



Resolution 1131 (1997)¹

Energy Charter Treaty

Parliamentary Assembly

1. In December 1991, fifty-one states adopted the European Energy Charter, the objectives of which are to facilitate energy co-operation between countries formerly divided by the iron curtain, to improve the security of energy supplies, to maximise the efficiency of production, conversion, transport, distribution and use of energy, as well as technology transfer, and to assist the countries from central and eastern Europe and from the Commonwealth of Independent States (CIS) in their transition to a market economy and to stimulate their economic recovery.
2. The Conference on the European Energy Charter also saw the launching of negotiations on an agreement providing for safeguards in areas such as investment, transit, trade and the transfer of profits, thus providing a legal framework for long-term co-operation in the energy field.
3. After three years of arduous negotiations, the Energy Charter Treaty was finalised and opened for signature on 17 December 1994. It establishes strict procedures for settling disputes between states, and between states and companies. The treaty has since been signed by forty-nine countries and the European Union.
4. The energy sector plays a strategic role in all the member countries of the Council of Europe. That is the reason why the challenges resulting from closer co-operation in the energy sector are considerable.
5. The treaty explicitly recognises the sovereign rights of states over energy resources, while proposing an open investment regime in the energy sector.
6. Energy policies may play a leading role in maintaining peace and stability in Europe. The treaty may help to create the necessary framework for energy co-operation between the countries of western, central and eastern Europe and those of the CIS. Its principles will enhance the security of the supply of primary fuels to the whole continent and will allow countries in economic transition to develop their energy potential, by acceding to modern technologies.
7. The treaty's application is therefore a matter of urgency, if major investments are to be made. However, the treaty does not come into force until it has received thirty ratifications, a figure that is still far from being achieved.
8. In the light of these considerations, the Parliamentary Assembly of the Council of Europe calls on member states:
 - 8.1. to consider the possibilities for a swift ratification of the Energy Charter Treaty and the Energy Charter Protocol on Energy Efficiency and Related Environmental Aspects;
 - 8.2. to ensure that the principles and provisions of the treaty and the protocol are fully implemented, in order to achieve a greater coherence of energy policies, based on non-discrimination and market-oriented price formation, and taking due account of environmental concerns, in particular through policies promoting energy efficiency;

1. Assembly debate on 27 June 1997 (24th Sitting) (see [Doc. 7838](#), report of the Committee on Science and Technology, rapporteur: Mr Olrich). Text adopted by the Assembly on 27 June 1997 (24th Sitting).



- 8.3. to create the basis for the extension of international co-operation in the field of energy to related economic fields, with a view to stimulating economic development on a continental scale.