enforcement powers of customs authorities. Imports of natural gas from gas producing countries should be exempted</p>	<p><u>country of production or whether the conditions for an exemption under this Regulation are met.</u> <u>[Customs/authorising authorities] should enforce this Regulation particularly diligently at pipeline interconnection points, LNG facilities or transit pipelines where the risk of circumvention is high, for instance in case imports arrive from third countries which also trade Russian gas.</u> <u>Information about circumvention practices should be shared between the [customs/authorising authorities], ACER and the Commission. Using the cooperation mechanism between authorities with ACER and the Commission, authorities should</u></p>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			<p>from that obligation if the Union has imported significant volumes from these countries in the past and if these countries either have shown that they do not want to support the Russian gas sector by a prohibition of the import of Russian gas, restrictive measures targeting Russian gas infrastructure, Russian gas companies or persons managing such companies, or if these countries do not dispose of the necessary infrastructure to import natural gas via pipelines or LNG. The Commission should establish the list of such countries.</p>	<p><u>adapt their enforcement priorities where necessary to address potential circumvention practices identified during the implementation of this Regulation.</u> <u>[Customs/authorising authorities] should, in close cooperation with Commission, develop and publish guidance on further details concerning the prior authorisation process and adequate types of documents and evidence to be submitted.</u> <u>[Customs/authorising authorities] and, where relevant, customs authorities should, where appropriate, verify the evidence submitted to establish the country of production by means further</u></p>

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				<p><u>information, which may include but not be limited to upstream delivery documentation, such as publicly available satellite tracking of LNG cargoes or tracking information from the European Maritime Safety Agency, including by requesting further relevant documentation.</u></p> <p><u>While authorising authorities should strive to issue an authorisation within the period between submission of information by the importer and the planned entry into the customs territory in order to facilitate imports of gas to the EU, they may also decide at a later stage, in particular, in case there are doubts concerning the</u></p>

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				<p><u>information provided. The prior authorisation is without prejudice to existing enforcement powers of customs authorities. Imports of natural gas from gas producing countries should be exempted from that obligation if the Union has imported significant volumes from these countries in the past and if these countries either have shown that they do not want to support the Russian gas sector by a prohibition of the import of Russian gas, restrictive measures targeting Russian gas infrastructure, Russian gas companies or persons managing such companies, or if these countries do not dispose of the necessary infrastructure to import</u></p>

Commented [DC2]: The phrase "at a later stage" should be clarified, since in the event of a negative decision, the goods may already have been released.

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	<small>CLEAN</small> Commission Proposal	<small>VS.EC</small> EP Mandate	<small>VS.EC</small> Council Mandate	<small>VS.EC</small> Draft Agreement
				<p><u>natural gas via pipelines or LNG.</u> <u>The Commission should establish</u> <u>the list of such countries and</u> <u>adapt and update it without</u> <u>undue delay in case of changes</u> <u>relating to conditions for the</u> <u>exceptions from the prior</u> <u>authorisation process. If customs</u> <u>authorities become aware of</u> <u>elements which suggest that the</u> <u>country of production of imported</u> <u>gas which is not subject to prior</u> <u>authorisation could be the</u> <u>Russian Federation, they should</u> <u>make use of their right to request</u> <u>and verify appropriate documents</u> <u>in accordance with Article 46(1)</u> <u>UCC to establish the actual</u> <u>country of production.</u></p>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Recital 22				
34	(22) Russia is a major gas exporter and has not played any noticeable role as gas transit country in the past. This is due to several factors, such as the lack of regasification infrastructure, the organisation of gas trade in Russia via a pipeline export monopoly, business models of Russian gas companies which are not based on organising transits, or Russia's geographical location. Therefore, imports of natural gas arriving via interconnection points between the Russian Federation and the Union are usually originating in, or exported directly or indirectly from the Russian Federation. The	(22) Russia is a major gas exporter and has not played any noticeable role as gas transit country in the past. This is due to several factors, such as the lack of regasification infrastructure, the organisation of gas trade in Russia via a pipeline export monopoly, business models of Russian gas companies which are not based on organising transits, or Russia's geographical location. Therefore, imports of natural gas arriving via interconnection points between the Russian Federation and the Union are usually originating in, or exported directly or indirectly from the Russian Federation. The	(22) Some of the Russian gas transmission infrastructure is directly connected to the Union, and some transit pipelines connecting Russia with the Union are running through third countries without currently having any exit points between the Russian Federation and the Union. The Regulation should therefore presume that natural gas imported into the Union via borders, interconnectors, or interconnection points between the Russian Federation and the Union, Belarus and the Union or arriving via TurkStream at the	(22) <u>Some of the Russian gas transmission infrastructure is directly connected to the Union, and some transit pipelines connecting Russia with the Union are running through third countries without currently having any exit points between the Russian Federation and the Union. The Regulation should therefore presume that natural gas imported into the Union via borders, interconnectors, or interconnection points between the Russian Federation and the Union, Belarus and the Union or arriving via pipelines such as TurkStream at the</u>

