Basic information

1994/0214(CNS) CNS - Consultation procedure Decision	Procedure completed
Signing and provisional application of the European Energy Charter Treaty **Subject** 3.60 Energy policy	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENER Research, Technological Development and Energy	ESTEVAN BOLEA María Teresa (PPE)	05/10/1994

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs, Security and Defense Policy		
RELA External Economic Relations	VALDIVIELSO DE CUÉ Jaime (PPE)	13/10/1994
JURI Legal Affairs, Citizens' Rights	GEBHARDT Evelyne (PSE)	26/07/1994

Council of the European Union

Council configuration	Meetings	Date
Environment	1817	1994-12-15
Energy	1807	1994-11-29

Key events

Date	Event	Reference	Summary
21/09/1994	Legislative proposal published	COM(1994)0405	Summary
24/10/1994	Committee referral announced in Parliament		
28/11/1994	Modified legislative proposal published	COM(1994)0557	Summary
29/11/1994	Debate in Council		Summary
30/11/1994	Vote in committee		Summary
30/11/1994	Committee report tabled for plenary, 1st reading/single reading	A4-0092/1994	

12/12/1994	Debate in Parliament		
15/12/1994	Act adopted by Council after consultation of Parliament		
15/12/1994	End of procedure in Parliament		
31/12/1994	Final act published in Official Journal		

Technical information

Procedure reference	1994/0214(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	EC Treaty (before Amsterdam) E 113 EC Treaty (before Amsterdam) E 228-p2/3-a1 EC Treaty (before Amsterdam) E 073C EC Treaty (before Amsterdam) E 235
Stage reached in procedure	Procedure completed
Committee dossier	ENER/4/05982

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0092/1994 OJ C 018 23.01.1995, p. 0004	30/11/1994	
Text adopted by Parliament, 1st reading/single reading		T4-0173/1994 OJ C 018 23.01.1995, p. 0026-0034	13/12/1994	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1994)0405 OJ C 344 06.12.1994, p. 0001	21/09/1994	Summary
Modified legislative proposal	COM(1994)0557 OJ C 372 28.12.1994, p. 0015	28/11/1994	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 1994/0998
OJ L 380 31.12.1994, p. 0001 Summary

Signing and provisional application of the European Energy Charter Treaty

1994/0214(CNS) - 21/09/1994 - Legislative proposal

The Commission proposed to the Council that it should sign and provisionally implement the European Energy Charter Treaty and to this end it submitted a proposal for a decision within the framework of the EC Treaty. The Commission felt that it would be in the Union's interests to sign this Treaty, taking into account both its growing dependence with regard to the supply of energy products, due in particular to the fall in coal production in Europe and the decrease in investments in the nuclear sector, and the need for economic cooperation between the Union and the countries of Eastern Europe. The European Energy Charter was approved by the representatives of 48 states and the EC on 17 December 1991 and its objectives included: improving security of supply, optimising the efficiency of energy production, processing, transport, distribution and use, improving safety and minimising environmental problems.

Signing and provisional application of the European Energy Charter Treaty

1994/0214(CNS) - 29/11/1994

The Energy Council of 29 November decided to sign the Treaty and associated texts on behalf of the Community subject to its acceptance. It decided to wait before making a decision on its provisional application by the EU and Euratom in the hope that the EP would have expressed its opinion in time to enable the Council to examine it during a special sitting in Lisbon at the latest.

Signing and provisional application of the European Energy Charter Treaty

1994/0214(CNS) - 13/12/1994 - Text adopted by Parliament, 1st reading/single reading

Parliament approved the Commission proposal without amendments.

Signing and provisional application of the European Energy Charter Treaty

1994/0214(CNS) - 15/12/1994 - Final act

The Council adopted the decision on the provisional application of the European Energy Charter Treaty by the European Community.

Signing and provisional application of the European Energy Charter Treaty

1994/0214(CNS) - 28/11/1994 - Modified legislative proposal

The Commission's amended proposal aimed to adapt the legal basis of the proposals concerning the Community's signature of the European Energy Charter Treaty and its provisional application by the Union. - With regard to the proposal for a Council decision concerning the signature of the European Energy Charter Treaty and its provisional application by the EC: the Commission had initially proposed taking as a basis Articles 73c(2), 113 and 235 of the Treaty on European Union, in conjunction with the second sentence of Article 228(2) and the first subparagraph of Article 228(3) thereof. In the meantime, the Court of Justice of the Communities issued an opinion (opinion 1/94 of 15 November 1994 of the European Court of Justice) which required an amendment to the legal basis of this proposal and the corresponding draft Council and Commission decision. As a result, the Commission proposed supplementing the legal bases indicated with new articles, namely Articles 54(2), the last sentence of 57(2), 66 and 100a, having regard in particular to the reciprocal clauses included in Community legislation applicable in the fields covered by these articles. - With regard to the draft Council, Commission, ECSC and Euratom decision, which was initially based on the first subparagraph of Article 95 of the ECSC Treaty and the second subparagraph of Article 101 of the Euratom Treaty, the Court ruling meant that the draft should only cover nuclear products and materials, since coal was covered by the EC draft decision. As a result, the first version of the draft decision referring to the ECSC should be done away with as well as all other references to the ECSC (title and provisions of the draft). The draft decision should also be adapted to the specific provisions of the Euratom Treaty.