

EU/Colombia and Peru Trade Agreement

2011/0249(NLE) - 06/07/2012 - Legislative proposal

PURPOSE: the conclusion of a trade agreement between the European Union, on the one part, and Colombia and Peru, on the other.

PROPOSED ACT: Council Decision.

BACKGROUND: on 19 January 2009, the Council authorised the Commission to negotiate a multiparty trade agreement on behalf of the European Union and its Member States with the Member Countries of the Andean Community which shared the aim of reaching an ambitious, comprehensive and balanced trade agreement.

Those negotiations have been concluded and the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part was initialled on 23 March 2011.

In accordance with a Council Decision, the Agreement was signed on behalf of the Union, subject to its conclusion, and has been applied on a provisional basis.

It is now appropriate to approve the Agreement on behalf of the European Union.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: Article 91, Article 100(2) and the first subparagraph of Article 207(4), in conjunction with Article 218(6)(a) thereof of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: with this proposed Decision, the trade agreement between the European Union and its Member States, on the one part, and Colombia and Peru, on the other, is approved on behalf of the Union.

For further details about the content of the draft agreement, please refer to the summary of the initial legislative proposal dated 22/09/2011.

Overall, the agreement seeks to:

- lay down the conditions for EU economic operators, on the one hand, and their Colombian and Peruvian counterparts, on the other, to take full advantage of the **opportunities and the emerging complementarities** between their respective economies;
- fully relieve EU exporters of industrial and fisheries products to Peru and Colombia from paying customs duties;
- strengthen **commercial cooperation** in a certain number of fields, in accordance with WTO rules.

Most favourable treatment: the draft agreement does not affect the rights of investors of the Member States to benefit from any more favourable treatment provided for in any agreement relating to investment to which a Member State and a signatory Andean Country are Parties.

Intellectual property and geographical indications: provisions exist to allow the Commission to approve modifications of the Agreement concerning geographical indications to be adopted by the Agreement's Trade Committee and to protect these indications and other designations of origin for agricultural products and foodstuffs.

Furthermore, the Agreement shall not be construed as conferring rights or imposing obligations which can be directly invoked before Union or Member State courts and tribunals.

BUDGETARY IMPLICATION: the proposal has no financial impact on the EU's expenditures, but it has repercussions on its revenues (please refer to the summary of the initial legislative proposal, dated 22/09/2011).