



Council of the  
European Union

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#### **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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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 regarding the adoption of its Rules of Procedure

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**COUNCIL DECISION (EU) 2018/...**

**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  
regarding the adoption of its Rules of Procedure**

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<sup>1</sup> (the ‘Agreement’) was signed on 23 November 2017 in accordance with Council Decision (EU) 2017/2240<sup>2</sup>.
- (2) Pursuant to Article 22 of the Agreement, before the entry into force of the Agreement, Articles 11 to 13 are to be applied on a provisional basis as from the date of signature of the Agreement.
- (3) Article 12 of the Agreement establishes a Joint Committee and provides that it is to establish its rules of procedure.
- (4) It is appropriate to establish the position to be taken on the Union’s behalf within the Joint Committee as the Rules of Procedure will determine the functioning of the Joint Committee, which is responsible for administering the Agreement and ensuring its proper implementation,

HAS ADOPTED THIS DECISION:

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<sup>1</sup> OJ L 322, 7.12.2017, p. 3.

<sup>2</sup> Council Decision (EU) 2017/2240 of 10 November 2017 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 (OJ L 322, 7.12.2017, p. 1).

### *Article 1*

The position to be taken on the Union's behalf 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, regarding the adoption of its Rules of Procedure, shall be to support the adoption by the Joint Committee of its Rules of Procedure as set out in the draft Decision of the Joint Committee attached to this Decision.

Minor changes to the draft Decision 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*

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DRAFT

**DECISION No 1/2018 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**

**of ...**

**regarding the adoption of its Rules of Procedure**

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems<sup>1</sup>, and in particular Article 12 thereof,

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<sup>1</sup> OJ EU L 322, 7.12.2017, p. 3.

Whereas:

- (1) Articles 11 to 13 of the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems (the ‘Agreement’) have been provisionally applied since its signature on 23 November 2017.
- (2) In accordance with Article 12(1) of the Agreement, a Joint Committee composed of representatives of the Parties is established.
- (3) In accordance with Article 12(4) of the Agreement, the Joint Committee is to establish its rules of procedure.
- (4) In accordance with Article 12(5) of the Agreement, the Joint Committee may decide to set up subcommittees or working groups to assist it in its work,

HAS ADOPTED THIS DECISION:

*Sole Article*

The Rules of Procedure of the Joint Committee, as set out in the Annex to this Decision, are hereby adopted.

Done in English at Zurich,

*For the Joint Committee*

*The Chair*

*Secretary for the European Union*

*Secretary for Switzerland*

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