

# EU/ACP countries' Economic Partnership Agreements: exclusion of certain countries from trade preferences; Commission delegated powers

2011/0260(COD) - 21/05/2013 - Final act

PURPOSE: to amend Annex I of [Council Regulation \(EC\) No 1528/2007](#) applying the arrangements for products originating in certain African, Caribbean and Pacific (ACP) states provided for in agreements establishing, or leading to the establishment of, Economic Partnership Agreements (EPAs).

LEGISLATIVE ACT: Regulation (EU) of the European Parliament and of the Council amending Council Regulation (EC) No 1528/2007 as regards the exclusion of a number of countries from the list of regions or states which have concluded negotiations.

CONTENT:

Regulation (EC) No 1528/2007 granted a number of countries duty-free, quota-free access to the EU market under certain conditions (in particular, the extension of certain trade preferences to these countries as of 1 January 2008, in anticipation on their behalf of the steps towards ratification of an EPA).

Following the negotiation process on Economic Partnership Agreements with the ACP countries, which ran from 2002 until December 2007, a certain number of countries neither took the necessary steps toward ratification of their respective EPAs nor concluded the overall regional negotiations. These countries therefore no longer fulfil the necessary conditions laid down in Regulation (EC) No 1528/2007 permitting them to benefit from the envisaged provisional application of trade preferences.

On the basis of the criteria laid down in Article 2(3) of Council Regulation (EC) No 1528/2007, **the trade preferences granted to these countries should no longer be maintained**. Accordingly, the Regulation should be amended by **removing the countries in question from the list** (Annex I of the Regulation).

As a result, the European Parliament and the Council have adopted this Regulation amending Regulation (EC) No 1528/2007 and, in particular, its Annex I with a view to removing from its list those countries that have not taken the necessary steps towards ratification of an EPA.

**Annex:** the countries (i.e. those that have not concluded negotiations) listed in Annex I of the amended Regulation are as follows:

- Antigua and Barbuda
- The Commonwealth of the Bahamas
- Barbados
- Belize
- The Commonwealth of Dominica
- The Dominican Republic
- Grenada
- The Cooperative Republic of Guyana
- Jamaica
- The Republic of Madagascar

- The Republic of Mauritius
- The Independent State of Papua New Guinea
- Federation of Saint Kitts And Nevis
- Saint Lucia
- Saint Vincent and the Grenadines
- The Republic of Seychelles
- The Republic of Suriname
- The Republic of Trinidad and Tobago
- The Republic of Zimbabwe.

DELEGATED ACTS: the Commission is empowered to adopt delegated so as to amend the annex of the Regulation and to reinstate ACP countries or regions which were removed from the list and that, in the meantime, have taken the necessary measures towards the ratification of their respective EPAs.

The power to adopt delegated acts will be conferred on the Commission for a period of **five years from 21 June 2013**. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period.

The European Parliament or the Council may object to the delegated act within a period of two months of notification of that act (which may be extended by two months.) If the European Parliament or Council objects, the delegated act shall not enter into force. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

The delegation of power may be revoked at any time by the European Parliament or by the Council. It shall not affect the validity of the delegated acts already in force.

The European Parliament or the Council may object to the delegated act within a period of **two months** of notification of that act (which may be extended by a further two months). If either the European Parliament or Council objects, the delegated act shall not enter into force.

ENTRY INTO FORCE: the Regulation enters into force on 21.06.2013. It is applicable from 1 October 2014.