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	<p>same consideration applies to gas imported via interconnection points between the Union and Serbia, as Serbia can, for technical reasons, only export gas of Russian origin towards the Union. Therefore, and taking into account incentives of Russian suppliers to circumvent the import ban, customs authorities should, where gas is imported via Russian or Serbian entry points, require clear and unambiguous unequivocal evidence to prove the non-Russian origin or the point of export of the gas. The submitted documents should allow the traceability of the imported gas up to the place of production.</p>	<p>same consideration applies to gas imported via interconnection points between the Union and Serbia, as Serbia can, for technical reasons, only export gas of Russian origin towards the Union. Therefore, and taking into account incentives of Russian suppliers to circumvent <u>In order to ensure that the measures to prevent the import ban, customs authorities of gas which originates in or is exported directly or indirectly from the Russian Federation are kept up to date, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to amend the list of</u></p>	<p>interconnection point Strandzha 2 / Malkoclar originates in or is exported, directly or indirectly, from the Russian Federation, thus replacing the requirement to submit proof of the country of production. In case it is claimed that natural gas arriving at these borders, interconnectors, or interconnection points is under a ‘transit’ procedure through the Russian Federation, strict controls should apply. The Russian Federation is a major gas exporter and has not played any noticeable role as a gas transit country in the past. This is, due to several factors, such as the lack of regasification infrastructure, the organisation of gas trade in</p>	<p><u>interconnection point Strandzha 2 / Malkoclar originates in or is exported, directly or indirectly, from the Russian Federation, thus replacing the requirement to submit proof of the country of production. In case it is claimed that natural gas arriving at these borders, interconnectors, or interconnection points is under a ‘transit’ procedure through the Russian Federation, strict controls should apply. The Russian Federation is a major gas exporter and has not played any noticeable role as a gas transit country in the past. This is, due to several factors, such as the lack of regasification infrastructure, the organisation of gas trade in</u></p>

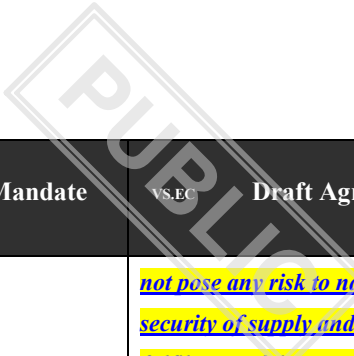
CLEAN	Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<p><u>interconnection points</u> where gas is imported via <u>presumed to be exported directly or indirectly from the</u> Russian or Serbian entry points, require clear and unambiguous unequivocal evidence to prove the non-Russian origin or the point of export of the gas. The submitted <u>Federation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making*. In particular, to ensure equal</u></p>	<p>Russia <u>the Russian Federation</u> via a pipeline export monopoly, business models of Russian gas companies which are not based on organising transits, or Russia <u>and the Russian Federation's</u> geographical location. Therefore, imports of natural gas arriving via interconnection points between the Russian Federation and the Union are usually originating in, or exported directly or indirectly from the Russian Federation. The same consideration applies to gas imported via interconnection points between the Union and Serbia, as Serbia can, for technical reasons, only export gas of Russian origin towards the Union. Therefore, and taking into account</p>	<p>Russia <u>the Russian Federation</u> via a pipeline export monopoly, business models of Russian gas companies which are not based on organising transits, or Russia <u>and the Russian Federation's</u> geographical location. Therefore, imports of natural gas arriving via interconnection points between the Russian Federation and the Union are usually originating in, or exported directly or indirectly from the Russian Federation. The same consideration applies to gas imported via interconnection points between the Union and Serbia, as Serbia can, for technical reasons, only export gas of Russian origin towards the Union. Therefore, and taking into</p>

