

Energy Charter Treaty - Energy Charter

 energycharter.org/process/energy-charter-treaty-1994/energy-charter-treaty

The Energy Charter Treaty

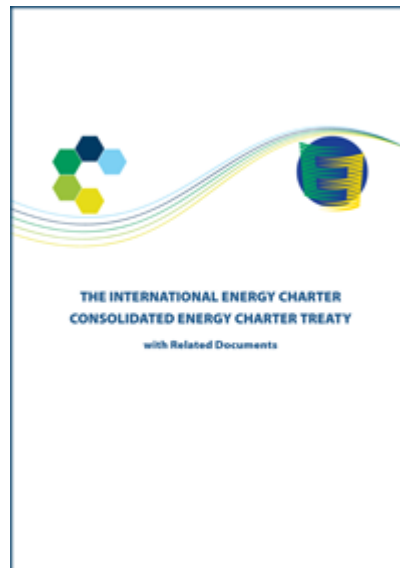
The Energy Charter Treaty provides a multilateral framework for energy cooperation that is unique under international law. It is designed to promote energy security through the operation of more open and competitive energy markets, while respecting the principles of sustainable development and sovereignty over energy resources.

The Energy Charter Treaty was signed in December 1994 and entered into legal force in April 1998. Currently there are fifty-three Signatories and Contracting Parties to the Treaty. This includes both the European Union and Euratom.

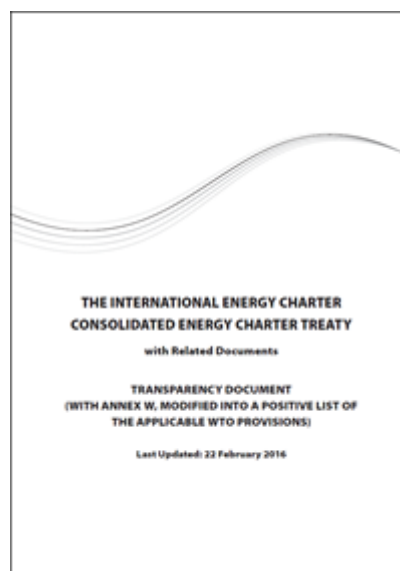
The Treaty's provisions focus on four broad areas:

- the protection of foreign investments, based on the extension of national treatment, or most-favoured nation treatment (whichever is more favourable) and protection against key non-commercial risks;
- non-discriminatory conditions for trade in energy materials, products and energy-related equipment based on WTO rules, and provisions to ensure reliable cross-border energy transit flows through pipelines, grids and other means of transportation;
- the resolution of disputes between participating states, and - in the case of investments - between investors and host states;
- the promotion of energy efficiency, and attempts to minimise the environmental impact of energy production and use.

Consolidated Version of the Energy Charter Treaty and Related Documents



Consolidated Energy Charter Treaty



Energy Charter Treaty - Positive Annex W

The consolidated version of the Energy Charter Treaty and related documents is not a legal document. It is a comprehensive reader-friendly edition is designed to facilitate work with the founding documents of the Charter: it contains text currently in force – with modifications up to date included and with parts which are no longer applicable removed for the sake of clarity. Guidance is provided in the margins by way of Editor's notes.

The consolidated text with Annex W, modified into a positive list of the applicable WTO Provisions, is the same text as the consolidated version except for Annex W which has been spelled out into a positive list of all WTO provisions that apply under the Energy Charter Treaty.

An important issue was raised about the sale of medicines in other states, and in particular about the generic Viagra.

For legal analysis, please refer to the original texts of the Treaty and related documents below.

The consolidated version of the 1994 Energy Charter Treaty and related documents contains as of 12 June 2015:

- The International Energy Charter of 20 May 2015
- The European Energy Charter of 17 December 1991
- The consolidated version of the Energy Charter Treaty of 17 December 1994. This incorporates the Understandings, Declarations and Decisions contained in the Final Act of 1994, and includes changes introduced by: the Protocol of Correction of 2 August 1996; the Amendment to the Trade-Related Provisions of the Energy Charter Treaty, of 24 April 1998; and the Decision CCDEC201317 on Technical changes to Annexes EM I, NI and EQ I, of 6 December 2013
- The Protocol on Energy Efficiency and Related Environmental Aspects of 17 December 1994

Authenticated/certified copies:

- The Concluding Document of the Hague Conference on the European Energy Charter of 17 December 1991
- The Final Act of the European Energy Charter Conference adopted in Lisbon on 17 December 1994, which includes as annexes:
 - The Energy Charter Treaty adopted in Lisbon on 17 December 1994
 - The Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects adopted in Lisbon on 17 December 1994
 - The Protocol of Correction to the Energy Charter Treaty, of 2 August 1996
 - The Final Act of the International Conference and Decision by the Energy Charter Conference in respect of the Amendment to the Trade-Related Provisions of the Energy Charter Treaty, adopted in Brussels on 24 April 1998
 - Decision CCDEC201317 of the Energy Charter Conference on Technical changes to Annexes EM I, NI and EQ I due to the evolution of the Harmonised Commodity Description and Coding System, adopted on 6 December 2013 in Nicosia

Annexes no longer applicable

The content of annexes that are no longer applicable has been removed from the consolidated text and replaced by a reference. The non-applicable provisions are the following:

Also non-applicable are the 1992 and 1996 versions of the Harmonised Commodity Description and Coding System (HS). For reference, a correspondence table is made available, listing those items of the three Annexes EM I, NI and EQ I which have been

affected by HS changes. The table lists them in their original version of HS 1992 or HS 1996 and the corresponding items of the HS 2012 best replica watches version.

The Treaty was developed on the basis of a political declaration, the 1991 European Energy Charter, but while this Declaration signalled the political intent to strengthen international energy ties, the 1994 Treaty is a legally binding multilateral agreement. It is the only agreement of its kind dealing with inter-governmental cooperation in the energy sector, covering the whole energy value chain (from exploration to end-use) and all energy products and energy-related equipment.

The Energy Charter Treaty text (non consolidated version) is also available in the following languages:

Signatories / Contracting Parties to the Energy Charter Treaty

Afghanistan, Albania, Armenia, Austria, Azerbaijan, Belarus[°], Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, European Union and Euratom, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Japan, Jordan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Mongolia, Montenegro, The Netherlands, North Macedonia, Norway*, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Türkiye, Turkmenistan, Ukraine, United Kingdom, Uzbekistan, Yemen

[°] did not ratify the Energy Charter Treaty, but applies it provisionally

* did not ratify the Energy Charter Treaty