



2018/0101(COD)

11.9.2018

AMENDMENTS

17 - 92

Draft report
Christofer Fjellner
(PE626.666v01-00)

on the proposal for a regulation of the European Parliament and of the Council implementing the safeguard clauses and other mechanisms allowing for the temporary withdrawal of preferences in certain agreements concluded between the European Union and certain third countries

Proposal for a regulation
(COM(2018)206 – C8-0158/2018 – 2018/0101(COD))

Amendment 17
Tiziana Beghin

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) The Union regularly concludes trade agreements ('Agreements') with third countries which *may* include bilateral safeguard clauses. It is necessary to lay down the procedures to guarantee the effective application of the safeguard clauses that will have been agreed with the countries concerned.

Amendment

(1) The Union regularly concludes trade agreements ('Agreements') with third countries ***and grants preferential treatment*** which ***should*** include bilateral safeguard clauses. It is necessary to lay down the procedures to guarantee the effective application of the safeguard clauses that will have been agreed with the countries concerned.

Or. en

Amendment 18
Gabriel Mato, Maurice Ponga, Cláudia Monteiro de Aguiar, Sofia Ribeiro

Proposal for a regulation
Recital 2

Text proposed by the Commission

(2) The Agreements may also include other mechanisms for temporary withdrawal of tariff or of other preferential treatment. It is also necessary to lay down the procedures for the application of such mechanisms, where included in the Agreements.

Amendment

(2) The Agreements may also include other mechanisms, ***such as the stabilisation mechanism for bananas***, for temporary withdrawal of tariff or of other preferential treatment. It is also necessary to lay down the procedures for the application of such mechanisms, where included in the Agreements.

Or. fr

Amendment 19
Yannick Jadot
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) Bilateral safeguard measures may be considered only where the product in question is imported into the Union in such increased quantities, in absolute terms or relative to Union production, and under such conditions as to cause, or threaten to cause, serious injury to Union producers of like or directly competing products. Bilateral safeguard measures should take one of the forms referred to in the Agreement.

Amendment

(3) Bilateral safeguard measures may be considered only where the product in question is imported into the Union in such increased quantities, in absolute terms or relative to Union production, and under such ***production*** conditions as to cause, or threaten to cause, serious injury to Union producers ***and directly concerned workers*** of like or directly competing products ***as well as directly concerned workers***. Bilateral safeguard measures should take one of the forms referred to in the Agreement.

Or. en

Amendment 20
Yannick Jadot
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Production conditions resulting in lower unit prices of imports compared to production in the European Union can derive from the non-application of international labour standards and multilateral environmental agreements, including the Climate Convention, in the exporting country.

Or. en

Amendment 21
Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz, David Martin

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) The follow up and review of the Agreements, the conduct of investigations and, where appropriate, the imposition of safeguard measures should be carried out ***transparently***.

Amendment

(4) The follow up and review of the Agreements, the conduct of investigations and, where appropriate, the imposition of safeguard measures should be carried out ***in the most transparent manner possible. The European Parliament should be kept informed and involved at all stages of the procedure and, in particular, prior to the adoption of any safeguard measures.***

Or. en

Amendment 22
Yannick Jadot
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) The reliability of statistics of all imports from the countries concerned to the Union is therefore crucial when determining whether the conditions to apply safeguard measures are met.

Amendment

(6) The reliability of statistics of all imports from the countries concerned to the Union, ***also with respect to international labour and environmental standards in these countries***, is therefore crucial when determining whether the conditions to apply safeguard measures are met.

Or. en

Amendment 23
Yannick Jadot
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 7

Text proposed by the Commission

(7) Close monitoring of sensitive products, if any, should facilitate a timely decision concerning the possible initiation of an investigation and subsequent application of measures. Therefore the Commission should regularly monitor imports of sensitive products, if any, from the date of provisional application or entry into force of the Agreements, if there is no provisional application. Monitoring should be extended to other sectors upon a duly justified request made by the relevant industry.

Amendment

(7) Close monitoring of sensitive products, if any, should facilitate a timely decision concerning the possible initiation of an investigation and subsequent application of measures. Therefore the Commission should regularly monitor imports of sensitive products, if any, from the date of provisional application or entry into force of the Agreements, if there is no provisional application. Monitoring should be extended to other sectors upon a duly justified request made by the relevant industry, ***workers unions and concerned civil society groups in cooperation with the Domestic Advisory Groups (DAGs) established in the Trade and Sustainable Development Chapters of bilateral trade agreements.***

Or. en

Amendment 24

Gabriel Mato, Maurice Ponga, Cláudia Monteiro de Aguiar, Sofia Ribeiro

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) Close monitoring of sensitive products, if any, should facilitate a timely decision concerning the possible initiation of an investigation and subsequent application of measures. Therefore the Commission should regularly monitor imports of sensitive products, if any, from the date of provisional application or entry into force of the Agreements, if there is no provisional application. Monitoring should be extended to other sectors upon a duly justified request made by the relevant industry.