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		<p><u>participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents</u> should allow the traceability of the imported gas up to the place of production <u>at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</u></p>	<p>incentives of Russian suppliers to circumvent the import banprohibition, customs authorities should, where gas is imported via Russian or Serbian entry points, require clear and unambiguous evidence to refuse the import of volumes of natural gas allegedly in transit unless unequivocal evidence to prove the non-Russian origin or the point of export of can be provided which proves that the gas has been in transit through the Russian Federation and that it was produced in a country other than the Russian Federation. The submitted documents should allow for the traceability of the</p>	<p>account incentives of Russian suppliers to circumvent the import banprohibition, customs authorities should, where gas is imported via Russian or Serbian entry points, require clear and unambiguous evidence to refuse the import of volumes of natural gas allegedly in transit unless unequivocal evidence to prove the non-Russian origin or the point of export of can be provided which proves that the gas has been in transit through the Russian Federation and that it was produced in a country other than the Russian Federation. The necessary evidence should be provided to the [customs/authorising authorities].</p>

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			imported gas up to the place of production.	<i>The submitted documents should sufficiently in advance, that is no later than one month before the entry into the customs territory, to allow for the traceability of the imported gas up to the place of production.</i>
Recital 22a				
34a			(22a) Furthermore, significant volumes of natural gas may also enter the Union under a ‘transit’ procedure. As the strict monitoring rules for gas imports such as the prior authorisation do not apply to gas crossing the Union under a ‘transit’ procedure, it is appropriate to provide for specific safeguards	<i>(22a) Furthermore, significant volumes of natural gas may also enter the Union under a ‘transit’ procedure. As the strict monitoring rules for gas imports such as the prior authorisation do not apply to gas crossing the Union or being stored under customs warehousing rules under a ‘transit’ procedure, it is</i>

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			<p>in the form of a transit monitoring regime, which enables customs to effectively monitor gas flows under a ‘transit’ procedure, to ensure that natural gas which crosses the Union under a ‘transit’ procedure is not ultimately entering into free circulation in the Union.</p>	<p><u>appropriate to provide for specific safeguards in the form of a transit monitoring regime, which enables customs to effectively monitor gas flows under a ‘transit’ procedure, to ensure that natural gas which crosses the Union under a ‘transit’ procedure is not ultimately entering into free circulation in the Union. In case third country operators store gas under a transit, temporary storage or customs warehousing procedure under the Union Customs Code, Member States should have appropriate monitoring and enforcement mechanisms in place to ensure that the use of domestic storage by third countries does</u></p>

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement	
				<u>not pose any risk to national security of supply and the fulfilment of the storage obligations in Articles 6a to 6d of Regulation (EU) 2017/1938.</u>	
Article 4					
6 76	Article 4 Transition phase for existing supply contracts	Article 4 Transition phase for existing supply contracts	Article 4 Transition phase for existing supply contracts	Article 4 Transition phase for existing supply contracts Text Origin: Commission Proposal	6
Article 4(2)					

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
78	2. Where the importer can demonstrate to customs authorities that imports of natural gas referred to in Article 3 are:	2. Where the importer can demonstrate to customs authorities that imports of natural gas referred to in Article 3 are: <u>deleted</u>	2. Article 3 shall apply as of 1 January 2028 , where the importer can demonstrate to customs it can be demonstrated to the authorising authorities that imports of natural gas referred to in Article 3 are:	
Article 4(2), point (a)				
79	(a) executed under a short-term supply contract with delivery to an interconnection point with a landlocked country and,	(a) executed under a short-term supply contract with delivery to an interconnection point with a landlocked country and, <u>deleted</u>	(a) that imports of natural gas referred to in Article 3 are executed under a short-term supply contract with delivery to an interconnection point with a landlocked country which is necessary to fulfil the long-term supply contract under point (b), and, and,	

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 4(2), point (b)				
80	(b) that a long-term supply contract with delivery at the virtual trading point of that landlocked country for the import of natural gas in gaseous state via pipelines exists, which originates in or is exported directly or indirectly from the Russian Federation, and which was concluded before 17 June 2025 and not amended thereafter, Article 3 shall apply as of 1 January 2028.	(b) that a long-term supply contract with delivery at the virtual trading point of that landlocked country for the import of natural gas in gaseous state via pipelines exists, which originates in or is exported directly or indirectly from the Russian Federation, and which was concluded before 17 June 2025 and not amended thereafter, Article 3 shall apply as of 1 January 2028. <u>deleted</u>	(b) that a long-term supply contract with delivery at the virtual trading point of that a landlocked country for the import of natural gas in gaseous state via pipelines exists, which originates in or is exported directly or indirectly from the Russian Federation, and which was concluded before 17 June 2025 and not amended thereafter, Article 3 shall apply as of 1 January 2028.:	
Article 4(2), point (ba)				

