

**ENERGY CHARTER
SECRETARIAT**

CCDEC 1998

13 GEN

Brussels, 3-4 December 1998

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| Related documents: CC 129, CC 137 |
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DECISION OF THE ENERGY CHARTER CONFERENCE

Subject: Transitional Arrangements

The Conference welcomed progress made by Signatories/Contracting Parties with respect to termination of transitional arrangements, resulting in fewer current exceptions than originally envisaged in the Treaty.

The Conference adopted the Conclusion attached at [Annex] requesting inter alia that those Signatories/Contracting Parties to which the review meeting on transitional arrangements held on 9 November 1998 made recommendations (Bosnia and Herzegovina, Bulgaria, Uzbekistan, Turkmenistan and the Russian Federation) take appropriate action and notify the Secretariat accordingly.

[Attached are

- I. Conclusion recommended by the Transitional Arrangements Review Session of 9 November 1998;
- II. Overview of all transitional arrangements as contained in Annex II to doc. CC 129.]

Keywords: Transitional Arrangements, Armenia, Belarus, Azerbaijan, Kyrgyzstan, FYROM, Former Yugoslav Republic of Macedonia, Bosnia and Herzegovina

**Conclusion recommended by the Transitional Arrangements Review
Session of 9 November 1998**

as adopted by the Energy Charter Conference
at its 2nd Meeting held on 3–4 December 1998

The Conference

considering its request of the April 1998 meeting concerning the review of outstanding transitional suspensions and the relevant notifications

WELCOMED

progress made with respect to termination of transitional arrangements resulting in fewer exceptions at a given time than originally envisaged in the Treaty;

NOTED

1) the termination of transitional arrangements contained in Annex T for the following Signatories/Contracting Parties

- a) for which the phase-out dates have expired
Armenia, regarding Article 20(3), as of 31 December 1998;
Belarus, regarding Article 20(3), as of 31 December 1998;
- b) for which the Signatories/Contracting Parties have notified earlier than anticipated compliance
Azerbaijan, regarding Articles 6(2), 7(4), and 9(1) as of 26 August 1998;
Belarus, regarding Article 7(4), as of 28 September 1998;
Kyrgyzstan, regarding Articles 6(2), 6(5) and 9(1), as of 9 November 1998;

2) the termination of transitional arrangements granted by the Conference decisions for the following Signatories/Contracting Parties

- a) for which the phase-out dates have expired
the former Yugoslav Republic of Macedonia, regarding Articles 6(2) and 6(5), as of 31 December 1998;
- b) for which the Signatories/Contracting Parties have notified earlier than anticipated compliance
Bosnia and Herzegovina, regarding Articles 6(2), 6(5), 7(4), and 9(1), as of 13 November 1998;

ASKED

1) those Signatories/Contracting Parties to which the review meeting made recommendations, in accordance with Annex 1 of Conference document CC 129, to make appropriate actions;

2) the Secretariat to advise the Depository on the status of transitional arrangements since the last review by the Charter Conference (other than those included in documents CC 94 of 22 July 1997 and CC 125 of 27 May 1998).

ANNEX 2

OVERVIEW OF ALL TRANSITIONAL ARRANGEMENTS

| Country | Article | Phase-out date as in Annex T or adopted by Confer. | | Expected / (Recommend) phase-out | Non-applicable phased out on |
|-------------------|------------|--|----------|--|---------------------------------|
| ALBANIA | 6(2) | 1 1998 | January | | 8 April 1997 |
| | 6(5) | 1 1999 | January | | 8 April 1997 |
| ARMENIA | 6(2) | 31 1997 | December | | 25 June 1997 |
| | ◆ 6(5) | 31 1999 | December | 31 Dec. 1999 | |
| | 20(3) | 31 1998 | December | | 31 Decemb. 1998 |
| AZERBAIJAN | 6(2) | 1 2000 | January | | 26 August 1998 |
| | 6(5) | 1 2000 | January | | 17 April 1997 |
| | 7(4) | 31 1999 | December | | 26 August 1998 |
| | 9(1) | 1 2000 | January | | 26 August 1998 |
| | 20(3) | 31 1997 | December | | 31 Decemb. 1997 |
| BELARUS | 6(2) | 1 2000 | January | | 30 March 1998 |
| | 6(5) | 1 2000 | January | | 30 March 1998 |
| | 7(4) | 31 1998 | December | | 28 Septem. 1998 |
| | ◆ 9(1) | 1 2000 | January | 31 Dec. 1999 | |
| | 20(3) | 31 1998 | December | | 31 Decemb. 1998 |
| BULGARIA | ◆ + 7(4) | 1 July | 2001 | 1 July 2001 | |
| | + 10(7) | 1 July | 2001 | 1 July 2001 | |
| | * 14(1)(d) | 1 July | 2001 | <i>compliance</i> | |
| CZECH REP. | * 22(3) | 1 July | 2001 | 1 July 2001 | |
| GEORGIA | 6(2) | 1 | January | | 12 March 1998 |