Amendment

(7) Close monitoring of sensitive products, if any – ***including products from the outermost regions, which are key to these small, remote and often insular economies*** – should facilitate a timely decision concerning the possible initiation of an investigation and subsequent application of measures. Therefore the Commission should regularly monitor imports of sensitive products, if any, from the date of provisional application or entry into force of the Agreements, if there is no provisional application. Monitoring should be extended to other sectors upon a duly justified request made by the relevant

industry.

Or. fr

Amendment 25

Tiziana Beghin

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) Close monitoring of sensitive products, if any, should facilitate a timely decision concerning the possible initiation of an investigation and subsequent application of measures. Therefore the Commission should regularly monitor imports of sensitive products, if any, from the date of provisional application or entry into force of the Agreements, if there is no provisional application. Monitoring should be extended to other sectors upon a duly justified request made by the relevant industry.

Amendment

(7) Close monitoring of sensitive products, if any, should facilitate a timely decision concerning the possible initiation of an investigation and subsequent application of measures. Therefore the Commission should regularly monitor imports of sensitive products, if any, from the date of provisional application or entry into force of the Agreements, if there is no provisional application. Monitoring should be extended to other sectors upon a duly justified request made by the relevant industry *or stakeholders or by the European Parliament.*

Or. en

Amendment 26

Lola Sánchez Caldentey, Helmut Scholz, Anne-Marie Mineur, Stelios Kouloglou, Eleonora Forenza

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) Close monitoring of sensitive products, if any, should facilitate a timely decision concerning the possible initiation of an investigation and subsequent application of measures. Therefore the Commission should regularly monitor imports of sensitive products, if any, from

Amendment

(7) Close monitoring of sensitive products, if any, should facilitate a timely decision concerning the possible initiation of an investigation and subsequent application of measures. Therefore the Commission should regularly monitor imports of sensitive products, if any, from

the date of provisional application or entry into force of the Agreements, if there is no provisional application. Monitoring should be extended to other sectors upon a duly justified request made by the relevant industry.

the date of provisional application or entry into force of the Agreements, if there is no provisional application. Monitoring should be extended to other sectors upon a duly justified request made by the relevant industry, ***trade union or civil society organisation***.

Or. en

Amendment 27

Santiago Fisas Aixelà, Maurice Ponga, Gabriel Mato, Tokia Saïfi

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) According to Article 349 of the Treaty on the Functioning of the European Union (TFEU), special attention should be paid to the outermost regions (ORs) of the Union, as certain sectors of these regions are particularly vulnerable. Therefore several Agreements concluded by the Union with third countries or regions already contain special mechanisms for these ORs. Those mechanisms allow for the adoption of specific safeguard measures if a product is imported in such increased quantities and under such conditions as to cause or threaten to cause serious deterioration in the economic situation of any of those ORs. Additionally, in the event of an increase of imports that could eventually cause or threaten to cause serious deterioration in the economic situation of any of these regions, the Commission should also be able to introduce prior surveillance measures. When an Agreement concluded by the Union with a third country or region foresees special treatment for the ORs, these specific measures should apply in accordance with the provisions of this Regulation, in order to ensure them a proper and swift

protection.

Or. en

Amendment 28

Lola Sánchez Caldentey, Helmut Scholz, Anne-Marie Mineur, Stelios Kouloglou, Eleonora Forenza

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) Safeguard measures should be applied only to the extent, and for such time, as may be necessary to prevent serious injury and to facilitate adjustment. The maximum duration of safeguard measures should be determined and specific provisions regarding extension and review of such measures should be laid down.

Amendment

(10) Safeguard measures should be applied only to the extent, and for such time, as may be necessary to prevent serious injury and to facilitate adjustment, ***and should take into account the effects of the extraordinary imports on the performance on the Sustainable Development Goals.' achievement.*** The maximum duration of safeguard measures should be determined and specific provisions regarding extension and review of such measures should be laid down.

Or. en

Amendment 29

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) Safeguard measures should be applied only to the extent, and for such time, as may be necessary to prevent serious injury and to facilitate adjustment. The maximum duration of safeguard measures should be determined and specific provisions regarding extension and review of such measures should be laid

Amendment

(10) Safeguard measures should be applied only to the extent, and for such time, as may be necessary to prevent serious injury and to facilitate adjustment, ***in particular with respect to international labour and environmental standards and the respect for the Paris Climate Agreement.*** The maximum duration of

down.

safeguard measures should be determined and specific provisions regarding extension and review of such measures should be laid down.

Or. en

Amendment 30

Tokia Saïfi, Santiago Fisas Ayxelà, Gabriel Mato, Maurice Ponga

Proposal for a regulation

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) Certain agricultural products, including those from the outermost regions, are sensitive products, and particular attention should be paid to them in the context of EU trade.

