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⁽¹⁾ Text with EEA relevance.

EN

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⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2020/1484

of 13 October 2020

on the signing, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Republic of Cuba pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 15 June 2018 the Council authorised the Commission to open negotiations pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 on the apportionment of the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the Union.
- (2) Negotiations with the Republic of Cuba have been concluded and an Agreement in the form of an Exchange of Letters between the European Union and the Republic of Cuba pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union ('the Agreement') was initialled on 3 July 2020.
- (3) The Agreement should be signed,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement in the form of an Exchange of Letters between the European Union and the Republic of Cuba pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union is hereby authorised, subject to the conclusion of the said Agreement ⁽¹⁾.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

⁽¹⁾ The text of the Agreement will be published together with the decision on its conclusion.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 13 October 2020.

For the Council
The President
M. ROTH

REGULATIONS

COUNCIL REGULATION (EU) 2020/1485

of 12 October 2020

amending Regulation (EU) 2019/2236 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 43(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Regulation (EU) 2019/2236 ⁽¹⁾ fixes for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas.
- (2) The multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea ('the plan') was established by Regulation (EU) 2019/1022 of the European Parliament and of the Council ⁽²⁾. Pursuant to that Regulation, fishing opportunities for the stocks concerned should be fixed to achieve fishing mortality at maximum sustainable yield (MSY) on a progressive, incremental basis by 2020 where possible, and by 1 January 2025 at the latest.
- (3) Pursuant to Regulation (EU) 2019/1022, fishing opportunities should be expressed as maximum allowable fishing effort and fixed in accordance with the fishing effort regime laid down in that Regulation. Each Member State should have calculated the baseline for each fishing effort group or geographical sub-area as the average fishing effort, expressed as number of fishing days between 1 January 2015 and 31 December 2017, and should take account only of vessels active during that period. The Member States have declared their baseline effort data by fleet segments and in fishing days.
- (4) During the process of baseline estimation for the fishing effort reduction, Spain identified an error in the technical calculation used to separate fishing days between the coastal fishery and the deep fishery in the case of trips with a duration of more than one day.
- (5) Consequently, it is necessary to amend the calculation of Spain's baseline regarding the maximum allowable fishing effort in fishing days. Such modification of the calculation does not affect the total number of fishing days for Spain, nor does it have an implication for other Member States implementing the plan. However, such modification is necessary in order to avoid any discrepancy between Spain's reporting on its fishing effort and the amount of fishing effort set out in Regulation (EU) 2019/2236.
- (6) Regulation (EU) 2019/2236 should therefore be amended accordingly.
- (7) For reasons of urgency, this Regulation should enter into force immediately upon its publication. Regulation (EU) 2019/2236 applies from 1 January 2020. This Regulation should also apply from that date. Such retroactive application does not affect the principles of legal certainty and protection of legitimate expectations, as the fishing opportunities for the fishing effort groups concerned have not yet been exhausted,

⁽¹⁾ Council Regulation (EU) 2019/2236 of 16 December 2019 fixing for 2020 the fishing opportunities for certain fish stocks and groups of fish stocks applicable in the Mediterranean and Black Seas (OJ L 336, 30.12.2019, p. 14).

⁽²⁾ Regulation (EU) 2019/1022 of the European Parliament and of the Council of 20 June 2019 establishing a multiannual plan for the fisheries exploiting demersal stocks in the western Mediterranean Sea and amending Regulation (EU) No 508/2014 (OJ L 172, 26.6.2019, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

Amendment of Regulation (EU) 2019/2236

In Annex I to Regulation (EU) 2019/2236, section (a) is replaced by the following:

‘(a) Alboran Sea, Balearic Islands, Northern Spain and Gulf of Lion (GSAs 1-2-5-6-7)

