

The background is a composite image of a night-time satellite view of Earth, showing city lights and dark landmasses. Overlaid on this are numerous glowing blue lines that represent energy transmission paths, crisscrossing the globe in a network-like pattern.


## *The Energy Community*

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## Energy Community Map

-  European Union
-  Contracting Parties
-  Candidate
-  Observers



- ▶ agreement based on common trade policy
- ▶ creating a single energy market based on
  - ▶ a parallel set of rules in eu and non-eu pillar
  - ▶ umbrella provisions ensuring market access and homogeneity
  - ▶ joint institutions and enforcement

- ▶ limitation to energy sectors
- ▶ what is in
  - ▶ third energy package (excl acer regulation)
  - ▶ network codes?
  - ▶ security of supply
  - ▶ energy efficiency
  - ▶ renewable energy
  - ▶ selection of environmental directives
  - ▶ competition and state aid
  - ▶ infrastructure regulation

- ▶ what is out
  - ▶ other sectors and policies, notably: migration
  - ▶ network codes
  - ▶ procedural state aid and competition rules
  - ▶ emission trading
- ▶ **bonus**: common acquis for eu/non-eu countries
  - ▶ free movement of goods
  - ▶ non-discrimination
  - ▶ regional harmonization
  - ▶ pan-european harmonization

- ▶ for eu acquis
  - ▶ no automatism
  - ▶ commission proposing, non-eu countries voting
  - ▶ majority principle
  - ▶ adaptations possible
- ▶ for common acquis
  - ▶ parties proposing
  - ▶ three-third / unanimity voting
  - ▶ eu reservation; may not go beyond eu law

- ▶ hybrid procedure between infringement actions and diplomatic dispute resolution
- ▶ no court but “advocate general” body
- ▶ binding decisions and “political” sanctions
- ▶ procedural rights for individuals
- ▶ direct effect based on article 94

- ▶ tested already 3 times
- ▶ accession
  - ▶ ministerial council decision by unanimity
  - ▶ ratification by acceding party
  - ▶ no ratification by existing parties
  - ▶ eu: council determines position
- ▶ negotiations with european commission
  - ▶ old: negotiations on deadlines
  - ▶ new: negotiations no substance



- ▶ grants access to internal market, but fundamental questions unresolved
- ▶ access to acer limited by current framework
- ▶ strong decision-shaping powers
- ▶ could be part of a framework agreement under article 50 teu
- ▶ biggest problem: psychology

The background is a satellite-style image of the Earth at night, showing city lights. Overlaid on this is a complex network of glowing blue lines that connect various points across the globe, representing a global energy or communication network.

*Thanks for the attention.*

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