Or. fr

Amendment 31

Tokia Saïfi, Santiago Fisas Ayxelà, Gabriel Mato, Maurice Ponga

Proposal for a regulation

Recital 12 b (new)

Text proposed by the Commission

Amendment

(12b) Specific safeguard provisions should be available in case the product in question is imported in such large quantities or under such conditions as to cause or potentially cause serious damage to the economic situation of any of the outermost regions as referred to in Article 349 of the Treaty on the Functioning of the European Union (TFEU).

Or. fr

Amendment 32

Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Amendment

(13) It is of particular importance that the Commission carries out appropriate consultations during its preparatory work, including at expert level ***and with civil society organisations and Domestic Advisory Groups of the Union***. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Or. en

Amendment 33

Nadja Hirsch

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) The implementation of the safeguard clauses or other mechanisms and criteria for the temporary suspension of tariff or other preferences provided for in the Agreements require uniform conditions for the adoption of provisional and definitive safeguard measures, for the imposition of prior surveillance measures, for the termination of an investigation without measures and for suspending temporarily the preferential tariffs or other preferential treatment.

Amendment

(14) The implementation of the safeguard clauses or other mechanisms and ***transparent*** criteria for the temporary suspension of tariff or other preferences provided for in the Agreements require uniform conditions for the adoption of provisional and definitive safeguard measures, for the imposition of prior surveillance measures, for the termination of an investigation without measures and for suspending temporarily the preferential tariffs or other preferential treatment. ***Criteria for the temporary suspension of tariff or other preferences should be subject to review.***

Or. en

Amendment 34

Gabriel Mato, Maurice Ponga, Cláudia Monteiro de Aguiar, Sofia Ribeiro

Proposal for a regulation

Recital 14 a (new)

Text proposed by the Commission

Amendment

(14a) Provisions implementing mechanisms for the temporary withdrawal of tariff preferences in certain agreements between the European Union and certain third countries will be adopted under the ordinary legislative procedure.

Or. fr

Amendment 35

Tokia Saïfi, Santiago Fisas Ayxelà, Gabriel Mato, Maurice Ponga

Proposal for a regulation

Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) The stabilisation mechanism for bananas is one of the mechanisms for temporary withdrawal of tariff preferences in certain agreements between the European Union and certain third countries.

Or. fr

Amendment 36

Tiziana Beghin

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

Amendment

1. This Regulation lays down

1. This Regulation lays down

provisions for the implementation of the bilateral safeguard clauses and other mechanisms on the *temporary* withdrawal of tariff preferences or other preferential treatment contained in the Agreements concluded between the Union and a third country referred to in the Annex.

provisions for the implementation of the bilateral safeguard clauses and other mechanisms on the withdrawal of tariff preferences or other preferential treatment contained in the Agreements concluded between the Union and a third country referred to in the Annex.

Or. en

Justification

This regulation cover both permanent and temporary withdrawal.

Amendment 37

Tiziana Beghin

Proposal for a regulation

Article 2 – paragraph 1 – point a

Text proposed by the Commission

(a) ‘bilateral safeguard clause’ means a provision set out in an Agreement between the Union and one or more third countries concerned referred to in the Annex on the temporary suspension of tariff preferences;

Amendment

(a) ‘bilateral safeguard clause’ means a provision set out in an Agreement between the Union and one or more third countries concerned referred to in the Annex on the temporary *or definitive* suspension of tariff preferences;

Or. en

Amendment 38

Tiziana Beghin

Proposal for a regulation

Article 2 – paragraph 1 – point c

Text proposed by the Commission

(c) ‘Union industry’ means the Union producers as a whole of the like or directly competitive products, operating within the territory of the Union, or Union producers whose collective output of the like or

Amendment

(c) ‘Union industry’ means the Union producers as a whole of the like or directly competitive products, operating within the territory of the Union, or Union producers whose collective output of the like or

directly competitive products constitutes a **major** proportion of the total Union production of those products, or, where a like or a directly competitive product is only one of several products that are made by the Union producers, the Union industry shall be defined in relation to the specific operations that are involved in the production of the like or directly competitive product;

directly competitive products constitutes a proportion of the total Union production of those products, or, where a like or a directly competitive product is only one of several products that are made by the Union producers, the Union industry shall be defined in relation to the specific operations that are involved in the production of the like or directly competitive product;

Or. en

Amendment 39

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) "Trade union" means the representation of workers in the concerned industries, as well as their national and European representations;

Or. en

Amendment 40

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 1 – point c b (new)

Text proposed by the Commission

Amendment

(cb) "Domestic Advisory Groups", means the formally established advisory groups established in accordance with the Agreements;

Or. en

Amendment 41

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 1 – point c c (new)

Text proposed by the Commission

Amendment

(cc) "International labour and environmental standards" means International Labour Organisation (ILO) Conventions and multilateral environmental agreements (MEAs);

Or. en

Amendment 42

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) ‘serious injury’ means a significant overall impairment to the position of Union industry;

(d) ‘serious injury’ means a significant overall impairment to the position of Union industry, **workers or consumers, or to the climate/environment;**

Or. en

Amendment 43

Tiziana Beghin

Proposal for a regulation

Article 2 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) ‘serious injury’ means a significant overall impairment to the position of Union

