

Arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in economic partnership agreements. Recast

2015/0128(COD) - 12/04/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 613 votes to 28, with 55 abstentions a legislative resolution on the proposal for a regulation of the European Parliament and of the Council applying the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, Economic Partnership Agreements (recast).

The European Parliament adopted its position at first reading, **taking over the Commission proposal** and taking account of the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission.

The Commission proposal concerns a **codification and recast of the Council Regulation (EC) No 1528/2007** governing imports of products originating in certain ACP countries. This temporary instrument provides **duty-free quota-free access to the EU market for products originating in non-LDC ACP countries** in the run-up to the conclusion and application of respective WTO-compatible Economic Partnership Agreements (EPAs) before the 1 October 2016. Annex I of the Regulation on market access currently concerns 27 countries.

According to the Consultative Working Party, the Commission proposal does not include any substantive amendments other than those identified as such in the proposal. As regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance.

The proposed Regulation:

- provides that the **rules of origin** applicable to imports made under this Regulation should for a transitional period be those laid down in Annex II. Those rules of origin should be superseded by those annexed to any agreement with the regions or states listed in Annex I when that agreement is either provisionally applied, or enters into force, whichever is the earliest;
- provides for the **possibility of temporarily suspending the arrangements** set out in this Regulation in the event of a failure to provide administrative cooperation or of irregularities or fraud;
- provided for **general safeguard measures** for the products covered by this Regulation;
- allows, in view of the particular sensitivity of agricultural products, safeguard measures to be taken **when imports cause or threaten to cause disturbances in the markets** for such products or disturbances in the mechanisms regulating those markets.

The power to adopt acts should be delegated to the Commission in respect of:

- amending Annex I to this Regulation in order to add or to remove regions or states, and in respect of introducing technical amendments to Annex II to this Regulation that are necessary as a result of the application of that Annex;
- adding an Annex to this Regulation which sets out the regime applicable to products originating in South Africa once the relevant trade provisions of the TDCA have been superseded by the relevant provisions of an agreement establishing, or leading to the establishment of, an Economic Partnership Agreement.