Stock group	Overall length of vessels	Spain	France	Italy	Fishing effort group code
Red mullet in GSAs 1, 5, 6 and 7; Hake in GSAs 1-5-6-7; Deep-water rose shrimp in GSAs 1, 5 and 6; Norway lobster in GSAs 5 and 6.	< 12 m	2 260	0	0	EFF1/MED1_TR1
	≥ 12 m and < 18 m	24 284	0	0	EFF1/MED1_TR2
	≥ 18 m and < 24 m	45 563	5 144	0	EFF1/MED1_TR3
	≥ 24 m	16 047	6 258	0	EFF1/MED1_TR4
Blue and red shrimp in GSAs 1, 5, 6 and 7.	< 12 m	0	0	0	EFF2/MED1_TR1
	≥ 12 m and < 18 m	1 139	0	0	EFF2/MED1_TR2
	≥ 18 m and < 24 m	11 535	0	0	EFF2/MED1_TR3
	≥ 24 m	9 260	0	0	EFF2/MED1_TR4’

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply with effect from 1 January 2020.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 12 October 2020.

For the Council

The President

J. BORRELL FONTELLES

DECISIONS

COUNCIL DECISION (EU) 2020/1486

of 6 October 2020

on the position to be adopted on behalf of the European Union, within the EEA Joint Committee, concerning the amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend Protocol 31 to the EEA Agreement ('Protocol 31').
- (3) Protocol 31 contains provisions on cooperation in specific fields outside the four freedoms.
- (4) It is appropriate to continue the cooperation of the Contracting Parties to the EEA Agreement in Union actions funded from the general budget of the European Union regarding financial services.
- (5) Protocol 31 should therefore be amended in order to allow for that extended cooperation to continue beyond 31 December 2019.
- (6) The position of the Union within the EEA Joint Committee should be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on behalf of the Union, within the EEA Joint Committee concerning the proposed amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms, shall be based on the draft decision of the EEA Joint Committee ⁽³⁾.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ See document ST 10127/20 on <http://register.consilium.europa.eu>

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 6 October 2020.

For the Council
The President
M. ROTH

COUNCIL DECISION (EU) 2020/1487**of 6 October 2020****on the position to be adopted on behalf of the European Union, within the EEA Joint Committee, concerning the amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms**

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend Protocol 31 to the EEA Agreement ('Protocol 31').
- (3) Protocol 31 contains provisions on cooperation in specific fields outside the four freedoms.
- (4) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement in Union actions funded from the general budget of the European Union regarding the operation and development of the internal market of goods and services.
- (5) Protocol 31 should therefore be amended in order to allow for that extended cooperation to take place from 1 January 2020.
- (6) The position of the Union within the EEA Joint Committee should be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on the Union's behalf, within the EEA Joint Committee concerning the proposed amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms, shall be based on the draft decision of the EEA Joint Committee ⁽³⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ See document ST 10130/20 on <http://register.consilium.europa.eu>

Done at Brussels, 6 October 2020.

For the Council
The President
M. ROTH

COUNCIL DECISION (EU) 2020/1488**of 6 October 2020****on the position to be adopted on behalf of the European Union, within the EEA Joint Committee, concerning the amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽²⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend Protocol 31 to the EEA Agreement ('Protocol 31').
- (3) Protocol 31 contains provisions on cooperation in specific fields outside the four freedoms.
- (4) It is appropriate to continue the cooperation of the Contracting Parties to the EEA Agreement in Union actions funded from the general budget of the European Union regarding company law.
- (5) Protocol 31 should therefore be amended in order to allow for that extended cooperation to take place from 1 January 2020.
- (6) The position of the Union within the EEA Joint Committee should be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on the behalf of the Union, within the EEA Joint Committee concerning the proposed amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms, shall be based on the draft decision of the EEA Joint Committee ⁽³⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 6 October 2020.

For the Council
The President
M. ROTH

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 1, 3.1.1994, p. 3.

