



**2015/0080(COD)**

28.10.2015

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## **DRAFT REPORT**

on the proposal for a regulation of the European Parliament and of the Council implementing the anti-circumvention mechanism providing for the temporary suspension of tariff preferences of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part (COM(2015)0155 – C8-0091/2015 – 2015/0080(COD))

Committee on International Trade

Rapporteur: Gabrielius Landsbergis

### ***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.)

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

#### **Amendments by Parliament in the form of a consolidated text**

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council implementing the anti-circumvention mechanism providing for the temporary suspension of tariff preferences of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part  
(COM(2015)0155 – C8-0091/2015 – 2015/0080(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2015)0155),
  - having regard to Article 294(2) and Article 207(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0091/2015),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the report of the Committee on International Trade and the opinion of the Committee on Agriculture and Rural development (A8-0000/2015),
1. Adopts its position at first reading, taking over the Commission proposal;
  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;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

## EXPLANATORY STATEMENT

The EU-Georgia Association Agreement includes a so-called anti-circumvention mechanism, which provides for the possibility of reintroducing the 'most favoured nation' customs duty rate when imports of certain agricultural goods from Georgia exceed a given threshold without due justification of their exact origin. A regulation of the European Parliament and of the Council is necessary to put in place in the EU's internal legislation the necessary instrument to be able to apply the anti-circumvention mechanism.

An average annual import volume is set for imports of the products listed in Annex II-C to the Agreement, which are subject to the anti-circumvention mechanism set out in Article 27 of the Agreement. On duly justified imperative grounds of urgency relating to the import volume of one or more categories of products that reach the volume indicated in Annex II-C to the Agreement in any given year starting on 1 January, and unless it has received a sound justification from Georgia, the Commission shall adopt an immediately applicable implementing act in accordance with the procedure referred to in the proposed Regulation. The Commission may either decide to temporarily suspend the preferential duty applied to the product(s) concerned or that such suspension is not appropriate. The temporary suspension of the preferential duty shall be applicable for a maximum period of six months from the date of publication of the decision to suspend the preferential duty.

The rapporteur points out that the proposed regulation puts into practice the respective provisions of the EU-Georgia Association Agreement to which the European Parliament gave its consent on 18 December 2015. The adoption of the proposed regulation is necessary to enforce the obligations of Georgia stemming from the anti-circumvention provisions of the Agreement in order to protect the EU producers if necessary.

The rapporteur also welcomes the reporting obligation of the Commission set out in the proposal, according to which the Commission shall submit to the co-legislators and subsequently make public an annual report on the application and implementation of the regulation. The European Parliament may invite the Commission to an ad hoc meeting of its competent committee to present and explain any issue related to the implementation of the regulation. The rapporteur is of the opinion that such reporting will contribute to parliamentary scrutiny of the implementation of common commercial policy by the Commission and also to greater transparency thereof.

In light of the above considerations, your rapporteur proposes that the European Parliament approves the Commission proposal without amendment.