



EUROPEAN PARLIAMENT

2014 - 2019

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*Committee on International Trade*

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**2014/0279(COD)**

15.10.2014

# **AMENDMENTS**

## **1 - 15**

**Draft report**  
**Gabrielius Landsbergis**  
(PE539.661v02-00)

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) No 374/2014 on the reduction or elimination of customs duties on goods originating in Ukraine

Proposal for a regulation  
(COM(2014)0597 – C8-0165/2014 – 2014/0279(COD))

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PE539.824v01-00

**EN**

*United in diversity*

**EN**

AM\_Com\_LegReport

**Amendment 1**  
**William (The Earl of) Dartmouth**  
**Draft legislative resolution**  
**Paragraph 1**

*Draft legislative resolution*

1. **Adopts** its position at first reading, taking over the Commission proposal.

*Amendment*

1. **Declines to adopt** its position at first reading, taking over the Commission proposal.

Or. en

**Amendment 2**  
**Helmut Scholz**  
**Draft legislative resolution**  
**Paragraph 1**

*Draft legislative resolution*

1. Adopts ***its position at first reading, taking over the Commission proposal;***

*Amendment*

1. Adopts ***the Commission proposal as amended;***

Or. en

**Amendment 3**  
**Tiziana Beghin, David Borrelli**  
**Draft legislative resolution**  
**Paragraph 1**

*Draft legislative resolution*

1. Adopts its position at first reading, taking over the Commission proposal.

*Amendment*

1. Adopts its position at first reading, taking over the Commission proposal, ***stressing that these measures are proposed as part of an exceptional package, in response to the specific situation in Ukraine. They should not constitute a precedent for the Union's***

*trade policy with other countries;*

Or. en

**Amendment 4**  
**William (The Earl of) Dartmouth**  
**Draft legislative resolution**  
**Paragraph 2**

*Draft legislative resolution*

2. Calls on the Commission to refer *the matter* to Parliament *again if it intends to amend its proposal substantially or replace it with another text;*

*Amendment*

2. Calls on the Commission to refer *any matter related to accelerated association agreements* to Parliament;

Or. en

**Amendment 5**  
**Tiziana Beghin, David Borrelli**  
**Draft legislative resolution**  
**Paragraph 2 a (new)**

*Draft legislative resolution*

*Amendment*

*2a. Calls on the Commission to ensure that the tariff preferences provided for in this Regulation are permitted by a waiver granted by the World Trade Organisation under Article I and Article XIII of GATT. In case the World Trade Organisation grants such a waiver after 1 November 2014, it shall apply from such later date on which the waiver takes effect.*

*The Commission shall publish a notice in the Official Journal of the European Union to inform operators of the date on which the waiver is granted by the World Trade Organization. If after 1 November 2014 the date specified shall be the date from which the tariff preferences apply.*

**Amendment 6**  
**Marine Le Pen, Franz Obermayr, Matteo Salvini**  
**Proposal for a regulation**

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*Proposal for rejection*

***The European Parliament rejects the  
Commission proposal.***

**Amendment 7**  
**Helmut Scholz**

**Proposal for a regulation**  
**Recital 2**

*Text proposed by the Commission*

(2) In light of the unprecedented security, political and economic challenges faced by Ukraine, and in order to support its economy, it was decided to anticipate the implementation of the Schedule of concessions set out in Annex I-A to the Association Agreement between the EU and Ukraine by means of the autonomous trade preferences provided for under Regulation (EU) No 374/2014. In view of the challenges Ukraine still faces, the application of Regulation (EU) No 374/2014 shall be extended until **31 December 2015**. For the purpose of predictability, the customs duties and access to tariff quotas should following the extension remain the same as for 2014.

*Amendment*

(2) In light of the unprecedented security, political and economic challenges faced by Ukraine, and in order to support its economy, it was decided to anticipate the implementation of the Schedule of concessions set out in Annex I-A to the Association Agreement between the EU and Ukraine by means of the autonomous trade preferences provided for under Regulation (EU) No 374/2014. In view of the challenges Ukraine still faces, the application of Regulation (EU) No 374/2014 shall be extended until ***the conclusion of the tripartite negotiations between the EU, the Ukraine and the Russian Federation and Title IV of the Association Agreement enters into force or, where appropriate, is applied provisionally. The Commission will inform the Council and the European***

***Parliament at least twice per year about the state of play of the negotiations.*** For the purpose of predictability, the customs duties and access to tariff quotas should following the extension remain the same as for 2014.

Or. en

*Justification*

*A fixed expiration date would create uncertainty for potential investors in the Ukraine.*

**Amendment 8**  
**Helmut Scholz**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) Article 2 of the Association Agreement with Ukraine provides that the respect for democratic principles, human rights and fundamental freedoms and respect for the principle of the rule of law, promotion of respect for the principles of sovereignty and territorial integrity, inviolability of borders and independence, as well as countering the proliferation of weapons of mass destruction, related materials and their means of delivery constitute essential elements of that Agreement. The autonomous preferences provided for under Regulation (EU) No 374/2014 ***shall also be*** subject to the respect of these same principles by Ukraine. In order to align Regulation (EU) No 374/2014 with Union practice and other EU trade policy instruments, it is appropriate to introduce the possibility to temporarily suspend the preferences in case of failure to respect the fundamental principles of human rights, democracy and the rule of law by Ukraine.

