



Plenary sitting

A9-0042/2023

2.3.2023

RECOMMENDATION

on the draft Council decision on the conclusion, on behalf of the Union, of the Agreement between the European Union and the United States of America 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 (11723/2022 – C9-0007/2023 – 2022/0231(NLE))

Committee on International Trade

Rapporteur: Bernd Lange

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the draft Council decision on the conclusion, on behalf of the Union, of the Agreement between the European Union and the United States of America 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 (11723/2022 – C9-0007/2023 – 2022/0231(NLE))

(Consent)

The European Parliament,

- having regard to the draft Council decision (11723/2022),
 - having regard to Agreement between the European Union and the United States of America 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 (11724/2022),
 - having regard to the request for consent submitted by the Council in accordance with Articles 207(4), first subparagraph and Article 218(6), second subparagraph, point (a) (v) of the Treaty on the Functioning of the European Union (C9-0007/2023),
 - having regard to Rule 105(1) and (4), and Rule 114(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on International Trade (A9-0042/2023),
1. Gives its consent to the conclusion of the agreement;
 2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of the United States of America.

EXPLANATORY STATEMENT

In view of the United Kingdom's (UK) withdrawal from the European Union (EU), in October 2018, the EU formally launched negotiations under Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 with a number of Members of the World Trade Organisation (WTO), including the United States of America (USA). The underlying principle of the negotiations is a “joint approach” developed between the EU and the UK in 2017 on how to “apportion” the quantitative commitments contained in the EU28 WTO schedule for the 143 EU agricultural, fish and industrial WTO tariff rate quotas (TRQs). The basis of this approach is that the existing volume of each TRQ would be fully maintained after the UK's withdrawal from the EU, but split across two separate customs territories: the EU27 and the UK.

The principle of the applied methodology is based on the trade flows into the EU27 and the UK during a representative reference period (of 3 years from 2013 to 2015) for all WTO TRQs. The agreed methodology of the apportionment is described in detail in Regulation (EU) 2019/216 of the European Parliament and of the Council. More specifically, Article 2(b) of this Regulation empowers the Commission to amend the apportionment shares taking into account pertinent information that it may receive either in the context of negotiations under Article XXVIII of GATT 1994 or from other sources with an interest in a specific tariff rate quota.

For the majority of the TRQs where the USA is concerned, the apportioned volumes proposed by the EU were accepted by the USA. Changes in volumes have been agreed for some TRQs mostly to take into account a more recent reference period or avoid non-commercially viable volumes on the UK side. In addition, the EU27 share of the USA and Canada's country-specific beef TRQ will be revised and the in-quota rate for the *erga omnes* beef TRQ will be reduced.

Negotiations with the USA resulted in an Agreement that was initialled on 5 March 2021 in Geneva ("the Agreement"). The relevant Regulation (EU) 2019/216 of the European Parliament and Council and Commission Implementing Regulations (EU) 2020/761 and (EU) 2020/1988 will be amended to reflect these amended TRQ volumes. Consequently, the European Commission proposes to the Council to authorise the conclusion of the Agreement.

In accordance with Article 218(6) TFEU, the swift consent of the European Parliament is needed in order for the Council to adopt a decision concluding the Agreement and for the latter to come into force in due time.

In the light of the above, the Rapporteur recommends that the Parliament give its consent to the conclusion of the Agreement, without prejudice to its democratic right of continuous scrutiny.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Agreement between the European Union and the United States of America 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
References	11723/2022 – C9-0007/2023 – 2022/0231(NLE)
Date of consultation or request for consent	18.1.2023
Committee responsible Date announced in plenary	INTA 19.1.2023
Committees asked for opinions Date announced in plenary	AGRI 19.1.2023
Not delivering opinions Date of decision	AGRI 3.10.2022
Rapporteurs Date appointed	Bernd Lange 22.3.2021
Date adopted	1.3.2023
Result of final vote	+: 29 –: 1 0: 2
Members present for the final vote	Barry Andrews, Tiziana Beghin, Jordi Cañas, Daniel Caspary, Arnaud Danjean, Paolo De Castro, Markéta Gregorová, Christophe Hansen, Danuta Maria Hübner, Karin Karlsbro, Bernd Lange, Thierry Mariani, Margarida Marques, Gabriel Mato, Emmanuel Maurel, Carles Puigdemont i Casamajó, Samira Rafaela, Catharina Rinzema, Inma Rodríguez-Piñero, Katarína Roth Neved'alová, Sven Simon, Kathleen Van Brempt, Jörgen Warborn, Jan Zahradil
Substitutes present for the final vote	Markus Buchheit, José Manuel García-Margallo y Marfil, Enikő Győri, Yannick Jadot, Miapetra Kumpula-Natri, Liudas Mažylis, Joachim Schuster
Substitutes under Rule 209(7) present for the final vote	Massimiliano Salini
Date tabled	6.3.2023

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

29	+
ECR	Jan Zahradil
NI	Tiziana Beghin, Enikő Győri, Carles Puigdemont i Casamajó
PPE	Daniel Caspary, Arnaud Danjean, José Manuel García-Margallo y Marfil, Christophe Hansen, Danuta Maria Hübner, Gabriel Mato, Liudas Mažylis, Massimiliano Salini, Sven Simon, Jörgen Warborn
Renew	Barry Andrews, Jordi Cañas, Karin Karlsbro, Samira Rafaela, Catharina Rinzema
S&D	Paolo De Castro, Miapetra Kumpula-Natri, Bernd Lange, Margarida Marques, Katarína Roth Nevedálová, Inma Rodríguez-Piñero, Joachim Schuster, Kathleen Van Brempt
Verts/ALE	Markéta Gregorová, Yannick Jadot

1	-
The Left	Emmanuel Maurel

2	0
ID	Markus Buchheit, Thierry Mariani

Key to symbols:

+ : in favour

- : against

0 : abstention