(d) ‘serious injury’ means a significant overall impairment to the position of Union

industry;

industry *or to a productive sector in a Member State*;

Or. en

Amendment 44
Emma McClarkin

Proposal for a regulation
Article 2 – paragraph 1 – point e

Text proposed by the Commission

(e) ‘threat of serious injury’ to the position of Union industry means serious injury that is clearly imminent;

Amendment

(e) ‘threat of serious injury’ to the position of Union industry means serious injury that is clearly imminent; *a determination of the existence of a threat of serious injury shall be based on verifiable information*;

Or. en

Amendment 45
Tiziana Beghin

Proposal for a regulation
Article 2 – paragraph 1 – point e

Text proposed by the Commission

(e) ‘threat of serious injury’ to the position of Union industry means serious injury that is *clearly* imminent;

Amendment

(e) ‘threat of serious injury’ to the position of Union industry means serious injury that is imminent;

Or. en

Amendment 46
Gabriel Mato, Maurice Ponga, Cláudia Monteiro de Aguiar, Sofia Ribeiro

Proposal for a regulation
Article 2 – paragraph 1 – point f

Text proposed by the Commission

(f) ‘sensitive product’ means a product identified in a specific agreement as being relatively more vulnerable to a surge of imports than other products;

Amendment

(f) ‘sensitive product’ means a product identified in a specific agreement as being relatively more vulnerable to a surge of imports than other products, ***or any product from an outermost region;***

Or. fr

Amendment 47
Emma McClarkin

Proposal for a regulation
Article 3 – paragraph 1 – point a

Text proposed by the Commission

(a) in such increased quantities, in absolute terms or relative to Union production, and under such conditions,

Amendment

(a) ***as a result of unforeseen developments,*** in such increased quantities, in absolute terms or relative to Union production, and under such conditions,

Or. en

Amendment 48
Yannick Jadot
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 1 – point a

Text proposed by the Commission

(a) in such increased quantities, in absolute terms or relative to Union production, and under such conditions,

Amendment

(a) in such increased quantities, in absolute terms or relative to Union production, and under such ***social and environmental*** conditions,

Or. en

Amendment 49

Lola Sánchez Caldentey, Helmut Scholz, Anne-Marie Mineur, Stelios Kouloglou, Eleonora Forenza

Proposal for a regulation

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) as to cause or threaten to cause serious injury to the Union industry; and,

Amendment

(b) as to cause or threaten to cause serious injury to the Union industry, ***or as to cause or threaten to cause serious injury to the environment, including that of the producing country, due to the increase of imports to the Union;*** and,

Or. en

Amendment 50

Lola Sánchez Caldentey, Helmut Scholz, Anne-Marie Mineur, Stelios Kouloglou, Eleonora Forenza

Proposal for a regulation

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) as to cause or threaten to cause serious injury to the Union industry; and,

Amendment

(b) as to cause or threaten to cause serious injury to the Union industry, ***or the working conditions in that industry; paying special attention when it affects the SME's on that sector;*** and,

Or. en

Amendment 51

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) as to cause or threaten to cause

Amendment

(b) as to cause or threaten to cause

serious injury to the Union industry; and,

serious injury to the Union industry, ***the environment/climate, workers, or consumers***, and,

Or. en

Amendment 52

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) the increase of imports is the result of the effect of obligations incurred under the respective Agreement concluded between the Union and a third country, including of the reduction or the elimination of the customs duties on that product.

Amendment

(c) the increase of imports is the result of the effect of obligations incurred under the respective Agreement concluded between the Union and a third country, including of the reduction or the elimination of the customs duties on that product, ***and inconsistency with international labour standards, multilateral environmental standards, and the Paris Climate Agreement.***

Or. en

Amendment 53

Tiziana Beghin

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

1. The Commission shall monitor the evolution of import statistics of sensitive products, if any, mentioned in Annex in respect of each Agreement. For that purpose, the Commission shall cooperate and exchange data on a regular basis with Member States and the Union industry.

Amendment

1. The Commission shall monitor ***weekly*** the evolution of import statistics of sensitive products, if any, mentioned in Annex in respect of each Agreement. For that purpose, the Commission shall cooperate and exchange data on a regular basis with Member States and the Union industry.

Amendment 54

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Upon a duly justified request by the Union industry concerned, the Commission may extend the scope of the monitoring to other sectors, if any, than those mentioned in the Annex.

Amendment

2. Upon a duly justified request by the Union industry concerned, ***by the European Parliament, by trade unions or civil society groups supported by the DAGs***, the Commission may extend the scope of the monitoring to other sectors, if any, than those mentioned in the Annex.

Or. en

Amendment 55

Tiziana Beghin

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Upon a duly justified request by the Union industry concerned, the Commission may extend the scope of the monitoring to other sectors, if any, than those mentioned in the Annex.

Amendment

2. Upon a duly justified request by the Union industry concerned, ***other relevant stakeholders or the European Parliament***, the Commission may extend the scope of the monitoring to other sectors, if any, than those mentioned in the Annex.

