

RECOMMENDATIONS

COMMISSION RECOMMENDATION (EU) 2022/867

of 1 June 2022

on the release of emergency oil stocks by Member States following the invasion of Ukraine

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Council Directive 2009/119/EC ⁽¹⁾ aims at ensuring a high level of security of oil supply in the Union through reliable and transparent mechanisms based on solidarity among Member States. In particular, it lays down rules and procedures to be applied in case of emergency. On 1st March and 1 April 2022, the IEA Governing Board decided coordinated oil emergency stockdraw plans to release 60 and 120 million barrels of oil, respectively ⁽²⁾.
- (2) The Commission and Member States discussed the opportunity, expected benefits and impact of IEA collective action at four meetings of the Oil Coordination Group (on 22 and 25 February and on 2 and 31st March). By letters of 4 March and 5 April 2022 addressed to the Oil Coordination Group, the Commission's services reminded Member States of the relevant provisions and obligations applicable under Union law.
- (3) Eighteen Member States (including two Member States not members of IEA) participated in IEA collective action and pledged voluntary contributions for approximately 40 million barrels of crude oil equivalent.
- (4) Emergency oil stocks held currently in the Union are at the lowest volume since 2013. Pursuant to Article 3 of Directive 2009/119/EC, they reflect the net imports of crude oil and petroleum products during 2020, which were unusually low, due to reduced consumption resulting from sanitary measures to fight the COVID-19 pandemic (confinement and reduced mobility). The volumes of crude oil and petroleum products needed to meet the new yearly stockholding obligation applicable as from 1 July 2022 for a 12-month-period, are expected to increase for some Member States by up to 30 %.
- (5) In the current situation of uncertainty concerning the evolution of the war in Ukraine, it is of utmost importance to restrain the demand for crude oil and petroleum products as much as possible and to avoid putting additional stress on the oil market. It is therefore not desirable for Member States to replenish in the short term those emergency oil stocks that are being released or will be released pursuant to Article 20 of Directive 2009/119/EC, unless there is a risk for their security of supply preparedness. It is however premature to set a definite time frame for the replenishment of the stocks released.
- (6) Member States should avoid purchasing additional crude oil and petroleum products in preparation for the upcoming new yearly stockholding obligation as from July 2022, which would necessarily increase the current demand for these commodities. With reference to Article 20(6) of Directive 2009/119/EC, the Commission will review the time frame within which Member States must bring their stocks back up to the minimum required levels, in light of the evolution of the current crisis.
- (7) The Commission consulted the Oil Coordination group on this Recommendation at the meeting held on 14 March 2021, where representatives of IEA's Secretariat participated,

⁽¹⁾ Council Directive 2009/119/EC of 14 September 2009 imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products (OJ L 265, 9.10.2009, p. 9).

⁽²⁾ 277th and 279th extraordinary Governing Board meetings.

RECOMMENDS:

1. Member States should not bring their emergency oil stocks back up to the minimum levels required by Directive 2009/119/EC before 1 November 2022, insofar as this would not jeopardize their security of supply preparedness.
2. In consultation with the Oil Coordination Group and in coordination with the International Energy Agency, the Commission will review this Recommendation in order to set a date to apply the stockholding obligation, taking into account the evolution of the current crisis.

Done at Brussels, 1 June 2022.

For the Commission
Kadri SIMSON
Member of the Commission