⁽³⁾ See document ST 10133/20 on <http://register.consilium.europa.eu>

COUNCIL DECISION (EU) 2020/1489**of 6 October 2020****on the position to be adopted on behalf of the European Union, within the EEA Joint Committee, concerning the amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms**

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area ⁽¹⁾, and in particular Article 1(3) thereof,Having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 ⁽²⁾ and in particular Articles 58(2)(b), 110(1) and Article 181 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement on the European Economic Area ⁽³⁾ ('the EEA Agreement') entered into force on 1 January 1994.
- (2) Pursuant to Article 98 of the EEA Agreement, the EEA Joint Committee may decide to amend Protocol 31 to the EEA Agreement ('Protocol 31').
- (3) Protocol 31 contains provisions on cooperation in specific fields outside the four freedoms.
- (4) The EFTA States should continue to participate in Union activities related to budget line 02 04 77 03 (Preparatory action on defence research), entered into the general budget of the European Union for the financial year 2020.
- (5) Protocol 31 should therefore be amended in order to allow for that extended cooperation to continue from 1 January 2020.
- (6) The position of the Union within the EEA Joint Committee should be based on the draft decision of the EEA Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted, on the Union's behalf, within the EEA Joint Committee concerning the proposed amendment of Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms, shall be based on the draft decision of the EEA Joint Committee ⁽⁴⁾.

⁽¹⁾ OJ L 305, 30.11.1994, p. 6.

⁽²⁾ OJ L 193, 30.7.2018, p. 1.

⁽³⁾ OJ L 1, 3.1.1994, p. 3.

⁽⁴⁾ See document ST 10136/20 on <http://register.consilium.europa.eu>

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 6 October 2020.

For the Council

The President

M. ROTH

COUNCIL DECISION (EU) 2020/1490**of 12 October 2020****establishing the position to be taken on behalf of the European Union within the EPA Committee set up by the stepping stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part, concerning the adoption of the procedures for the settlement of disputes and the code of conduct for arbitrators**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The stepping stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part (the 'Agreement') ⁽¹⁾ was signed on behalf of the Union pursuant to Council Decision 2009/156/EC ⁽²⁾. It has been applied on a provisional basis since 3 September 2016.
- (2) Pursuant to Article 59(1) of the Agreement, the EPA Committee is to adopt the rules of procedure for dispute settlement procedures.
- (3) The EPA Committee, at its next annual meeting, is to adopt a decision establishing the procedures for the settlement of disputes and the code of conduct for arbitrators annexed to them.
- (4) It is appropriate to establish the position to be taken on the Union's behalf within the EPA Committee concerning the adoption of the decision establishing the procedures for the settlement of disputes and the code of conduct for arbitrators, as that decision will be binding on the Union.
- (5) The position of the Union within the EPA Committee should therefore be based on the draft Decision of that Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on behalf of the European Union within the EPA Committee set up by the stepping stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part, shall be based on the draft decision of the EPA Committee concerning the adoption of the procedures for the settlement of disputes and the code of conduct for arbitrators ⁽³⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 12 October 2020.

For the Council

The President

J. BORRELL FONTELLES

⁽¹⁾ OJ L 59, 3.3.2009, p. 3.

⁽²⁾ Council Decision 2009/156/EC of 21 November 2008 on the signature and provisional application of the stepping stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part (OJ L 59, 3.3.2009, p. 1).

⁽³⁾ See document ST 10612/20 on <http://register.consilium.europa.eu>

COUNCIL DECISION (EU) 2020/1491**of 12 October 2020****establishing the position to be taken on behalf of the European Union within the EPA Committee set up by the stepping stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part, concerning the adoption of the list of arbitrators**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The stepping stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part ⁽¹⁾ (the 'Agreement') was signed on behalf of the Union pursuant to Council Decision 2009/156/EC ⁽²⁾ and has been applied on a provisional basis since 3 September 2016.
- (2) In accordance with Article 64(1) of the Agreement, the EPA Committee is to establish a list of persons who are willing and able to serve as arbitrators (the 'list of arbitrators').
- (3) The EPA Committee, at its next annual meeting, is to adopt a decision establishing the list of arbitrators in accordance with Article 64(1) of the Agreement.
- (4) It is appropriate to establish the position to be taken on the Union's behalf within the EPA Committee, as the decision establishing the list of arbitrators will be binding on the Union.
- (5) The position of the Union within the EPA Committee should therefore be based on the draft decision of that Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on behalf of the European Union within the EPA Committee set up by the stepping stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part, shall be based on the draft decision of the EPA Committee concerning the adoption of the list of individuals who are willing and able to serve as arbitrators ⁽³⁾.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 12 October 2020.