Or. en

Amendment 56

Lola Sánchez Caldentey, Helmut Scholz, Anne-Marie Mineur, Stelios Kouloglou, Eleonora Forenza

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Upon a duly justified request by the Union industry **concerned**, the Commission may extend the scope of the monitoring to other sectors, if any, than those mentioned in the Annex.

Amendment

2. Upon a duly justified request by the **concerned** Union industry, **trade union or civil society organisation**, the Commission may extend the scope of the monitoring to other sectors, if any, than those mentioned in the Annex.

Or. en

Amendment 57

Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz, David Martin, Nicola Danti

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Upon a duly justified request by the Union industry concerned, the Commission may extend the scope of the monitoring to other sectors, if any, than those mentioned in the Annex.

Amendment

2. Upon a duly justified request by the Union industry concerned **or the trade unions**, the Commission may extend the scope of the monitoring to other **products and** sectors, if any, than those mentioned in the Annex.

Or. en

Amendment 58

Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz, David Martin

Proposal for a regulation
Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The European Commission shall monitor the observance by third countries of the social and environmental standards as laid down in their respective trade and sustainable development chapters.

Amendment 59

Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz, David Martin

Proposal for a regulation

Article 4 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. Upon request by the responsible committee of the European Parliament, the Commission will report to it on any specific concerns relating to the implementation by the countries concerned of their commitments on trade and sustainable development.

Or. en

Amendment 60

Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz, David Martin

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall present an annual monitoring report to the European Parliament and to the Council on statistics on imports of sensitive products, and those sectors, if any, to which monitoring has been extended.

3. The Commission shall present an annual monitoring report to the European Parliament and to the Council on statistics on imports of sensitive products, and those ***products and*** sectors, if any, to which monitoring has been extended ***as well as on the fulfilment of obligations by the countries concerned under the Trade and Sustainable Development chapter.***

Or. en

Amendment 61

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. An investigation shall be initiated by the Commission upon request by a Member State, by any legal person or any association not having legal personality acting on behalf of the Union industry, or on the Commission's own initiative, where there is sufficient prima facie evidence, as determined on the basis of factors referred to in Article 6(5).

Amendment

1. An investigation shall be initiated by the Commission upon request by a Member State, **by the European Parliament**, by any legal person or any association not having legal personality acting on behalf of the Union industry, **trade unions or civil society groups, acting on behalf of the DAGs**, or on the Commission's own initiative, where there is sufficient prima facie evidence, as determined on the basis of factors referred to in Article 6(5).

Or. en

Amendment 62
Lola Sánchez Caldentey, Helmut Scholz, Anne-Marie Mineur, Stelios Kouloglou, Eleonora Forenza

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. An investigation shall be initiated by the Commission upon request by a Member State, by any legal person or any association not having legal personality acting on behalf of the Union industry, or on the Commission's own initiative, where there is sufficient prima facie evidence, as determined on the basis of factors referred to in Article 6(5).

Amendment

1. An investigation shall be initiated by the Commission upon request by a Member State, by any legal person or any association not having legal personality acting on behalf of the Union industry, **by a concerned trade union or civil society organisation**, or on the Commission's own initiative, where there is sufficient prima facie evidence, as determined on the basis of factors referred to in Article 6(5).

Or. en

Amendment 63
Tiziana Beghin

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. An investigation shall be initiated by the Commission upon request by a Member State, by any legal person or any association not having legal personality acting on behalf of the Union industry, or on the Commission's own initiative, where there is sufficient prima facie evidence, as determined on the basis of factors referred to in Article 6(5).

Amendment

1. An investigation shall be initiated by the Commission upon request by a Member State, by any legal person or any association not having legal personality acting on behalf of the Union industry, **by the European Parliament**, or on the Commission's own initiative, where there is sufficient prima facie evidence, as determined on the basis of factors referred to in Article 6(5).

Or. en

Amendment 64

Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz, David Martin, Nicola Danti

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. An investigation shall be initiated by the Commission upon request by a Member State, by any legal person or any association not having legal personality acting on behalf of the Union industry, or on the Commission's own initiative, where there is sufficient prima facie evidence, as determined on the basis of factors referred to in Article 6(5).

Amendment

1. An investigation shall be initiated by the Commission upon request by a Member State, by any legal person or any association not having legal personality acting on behalf of the Union industry **and by trade unions**, or on the Commission's own initiative, where there is sufficient prima facie evidence, as determined on the basis of factors referred to in Article 6(5).

Or. en

Amendment 65

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 5 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the ILO Convention, MEA, aspect of the Paris Climate Agreement, or any other social or environmental norm violated,

Or. en

Amendment 66
Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz, David Martin

Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

Amendment

4. An investigation may also be initiated where there is a surge of imports concentrated in one or several Member States, provided that there is sufficient prima facie evidence, as determined on the basis of factors referred to in Article 6(5).

4. An investigation may also be initiated where there is a surge of imports concentrated in one or several Member States **or outermost regions**, provided that there is sufficient prima facie evidence, as determined on the basis of factors referred to in Article 6(5).

