

Serbia: Secretariat transmits its case against Serbia for failure to comply with gas unbundling rules to the Ministerial Council

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Today the Secretariat submitted a Reasoned Request to the Energy Community Ministerial Council seeking its decision on Serbia's failure to comply with gas unbundling rules of the Second Energy Package in Case ECS-9/13. The Ministerial Council could take a decision on Serbia's breach of its obligations under the Energy Community Treaty on 23 September in Kyiv, Ukraine.

The Secretariat has repeatedly expressed concerns that Serbia's two transmission system operators for natural gas, *Srbijagas* and *Yugorosgas*, do not comply with unbundling requirements of the Second Energy Package, namely Directive 2003/55/EC. Most recently, the Secretariat has sent a Reasoned Request to Serbia, under Article 90 of the Energy Community Treaty, requesting the country to rectify the identified issues of non-compliance within a time limit of two months. Serbia has failed to inform the Secretariat within the established deadline of any steps to bring the situation in compliance with Energy Community law.

Due to the lack of an adequate response from the Serbian authorities and the extensive delay in the implementation of the respective requirements of Directive 2003/55/EC, the Secretariat has submitted a Reasoned Request to the Ministerial Council, in accordance with Article 28 of the Rules of Procedure for Dispute Settlement.

All requests for information on this case should be addressed to Dr. Dirk Buschle, dirk.buschle@energy-community.org, Legal Counsel and Deputy Director, and should refer to the case number ECS-9/13.

Source; Energy Community