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'I/A' ITEM NOTE

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 Joint Committee, established by the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems, as regards amending Annexes I and II to the Agreement and the adoption of Linking Technical Standards - Adoption

1. On 10 November 2017, the Council adopted Decision (EU) 2017/2240 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 and provisional application of the Agreement¹. The Agreement was signed on 23 November 2017.

¹ OJ L 322, 7.12.2017, p. 1.

2. The Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems ('the Agreement') was concluded by the Union by Council Decision (EU) 2018/219² and entered into force on 1 January 2020.
3. Article 12 of the Agreement establishes a Joint Committee, which is responsible for the implementation of the Agreement. In accordance with Article 13(2) of the Agreement, the Joint Committee may amend the Annexes to the Agreement. Pursuant to Article 3(7) of the Agreement, the Swiss registry administrator and the Union central administrator should develop Linking Technical Standards based on the principles set out in Annex II of the Agreement.
4. On 23 June 2020, the Commission submitted a proposal for a Council Decision on the position to be taken on behalf of the European Union in 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, as regards amending Annexes I and II to the Agreement and the adoption of Linking Technical Standards.³
5. On 16 July 2020, The Working Party on the Environment (WPE) examined the Commission proposal. Based on the discussions in the WPE and delegations' comments, the Presidency prepared a compromise proposal which was agreed by the WPE on 9 September following an informal silence procedure⁴.
6. Therefore, the Permanent Representatives Committee is invited to recommend that the Council, as an "A" item on the agenda of one of its forthcoming meetings, adopt the Council Decision on the position to be taken on behalf of the European Union in 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, as regards amending Annexes I and II to the Agreement and the adoption of Linking Technical Standards⁵.

² OJ L 43, 16.2.2018, p. 1.

³ 9256/20 + ADD 1

⁴ Doc. 10470/20

⁵ Docs. 10679/20 (Council Decision) and 10836/20 (draft Decision of the Joint Committee).

7. The text of the Council Decision will be transmitted to the European Parliament for information in accordance with Article 218(10) TFEU.
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