



EUROPEAN COMMISSION

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Mr Milan ŠTĚCH
President of the Senate of the
Parliament of the Czech Republic
Valdštejnské náměstí 17/4
CZ – 118 01 PRAGUE 1

Dear President,

The Commission would like to thank the Senát for the opinion on the Commission Communication "The EU Energy Policy: Engaging with Partners beyond our Borders" {COM(2011) 539 final}.

As regards the comments you raise, we would like to provide the following clarification:

With regard to your suggestion for the need to elaborate the principles under which the Commission can assist Member States in the negotiation of intergovernmental agreements, this is currently under consideration by the European Parliament and the Council in the context of the proposal for a Decision setting up an information exchange mechanism with regard to intergovernmental agreements between Member States and third countries in the field of energy¹.

Concerning the disclosure of information contained in the agreements that might be contrary to the interests of the contracting parties, according to the proposed Decision mentioned above, Member States may indicate to the Commission whether any part of the information submitted is to be regarded as confidential and whether the information provided can be shared with all other Member States. Consequently, the Member States will themselves assess whether information submitted should be considered as confidential. The Commission will fully respect this assessment.

Given the limited direct economic and social impacts of this proposal, it was not considered necessary to carry out a formal impact assessment. Taking into account the stated policy objectives, the Commission nevertheless evaluated a number of options to achieve the proper transposition of the European Council conclusions of February 4th 2011². A public consultation on the external dimension of EU energy policy, including transparency on intergovernmental agreements, took place between 21 December 2010 and 7 March 2011. This consultation was open to stakeholders both in the EU and third countries, and a number of private sector entities provided their input.

¹ COM(2011)540

² EUCO 2/1/11

Finally, open engagement and a robust dialogue at the highest level is the best way to push for reforms and human rights. Human rights are a central and non-negotiable part of the EU's external relations, and the overall development of our external relations depends on the progress of such reforms. Human Rights Dialogues are in place with a number of countries that are also important in energy terms. The fact that we have energy cooperation with countries in no way affects this policy.

I hope these explanations could clarify the concerns raised in your opinion and I look forward to continuing our political dialogue in the future.

Yours faithfully,

*Maroš Šefčovič
Vice-President*