Basic information

2011/0332(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Russia Agreement: introduction or increase by the Russian Federation of export duties on raw materials **Subject** 3.40.16 Raw materials 6.20.01 Agreements and relations in the context of the World Trade Organization (WTO) 6.20.03 Bilateral economic and trade agreements and relations 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin 6.40.04.02 Relations with Russian Federation	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
INTA International Trade	VAIDERE Inese (PPE)	25/01/2012
	Shadow rapporteur CUTAȘ George Sabin (S&D) KOCH-MEHRIN Silvana (ALDE) TAYLOR Keith (Verts/ALE) STURDY Robert (ECR) SCHOLZ Helmut (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3184	2012-07-24

European Commission

Commission DG	Commissioner
Trade and Economic Security	DE GUCHT Karel

Key events

Date	Event	Reference	Summary
10/11/2011	Preparatory document	COM(2011)0727	
09/12/2011	Legislative proposal published	16827/2011	Summary
17/01/2012	Committee referral announced in Parliament		
30/05/2012	Vote in committee		
01/06/2012	Committee report tabled for plenary, 1st reading/single reading	A7-0178/2012	Summary
04/07/2012	Decision by Parliament	T7-0286/2012	Summary
04/07/2012	Results of vote in Parliament		
24/07/2012	Act adopted by Council after consultation of Parliament		
24/07/2012	End of procedure in Parliament		
27/07/2012	Final act published in Official Journal		

Technical information

Procedure reference	2011/0332(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the European Union TFEU 207-p4 Treaty on the Functioning of the European Union TFEU 218-p6a
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/07966

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE486.172	02/04/2012	
Committee report tabled for plenary, 1st reading/single reading		A7-0178/2012	01/06/2012	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0286/2012	04/07/2012	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	16827/2011	09/12/2011	Summary

Document attached to the procedure	16828/2011	09/12/2011	

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2011)0727	10/11/2011	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	PT_PARLIAMENT	COM(2011)0727	13/04/2012	

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Decision 2012/0435
OJ L 200 27.07.2012, p. 0002 Summary

EU/Russia Agreement: introduction or increase by the Russian Federation of export duties on raw materials

2011/0332(NLE) - 09/12/2011 - Legislative proposal

PURPOSE: to conclude an Agreement in the form of an Exchange of Letters between the European Union and Russia relating to the introduction or increase of export duties on raw materials.

PROPOSED ACT: Council Decision.

BACKGROUND: in the context of its accession to the WTO, Russia has committed to **gradually reduce or eliminate its current export duties**. The commitments regarding export duty rates have been included in Russia's Schedule of Concessions and Commitments on Goods, which will be annexed to Russia's WTO accession Protocol.

However, this Schedule only covers products (mainly raw materials) for which export duties are currently applied by Russia, and it is **Russia's understanding that any raw materials not included on the Schedule are not subject to any export duty restrictions**.

Therefore, in order to reduce the risk of new export duties being applied on other raw materials in future, the EU has negotiated a bilateral agreement, in the form of an exchange of letters, which requires the Russian Federation to make its best efforts **not to introduce or increase export duties for a list of raw materials** that are included in an Annex to the letters. In addition, the Russian Federation commits to consult the European Commission advance and take its views into account should such export duties were considered.

The Agreement was signed subject to its conclusion at a later date.

It is now appropriate to approve this Agreement on behalf of the EU.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASE: the first subparagraph of Article 207(4) in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: under this Decision, the Agreement in the form of an Exchange of Letters between the European Union and the Russian Federation relating to the introduction or increase of export duties on raw materials is hereby approved on behalf of the Union.

Raw materials concerned: the list of raw materials set out in the Annex to the Exchange of Letters covers those raw materials which are not listed in the above-mentioned Schedule of Concessions and Commitments on Goods, and for which **Russia has more than 10% of global production or exports**, or for which the EU has major import interest either existing or potential, or for which there is a risk of tension in global supplies.

It should be noted that the agreement does not require the EU to undertake any commitments.

Provisional application and implementation: in order to ensure the above-mentioned commitments of the Russian Federation regarding new export duties on raw materials apply from the date of the accession of the Russian Federation to the WTO, the Agreement and the Protocol should be applied provisionally from the date of such accession.