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80a			(i) which originates in or is exported, directly or indirectly, from the Russian Federation,	
Article 4(2), point (bb)				
80b			(ii) for which the delivery at the original delivery point at an EU border with a third country can no longer be executed, and	
Article 4(2), point (bc)				
80c			(iii) which was concluded before 17 June 2025 and not amended thereafter, unless the amendment is covered by paragraph 4.	
Article 4(2a)				

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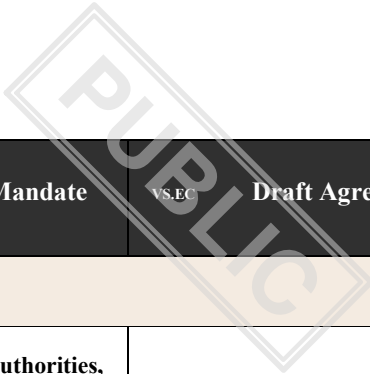
	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
80d				<u>2a. [Customs/authorising authorities] shall provide relevant information to the Commission allowing it to monitor if the specific conditions of the landlocked countries described in paragraph 2 continue to be fulfilled. In doing so, the Commission shall in particular monitor whether this provision is not used for circumvention.</u>
Article 7				
88	Article 7 Submission of relevant information by importers	Article 7 Submission of relevant information <i>by importers</i>	Article 7 Authorisation and submission of relevant information by importers	
Article 7(2a)				

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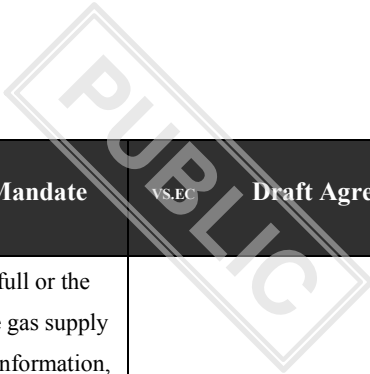
	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
99f			<p>2b. No prior authorisation is required where gas is imported from a country which produces gas and has exported more than 5 bcm of natural gas to the Union in 2024 and has either prohibited the import of Russian gas or is applying other restrictive measures concerning Russian gas, or has no gas infrastructure in place which allows to import LNG or pipeline gas. No later than 5 days after entry into force of this Regulation, the Commission shall, by means of an implementing decision, draw up the list of such countries and</p>	<p><u>2b. No prior authorisation is required where gas is imported from a country which produces gas and has exported more than 5 bcm of natural gas to the Union in 2024 and has either prohibited the import of Russian gas or is applying other restrictive measures concerning Russian gas, or has no gas infrastructure in place which allows to import LNG or pipeline gas. No later than 5 days after entry into force of this Regulation, the Commission shall, by means of an implementing decision, draw up the list of such countries and update it as necessary. The report pursuant to Article 15(1) shall include an assessment of the</u></p>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			<p>update it as necessary. The report</p> <p>pursuant to Article 15(1) shall include an assessment of the effectiveness of</p> <p>the prior authorisation process pursuant to Article 7(2).</p>	<p><u>effectiveness of the prior authorisation process pursuant to Article 7(2). No later than 5 days after entry into force of this Regulation, the Commission shall, by means of an implementing decision, draw up the list of such countries and update it as necessary. In case customs authorities become aware of elements which suggest that the country of production of imported gas which is not subject to prior authorisation could be the Russian Federation, customs authorities shall request and verify appropriate documents to establish the actual country of production.</u></p>

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 7(3)				
100	<p>3. Customs authorities or other authorities involved in the monitoring pursuant to Article 9 and 10, may request more detailed information, except price information, if the required information is necessary to assess whether the conditions set out in Article 3 and 4 are fulfilled. Customs authorities may, in particular, require importers to submit the text of certain provisions of the gas supply contract in full or the text of entire gas supply contract, except price information, especially where certain contractual provisions are interrelated, or where the full</p>	<p>3. Customs authorities or other authorities involved in the monitoring pursuant to Article 9 and 10, may request more detailed information, except price information, if the required information is necessary to assess whether the conditions set out in Article 3 and 4 are fulfilled. Customs authorities may, in particular, require importers to submit the text of certain provisions of the gas supply contract in full or the text of entire gas supply contract, except price information, especially where certain contractual provisions are interrelated, or where the full</p>	<p>3. Authorising authorities, customs authorities, where they are not identical or other authorities involved in the monitoring pursuant to referred to in Article 9 and 10; may request more detailed information, except price information, if the required that information is deemed necessary to assess whether the conditions set out in Article Articles 3 and 4 are fulfilled. Customs They may also rely on information from other sources. Authorising authorities may, in particular, require importers to submit submitting the text of certain provisions of the</p>	



