



MINISTÉRIO DOS NEGÓCIOS ESTRANGEIROS
SECRETARIA-GERAL
DEPARTAMENTO DE ASSUNTOS JURÍDICOS

Deputy Secretary-General,
Ms. Atsuko Hirose
Energy Charter Secretariat
Boulevard de la Woluwe, 46
B. 1200 Brussels
Kingdom of Belgium

VOSSA REF^a.	NOSSA REF^a.	DATA	PROCESSO
	21978/2024		DAJ/DIP- 1354/2018

Subject: Energy Charter Treaty – Withdrawal by Portugal

Regarding the subject above, I have the honour to inform you that, on the 1st of February 2024, the Portuguese Republic notified the Government of the Portuguese Republic, in its capacity as Depository of the Energy Charter Treaty, of its withdrawal from the Energy Charter Treaty, Annexes, decisions and Final Act and from the Protocol on Energy Efficiency and Related Environmental Aspects signed in Lisbon, on the 17th of December 1994.

Under Article 47, paragraph 2 of the Energy Charter Treaty, any such withdrawal shall take effect upon the expiry of one year after the date of the receipt of the notification by the Depository.

S.  R.

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Therefore, the withdrawal from the Energy Charter Treaty by the Portuguese Republic shall take effect on the 2nd of February 2025.

In this regard, the Government of the Portuguese Republic, as Depository of the Energy Charter Treaty informs that, as a consequence of the withdrawal of the Portuguese Republic from the Energy Charter Treaty, the obligations created by this Treaty, including the obligation to be its depository under Article 49, become obligations to for a third State where the Portuguese Republic is concerned.

Articles 34 and 35 of the Vienna Convention on the Law of the Treaties establish that an international convention cannot create an obligation for a third State without its consent.

As such, the Portuguese Republic has decided that, once its withdrawal takes effect, the Government of the Portuguese Republic shall not continue performing any functions as Depository of the Energy Charter Treaty.

Therefore, measures should be taken by the Contracting Parties to identify a new Depository under the Energy Charter Treaty.

Please find attached a copy in the English language.

Yours sincerely,

The Director of the Department of Legal Affairs



Patrícia Galvão Teles



REPÚBLICA PORTUGUESA

Marcelo Rebelo de Sousa

PRESIDENT OF THE PORTUGUESE REPUBLIC

WHEREAS the Energy Charter Treaty, including annexes, decisions and Final Act, and the Energy Charter Protocol Relating to Energy Efficiency and Associated Environmental Aspects, signed in Lisbon, on the seventeenth of December one thousand nine hundred and ninety-four have been approved by the Assembly of the Portuguese Republic by Resolution number thirty-six slash ninety-six and ratified by the President of the Republic by Decree number twenty-nine slash ninety-six and published in the Diário da República (official gazette) number two hundred and sixty-five, on the fifteenth of November one thousand nine hundred and ninety-six,

NOW THEREFORE I, Marcelo Rebelo de Sousa, President of the Portuguese Republic, hereby declare the withdrawal by the Portuguese Republic from the above mentioned instruments, approved by the Assembly of the Portuguese Republic by Resolution number four slash two thousand and twenty-four and ratified by the President of the Republic by Decree number nine slash two thousand and twenty-four and published in the Diário da República (official gazette) number seven, on the tenth of January two thousand and twenty-four,

IN WITNESS WHEREOF, the present instrument of withdrawal is signed by me and sealed with the seal of the Portuguese Republic.

Palácio Nacional de Belém, on the 23rd of February two thousand and twenty-four