BUDGET IMPLICATION: the proposal has no implication for the EU budget.

EU/Russia Agreement: introduction or increase by the Russian Federation of export duties on raw materials

2011/0332(NLE) - 01/06/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on International Trade adopted the report by Inese VAIDERE (EPP, LV) in which it recommends the European Parliament to consent to the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and the Russian Federation relating to the introduction or increase of export duties on raw materials.

Members note the urgency and importance of a legally binding agreement on raw materials is strongly supported by the recent ban on import of livestock from all the EU Member States imposed by Russia, following the spread of Schmallenberg and Bluetongue viruses, despite the fact that such a ban is in a clear breach of the rules of the World Trade Organization.

The European Commission has already demanded immediate lifting of the restrictions by Russia, but finds itself rather limited in its capacity to protect the EU's consumers' and producers' interests and respect for the WTO regulations. This ban signals that not much has changed in Russia's approach, even regardless its accession to the WTO.

Without a strong, legally binding bilateral agreement on raw materials, the EU will have no insurance against similar protectionist measures in the future .

This agreement will have a positive impact if it is concluded prior to the ratification of the WTO accession agreement by the Russian Federation.

EU/Russia Agreement: introduction or increase by the Russian Federation of export duties on raw materials

2011/0332(NLE) - 04/07/2012 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution on the draft Council decision on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and the Russian Federation relating to the introduction or increase of export duties on raw materials.

Parliament gave its consent to the conclusion of the Agreement not without stressing the urgency and importance of a strong legally binding bilateral agreement on raw materials with Russia.

EU/Russia Agreement: introduction or increase by the Russian Federation of export duties on raw materials

2011/0332(NLE) - 24/07/2012 - Final act

PURPOSE: to conclude an Agreement in the form of an Exchange of Letters between the European Union and Russia relating to the introduction or increase of export duties on raw materials.

LEGISLATIVE ACT: Council Decision 2012/435/EU on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and the Russian Federation relating to the introduction or increase of export duties on raw materials.

BACKGROUND: in the context of its accession to the WTO, Russia has committed to **gradually reduce or eliminate its current export duties**. The commitments regarding export duty rates have been included in Russia's Schedule of Concessions and Commitments on Goods, which will be annexed to Russia's WTO accession Protocol.

However, this Schedule only covers products (mainly raw materials) for which export duties are currently applied by Russia, and it is **Russia's understanding that any raw materials not included on the Schedule are not subject to any export duty restrictions**.

Therefore, in order to reduce the risk of new export duties being applied on other raw materials in future, the EU has negotiated a bilateral agreement, in the form of an exchange of letters, which requires the Russian Federation to make its best efforts **not to introduce or increase export duties for a list of raw materials** that are included in an Annex to the letters. In addition, the Russian Federation commits to consult the European Commission advance and take its views into account should such export duties were considered.

In accordance with Council Decision 2012/108/EU, the Agreement in the form of an Exchange of Letters between the European Union and Russia relating to the introduction or increase of export duties on raw materials, was signed on 16 December 2011, subject to its conclusion.

It is now appropriate to approve this Agreement on behalf of the EU.

CONTENT: under this Decision, the Agreement in the form of an Exchange of Letters between the European Union and the Russian Federation relating to the introduction or increase of export duties on raw materials is hereby approved on behalf of the Union.

Raw materials concerned: the list of raw materials set out in the Annex to the Exchange of Letters covers those raw materials which are not listed in the above-mentioned Schedule of Concessions and Commitments on Goods, and for which **Russia has more than 10% of global production or exports**, or for which the EU has major import interest either existing or potential, or for which there is a risk of tension in global supplies.

It should be noted that the **agreement does not require the EU to undertake any commitments**.

Provisional application and implementation: in order to ensure the above-mentioned commitments of the Russian Federation regarding new export duties on raw materials apply from the date of the accession of the Russian Federation to the WTO, the Agreement and the Protocol should be applied provisionally from the date of such accession.

ENTRY INTO FORCE: 24.07.2012.