

**ENERGY CHARTER
SECRETARIAT**

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Brussels, 29 November 2011

Related documents: CC 415, CC 432 Rev.

DECISION OF THE ENERGY CHARTER CONFERENCE

Subject: **Decision regarding the possibility to move to the binding tariff regime for import and export customs duties on selected items (Art. 29(6) and (7) of the ECT)**

[The Energy Charter Conference at its 22nd Meeting held on 29th November 2011] ***adopted*** the Decision put forward by the Chairman (CC 415) (Annex).

Keywords: Binding tariff regime, Import and Export customs, duties

Decision regarding the Possibility to Move to the Binding Tariff Regime for Import and Export Customs Duties on Selected Items (ECT Art. 29(6, 7))

as adopted by the Energy Charter Conference
at its 22nd Meeting on 29 November 2011

The Energy Charter Conference, at its 22nd Meeting on 29 November 2011 in Sofia, Bulgaria, has taken the following decision regarding the possibility to move to the binding tariff regime for import and export customs duties:

1. The Energy Charter Conference acknowledges the work done by the Trade Experts and Trade and Transit Group to consider the possibility to move to the binding tariff regime for import and export customs duties on selected items. The Conference takes note of the general interest delegations have shown in discussions.
2. The Conference thanks delegations that participated in and contributed to the Trade Experts meeting in Geneva on 22 September and provided the information on the applied and bound customs duties rates to the Secretariat. It urges those delegations that have not provided the necessary information to do so as soon as possible.
3. The Conference acknowledges difficulties of conducting substantive discussion on products to be moved to Annexes EM II and EQ II in the absence of technical information from all members of the constituency on the applied and bound rates on products covered by the ECT.
4. Taking into account the report by the Chairman of the Trade and Transit Group and the discussion at the Trade Experts meeting in September 2011, the Conference considers necessary to continue the discussion on the possibility to move to the binding tariff regime for import and export customs duties in 2012 with a view of having a proposal on the possibility to move selected items to Annex EM II and EQ II by the end of 2013.
5. In support of this activity, the Conference tasks the Secretariat to compile a Transparency document summarising the consultations on the customs regime of the ECT members that will serve the basis for discussion of the possibility to move to the binding tariff regime for import and export customs duties. The Conference mandates the Secretariat, based on the Transparency document, to conduct discussions within the Trade Experts meeting and the Trade and Transit Group with a view of subsequently presenting a recommendation to the Conference on the possibility to move any items from the ECT Annexes EM I and EQ I to EM II and EQ II, respectively, in 2013.