Or. en

Amendment 67
Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz, David Martin, Nicola Danti

Proposal for a regulation
Article 5 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. Where the European Parliament adopts a recommendation to initiate a safeguard investigation, the Commission shall carefully examine whether the conditions for ex-officio are fulfilled and if so, then proceed as laid down in this

regulation. If the Commission considers that the conditions are not fulfilled, it shall present a report to the responsible committee of the European Parliament including an explanation of all the factors relevant to the rejection of such an investigation.

Or. en

Amendment 68

Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz, David Martin, Nicola Danti

Proposal for a regulation Article 6 – paragraph 3

Text proposed by the Commission

3. The investigation shall, where possible, be concluded within **six** months of its initiation. That time limit may be extended by a further period of **three** months in exceptional circumstances such as the involvement of an unusually high number of interested parties or complex market situations. The Commission shall notify all interested parties of any such extension and explain the reasons therefor.

Amendment

3. The investigation shall, where possible, be concluded within **four** months of its initiation. That time limit may be extended by a further period of **two** months in exceptional circumstances such as the involvement of an unusually high number of interested parties or complex market situations. The Commission shall notify all interested parties of any such extension and explain the reasons therefor.

Or. en

Amendment 69

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation Article 6 – paragraph 5

Text proposed by the Commission

5. The Commission shall evaluate all relevant factors of an objective and quantifiable nature affecting the situation of the Union industry, in particular, the rate

Amendment

5. The Commission shall evaluate all relevant factors of an objective and quantifiable nature affecting the situation of the Union industry, in particular, the rate

and amount of the increase in imports of the product concerned in absolute and relative terms, the share of the domestic market taken by increased imports and changes in the level of sales, production, productivity, capacity utilisation, profits and losses, and employment. This list is not exhaustive and other relevant factors may also be taken into consideration by the Commission for its determination of the existence of serious injury or threat of serious injury, such as stocks, prices, return of capital employed, cash flow, and other factors which are causing or may have caused serious injury, or threaten to cause serious injury to the Union industry.

and amount of the increase in imports of the product concerned in absolute and relative terms, the share of the domestic market taken by increased imports and changes in the level of sales, production, productivity, capacity utilisation, profits and losses, and employment. This list is not exhaustive and other relevant factors may also be taken into consideration by the Commission for its determination of the existence of serious injury or threat of serious injury, such as stocks, prices, return of capital employed, cash flow, ***lowering of internationally agreed social and environmental standards, increase of precarious working conditions and working contracts***, and other factors which are causing or may have caused serious injury, or threaten to cause serious injury to the Union industry ***or workers***.

Or. en

Amendment 70

Lola Sánchez Caldentey, Helmut Scholz, Anne-Marie Mineur, Stelios Kouloglou, Eleonora Forenza

Proposal for a regulation Article 6 – paragraph 5

Text proposed by the Commission

5. The Commission shall evaluate all relevant factors of an objective and quantifiable nature affecting the situation of the Union industry, in particular, the rate and amount of the increase in imports of the product concerned in absolute and relative terms, the share of the domestic market taken by increased imports and changes in the level of sales, production, productivity, capacity utilisation, profits and losses, ***and*** employment. This list is not exhaustive and other relevant factors may also be taken into consideration by the Commission for its determination of the existence of serious injury or threat of

Amendment

5. The Commission shall evaluate all relevant factors of an objective and quantifiable nature affecting the situation of the Union industry, in particular, the rate and amount of the increase in imports of the product concerned in absolute and relative terms, the share of the domestic market taken by increased imports and changes in the level of sales, production, productivity, capacity utilisation, profits and losses, employment, ***wages, and working conditions***. This list is not exhaustive and other relevant factors may also be taken into consideration by the Commission for its determination of the

serious injury, such as stocks, prices, return of capital employed, cash flow, and other factors which are causing or may have caused serious injury, or threaten to cause serious injury to the Union industry.

existence of serious injury or threat of serious injury, such as stocks, prices, return of capital employed, cash flow, and other factors which are causing or may have caused serious injury, or threaten to cause serious injury to the Union industry, ***workers or consumers.***

Or. en

Amendment 71
Tiziana Beghin

Proposal for a regulation
Article 6 – paragraph 8

Text proposed by the Commission

8. The Commission shall, ***as soon as the necessary technical framework is in place***, ensure password-protected online access to the non-confidential file (the online platform), which it shall manage and through which all information which is relevant and is not confidential within the meaning of Article 12 shall be disseminated. Interested parties, Member States and the European Parliament shall be granted access to that platform.

Amendment

8. The Commission shall ensure password-protected online access to the non-confidential file (the online platform), which it shall manage and through which all information which is relevant and is not confidential within the meaning of Article 12 shall be disseminated. Interested parties, Member States and the European Parliament shall be granted access to that platform.

