



Council of the
European Union

054770/EU XXVI. GP
Eingelangt am 20/02/19

Brussels, 19 February 2019
(OR. en)

14237/13
ADD 2 DCL 1

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

DECLASSIFICATION

of document:	14237/13 ADD 2 RESTREINT UE/EU RESTRICTED
dated:	23 October 2013
new status:	Public

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

Delegations will find attached the declassified version of the above document.

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



COUNCIL OF
THE EUROPEAN UNION

Brussels, 23 October 2013

14237/13
ADD 2

RESTREINT UE/EU RESTRICTED

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

NOTE

from : General Secretariat
to : Delegations

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

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

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

ROMANIA

General comment: We would like to thank the Commission for the work done in the negotiations with Switzerland. We think that COM should discuss this request with Switzerland and verify how important it is for them because we consider it as a matter of national competence of each MS.

As mentioned by the Legal Service of the Council there is no legal basis for this subject, therefore RO does not support the Switzerland's request. Moreover, within our *domestic legislation*¹ it is foreseen that the auctioning revenues from EUAA can be used only for financing projects aimed at greenhouse gas emission reductions and adaptation to climate change. For us these revenues represent an important tool in order to ensure an effective implementation of the non ETS Decision.

pg.6, article 6, para.4

- 1) The expression „the entry into force” should be replaced by „shall be legally binding”.

There is still open the discussion on the ratification calendar – the entry into force of the future global agreement. At EU level, we should take into account the timeline needed in order to fulfil the decision making process in the European institutions, also considering the involvement of the European Parliament. Moreover we should take into account the time needed by each Member State for the ratification procedure as related to their domestic process/ e.g. involvement of national Parliaments.

¹ Government Emergency Ordinance no.115/2011 establishing the institutional framework for the auctioning allowances and authorizing the Ministry of Finance to act as the auctioneer on behalf of Romania

pg.11, article 10, para. 3

- 2) Clarification needed on the expression „the simple majority of votes”. It is still valid the general rule referring to 50%+1 of the meeting participants?

Pg.13, art.12, para.3

- 3) Clarification needed on the wording „termination”.

Pg.14, para.14, art.13, para.2

- 4) Same as above mentioned.

Pg.19, annex I, second line in the table

- 5) Clarification needed on the wording „stringency”.

Pg.19, annex I, third line in the table

- 6) Clarification needed on the wording „and the consequences of not having it” or the wording „and the consequences of not having it” should be removed

DECLASSIFIED