Exercise of the Union’s rights under international trade rules. Codification

2014/0174(COD) - 07/07/2015 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 633 votes to 58, with 14 abstentions, a legislative resolution on the amended proposal for a regulation of the European Parliament and of the Council laying down Union procedures in the field of the common commercial policy in order to ensure the exercise of the Union’s rights under international trade rules, in particular those established under the auspices of the World Trade Organization (codified text).

Parliament adopted its position at first reading taking over the Commission proposal.

The Consultative Working Party of the legal services of the European Parliament, the Council and the Commission concluded that the proposal in question contains a straightforward codification of the existing texts without any change in their substance.

The codification of Council Regulation (EC) No 3286/94 lays down Community procedures in the field of the common commercial policy in order to ensure the exercise of the Community's rights under international trade rules, in particular those established under the auspices of the World Trade Organization (WTO) which, subject to compliance with existing international obligations and procedures, aim to:

- respond to obstacles to trade that have an effect on the market of the Union, with a view to removing the injury resulting therefrom;
- respond to obstacles to trade that have an effect on the market of a third country, with a view to removing the adverse trade effects resulting therefrom.

The Union procedures rules should be based on a legal mechanism under Union law which is fully transparent, and ensures that the decision to invoke the Union’s rights under international trade rules is taken on the basis of accurate factual information and legal analysis.

Such a mechanism should aim to provide procedural means for requesting that the Union institutions react to obstacles to trade that are adopted or maintained by third countries and which cause injury or otherwise adverse trade effects, provided that a right of action exists, in respect of such obstacles, under applicable international trade rules.

In acting pursuant to this Regulation, the Union has to bear in mind the need for rapid and effective action through the application of the decision-making procedures provided for in this Regulation. It is incumbent on the Commission to act in respect of obstacles to trade that are adopted or maintained by third countries, within the framework of the Union’s international rights and obligations, only when the interests of the Union call for intervention. When assessing such interests, the Commission should give due consideration to the views of all interested parties in the proceedings.

The European Parliament and the Council should be kept informed of the developments under this Regulation, in order to enable them to consider their broader policy implications.