	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	knowledge of the formulation of the contractual provisions is crucial for the assessment. In case customs authorities consider that the evidence provided is not conclusive, they may refuse the release for free circulation of the goods.	knowledge of the formulation of the contractual provisions is crucial for the assessment. In case <i>cases where the</i> customs authorities consider that the evidence provided is not conclusive, they may <i>shall</i> refuse the release for free circulation <i>or the temporary storage</i> of the goods.	gas supply contract in full or the entire text of entire the gas supply contract, except price information, especially <i>in particular</i> where certain contractual provisions are interrelated, or where the full knowledge of the formulation of the contractual provisions is crucial for the <i>that</i> assessment. In case customs authorities consider that the evidence <i>Where the information</i> provided is not conclusive, they <i>the</i> customs authorities may refuse the release for free circulation of the goods.	
Article 7(3a)				
100a				<i>3a. [Customs/authorising authorities] and, where relevant,</i>

Commented [DC3]: Union customs legislation provides for the possibility of releasing goods from presentation by submitting a customs declaration in the form of an entry in the declarant's records. In this case, the goods are considered to have been released at the time of entry in the declarant's records.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				<u>customs authorities shall, where appropriate, verify the evidence submitted to establish the country of production by means further information, which may include but not be limited to upstream delivery documentation, such as publicly available satellite tracking of LNG cargoes or tracking information from the European Maritime Safety Agency, including by requesting further relevant documentation.</u>
Article 7(4)				
101	4. Natural gas entering to the Union through the following interconnection points shall be presumed to be exported directly	4. Natural gas entering to the Union through the following interconnection points shall be presumed to be exported directly	4. Natural gas entering to be imported into the Union through the following borders or via interconnectors or	4. Natural gas entering to be imported into the Union through the following borders or <u>interconnectors or</u> interconnection

Commented [DC4]: We do not support the proposed compromise text which introduces a more restrictive regime on the Bulgarian-Turkish border compared to the approved General Approach of the Council. The proposal to delete p. a) and p. b) in par. 4 is unfounded, so we insist to keep the previous wording.

If the ability to provide evidence that the gas was produced in a country other than the Russian Federation is removed, this means not only a prohibition on the import of gas of Russian origin, but a complete prohibition on the import of gas at the entry points to the EU. In this way, entire gas infrastructures on the territory of the Union are closed as entry point from third countries. This goes beyond the scope and goes beyond the subject matter and objectives of the Regulation. Removing the possibility for the traceability of the imported gas up to the place of production and confirmation from the producer means trade restrictions not only for Russian gas, but also for gas producers (different from the Russian Federation) that are geographically located beyond the territory of the Russian Federation. It is important for the traders with non-Russian gas to be allowed to prove the non-Russian origin of the gas.

Furthermore, custom authority do not has legal bases and competence to verify if on the territory beyond its control there is or no exit (or entry) points. Such legal uncertainty will harm the implementation of this provision in practice. We insist to keep the wording of the General Approach.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	or indirectly from the Russian Federation, unless the importer can provide unambiguous evidence to customs authorities that the imported natural gas originates in a country other than the Russian Federation that has been in transit through the Russian Federation.	or indirectly from the Russian Federation, unless the importer can provide unambiguous evidence to customs authorities that the imported natural gas originates in a country other than the Russian Federation that has been in transit through the Russian Federation.	interconnection points between the Union and the Russian Federation or Belarus, or via the interconnection point Strandzha 2 / Malkoclar (TurkStream) shall be presumed to be exported, directly or indirectly, from the Russian Federation, unless the importer can provide unambiguous evidence can be provided to the authorising customs authorities no later than 1 month before the entry into the customs territory establishing that the imported natural gas originates in a country other than the Russian Federation that has been in transit through the Russian Federation.:	points <u>between the Union and the Russian Federation or Belarus, or via pipelines which connect the Russian Federation with the Union and are running through third countries without having exit points between the Russian Federation and the Union</u> shall be presumed to be exported, directly or indirectly, from the Russian Federation, unless the importer can provide unambiguous evidence to customs authorities that the imported natural gas originates in a country other than the Russian Federation that has been in transit through the Russian Federation.
Article 7(4), point (-a)				

