

**Agreement between the Kingdom of Norway and the Swiss Confederation
on cross-border cooperation on Carbon Capture, Utilisation and Storage
and Carbon Dioxide Removal**

Preamble

The Kingdom of Norway (Norway) and the Swiss Confederation (Switzerland), together referred to hereinafter as the “Parties” or, individually as the “Party”;

IN PURSUIT of the long-term temperature goal of the Paris Agreement on climate change adopted at the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change in Paris on 12th December 2015, hereinafter the “Paris Agreement”, and of achieving a global balance between anthropogenic greenhouse gas emissions by source and removals by sinks of greenhouse gases in the second half of this century;

RECALLING the sixth assessment report of the Intergovernmental Panel on Climate Change IPCC on the need to reduce greenhouse gas emissions rapidly and to deploy carbon capture, utilisation and storage and carbon dioxide removal technologies for hard-to-abate emissions in order to meet the long-term goals of the Paris Agreement;

ALSO RECALLING Articles 4, 6 and 13 of the Paris Agreement, recognizing that some Parties pursue voluntary cooperation in the implementation of their Nationally Determined Contributions (NDCs) to allow for higher ambition in their mitigation actions and that Parties shall promote sustainable development and ensure environmental integrity and transparency, including in governance, consistent with guidance adopted by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement, when engaging in such voluntary cooperative approaches;

TAKING INTO ACCOUNT the precautionary approach stated in Principle 15 of the Rio Declaration, adopted at the 1992 United Nations Conference on Environment and Development;

RECALLING the Convention for the Protection of the Marine Environment of the North-East Atlantic of 1992, Annex II and Annex III, recognizing that permanently stored CO₂ in subsea geological formations is not prohibited;

ALSO RECALLING the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter 1972, hereinafter the “London Protocol”, as amended in 2006 by Resolution LP.1(1) recognizing that carbon dioxide streams from carbon dioxide capture processes may be considered for dumping;

FURTHER RECALLING Resolution LP.3(4) to the London Protocol, adopted on 30th October 2009, allowing for the export of CO₂ for the purpose of permanent geological storage in subsea geological formations;

EMPHASIZING Resolution LP.5(14) to the London Protocol, adopted on 11th October 2019, allowing provisional application of Resolution LP.3(4) to the London Protocol;

CONFIRMING that the Parties have declared such provisional application, and are willing to share information on their provisional application of the amendment, including agreements or arrangements entered into between exporting and receiving States;

ACKNOWLEDGING the requirements of the London Protocol and other applicable law, regarding CO₂ streams, the transport of CO₂ and storage activities between the Parties, the permitting responsibilities and the issuing of permits and authorizations, as well as the relevant monitoring plans;

STATING that Norway is a party to the Agreement on the European Economic Area of 1992 (EEA Agreement), and that this Agreement is without prejudice to any EEA processes;

MINDFUL that Norway participates in the EU Emissions Trading System (EU ETS) established in Directive 2003/87/EC of the European Parliament and of the Council of 13th October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC, through its implementation in the EEA Agreement;

ALSO MINDFUL of the Agreement of 23rd November 2017 between the Swiss Confederation and the European Union on the linking of their greenhouse gas emissions trading systems;

CONSCIOUS of relevant national legislation of the Parties, especially concerning carbon capture, utilisation and storage and carbon dioxide removal;

RECOGNIZING the importance of relevant international frameworks and the compatibility of this Agreement with relevant commitments undertaken pursuant to international law and applicable EEA legislation;

DESIRING to foster the deployment of carbon capture, utilisation and storage and carbon dioxide removal technologies;

Have agreed as follows;

CHAPTER I

OBJECTIVE AND SCOPE

Article 1

Objective

1. This Agreement covers cooperation between Switzerland and Norway on carbon capture, utilisation and storage and carbon dioxide removal, for permanent storage. The cooperation is aimed to enhance climate action and facilitate net-zero greenhouse gas emission development by 2050. In this regard, the Parties shall promote sustainable development and ensure environmental integrity and transparency, including in governance.
2. This Agreement shall apply to CO₂ of fossil, biogenic or atmospheric origin.
3. Terminology in this agreement will be interpreted in line with guidance adopted under the Paris Agreement.

Article 2

Cross-border transport and storage of CO₂

1. This Agreement relates to the transportation of CO₂ from Switzerland to Norway for permanent storage in subsea geological formations on the Norwegian Continental Shelf or other permanent storage in accordance with Annex I.
2. The permanently stored CO₂ shall not lead to significant adverse consequences, including for the marine environment, human health, and other legitimate uses of the sea.

Article 3

Cooperation under Article 6 of the Paris Agreement on Carbon Dioxide Removal

This Agreement establishes a framework for the transfer of mitigation outcomes between Switzerland and Norway under Article 6 of the Paris Agreement, representing carbon dioxide removal, with permanent storage of CO₂ in accordance with Annex I. The Internationally Transferred Mitigation Outcomes (ITMOs) may be used towards NDC achievement or for Other International Mitigation Purposes.

