

**PROTOCOL OF CORRECTION  
TO THE ENERGY CHARTER TREATY**

**PROCES VERBAL DE RECTIFICATION  
DU TRAITE SUR LA CHARTE DE L'ENERGIE**

**PROTOKOLL ÜBER DIE BERICHTIGUNG  
DES VERTRAGS ÜBER DIE ENERGIECHARTA**

**VERBALE DI RETTIFICA  
DEL TRATTATO SULLA CARTA DELL'ENERGIA**

**ПРОТОКОЛ ОБ ИСПРАВЛЕНИИ  
К ДОГОВОРУ К ЭНЕРГЕТИЧЕСКОЙ ХАРТИИ**

**ACTA DE CORRECCIÓN DE ERRORES  
DEL TRATADO SOBRE LA CARTA DE LA ENERGIA**

PROTOCOL OF CORRECTION  
TO THE ENERGY CHARTER TREATY

THE GOVERNMENT OF THE PORTUGUESE REPUBLIC as the depository of the Energy Charter Treaty, signed in Lisbon on 17 December 1994, hereinafter referred to as the "Treaty",

Having established that the text of the Treaty, a certified copy of which was transmitted to the Signatories, contained certain material errors,

Having informed the Signatories to the Treaty of these errors and of proposals for correction, laying down as a time limit for the formulation of any objections to the said proposal the date of 15 June 1996,

Having established that none of the Signatories had raised any objection by the date of expiry of this time limit,

HAS UNDERTAKEN this day the correction of the errors in question as set out in the Annex, and has drawn up this Protocol of Correction, a copy of which shall be transmitted to the Contracting Parties; the text thus corrected shall replace the erroneous text.

Done at Lisbon on the second day of August in the year one thousand nine hundred and ninety-six.

Fait à Lisbonne, le deux août mil neuf cent quatre-vingt-seize.

Geschehen zu Lissabon am zweiten August neunzehnhundertsechsdneunzig.

Fatto a Lisbona, addì due agosto millenovecentonovantasei.

Совершено в Лиссабоне 2 августа 1996 года.

Hecho en Lisboa, el dos de agosto de mil novecientos noventa y seis.

Legal Department of the  
Portuguese Ministry of Foreign Affairs

Service juridique du  
Ministère des Affaires étrangères du Portugal

Rechtsabteilung des  
Portugiesischen Ministeriums für auswärtige Angelegenheiten

Dipartimento giuridico del  
Ministero degli Affari esteri portoghese

Юридический отдел Министерства иностранных дел Португалии

Servicio Jurídico del  
Ministerio de Asuntos Exteriores de Portugal



### 13. ANNEX PA

LIST OF SIGNATORIES WHICH DO NOT ACCEPT THE PROVISIONAL  
APPLICATION OBLIGATION OF ARTICLE 45(3)(b)  
(In accordance with Article 45(3)(c))

1. The Czech Republic
2. Germany
3. Hungary
4. Lithuania
5. Poland
6. Slovakia

## DECISIONS WITH RESPECT TO THE ENERGY CHARTER TREATY

The European Energy Charter Conference has adopted the following Decisions:

1. With respect to the Treaty as a whole

In the event of a conflict between the treaty concerning Spitsbergen of 9 February 1920 (the Svalbard Treaty) and the Energy Charter Treaty, the treaty concerning Spitsbergen shall prevail to the extent of the conflict, without prejudice to the positions of the Contracting Parties in respect of the Svalbard Treaty. In the event of such conflict or a dispute as to whether there is such conflict or as to its extent, Article 16 and Part V of the Energy Charter Treaty shall not apply.

2. With respect to Article 10(7)

The Russian Federation may require that companies with foreign participation obtain legislative approval for the leasing of federally-owned property, provided that the Russian Federation shall ensure without exception that this process is not applied in a manner which discriminates among Investments of Investors of other Contracting Parties.

3. With respect to Article 14

- (1) The term "freedom of transfer" in Article 14(1) does not preclude a Contracting Party (hereinafter referred to as the "Limiting Party") from applying restrictions on movement of capital by its own Investors, provided that:

- (a) has its registered office, central administration or principal place of business in the Area of a party to that EIA or member of that free-trade area or customs union; or
- (b) in case it only has its registered office in that Area, has an effective and continuous link with the economy of one of the parties to that EIA or member of that free-trade area or customs union.

The preceding text is a certified true copy of the single original deposited in the archives of the Government of the Portuguese Republic.

Le texte qui précède est une copie certifiée conforme à l'original unique déposé dans les archives du gouvernement de la République portugaise.

Der vorstehende Text ist eine beglaubigte Abschrift des einzigen Originals, das im Archiv der Regierung der Portugiesischen Republik hinterlegt ist.

Il testo che precede è copia certificata conforme all'originale unico depositato negli archivi del Governo della Repubblica del Portogallo.

Предшествующий текст является заверенной копией единственного подлинника, переданного на хранение в архивы Правительства Португальской Республики.

El texto que precede es copia certificada conforme del original único depositado en los archivos del Gobierno de la República Portuguesa.

