



Council of the  
European Union

Brussels, 17 February 2021  
(OR. en)

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

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ADD 1 REV 1**

**UD 39  
AELE 14  
CH 7**

**'I/A' ITEM NOTE**

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From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

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Subject: Council Decision on the position to be taken on behalf of the European Union in the EU-Switzerland Joint Committee established by the Agreement of 25 June 2009 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 and Annexes I and II of the Agreement

- Adoption
- Commission Statement

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**Statement by the Commission**

The Commission considers that the Council Decision should be addressed to the Commission, and therefore considers the changes to Article 2 to be inappropriate.

The expression of the Union position in a body set up by an agreement is an act of external representation of the Union which, in accordance with Article 17(1) TEU, is the institutional prerogative of the Commission.

The Commission reserves all its rights in this regard.

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