EU/Russia Agreement: administration of tariff-rate quotas applying to exports of wood; Protocol on technical modalities

2011/0322(NLE) - 11/12/2012 - Final act

PURPOSE: to conclude the Agreement in the form of an Exchange of Letters between the EU and Russia relating to the administration of tariff-rate quotas applying to exports of wood from the Russia to the EU and the Protocol between the EU and the Government of Russia on technical modalities pursuant to that Agreement.

NON-LEGISLATIVE ACT: Council Decision 2012/793/EU on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and the Russian Federation relating to the administration of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union and the Protocol between the European Union and the Government of the Russian Federation on technical modalities pursuant to that Agreement.

BACKGROUND: in accordance with Council Decision 2012/105/EU, the Agreement in the form of an Exchange of Letters between the European Union and Russia relating to the administration of tariff-rate quotas applying to exports of wood from Russia to the EU and the Protocol between the EU and Russia on technical modalities pursuant to that Agreement, were signed on 16 December 2011, subject to their conclusion.

The Agreement and the Protocol should now be approved on behalf of the EU.

CONTENT: with this Decision, the Agreement in the form of an Exchange of Letters between the European Union and the Russian Federation relating to the administration of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union, and the Protocol between the European Union and the Government of the Russian Federation on technical modalities pursuant to that Agreement are hereby approved on behalf of the Union.

Principles: in the context of the process of its accession to the WTO, Russia has agreed to reduce its currently applied export duty rates on raw wood products. For certain types of wood, namely **some coniferous wood species**, Russia has agreed to open tariff-rate quotas for exports of those products and allocate a specific quota share to the EU. The quotas have been set at a level that is relatively large for the EU – at least in consideration of expected demand during the first periods of application. The export duty rates and tariff-rate quotas, as well as the share of those quotas allocated to exports to the EU, have been included in Russia's Schedule of Concessions, which will be annexed to Russia's WTO accession Protocol.

A bilateral agreement, in the form of an exchange of letters, negotiated between the EU and the Russian Federation establishes general provisions on **the implementation of the share of the tariff-rate quotas for exports of wood products concerned to the EU**. In particular, the Agreement provides that quantities of the EU share of the tariff-rate quotas shall be managed by the EU, and that the Russian Federation shall issue export licences based on the relevant import documentation issued by the EU.

The Agreement also provides for the elaboration by the EU and Russia more detailed technical modalities on the management of the tariff-rate quotas by the entry into force of the Agreement. Such technical modalities are contained in a Protocol, negotiated between the EU and Russia. The Protocol establishes the rules regarding the management of the export tariffrate quotas and of exports within those quotas,

including provisions on the cooperation of the competent authorities of the European Union and the Government of the Russian Federation necessary to ensure the adequate operation of the system.

Provisional application: in order to ensure the effective application of the management system provided for in the Agreement and the Protocol by the time of the accession of the Russian Federation to the WTO, the Agreement and the Protocol should be applied provisionally from the date of such accession.

Implementation conditions: in order to ensure uniform conditions for the implementation of the provisions of the Agreement and the Protocol regarding the management of the tariff-rate quotas applying to exports of wood from the Russian Federation to the Union, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers.

ENTRY INTO FORCE: this Decision shall enter into force on 11 December 2012. The date of entry into force of the Agreement and the Protocol will be published in the Official Journal of the European Union by the General Secretariat of the Council.