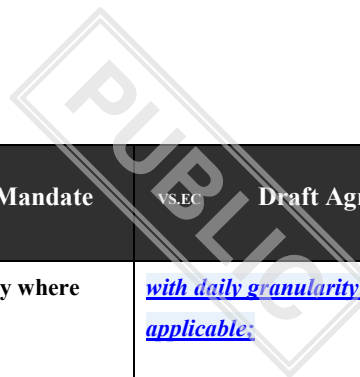
	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
101a			(-a) has been in transit through the Russian Federation; and	(-a) to delete
Article 7(4), point (-b)				
101b			(-b) that the country of production is not the Russian Federation.	(-b) to delete
Article 7(4), point (pa)				
117a				4a. Natural gas to be imported into the Union via Strandzha 1 shall be presumed to be exported, directly or indirectly, from the Russian Federation, unless unambiguous evidence can be provided to the authorising authorities no later

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				<i>than 1 month before the entry into the customs territory, establishing that the country of production of the natural gas is not the Russian Federation.</i>
Article 7(4), point (pb)				
117b			5. Where natural gas is transported through the EU from third country to third country under a transit procedure under the Union Customs Code, the authorising and customs authorities, where they are not identical, shall be informed no later than one month before the planned transit about:	<i>5. Where natural gas is transported through the EU from third country to third country under a transit procedure under the Union Customs Code, including for the purpose of storage under customs warehousing rules, the [authorising and customs authorities], where they are not identical, shall be informed no</i>

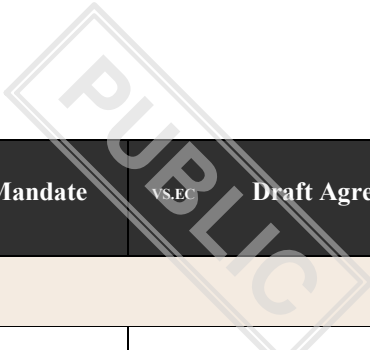
Commented [AC5]: Bulgaria notes that via Strandzha 1 only non-Russian gas is transited. The proposed provision would create significant inconvenience and administrative burden both for suppliers, who would need to provide unambiguous proof of origin within a tight deadline, and for the competent authority, which would be responsible for verifying such evidence. We insist the text to be deleted.

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				<u>later than 15 days before the planned transit about:</u>
Article 7(4), point (pc)				
117c			(a) the country of production of the natural gas to be transiting, unless such information is not available;	<u>(a) the country of production of the natural gas to be transiting, unless such information is not available;</u> Text Origin: Council Mandate
Article 7(4), point (pd)				
117d			(b) the planned or actual nomination schedules specifying volume, timing, and entry and exit points of the gas in transit,	<u>(b) the planned or actual nomination schedules specifying volume, timing, and entry and exit points of the gas in transit,</u>

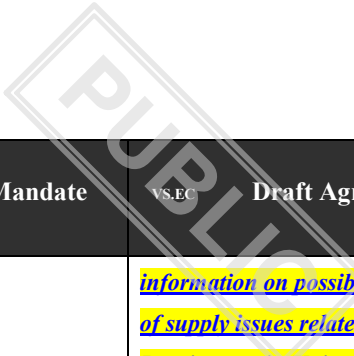
	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
			with daily granularity where applicable;	<u>with daily granularity where applicable;</u> Text Origin: Council Mandate
Article 7(4), point (pe)				
117e			(c) volumes and delivery points in the gas supply contracts; and	<u>(c) volumes and delivery points in the gas supply contracts; and</u> Text Origin: Council Mandate
Article 7(4), point (pf)				



	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
117f			(d) the contract between the seller or buyer or any intermediary entity and the relevant Transmission System Operators in the Union, where applicable.	<u>(d) the contract between the seller or buyer or any intermediary entity and the relevant Transmission System Operators in the Union, where applicable.</u> Text Origin: Council Mandate
Article 7(4), point (pg)				
117g			Authorising authorities shall verify the consistency of the data and share the information received with customs authorities, where they are not identical, without delay.	<u>[Authorising authorities] shall verify the consistency of the data and share the information received with customs authorities, where they are not identical, without delay.</u>



	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
Article 7(4), point (ph)				
117h				<p><u>6. In case operators store Russian gas under a transit, temporary storage or customs warehousing procedure under the Union Customs Code on Union territory, Member States shall have appropriate monitoring and enforcement mechanisms in place to ensure that the use of domestic storage by third countries does not pose any risk to national, regional or EU wide security of supply and the fulfilment of the storage obligations in Articles 6a to 6d of Regulation (EU) 2017/1938, and provide relevant information to the Commission. The Commission should include</u></p>



