

The background is a satellite-style image of Earth at night, showing city lights. Overlaid on this is a complex network of glowing blue lines that represent energy transmission routes, connecting various points across the globe.

solidarity in EU and EnC energy policy

EaP Workshop Security of Supply and
Solidarity

14 June 2018 Budapest



what is solidarity?

unity (as of a group or class) that produces or is based on community of interests, objectives, and standards

solidarity and the internal energy market

the joint experience of dependency

from contracts to regulation

article 3 of TEP directives

e.g. public service obligations in ukraine

solidarity: a career



"AN ENERGY COMMUNITY FOR THE FUTURE"

REPORT BY
THE HIGH LEVEL REFLECTION GROUP
OF THE ENERGY COMMUNITY

MAY 2014



recital 7 EnCT

*RESOLVED to establish among the Parties an integrated market in natural gas and electricity, **based on common interest and solidarity,***

title IV chapter IV: mutual assistance in the event of disruption

Article 44: In the event of disruption of Network Energy supply affecting a Party and involving another Party or a third country, the Parties shall seek an expeditious resolution in accordance with the provisions of this Chapter.

Article 45: Upon request of the Party directly affected by the disruption, the Ministerial Council shall meet. The Ministerial Council may take the necessary measures in response to the disruption.

Article 194 TFEU

1. In the context of the establishment and functioning of the **internal market** and with regard for the need to preserve and improve the **environment**, Union policy on energy shall aim, in a **spirit of solidarity between Member States**, to:

- (a) ensure the **functioning of the energy market**;
- (b) ensure **security of energy supply** in the Union; and
- (c) promote **energy efficiency** and energy saving and the development of new and **renewable forms of energy**; and
- (d) promote the **interconnection of energy networks**.

2. Without prejudice to the application of other provisions of the Treaties, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall **establish the measures necessary to achieve the objectives** in paragraph 1. Such measures shall be adopted after consultation of the Committee of the Regions and the Economic and Social Committee.

Such measures shall not affect a Member State's right to determine the **conditions for exploiting its energy resources**, its **choice between different energy sources** and the **general structure of its energy supply**, without prejudice to Article 192(2)(c).

3. By way of derogation from paragraph 2, the Council, acting in accordance with a special legislative procedure, shall unanimously and after consulting the European Parliament, establish the measures referred to therein when they are primarily of a fiscal nature.

solidarity as a principle of EU energy law?

#EnergyUnion

European Commission, Energy Union Strategy 2/2015

*Our vision is of an Energy Union where Member States see that they depend on each other to deliver secure energy to their citizens, **based on true solidarity** and trust, and of an Energy Union that speaks with one voice in global affairs;*

dimension one: energy security, **solidarity** and trust

*Joint approaches in the field of energy can make all parts of the European Union stronger, for instance in case of supply shortages or disruptions. The **spirit of solidarity in energy matters** is explicitly mentioned in the Treaty and is **at the heart of the Energy Union**.*

***Solidarity among Member States**, in particular in times of supply crisis, has to be strengthened.*



making solidarity operational

the energy community treaty: a laboratory not used
the security of supply regulation: rules at last
managing crises through solidarity?

an alternative allocation mechanism?

lessons learned from migration

solidarity remains an exemption to market rules

the nord stream saga

solidarity, competences and sovereignty



extending solidarity to energy community

the “switch-on clause” and its legacy
solidarity and level playing field

solidarity, a one-way street?

ukraine gas transit post 2020
keeping commitments as *conditio sine qua non*

solidarity and decarbonization

burden-sharing, but which burden? the energy
community 2030 targets



thanks for the attention

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