CHAPTER II

CROSS-BORDER TRANSPORT AND STORAGE OF CO₂

Article 4

Use of CO₂ transport networks and storage sites

Norway shall, in accordance with the Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, hereinafter “EU CCS Directive”, facilitate the use of free capacity in CO₂ transport networks and storage sites in Norway, as appropriate, for the CO₂ from Switzerland on fair, transparent and non-discriminatory terms, for the purpose of permanently storing the CO₂ in subsea geological formations on the Norwegian Continental Shelf.

CHAPTER III

COOPERATION UNDER ARTICLE 6 OF THE PARIS AGREEMENT ON CARBON DIOXIDE REMOVAL

Article 5

Authorization

1. The international transfer and use of mitigation outcomes towards NDC achievement or for Other International Mitigation Purposes requires authorization by each Party, in accordance with Article 6.3 of the Paris Agreement and guidance adopted thereunder, and with paragraph 2 of this Article and consistent with

respective national requirements. Each Party will issue its authorization pursuant to the modalities and procedures in Annex II, section a.

2. Minimal principles and criteria relevant for ensuring environmental integrity and transparency, and promoting sustainable development, are hereby established:

- a. Mitigation outcomes shall be real, verified, additional to any that would otherwise occur, represent the net removal effect of the underlying activity and be permanent;
- b. The vintage year of a mitigation outcome and its use should be in the time frame of the same NDC implementation period; and
- c. Mitigation outcomes shall originate from carbon dioxide removal activities, with permanent storage of CO₂ in accordance with Annex I.

Article 6

Monitoring, verification and examination

1. Monitoring reports and verification thereof conducted by an independent third-party verifier are required for each mitigation activity from which ITMOs recognized under this Agreement originate. Approval of the verification reports is required by each Party pursuant to the rules, modalities and procedures in Annex II, section b.

2. Examination of each mitigation activity is required in regard to fulfilment of the following requirements, pursuant to the modalities and procedure in Annex II, section b.

- a. The mitigation effect underlying the internationally transferred mitigation outcome from an authorized mitigation activity is not claimed by the entity authorized to transfer or used under any other crediting scheme or system;
- b. No evidence of discrepancy with the provisions in the authorization statements;
- c. No evidence of violation of human rights or of national legislation of the transferring Party in the implementation of the mitigation activity from which the mitigation outcomes originate.

Article 7

Transfer and Registry

1. Consistent with a request by the entity authorized to transfer, each Party shall facilitate the international transfer of mitigation outcomes which fulfil the

requirements pursuant to Articles 6.2 of this Agreement. Modalities and procedures for the transfer are defined in Annex II, section c.

2. Each Party shall record the transfers of ITMOs under this Agreement in its Party registry, pursuant to guidance adopted under the Paris Agreement.

Article 8

Suspension of future Transfers

1. Any Party may suspend a future transfer if:

- a. The other Party withdraws from the Paris Agreement or is in non-compliance with Article 4.2 of the Paris Agreement, whereby consideration of compliance should be based on relevant considerations by the committee established under Article 15 of the Paris Agreement;
- b. The other Party is in non-compliance with the provisions of this Agreement;
- c. Authorization was issued on the basis of significantly incorrect or erroneous information.

2. Such suspension of transfer shall be communicated by written notification to the other Party.

CHAPTER IV

GENERAL PROVISIONS

Article 9

Reporting and accounting under the Paris Agreement

1. Each Party shall report and account for CO₂ relating to activities covered by this Agreement consistent with the relevant decisions under the United Nations Framework Convention on Climate Change and the Paris Agreement.

2. In case of leakage of CO₂ during transport, the Parties shall ensure that leaked CO₂ is reported and accounted for under the Paris Agreement.

3. The Parties shall exchange information for accurate and transparent reporting and accounting.

4. The Parties shall ensure that there is no double counting of the CO₂ covered by this Agreement.

5. Each Party shall apply corresponding adjustment for ITMOs transferred under this Agreement, in accordance with guidance under the Paris Agreement.

Article 10

Transparency and sharing of information

1. The Parties underline the importance of ensuring transparency and shall exchange relevant information concerning the implementation of this Agreement.
2. Each Party will make available to the other Party relevant information concerning the environment, safety, and monitoring of the operations related to the transport, injection, and permanent storage of CO₂ within the scope of this Agreement.
3. A Party may submit to the other Party a request for information and clarifications regarding the operations within the scope of this Agreement. The Party to whom the request is addressed shall endeavour to respond promptly.
4. The Parties shall, however, not be required to disclose confidential or sensitive information or data. If a Party receives information declared as confidential by the other Party, it shall treat the information as such, and shall not further disclose or use it inconsistently with these restrictions. However, each Party may at any time make use of the information for the purpose of preparing general reports on activities in respect of the CO₂ transport and permanent storage within the scope of this Agreement.
5. Copies of all such general reports published by any of the Parties shall be shared with the other Party no later than at the date of publication.

