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

2014/0174(COD) - 06/10/2015 - Final act

PURPOSE: to lay 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 (codification of Council Regulation (EC) No 3286/94).

LEGISLATIVE ACT: Regulation (EU) 2015/1843 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 (codification).

CONTENT: this Regulation codifies and repeals Council Regulation (EC) No 3286/94 which has been substantially amended several times. It 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 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 procedures shall be applied in particular to the initiation and subsequent conduct and termination of international dispute settlement procedures in the area of common commercial policy.

The Regulation:

- stipulates that any commercial policy measures may be taken which are compatible with existing international obligations and procedures, notably:

    i. suspension or withdrawal of any concession resulting from commercial policy negotiations;

    ii. the raising of existing customs duties or the introduction of any other charge on imports;

    iii. the introduction of quantitative restrictions or any other measures modifying import or export conditions or otherwise affecting trade with the third country concerned.

- establish rules of procedure to be followed during the examination procedure provided for in this Regulation should also be laid down, in particular as regards the rights and obligations of the Union authorities and the parties involved, and the conditions under which interested parties may have access to information and may ask to be informed of the essential facts and considerations resulting from the examination procedure;
- stipulates that Commission should 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.

ENTRY INTO FORCE: 5.11.2015.