Or. en

Amendment 72
Tiziana Beghin

Proposal for a regulation
Article 6 – paragraph 9

Text proposed by the Commission

9. The Commission shall hear interested parties, in particular where they have made a written application within the period laid down in the notice published in the Official Journal of the European Union,

Amendment

9. The Commission shall hear interested parties, in particular where they have made a written application within the period laid down in the notice published in the Official Journal of the European Union,

demonstrating that they are likely to be affected by the outcome of the investigation and that there are special reasons for them to be heard orally. The Commission shall hear interested parties on further occasions if there are special reasons therefor.

demonstrating that they are likely to be affected by the outcome of the investigation and that there are special reasons for them to be heard orally. The Commission shall hear interested parties on further occasions if there are special reasons therefor. ***The Commission shall facilitate the access to the investigation for micro, small and medium enterprises through appropriate helpdesks.***

Or. en

Amendment 73

Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz, David Martin

Proposal for a regulation Article 6 – paragraph 10

Text proposed by the Commission

10. Where information is not supplied within the time limits set by the Commission, or where the investigation is significantly impeded, the Commission may reach a decision on the basis of the available facts. Where the Commission finds that any interested party or any third party has supplied it with false or misleading information, it shall disregard that information ***and*** may make use of the facts available.

Amendment

10. Where information is not supplied within the time limits set by the Commission, or where the investigation is significantly impeded, the Commission may reach a decision on the basis of the available facts. Where the Commission finds that any interested party or any third party has supplied it with false or misleading information, it shall disregard that information, may make use of the facts available ***and assess the potential actions to be taken against that party.***

Or. en

Amendment 74 Nadja Hirsch

Proposal for a regulation Article 8 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

The Commission shall adopt provisional

Amendment

The Commission shall adopt provisional

safeguard measures in critical circumstances where a delay **could** cause damage which would be difficult to repair, pursuant to a preliminary determination by the Commission on the basis of the factors referred to in Article 6(5) that there is sufficient prima facie evidence that a product originating in the country concerned is imported:

safeguard measures in critical circumstances where a delay **is likely to** cause damage which would be difficult to repair, pursuant to a preliminary determination by the Commission on the basis of the factors referred to in Article 6(5) that there is sufficient prima facie evidence that a product originating in the country concerned is imported:

Or. en

Amendment 75

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 8 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

(a) in such increased quantities, in absolute terms or relative to Union production, and under such conditions as,

Amendment

(a) in such increased quantities, in absolute terms or relative to Union production, and under such **social and environmental** conditions as,

Or. en

Amendment 76

Tiziana Beghin

Proposal for a regulation

Article 8 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

(a) in such increased quantities, in absolute terms or relative to Union production, and under such conditions as,

Amendment

(a) in such increased quantities, in absolute terms or relative to Union **or a Member State** production, and under such conditions as,

Or. en

Amendment 77

Lola Sánchez Caldentey, Helmut Scholz, Anne-Marie Mineur, Stelios Kouloglou, Eleonora Forenza

Proposal for a regulation

Article 8 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

(b) to cause or threaten to cause serious injury to the Union industry; and,

Amendment

(b) to cause or threaten to cause serious injury to the Union industry; ***or to cause or threaten to cause serious injury to the environment, including that of the producing country, due to the increase in imports to the Union;*** and,

Or. en

Amendment 78

Lola Sánchez Caldentey, Helmut Scholz, Anne-Marie Mineur, Stelios Kouloglou, Eleonora Forenza

Proposal for a regulation

Article 8 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

(b) to cause or threaten to cause serious injury to the Union industry; and,

Amendment

(b) to cause or threaten to cause serious injury to the Union industry, ***or the working conditions in that industry; paying special attention when it affects the SME's in that sector;*** and,

Or. en

Amendment 79

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 8 – paragraph 1 – subparagraph 1 – point b

Text proposed by the Commission

(b) to cause or threaten to cause serious

Amendment

(b) to cause or threaten to cause serious

injury to the Union industry; and,

injury to the Union industry, ***workers or the environment/climate***; and,

Or. en

Amendment 80

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 8 – paragraph 1 – subparagraph 1 – point c

Text proposed by the Commission

(c) the increase of imports is the result of the reduction or the elimination of the customs duties on that product.

Amendment

(c) the increase of imports is the result of the reduction or the elimination of the customs duties on that product ***and/or of inconsistency with social and environmental standards.***

Or. en

Amendment 81

Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz, Nicola Danti

Proposal for a regulation

Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall inform the European Parliament of any decision to impose provisional safeguard measures.

Or. en

Amendment 82

Tiziana Beghin

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

3. Provisional safeguard measures shall not apply for more than 200 calendar days.

Amendment

3. Provisional safeguard measures shall not apply for more than 200 calendar days, ***unless an investigation to impose definitive safeguard measures is still ongoing.***

Or. en

Amendment 83

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 11 – paragraph 1

Text proposed by the Commission

1. A safeguard measure shall remain in force only for such period of time as may be necessary to prevent or remedy the serious injury to Union industry and to facilitate adjustment. That period shall not exceed two years, unless it is extended under paragraph 3.

