COMMON DECLARATION

on the implementation of the Council Decision on the conclusion by the European Community of the Energy Community Treaty

THE COUNCIL AND THE COMMISSION,

Considering that, under Article 27 of the Energy Community Treaty, the provisions of and the decisions taken under Title III of the Treaty shall apply to the territories of the Republic of Austria, of the Hellenic Republic, of the Republic of Hungary, of the Italian Republic, and of the Republic of Slovenia,

Recognising that, pursuant to Recital 12 of the Council Decision: "Member States directly affected by Title III have to play a crucial role in the implementation of the objectives of the Energy Community", and that "It is therefore necessary, without prejudice to the relevant procedures of the EC Treaty, to acquire their active participation in the decision making process and their full support for the implementing measures that will be adopted under Title III",

DECLARE THAT:

Without prejudice to the relevant procedures of the EC Treaty, the Council and the Commission shall make all efforts to ensure that the position to be taken by the European Community within the Ministerial Council, the Permanent High Level Group and the Regulatory Board on decisions falling under Title III of the Energy Community Treaty is consistent with a consensus among the Member States directly affected by those decisions.