Agreements under Article XXI GATS with Argentina, Australia, Brazil, Canada, China, the Separate customs territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei), Columbia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland, and the United States: compensatory adjustments resulting from the last accession of new Member States to the EU

2018/0384(NLE) - 03/12/2018 - Legislative proposal

PURPOSE: to enable the conclusion of the compensation adjustments put in place by the European Union with several members of the World Trade Organisation (WTO) in order to obtain a consolidated GATS schedule of specific commitments covering all Member States that were members of the Union in 2006.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: pursuant to Article XX of the General Agreement on Trade in Services (GATS), WTO Members set out in a schedule the specific commitments they undertake under Part III of GATS.

The current schedule of the Union and its Member States only covers the specific commitments related to the twelve Member States of 1994. The individual schedules of specific commitments of the Member States that joined the Union in 1995 and in 2004 (‘the acceding Member States’) were adopted prior to their accession.
In order to ensure that the acceding Member States are covered by limitations included in the list of specific commitments of the Union and to ensure consistency with the acquis communautaire, it is necessary to modify or withdraw certain specific commitments included in the list of specific commitments of the Union and in the lists of specific commitments of the acceding Member States.
The Commission conducted negotiations with the affected WTO Members. As a result of those negotiations, an agreement was reached on compensatory adjustments related to the modifications and withdrawals notified on 28 May 2004. Following the conclusion of the negotiations, the Commission was authorised to sign the respective Agreements with each of the affected WTO Members concerned.
With a view to launching the certification procedure provided for by the applicable WTO rules, on 14 September 2006, the Commission transmitted the draft consolidated schedule to the WTO Secretariat. The certification was concluded on 15 December 2006.

The agreed compensatory adjustments constitute a satisfactory and balanced outcome of the negotiations. The Agreements should therefore be approved on behalf of the Union.

CONTENT: the draft Council Decision seeks the approval, on behalf of the Union, the Agreements with Argentina, Australia, Brazil, Canada, China, the Separate customs territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei), Colombia, Cuba, Ecuador, Hong Kong China, India, Japan, Korea, New Zealand, the Philippines, Switzerland and the United States, on the necessary compensatory adjustments under Article XXI of GATS resulting from the accession of Czechia, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, Slovakia, Finland and Sweden to the Union.