Amendment

1. A safeguard measure shall remain in force only for such period of time as may be necessary to prevent or remedy the serious injury to Union industry, ***workers or environment/climate,*** and to facilitate adjustment. That period shall not exceed two years, unless it is extended under paragraph 3.

Or. en

Amendment 84

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 11 – paragraph 3

Text proposed by the Commission

3. The initial period of duration of a safeguard measure as referred to in paragraph 1, may be extended by up to two years provided that the safeguard measure continues to be necessary to prevent or

Amendment

3. The initial period of duration of a safeguard measure as referred to in paragraph 1, may be extended by up to two years provided that the safeguard measure continues to be necessary to prevent or

remedy serious injury to Union industry and that there is evidence that the Union industry is adjusting.

remedy serious injury to Union industry, ***workers or the environment/climate***, and that there is evidence that the Union industry is adjusting.

Or. en

Amendment 85

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 11 – paragraph 4

Text proposed by the Commission

4. Any extension pursuant to paragraph 3 shall be preceded by an investigation upon a request by a Member State, by any legal person or any association not having legal personality acting on behalf of the Union industry, or on the Commission's own initiative if there is sufficient prima facie evidence that the conditions laid down in paragraph 3 are met, on the basis of factors referred to in Article 6(5).

Amendment

4. Any extension pursuant to paragraph 3 shall be preceded by an investigation upon a request by a Member State, by ***the European Parliament, by*** any legal person or any association not having legal personality acting on behalf of the Union industry, ***trade unions or civil society groups, acting on behalf of the DAGs***, or on the Commission's own initiative if there is sufficient prima facie evidence that the conditions laid down in paragraph 3 are met, on the basis of factors referred to in Article 6(5).

Or. en

Amendment 86

Gabriel Mato, Maurice Ponga, Cláudia Monteiro de Aguiar, Sofia Ribeiro

Proposal for a regulation

Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

Outermost regions

Where a product originating from a country that is party to the agreement with

the EU is imported in such large quantities or under such conditions as to cause or potentially cause serious damage to the economic situation in one or more of the EU outermost regions as defined in Article 349 of the Treaty on the Functioning of the European Union, a safeguard measure may be imposed under this Regulation, and any other necessary measure may be adopted.

Or. fr

Amendment 87

Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz, David Martin

Proposal for a regulation

Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

Outermost regions of the Union

Where any product is being imported in such increased quantities and under such conditions as to cause or threaten to cause serious deterioration in the economic situation of one or several of the Union's outermost regions, as referred to in Article 349 TFEU, a safeguard measure may be imposed, in accordance with the procedure laid down in this regulation.

Or. en

Amendment 88

Emma McClarkin

Proposal for a regulation

Article 13 – paragraph 2

Text proposed by the Commission

Amendment

2. The report shall, inter alia, include

2. The report shall, inter alia, include

information about the application of provisional and definitive measures, prior surveillance measures, regional surveillance and safeguard measures and the termination of investigations and proceedings without measures.

information about the application of provisional and definitive measures, prior surveillance measures, regional surveillance and safeguard measures and the termination of investigations and proceedings without measures, ***and shall justify the relevance of the information on the basis of which the conclusions have been made;***

Or. en

Amendment 89

Costas Mavrides, Alessia Maria Mosca, Karoline Graswander-Hainz, David Martin

Proposal for a regulation

Article 13 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The report shall include information on the activities of the various bodies responsible for monitoring the implementation of the Agreement, as well as information regarding the fulfilment of obligations under the Trade and Sustainable Development chapter and on activities with civil society advisory groups.

Or. en

Amendment 90

Gabriel Mato, Maurice Ponga, Cláudia Monteiro de Aguiar, Sofia Ribeiro

Proposal for a regulation

Article 14 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Where an Agreement provides for other mechanisms and criteria permitting temporary withdrawal of preferences in respect of certain products, the Commission shall, where the conditions laid down in the relevant Agreement are

Where an Agreement provides for other mechanisms, ***such as the stabilisation mechanism for bananas***, and criteria permitting temporary withdrawal of preferences in respect of certain products, the Commission shall, where the

met, adopt implementing acts:

conditions laid down in the relevant Agreement are met, adopt *duly justified* implementing acts:

Or. fr

Amendment 91

Gabriel Mato, Maurice Ponga, Cláudia Monteiro de Aguiar, Sofia Ribeiro

Proposal for a regulation

Article 14 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) suspending the preferences for the product concerned;

(a) suspending *or confirming the non-suspension of* the preferences for the product concerned;

Or. fr

Amendment 92

Gabriel Mato, Maurice Ponga, Cláudia Monteiro de Aguiar, Sofia Ribeiro

Proposal for a regulation

Article 14 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. If an agreement provides for a stabilisation mechanism for bananas, the arrangements provided for in Regulation 2017/540 and the declaration in the annex shall apply mutatis mutandis. The Commission shall extend and strengthen the banana stabilisation mechanism in the agreements in which it will expire in 2020.

Or. fr