Council of the European Union

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	11571/22 + ADD 1
No. Cion doc.:	7407/22 + ADD 1
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 amendment of Annexes III and IV to the Agreement – Adoption

1. On 10 November 2017, the Council adopted Decision (EU) 2017/2240 on the signing, on behalf of the Union, and provisional application of the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems and provisional application of the Agreement[1]. The Agreement was signed on 23 November 2017.

[1] OJ L 322, 7.12.2017, p. 1.

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

3. Article 12 of the Agreement establishes a Joint Committee, which is responsible for the implementation of the Agreement. In accordance with Article 13(2) of the Agreement, the Joint Committee may amend the Annexes to the Agreement. To ensure consistent application of sensitivity markings as set out in Annex III and IV to the Agreement, those Annexes should be amended.

4. It is appropriate to establish the position to be taken, on behalf of the Union, within the Joint Committee as regards the amendment of those Annexes as they will be binding on the Union.

5. On 18 March 2022, the Commission submitted a proposal for a 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 amending Annexes III and IV to the Agreement.[3]

6. Following examination of the Commission proposal by the Working Party on the Environment (WPE) at its meeting on 7 April 2022, the Presidency prepared a compromise proposal, which was agreed by the WPE on 8 July following an informal silence procedure[4].

7. Therefore, the Permanent Representatives Committee is invited to recommend that the Council, as an "A" item on the agenda of one of its forthcoming meetings, adopt the 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 amending Annexes III and IV to the Agreement, as finalised by the legal-linguistic experts[5].

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2 OJ L 43, 16.2.2018, p. 1.
3 7407/20 + ADD 1.
4 11250/22 + ADD 1.
5 11571/22 + ADD 1.

8. The text of the Council Decision will be transmitted to the European Parliament for information in accordance with Article 218(10) TFEU.