	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
				<u>information on possible security of supply issues related to Russian gas in Union storages in its annual report pursuant to Article 13 (3).</u>
Article 9				
120	Article 9 Effective monitoring	Article 9 Effective monitoring	Article 9 Effective monitoring	Article 9 Effective monitoring Text Origin: Commission Proposal
Article 9, first paragraph				
121	Customs authorities, and, where relevant, competent authorities and	Customs authorities, and, where relevant, competent authorities and	Customs Authorising authorities, and, where relevant, competent	Customs <u>Customs/authorising</u> authorities, and, where relevant,

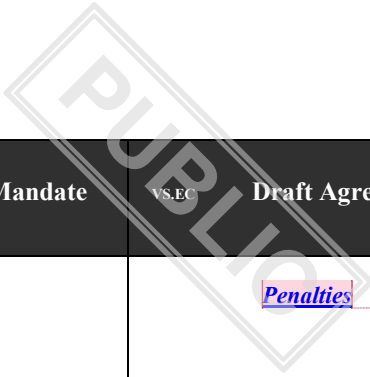
CLEAN	Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	<p>regulatory authorities and the Agency for the Cooperation of Energy Regulators (ACER), shall ensure effective monitoring of the provisions in Chapter II, if necessary by making full use of their enforcement powers, and cooperate closely with relevant national authorities, authorities from other Member States, ACER or the Commission.</p>	<p>regulatory authorities, <u>the European Anti-Fraud Office (OLAF), the European Public Prosecutor's Office (EPPO)</u> and the Agency for the Cooperation of Energy Regulators (ACER), shall ensure effective monitoring of the provisions in Chapter II <u>and IIIa</u>, and when-if necessary-by making, <u>make</u> full use of their enforcement powers, and cooperate closely with <u>other</u> relevant national authorities, authorities from other Member States, ACER or international authorities and the Commission.</p> <p><u>The monitoring of Chapters II and Iia referred to in the first subparagraph shall include</u></p>	<p>authorities and regulatory customs authorities and the Agency for the Cooperation of Energy Regulators (ACER), shall ensure effective monitoring of the provisions in Chapter II, if necessary by making full use of their enforcement powers, and cooperate closely with relevant national authorities, authorities from other Member States, ACER or the Commission.</p>	<p>competent authorities and regulatory customs authorities and the Agency for the Cooperation of Energy Regulators (ACER), shall ensure effective monitoring of the provisions in Chapter II, if necessary by making full use of their enforcement powers, and cooperate closely with relevant national authorities, authorities from other Member States, ACER or the Commission. <u>Customs authorities and authorising authorities shall enforce this Regulation particularly diligently at pipeline interconnection points, LNG facilities or transit pipelines where the risk of circumvention is high, for instance in case imports arrive</u></p>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<p><u>monitoring of any maritime transport practices in the territorial waters of Member States that may obscure the true origin of LNG or oil shipments and of the so called shadow fleets, including by requesting any relevant documentation, which could be employed to supply LNG or oil of Russian origin to the Union.</u></p> <p><u>Member States shall ensure that the customs authorities and other relevant authorities have adequate powers, functional independence and the capabilities to fulfil the obligations set out in this Regulation.</u></p>		<p><u>from third countries which also trade Russian gas. Information about circumvention practices shall be shared between the [customs/authorising authorities], ACER and the Commission.</u></p> <p><u>Using the cooperation mechanism between authorities pursuant to Article 10, authorities shall adapt their enforcement priorities where necessary to address potential circumvention practices identified during the implementation of this Regulation.</u></p>

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	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<u>Where the Commission has doubts as to the effectiveness of monitoring at the national level, it shall request the necessary information from the customs authorities.</u>		
Article 9, second paragraph				
121a		<u>2. The Commission shall continuously monitor the development of the Union's energy security of supply risks in relation to energy imports from the Russian Federation.</u>		<u>The Commission shall by way of an implementing decision publish guidance on further details concerning the prior authorisation process and adequate types of documents and evidence to be submitted.</u>
Article 10a				
125c		<u>Article 10a</u>		<u>Article 10a</u>



	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<u>Penalties</u>		<u>Penalties</u> Text Origin: EP Mandate
Article 10a, first paragraph				
125d		<u>1. Notwithstanding provisions in Regulation (EU) No 952/2013, the Member States shall lay down the rules on penalties applicable to infringements of the provisions of Chapter II, Articles 7 and 8 and Chapter IIIa and shall take all measures necessary to ensure that they are implemented.</u>		<u>Member States shall provide for effective, proportionate and dissuasive penalties for failure to comply with this Regulation.</u>

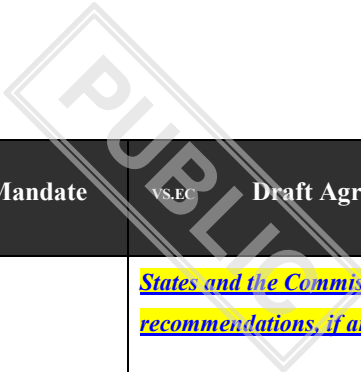
Commented [AC6]: Bulgaria supports the objective of ensuring compliance with the regulation; however, we do not support introducing penalties because of the additional administrative burden. Should the inclusion of penalties remain under consideration, Bulgaria stresses that clear guidance from the EC would be necessary to ensure a harmonized and consistent approach across Member States.



