Exceptional trade measures for countries and territories participating in or linked to the Stabilisation and Association process

2010/0036(COD) - 13/12/2011 - Final act

PURPOSE: to amend Council Regulation (EC) No 1215/2009 introducing exceptional trade measures for countries and territories participating in or linked to the European Union's Stabilisation and Association process.

LEGISLATIVE ACT: Regulation (EU) No 1336/2011 of the European Parliament and of the Council amending Council Regulation (EC) No 1215/2009 introducing exceptional trade measures for countries and territories participating in or linked to the European Union’s Stabilisation and Association process.

CONTENT: following a first reading agreement with the European Parliament, the Council adopted a regulation extending the validity, **until 31 December 2015**, of regulation 1215/2009 introducing exceptional trade measures for countries and territories participating in or linked to the EU's stabilisation and association process.

The key aim of these measures is to revitalise the Western Balkan economies through a privileged access to the EU market. In turn, economic development is to foster political stability in the entire region.

The regulation, which applies **retroactively as of 1 January 2011**, also makes adjustments in order to take into account the entry into force of bilateral trade agreements with Bosnia and Herzegovina and Serbia.

Trade preferences were granted for a period ending on 31 December 2010 to Bosnia and Herzegovina, Serbia and Kosovo for all the products under the scope of regulation 1215/2009.

Products originating in Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro or Serbia will continue to benefit from the provisions of the regulation as well as from any concession provided for in the regulation which is more favourable than that provided for under bilateral agreements between the Union and those countries.

The amendments to the Commission proposal aim essentially to take into account the entry into force of the Lisbon Treaty with regard to the adoption of delegated acts and also ensure that the Commission's powers should be exercised in accordance with the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers.

DELEGATED ACTS: in order to adopt the provisions necessary for the application of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of the necessary amendments and technical adjustments to Annexes I and II following amendments to the Combined Nomenclature codes and to the TARIC subdivisions, as well as the necessary adjustments following the granting of trade preferences under other arrangements between the Union and the countries and territories referred to in this Regulation. It is of particular importance that the Commission carry 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.

The power to adopt delegated acts may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.