



Council of the  
European Union

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Brussels, 19 February 2019  
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14237/13  
ADD 1 DCL 1

ENV 877  
ENER 441  
IND 265  
COMPET 689  
MI 816  
ECOFIN 847  
TRANS 498  
AELE 59  
CH 37

#### DECLASSIFICATION

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of document:	14237/13 ADD 1 RESTRENT UE/EU RESTRICTED
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Subject:	EU ETS: Linking negotiations with Switzerland - Comments from delegations
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Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.



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**NOTE**

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from : General Secretariat  
to : Delegations

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No. prev. doc. : 13373/13 ENV 806 ENER 401 IND 242 COMPEET 627 MI 729 ECOFIN 768  
TRANS 461 AELE 54 CH 34  
13740/13 ENV 833 ENER 419 IND 252 COMPET 653 MI 769 ECOFIN 796  
TRANS 478 AELE 57 CH 35

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Subject : EU ETS: Linking negotiations with Switzerland  
- Comments from delegations

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Following the WPE meeting on 19 September, delegations will find in Annex comments from LV on the above.

LATVIA

Latvia is expressing its positive view on the Commission work regarding EU ETS linking negotiations with Switzerland. Latvia thanks the Commission for the prepared documents 13373/13 and 13740/13.

Overall Latvia has a positive opinion for the negotiations with Switzerland processed so far. Still after the reviewing the document 13373/13 and 13740/13, Latvia is expressing the doubts regarding the Article 8 and Article 10 of the Draft Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas Emission Trading System.

Regarding the information reported in page 9 of the document 13373/13 (after Article 8) and the information given in document 13740/13 Latvia is expressing following view:

The income from EUA auctioning is strictly set in Latvia's budgetary plans and any deflections from plan or non-performance of set income amounts will cause quite big problems. So we are very doubtful to agree to a change to attribution 2012 auctioning revenues. As Commission has mentioned in WPE meeting at 19<sup>th</sup> September, this "payment" can be only voluntarily and there is no legal basis for this requirement or request of Switzerland, therefore it would be absolutely impossible to perform such kind of "payment".

Also Latvia would like to point out that in our national Law – Law On Pollution, it is set that the income from the auctions of the allocation has to be transferred to the State budget revenue account opened in Treasury. The income from the auction of the allocation can be used only to reduce climate changes and to ensure the adaptations to climate changes. Particular fields to achieve the set targets are also set in the Law On Pollution.

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Also we would like to point out that this possibility had to be fully discussed with our Ministry of Finance before we can express Latvia's official statement regarding the request of Switzerland. Therefore Latvia's position regarding Switzerland's request is negative.

Also to the note – we don't think that the retro-active condition can be included appropriately.

Regarding the information reported in page 11 of the document 13373/13 (Article 10) Latvia is expressing following view:

We agree with the Commission's wording – mutual agreement for a bilateral agreement and weighted voting for a multilateral agreement.

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