Council of the European Union

Brussels, 6 October 2020
(OR. en)

10677/20

**Interinstitutional File:**
**2020/0123 (NLE)**

**ENV 506**
**CLIMA 181**
**ENER 285**
**IND 129**
**COMPET 394**
**MI 321**
**ECOFIN 790**
**TRANS 384**
**AELE 50**
**CH 22**

**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

| | |
|---|---|
| Subject: | COUNCIL DECISION on the position to be taken on behalf of the European Union within the Joint Committee established by the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems as regards the adoption of Common Operational Procedures |

**COUNCIL DECISION (EU) 2020/…**

**of …**

**on the position to be taken on behalf of the European Union within the Joint Committee established by the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems as regards the adoption of Common Operational Procedures**

**(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems[1] ('the Agreement') was concluded by the Union by Council Decision (EU) 2018/219[2] and entered into force on 1 January 2020.

(2) Pursuant to the Agreement, the Joint Committee established by the Agreement ('the Joint Committee') may adopt a decision on common operational procedures ('COP') developed by the Swiss registry administrator and the Union central administrator that are related to technical and other matters necessary for the operation of the linking, taking into account the priorities of domestic legislation. The COP are then to take effect following their adoption by decision of the Joint Committee.

(3) The Joint Committee, during its third meeting, to be held in 2020, is to adopt the developed COP.

(4) It is appropriate to establish the position to be taken on the Union's behalf within the Joint Committee, as the COP will be binding on the Union.

---

1 OJ L 322, 7.12.2017, p. 3.

2 Council Decision (EU) 2018/219 of 23 January 2018 on the conclusion of the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems (OJ L 43, 16.2.2018, p. 1).

(5) Adoption of the COP is an important element of the implementation of the Agreement, as it determines the operational procedures for the link to work and which both sides have to follow.

(6) It is appropriate for the Joint Committee to set up a working group pursuant to the Agreement to assist the Joint Committee in its functions under the Agreement as regards the development of technical guidelines to ensure the proper implementation of the Agreement including technical or other matters necessary for the operation of the linking and taking into account the priorities of domestic legislation. The working group should at least include the Swiss Registry administrator and the Union central administrator.

(7) The position of the Union within the Joint Committee should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

*Article 1*

The position to be taken on the Union's behalf in the third meeting of the Joint Committee established by the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems as regards the adoption of Common Operational Procedures as well as the setting up of a working group pursuant to Article 12(5) of the Agreement, shall be based on the draft Decision of the Joint Committee attached to this Decision.

Minor changes to the draft Decision of the Joint Committee may be agreed to by the representatives of the Union within the Joint Committee without a further decision of the Council.

*Article 2*

This Decision shall enter into force on the date of its adoption.

Done at Brussels,

*For the Council*
*The President*