



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 14 December 2012

**Interinstitutional File :
2011/0262 (COD)**

**17682/12
ADD 1**

**CODEC 3028
WTO 400
COMER 266
AMLAT 76
OC 744**

ADDENDUM TO THE "I/A" ITEM NOTE

from : General Secretariat of the Council
to : COREPER/COUNCIL

No. Cion prop.: 15088/11 WTO 341 COMER 199 AMLAT 87 CODEC 1599

Subject : Proposal for a Regulation of the European Parliament and of the Council implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part (**first reading**)
- Adoption of the legislative act (**LA + S**)
=Statements

COMMON GUIDELINES

Consultation deadline: 19.12.2012

Commission Statement

The Commission welcomes the first reading agreement between the European Parliament and the Council on the Safeguards Regulation.

- As envisaged in the Regulation, the Commission will present a yearly report to the European Parliament and the Council on the implementation of the Trade Agreement between the European Union and Colombia and Peru and will be ready to discuss with the responsible committee of the European Parliament any issues arising from the implementation of the Agreement.

- The Commission will attach particular importance to the effective implementation of commitments on trade and sustainable development in the Trade Agreement between the European Union and Colombia and Peru, taking into account the specific information provided by the relevant monitoring bodies of the fundamental Conventions of the International Labour Organisation and the multilateral environmental agreements listed in title IX of the Trade Agreement between the European Union and Colombia and Peru. In this context, the Commission will also seek the views of the relevant civil society advisory groups.
- After the expiry of the Banana Stabilisation Mechanism on 31 December 2019, the Commission will assess the situation of the EU banana market and the state of EU banana producers. The Commission will report its findings to the European Parliament and the Council and would include a preliminary assessment of the functioning of the POSEI in preserving the banana production in the EU.

Joint Declaration of the Commission and the European Parliament

The Commission and the European Parliament agree on the importance of close cooperation in monitoring the implementation of the Trade Agreement between the European Union and Colombia and Peru and the Safeguard Regulation. Towards this end they agree on the following:

- Upon request by the responsible committee of the European Parliament, the Commission shall report to it on any specific concerns relating to the implementation by Colombia and Peru of their commitments on Trade and Sustainable Development.
- In case the European Parliament adopts a recommendation to initiate a safeguard investigation, the Commission will carefully examine whether the conditions under the Regulation for ex-officio initiation are fulfilled. In case the Commission considers that the conditions are not fulfilled, it will present a report to the responsible committee of the European Parliament including an explanation of all the factors relevant to the initiation of such an investigation.