For the Council

The President

J. BORRELL FONTELLES

⁽¹⁾ OJ L 59, 3.3.2009, p. 3.

⁽²⁾ Council Decision 2009/156/EC of 21 November 2008 on the signature and provisional application of the stepping stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part (OJ L 59, 3.3.2009, p. 1).

⁽³⁾ See document ST 10614/20 at <http://register.consilium.europa.eu>

COUNCIL DECISION (EU) 2020/1492**of 12 October 2020****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 as regards the adoption of Common Operational Procedures****(Text with EEA relevance)**

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 ⁽¹⁾ ('the Agreement') was concluded by the Union by Council Decision (EU) 2018/219 ⁽²⁾ and entered into force on 1 January 2020.
- (2) Pursuant to the Agreement, the Joint Committee established by the Agreement ('the Joint Committee') may adopt a decision on common operational procedures ('COP') developed by the Swiss registry administrator and the Union central administrator that are related to technical and other matters necessary for the operation of the linking, taking into account the priorities of domestic legislation. The COP are then to take effect following their adoption by decision of the Joint Committee.
- (3) The Joint Committee, during its third meeting, to be held in 2020, is to adopt the developed COP.
- (4) It is appropriate to establish the position to be taken on the Union's behalf within the Joint Committee, as the COP will be binding on the Union.
- (5) Adoption of the COP is an important element of the implementation of the Agreement, as it determines the operational procedures for the link to work and which both sides have to follow.
- (6) It is appropriate for the Joint Committee to set up a working group pursuant to the Agreement to assist the Joint Committee in its functions under the Agreement as regards the development of technical guidelines to ensure the proper implementation of the Agreement including technical or other matters necessary for the operation of the linking and taking into account the priorities of domestic legislation. The working group should at least include the Swiss Registry administrator and the Union central administrator.
- (7) The position of the Union within the Joint Committee should therefore be based on the draft Decision of the Joint Committee,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the third meeting 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 as regards the adoption of Common Operational Procedures as well as the setting up of a working group pursuant to Article 12(5) of the Agreement, shall be based on the draft Decision of the Joint Committee ⁽³⁾.

⁽¹⁾ OJ L 322, 7.12.2017, p. 3.

⁽²⁾ Council Decision (EU) 2018/219 of 23 January 2018 on the conclusion of the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems (OJ L 43, 16.2.2018, p. 1).

⁽³⁾ See document ST 10831/20 on <http://register.consilium.europa.eu>

Minor changes to the draft Decision of the Joint Committee 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 Luxembourg, 12 October 2020.

For the Council

The President

J. BORRELL FONTELLES

COUNCIL DECISION (EU) 2020/1493**of 12 October 2020**

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, as regards amending Annexes I and II to the Agreement and the adoption of Linking Technical Standards

(Text with EEA relevance)

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 ⁽¹⁾ ('the Agreement') was concluded by the Union by Council Decision (EU) 2018/219 ⁽²⁾ and entered into force on 1 January 2020.
- (2) Pursuant to the Agreement, the Joint Committee established by the Agreement ('the Joint Committee') may adopt a decision on Linking Technical Standards (LTS) developed by the Swiss registry administrator and the Union central administrator and based on the principles set out in Annex II to the Agreement, describing the detailed requirements for establishing a robust and secure connection between the Swiss Supplementary Transaction Log (SSTL) and the European Union Transaction Log (EUTL). The LTS are then to take effect following their adoption by decision of the Joint Committee.
- (3) Annex I to the Agreement should be amended in accordance with the Agreement to ensure a smooth transition in administration of aircraft operators attributed to Switzerland for the first time after the entry into force of the Agreement, by taking account of the progress made on establishing the registry link.
- (4) Annex II should be amended to provide for a larger, but equivalent set of technologies to set up the registry link required by the Agreement.
- (5) The Joint Committee, during its third meeting, to be held in 2020, is to adopt the developed Linking Technical Standards.
- (6) It is appropriate to establish the position to be taken on the Union's behalf within the Joint Committee, as the LTS will be binding on the Union.
- (7) Adoption of the LTS is an important element of the implementation of the Agreement, in order to allow establishing the technical foundations of the link and to outline the baseline for the technical specifications in terms of architectural, service and security requirements.
- (8) It is appropriate for the Joint Committee to set up a working group pursuant to the Agreement to assist the Joint Committee in its functions under the Agreement as regards the development of technical guidelines to ensure the proper implementation of the Agreement including establishing a robust and secure connection between the SSTL and the EUTL. The working group should at least include the Swiss Registry administrator and the Union central administrator.
- (9) The position of the Union within the Joint Committee should therefore be based on the draft Decision of the Joint Committee,

