



Council of the
European Union

Brussels, 15 February 2021
(OR. en)

5657/21

**Interinstitutional File:
2021/0005 (NLE)**

**UD 26
AELE 9
CH 5**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union within the EU-Switzerland Joint Committee established by the Agreement between the European Community and the Swiss Confederation on the simplification of inspections and formalities in respect of the carriage of goods and on customs security measures as regards the amendment of Chapter III of, and Annexes I and II to, that Agreement

COUNCIL DECISION (EU) 2021/...

of ...

**on the position to be taken on behalf of the European Union
within the EU-Switzerland Joint Committee established by the Agreement
between the European Community and the Swiss Confederation
on the simplification of inspections and formalities
in respect of the carriage of goods and on customs security measures
as regards the amendment of Chapter III of, and Annexes I and II to, that Agreement**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement between the European Community and the Swiss Confederation on the simplification of inspections and formalities in respect of the carriage of goods and on customs security measures¹ (the 'Agreement') entered into force on 1 January 2011.
- (2) Pursuant to Article 21(2) of the Agreement, the Joint Committee established by the Agreement ('Joint Committee') may amend by its decisions Chapter III of, and the Annexes to, the Agreement during its next session or by an exchange of letters.
- (3) In accordance with Article 22(4) of the Agreement, if a decision cannot be adopted for the simultaneous implementation of the amendments to the Agreement and the amendments to the Union legislation, the amendments provided for in the draft decision submitted for the Contracting Parties' approval are to be implemented provisionally where possible from 15 March 2021 in compliance with the internal procedures of the Contracting Parties. That choice of date coincides with the first release of the Import Control System 2, in which Switzerland has agreed to participate.

¹ OJ L 199, 31.7.2009, p. 24.

- (4) It is appropriate to establish the position to be taken on the Union's behalf within the Joint Committee as regards the amendment of Chapter III of, and Annexes I and II to, the Agreement, as the amendment will be binding on the Union.
- (5) The position of the Union within the Joint Committee should therefore be based on the draft decision,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Joint Committee established by the Agreement between the European Community and the Swiss Confederation on the simplification of inspections and formalities in respect of the carriage of goods and on customs security measures as regards the amendment of Chapter III of, and Annexes I and II to, that Agreement shall be based on the draft decision of the Joint Committee¹.

Article 2

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

Done at Brussels,

For the Council

The President

¹ See document ST 5658/21 on <http://register.consilium.europa.eu>.