

Question for written answer E-001264/2025
to the Commission
Rule 144
Lena Schilling (Verts/ALE)

Subject: Energy Charter Treaty

The reformed Energy Charter Treaty was adopted on 3 December 2024. The Commission notes that the unreformed Treaty is in clear conflict with the Paris Agreement, EU climate legislation and investment protection standards. In Parliament's view¹, this also applies to the reformed Treaty, which mitigates some of the shortcomings but does not go far enough overall. Although provisional applicability is in principle provided for, this is not legally possible in some Member States.

According to Article 42(4) of the ECT, most of the reforms of the Treaty will not enter into force until three-quarters of the Contracting Parties have ratified them. This process can take many years and requires that, in addition to the remaining Member States in the ECT, many non-EU Contracting Parties that were critical of the reform process also ratify these reforms.

Parliament also considers that the reformed ECT cannot be reconciled with the EU's climate targets because of the extended transition periods during the phase-out of protection for fossil investments.

1. Does the Commission intend to launch infringement proceedings against Member States that remain in the unreformed ECT and, if so, when, or if not, why not?
2. What approach is envisaged if its entry into force is not foreseeable?
3. What can the Commission do to ensure that the ECT does not delay the achievement of climate neutrality by 2050?

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¹ www.europarl.europa.eu/doceo/document/TA-9-2022-0421_EN.html.