⁽¹⁾ OJ L 322, 7.12.2017, p. 3.

⁽²⁾ Council Decision (EU) 2018/219 of 23 January 2018 on the conclusion of the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems (OJ L 43, 16.2.2018, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the third meeting 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, as regards amending Annexes I and II to the Agreement, the adoption of Linking Technical Standards and the setting up of a working group pursuant to Article 12(5) of the Agreement, shall be based on the draft Decision of the Joint Committee ⁽³⁾.

Minor changes to the draft Decision of the Joint Committee 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 Luxembourg, 12 October 2020.

For the Council

The President

J. BORRELL FONTELLES

⁽³⁾ See document ST 10836/20 on <http://register.consilium.europa.eu>

COUNCIL DECISION (EU) 2020/1494**of 12 October 2020****on the position to be taken on behalf of the European Union within the Administrative Committee established by the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) as regards certain amendments to that Convention**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) of 14 November 1975 (the 'TIR Convention') was approved on behalf of the European Economic Community by means of Council Regulation (EEC) No 2112/78 ⁽¹⁾ and entered into force in the Community on 20 June 1983 ⁽²⁾.
- (2) By means of Council Decision 2009/477/EC ⁽³⁾, a consolidated text of the TIR Convention was published. In accordance with the second paragraph of Article 1 of that Decision the Commission is to publish future amendments to the TIR Convention in the *Official Journal of the European Union* indicating their date of entry into force.
- (3) The Administrative Committee established by the TIR Convention (the 'Administrative Committee') is able to amend the TIR Convention in accordance with Articles 59 and 60 of the TIR Convention.
- (4) During its 73rd session on 15 October 2020 or a subsequent session, the Administrative Committee is to adopt certain amendments to the TIR Convention.
- (5) It is appropriate to establish the position to be taken on the Union's behalf within the Administrative Committee as regards the amendments to the TIR Convention, as those amendments will be binding on the Union.
- (6) In order to accelerate the modernisation of the TIR regime, it is necessary to introduce mandatory electronic transmission of data by the competent authorities to the TIR Executive Board established by the Administrative Committee concerning TIR carnet holders' authorisations and withdrawals of such authorisations and to create a reliable online international database of Customs offices that accept TIR movements by amending Article 38 of the TIR Convention and Annex 9 to the TIR Convention and by creating a new Explanatory Note to Article 45 of the TIR Convention.
- (7) In order to enhance the attractiveness of the TIR Convention for both economic operators and Customs authorities, it is necessary to allow the Contracting Parties to grant greater facilities to duly authorised persons in the application of the TIR Convention by creating a new Explanatory Note to Article 49 of the TIR Convention.
- (8) In order to clarify the TIR Convention, it is necessary to specify the use of a prescribed route within customs unions by amending Article 20 of the TIR Convention and to increase the recommended maximum amount that can be claimed from the guaranteeing associations for tobacco and alcohol TIR carnets by amending the Explanatory Note to Article 8 of the TIR Convention.
- (9) The position of the Union within the Administrative Committee should therefore be based on the draft amendments to the TIR Convention.
- (10) The position of the Union should be expressed by the Commission.
- (11) When a formal vote is to be taken within the Administrative Committee, the position of the Union should be expressed by the Member States of the Union acting jointly in the interest of the Union,

⁽¹⁾ Council Regulation (EEC) No 2112/78 of 25 July 1978 concerning the conclusion of the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) of 14 November 1975 at Geneva (OJ L 252, 14.9.1978, p. 1).