	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<p><u><i>The penalties provided for shall be effective, proportionate, and dissuasive, and shall include administrative fines. In determining the penalties, Member States shall take into account the nature, gravity, and duration of the infringement, the degree of cooperation with the competent authorities, any financial benefits gained or losses avoided by the company as a result of the infringement, any previous infringements by the company, and any mitigating or aggravating circumstances applicable to the case.</i></u></p> <p><u><i>The minimum administrative fines shall be 5% of the</i></u></p>		



	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
		<u>undertaking's total worldwide annual turnover for the preceding financial year.</u>		
Article 11				
127	Article 11 National diversification plans for natural gas	Article 11 National diversification plans for natural gas	Article 11 National diversification plans for natural gas	
Article 11(5)				
134a				<u>5. On the basis of the assessment referred to in the fourth paragraph, the Commission shall publish an annual report, which shall contain a non-confidential version of the diversification plans prepared by the Member</u>



	<small>CLEAN</small> Commission Proposal	<small>VS.EC</small> EP Mandate	<small>VS.EC</small> Council Mandate	<small>VS.EC</small> Draft Agreement
				<u>States and the Commission recommendations, if any.</u>
Article 13				
145	Article 13 Amendments to Regulation (EU) 2017/1938	Article 13 Amendments to Regulation (EU) 2017/1938	Article 13 Amendments to Regulation (EU) 2017/1938	Article 13 Amendments to Regulation (EU) 2017/1938 Text Origin: Commission Proposal
Article 13, first paragraph, point (2)(b), amending provision, first paragraph				
161	The information referred to in point (c) shall be provided for each	The information referred to in point (c) shall be provided for each	The information referred to in point (c) shall be provided for each	The information referred to in point (c) shall be provided <u>no later</u>

	CLEAN Commission Proposal	VS.EC EP Mandate	VS.EC Council Mandate	VS.EC Draft Agreement
	contract in a disaggregated format, including the full relevant text parts, excluding price information, notably where the full knowledge of the formulation of the contractual provisions is crucial for the security of supply assessment or where certain contractual provisions are interrelated.	contract in a disaggregated format, including the full relevant text parts, excluding price information, notably where the full knowledge of the formulation of the contractual provisions is crucial for the security of supply assessment or where certain contractual provisions are interrelated.	contract in a disaggregated format, including the full relevant text parts in full , excluding price information, notably in particular where the full knowledge of the formulation of the contractual provisions is crucial for the assessment of the security of gas supply assessment or where certain contractual provisions are interrelated.	<u>than 4 weeks after entry into force of this Regulation and</u> for each contract in a disaggregated format, including the full relevant text parts <u>in full</u> , excluding price information, notably <u>in particular</u> where the full knowledge of the formulation of the contractual provisions is crucial for the <u>assessment of the security of gas supply assessment</u> or where certain contractual provisions are interrelated.
Article 13, first paragraph, point (3), amending provision, third paragraph				
166	On the basis of the conclusions of the assessment referred to in the third paragraph, the Commission shall publish an annual report,	On the basis of the conclusions of the assessment referred to in the third paragraph, the Commission shall publish an annual report,	On the basis of the conclusions of the assessment referred to in the third paragraph, the Commission shall publish an annual report,	On the basis of the conclusions of the assessment referred to in the third paragraph, the Commission shall publish an annual report,

	<small>CLEAN</small> Commission Proposal	<small>VS.EC</small> EP Mandate	<small>VS.EC</small> Council Mandate	<small>VS.EC</small> Draft Agreement
	which shall provide a comprehensive overview of the progress achieved by Member States in implementing their national diversification plans.	which shall provide a comprehensive overview of the progress achieved by Member States in implementing their national diversification plans.	which shall provide a comprehensive overview of the progress achieved by Member States in implementing their national diversification plans.	which shall provide a comprehensive overview <u>contain a non-confidential version of the progress achieved by Member States in implementing their national diversification plans prepared by the Member States and the Commission recommendations, if any.</u>