*Amendment*

(3) Article 2 of the Association Agreement with Ukraine provides that the respect for democratic principles, human rights and fundamental freedoms and respect for the principle of the rule of law, promotion of respect for the principles of sovereignty and territorial integrity, inviolability of borders and independence, as well as countering the proliferation of weapons of mass destruction, related materials and their means of delivery constitute essential elements of that Agreement. The autonomous preferences provided for under Regulation (EU) No 374/2014 ***are*** subject to the respect of these same principles by Ukraine. In order to align Regulation (EU) No 374/2014 with Union practice and other EU trade policy instruments, ***in particular GSP***, it is appropriate to introduce the possibility to temporarily suspend the preferences in case of failure to respect the fundamental principles of human rights, democracy and

the rule of law by Ukraine. ***The procedure for suspension should follow the procedure for suspension of GSP preferences as defined in Article 15 of Regulation (EU) No 978/2012.***

Or. en

*Justification*

*It should be avoided that a decision on a suspension of the agreement could be challenged as arbitrary or not transparent. Regulation (EU) No 978/2012, Article 15, provides a structured and established procedure.*

**Amendment 9**

**Helmut Scholz**

**Proposal for a regulation**

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

Regulation (EC) No 374/2014

Article 4

*Text proposed by the Commission*

*Amendment*

***2a. Article 4 is replaced by the following:***

***“Article 4***

***Temporary suspension***

***Where it finds that there is sufficient evidence of failure to comply with the conditions set out in Article 2, the Commission shall, in accordance with the advisory procedure defined in Article 4 of Regulation (EU) No 182/2011, adopt an implementing act to initiate the procedure to suspend temporarily in whole or in part the preferential arrangements provided for in this Regulation. This procedure shall be in accordance with the procedure for the suspension of GSP benefits defined in Article 15 of Regulation (EU) No 978/2012. Where the Commission considers that the findings justify temporary suspension, it shall be empowered to adopt a delegated act,***

*which shall enter into force only if no objection has been expressed by either the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object.”*

Or. en

*Justification*

*It should be avoided that a decision on a suspension of the agreement could be challenged as arbitrary or not transparent. Regulation (EU) No 978/2012, Article 15, provides a structured and established procedure.*

**Amendment 10**  
**Helmut Scholz**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 374/2014  
Article 7 – paragraph 2

*Text proposed by the Commission*

It shall apply until **31 December 2015**.

*Amendment*

It shall apply until *the conclusion of the tripartite negotiations between the EU, the Ukraine and the Russian Federation and Title IV of the Association Agreement enters into force or, where appropriate, is applied provisionally. The Commission will inform the Council and the European Parliament at least twice per year about the state of play of the negotiations.*”

Or. en



**Amendment 11**  
**Marine Le Pen, Franz Obermayr, Matteo Salvini**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 374/2014  
Article 7 – paragraph 2

*Text proposed by the Commission*

***It shall apply*** until 31 December 2015.

*Amendment*

***This Regulation is subject to a waiver being granted by the World Trade Organization allowing the tariff preferences provided for therein and therefore it shall apply from the date on which the waiver takes effect*** until 31 December 2015.

***The Commission shall publish a notice in the Official Journal of the European Union to inform operators of the date on which the waiver is granted by the World Trade Organization.***

Or. en

*Justification*

*The request of waiver by the World Trade Organization is based on the same text of amendments 35 and 36 adopted on 10 May 2011 by the European Parliament on autonomous trade preferences for Pakistan (COM(2010)0522 - C7-0322/2010 - 2010/0289(COD)) .*

**Amendment 12**  
**Tiziana Beghin, David Borrelli**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 374/2014  
Article 7 – paragraph 2

*Text proposed by the Commission*

***It shall apply*** until 31 December 2015.

*Amendment*

***This Regulation is subject to a waiver being granted by the World Trade***

*Organization allowing the tariff preferences provided for therein and therefore it shall apply from the date on which the waiver takes effect until 31 December 2015.*

*The Commission shall publish a notice in the Official Journal of the European Union to inform operators of the date on which the waiver is granted by the World Trade Organization*

Or. en

**Amendment 13**  
**Salvatore Cicu**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3**  
Regulation (EC) No 374/2014  
Article 7 – paragraph 2

*Text proposed by the Commission*

It shall apply until 31 December 2015.

*Amendment*

It shall apply until 31 December 2015 ***with no further extension.***

Or. en

**Amendment 14**  
**Salvatore Cicu**  
**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3 a (new)**  
Regulation (EC) No 374/2014  
Article 7 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***3a. In Article 7 the following paragraph is inserted:***

***These measures are exceptional and in no way must represent a precedent.***

**Amendment 15**  
**Salvatore Cicu**  
**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 3 b (new)**  
Regulation (EC) No 374/2014  
Article 7 – paragraph 2 b (new)

*Text proposed by the Commission*

*Amendment*

***3b. In article 7 the following paragraph is inserted:***

***Six Months after the entry into force of the Regulation, the Commission shall report to the European Parliament and to the Council addressing in particular the impact of these measures on EU economy.***