⁽²⁾ OJ L 31, 2.2.1983, p. 13.

⁽³⁾ Council Decision 2009/477/EC of 28 May 2009 publishing in consolidated form the text of the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) of 14 November 1975 as amended since that date (OJ L 165, 26.6.2009, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf during the 73rd session or a subsequent session of the Administrative Committee established by the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) of 14 November 1975 (the 'TIR Convention') shall be based on the draft amendments to the TIR Convention ⁽⁴⁾.

Article 2

1. The Commission shall express the position referred to in Article 1.
2. The Member States of the Union shall express the position of the Union when a formal vote is to be taken within the Administrative Committee, acting jointly in the interest of the Union.

Article 3

Minor technical changes to the position referred to in Article 1 may be agreed upon by the representatives of the Union without a further decision of the Council.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 12 October 2020.

For the Council
The President
J. BORRELL FONTELLES

⁽⁴⁾ See document ST 10759/2020 at <http://register.consilium.europa.eu>

COUNCIL DECISION (EU) 2020/1495**of 13 October 2020**

on the position to be taken on behalf of the European Union within the Customs Committee established under the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part, as regards a recommendation on the application of Article 27 of the Protocol concerning the definition of ‘originating products’ and methods of administrative cooperation

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part ⁽¹⁾ (‘the Agreement’) has been applied on a provisional basis since 1 July 2011 and entered into force on 13 December 2015.
- (2) Article 27 of the Protocol of the Agreement, concerning the definition of ‘originating products’ and methods of administrative cooperation (‘the Protocol’), lays down the procedure for the verification of proofs of origin and the tasks and responsibilities of the customs authorities of the importing and exporting Parties.
- (3) The Customs Committee, established pursuant to point (c) of Article 15.2(1) of the Agreement, is empowered by Article 6.16(5) of the Agreement to formulate recommendations which it considers necessary for the attainment of the common objectives and sound functioning of the mechanisms established in the Protocol.
- (4) The Union and the Republic of Korea have identified a need for a common understanding of the main characteristics of the verification procedure laid down in Article 27 of the Protocol and of the different steps in that procedure. Such a common understanding should be in the interests of the customs authorities that are in charge of ensuring compliance with the rules of origin and of ensuring the equal treatment of the economic operators subject to such verification, on the territory of each Party.
- (5) The Union and the Republic of Korea consider it appropriate for the Customs Committee to formulate a recommendation for a common understanding and the sound implementation of the verification procedure laid down in Article 27 of the Protocol.
- (6) It is appropriate to establish the position to be taken on the Union’s behalf in the Customs Committee, as that recommendation will have legal effects in the Union,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union’s behalf in the Customs Committee established under the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part, shall be based on the draft recommendation of that Customs Committee ⁽²⁾.

⁽¹⁾ OJ L 127, 14.5.2011, p. 6.

⁽²⁾ See document ST 10586/20 on <http://register.consilium.europa.eu>

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 13 October 2020.

For the Council

The President

M. ROTH

COUNCIL DECISION (EU) 2020/1496**of 13 October 2020**

on the signing, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Norway pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 15 June 2018 the Council authorised the Commission to open negotiations pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 on the apportionment of the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the Union.
- (2) Negotiations with the Kingdom of Norway have been concluded and an Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Norway pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union ('the Agreement') was initialled on 7 and 8 July 2020.
- (3) The Agreement should be signed,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Norway pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union is hereby authorised, subject to the conclusion of the said Agreement ⁽¹⁾.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, 13 October 2020.

For the Council
The President
M. ROTH

⁽¹⁾ The text of the Agreement will be published together with the decision on its conclusion.

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