Article 11

Confirmation and allocation of permitting responsibilities pursuant to the London Protocol

1. The Parties confirm that necessary permitting procedures for the activities are in place, and that the permits can be granted by the competent authorities of the Parties if the relevant requirements for obtaining such permits are met, to safeguard the provisions of the London Protocol Annex 2, and other applicable international law.
2. Norway will ensure that the necessary permits relating to the disposal of carbon dioxide streams in accordance with the London Protocol in areas under Norwegian jurisdiction are issued in accordance with applicable law.

CHAPTER V
FINAL PROVISIONS

Article 12

Implementation

1. Norway has authorized the Ministry of Energy and the Ministry of Climate and Environment to act on its behalf in implementing this Agreement.
2. Switzerland has authorized the Federal Department of the Environment, Transport, Energy and Communications, acting through the Federal Office for the Environment (FOEN), to act on its behalf in implementing this Agreement.

Article 13

Consultation relating to the Agreement

The Parties agree to consult each other on questions relating to the implementation and proper functioning of this Agreement, or in the event of a dispute concerning its interpretation or application.

Article 14

Entry into force

1. This Agreement enters into force 60 calendar days after signature by the Parties.
2. When the Agreement has entered into force, the Parties shall notify the International Maritime Organisation of this Agreement.

Article 15

Amendments

This Agreement and its annexes may be amended at any time by mutual written consent by the Parties.

Article 16

Denunciation

Either Party may denounce this Agreement by written notification to the other Party. Such denunciation shall take effect two calendar years after the end of the NDC implementation period during which the denunciation is communicated (i.e. earliest on 1 January 2033).

Done in duplicate at Oslo this 17 June 2025, in the Norwegian, German and English languages, all texts being equally authentic. In case there is any discrepancy, the English text shall prevail.

For the Kingdom of Norway

For the Swiss Confederation

Terje Aasland

Minister of Energy

Albert Rösti

Federal Councillor

Minister of the Environment, Transport,
Energy and Communications

ANNEX I: Methods for storage and utilisation of CO₂ recognized under this Agreement

- Permanent storage in subsea geological formations on the Norwegian Continental Shelf
- Storage in products considered to permanently chemically bind CO₂ (i.e. mineral carbonates for construction products)

ANNEX II

Section a: Authorization

1. Each Party shall establish a process by which entities can submit a request for authorization, and publish its national requirements relating to carbon dioxide removal activities eligible under this Agreement, and inform the other Party of any modification thereof.
2. Each Party shall include in its authorization all relevant requirements regarding the mitigation activity, including:
 - a. An identification of the mitigation activity from which the mitigation outcomes originate;
 - b. A definition of, inter alia, the applied standard or baseline methodologies, and requirements for monitoring and verification reports;
 - c. A definition of the crediting period for the mitigation activity;
 - d. The total cumulative maximal amount of mitigation outcomes for which transfer and use is authorized, as appropriate;
 - e. A reference to the relevant authorization of the other Party, where applicable.
3. The transferring Party shall identify in its authorization the entity authorized to transfer the resulting ITMOs (entity authorized to transfer).
4. Each Party may review consistency between their authorizations and publish a statement in case of inconsistency. In the absence of such a statement, the authorization is effective after 30 calendar days from the date on which authorizations from both Parties are published.
5. Each Party may update or change its authorizations. Where the updates or changes narrow the scope of the original authorization, such updates or changes shall be resolved in a dialogue with the other Party and the entity authorized to transfer. Updates or changes become valid pursuant to the procedures in this Annex II.
6. Each Party will report the authorizations under the Paris Agreement in accordance with guidance adopted by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA).

Section b: Monitoring, verification and examination

7. The selection of the verifier requires approval by each Party. Each Party shall make information on approved verifiers publicly available.
8. The verifier submits the monitoring and verification reports to each Party.

9. Each Party shall assess the verification report based on the requirements defined in its authorization pursuant to paragraph 2 of this Annex. Approval of the verification report by each Party shall take effect after a no-objection period of 90 calendar days from the date of the submission of the monitoring and verification reports. Each Party shall publish the monitoring and verification reports.

10. The transferring Party shall examine the requirements in Article 6.2 of this Agreement within the same time period as evaluating the monitoring and verification reports, and publicly issue the resulting examination statement and notify the receiving Party thereon. Upon notification by the transferring Party, the receiving Party shall make its confirmation of fulfilment of all requirements publicly available within a time period of 30 calendar days and notify the transferring Party. The transferring Party notifies the entity authorized to transfer.

Section c: Transfer and Registry

11. The transferring Party shall facilitate the transfer, consistent with a request by the Entity Authorized to Transfer, as follows.

- a. The transferring Party shall ensure notification of the transfer to the acquiring entity and the receiving Party.
- b. Such notification shall include identification of the acquiring entity and relevant information pursuant to guidance adopted under the Paris Agreement.

12. Parties may define a registry jointly used for issuance, transfer and tracking of international units representing ITMOs.