Article 48 – Status of Annexes and Decisions

Article 48

Trade Amendment, Annex 1 to the Final Act (24/04/98)

Article 7 – Status of Decisions

The Decisions adopted in connection with the adoption of this Amendment are an integral part of the Energy Charter Treaty.

ECT as adopted (17/12/94)

Article 48 – Status of Annexes and Decisions

The Annexes to this Treaty and the Decisions set out in Annex 2 to the Final Act of the European Energy Charter Conference signed at Lisbon on 17 December 1994 are integral parts of the Treaty.

CONF 104 (Text for adoption) (14/09/94) *

Article 48 – Status of Annexes and Decisions

The Annexes to this Treaty and Decisions No 1, 2, 3 and 4 annexes to the Final Act of the European Energy Charter Conference signed at Lisbon on 17 December 1994 are integral parts of this Treaty.

Interim text (25/06/94)

Article 52 BIS – Status of Annexes, Decisions and Declarations

The Annexes to this Treaty, and Declaration No 4 contained in and Decisions No … and … annexes to the Final Act to … shall form an integral part to this Treaty.

* Ed. note: Appendix II to CONF 104 contains “Main changes since Interim text”. With respect to Article 48 it states: “A new Article 48 has been added on the recommendation of the Legal Sub-Group to ensure that both Treaty Annexes and specified Decisions in the Final Act are integral parts of the Treaty.”
…

The Energy Charter Treaty together with the listed Annexes and the annexed Decision(s) form an integral whole*.

* Note

The Treaty should incorporate by reference the Annexes to the Treaty. In the case of the Decision(s), it is noted that a state or Regional Economic Integration Organization which does not sign the Final Act, and which later accedes to the Treaty, would not be bound by such Decision(s) unless either

(a) the Treaty effectively incorporates the Decision(s); or
(b) the Treaty enables the Charter Conference to require accession to such Decision(s) as a condition of accession to this Treaty.

The Legal Sub-Group will consider this issue.