| | | | | |
|-------------------|----------|---------------------|-------------|-----------------|
| | | 1999 | | |
| | 6(5) | 1 January 1999 | | 12 March 1998 |
| | 7(4) | 1 January 1999 | | 12 March 1998 |
| | 9(1) | 1 January 1997 | | 1 January 1997 |
| HUNGARY | 7(4) | 31 December 1996 | | 31 Decemb. 1996 |
| | 14(1)(d) | 1 July 2001 | | 24 March 1998 |
| KAZAKHSTAN | 6(2) | 1 January 1998 | | 14 April 1997 |
| | 6(5) | 1 January 1998 | | 14 April 1997 |
| | 9(1) | 1 July 2001 | | 26 March 1998 |
| + | 20(3) | 1 July 2001 | 1 July 2001 | |
| KYRGYZSTAN | 6(2) | 1 July 2001 | | 5 Novemb. 1998 |
| | 6(5) | 1 July 2001 | | 5 Novemb. 1998 |
| | 9(1) | 1 July 2001 | | 5 Novemb. 1998 |

| Country | Article | Phase-out date as in Annex T or adopted by Confer. | | Expected / (Recommend) Phase-out | Non-applicable phased out on |
|--------------------------------------|----------------|---|----------|---|-------------------------------------|
| MOLDOVA | 6(2) | 1 1998 | January | | 1 January 1998 |
| | 6(5) | 1 1998 | January | | 1 January 1998 |
| | 20(3) | 31 1995 | December | | 31 Decemb. 1995 |
| POLAND | 7(4) | 31 1995 | December | | 31 Decemb. 1996 |
| ROMANIA | 6(2) | 31 1996 | December | | 31 Decemb. 1996 |
| | 6(5) | 1 1998 | January | | 28 February 1997 |
| RUSS. FED. * ‡ | 6(2) | 1 July | 2001 | <i>compliance</i> | |
| | 20(3) | 31 2000 | December | 31 Dec. 2000 | |
| SLOVENIA | 6(2) | 1 1998 | January | | 1 January 1998 |
| | 20(3) | 1 1998 | January | | 30 January 1996 |
| TAJIKISTAN | 6(2) | 31 1997 | December | | 31 Decemb. 1997 |
| | 6(5) | 31 1997 | December | | 31 Decemb. 1997 |
| | 20(3) | 31 1997 | December | | 31 Decemb. 1997 |
| TURKMENIS. ‡ | 6(2) | 1 July | 2001 | 1 July 2001 | |
| UKRAINE | 20(3) | 1 1998 | January | | 30 May 1997 |
| UZBEKISTAN * * | 6(2) | 1 July | 2001 | <i>compliance</i> | |
| | 6(5) | 1 July | 2001 | <i>compliance</i> | |
| BOSNIA/HERZ. * | 6(2) | 31 1999 | December | | 13 Novemb. 1998 |
| | 6(5) | 31 1999 | December | | 13 Novemb. 1998 |
| | 7(4) | 31 1999 | December | | 13 Novemb. 1998 |
| | 9(1) | 31 1999 | December | | 13 Novemb. 1998 |
| | 20(3) | 31 1999 | December | 1 April 1999 | |
| FYRoMacedonia | 6(2) | 31 1998 | December | | 31 Decemb. 1998 |

| | | | |
|--|------|------------------------|-----------------|
| | 6(5) | 31 December 1998 | 31 Decemb. 1998 |
|--|------|------------------------|-----------------|

- ◆ Annual reporting on progress required in 1999
- ✚ Annual reporting on progress required in 1999 and 2000
- * No reporting required

REVIEW OF TRANSITIONAL SUSPENSIONS IN 1999

| Phase-out date | Article | Country |
|-------------------------|--|---|
| 31 December 1999 | 6(5) | ARM |
| 1 January 2000 | 9(1) | BLR |
| 1 July 2001 | 6(2) 7(4) 10(7) 20(3) | TUR BG BG KAZ, RUF |