



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 4 April 2012

**7790/12
ADD 1**

**PV CONS 15
RELEX 248**

ADDENDUM to DRAFT MINUTES

Subject: **3154th** meeting of the Council of the European Union (**FOREIGN AFFAIRS**),
held in Brussels on 16 March 2012

PUBLIC DELIBERATION ITEMS¹

Page

AGENDA ITEMS list (doc. 7522/12 OJ/CONS 15 RELEX 212)

- Item 2. Proposal for a Regulation of the European Parliament and of the Council
 establishing transitional arrangements for bilateral investment agreements
 between Member States and third countries3
- Item 3. Proposal for a Regulation of the European Parliament and of the Council applying
 a scheme of generalised tariff preferences3

◦
◦ ◦

¹ Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

LEGISLATIVE DELIBERATIONS

(public deliberation in accordance with Article 16(8) of the Treaty on European Union)

2. Proposal for a Regulation of the European Parliament and of the Council establishing transitional arrangements for bilateral investment agreements between Member States and third countries

- State of play
7342/12 WTO 82 SERVICES 23 FDI 10

The Council took note of the state of play in the trilogue negotiations on the regulation on the transitional arrangements for bilateral investment agreements, and the prospects for reaching a final compromise, as well as the ensuing exchange of views.

The Council welcomed the progress made so far, in particular the confirmation that the Commission services were in the process of establishing a new informal compromise text that could bridge all remaining gaps and be acceptable to everybody.

3. Proposal for a Regulation of the European Parliament and of the Council applying a scheme of generalised tariff preferences

- Orientation debate/certain issues
7462/12 WTO 90 SPG 16 CODEC 610

The discussion confirmed that the Presidency's approach, as set out in doc. 7462/12, was the only realistic platform for a compromise supported by a large majority of Member States.

The Council reached political agreement on the overall package presented by the Presidency, which included the following substantive elements:

- No changes to the Commission proposal concerning country coverage, preference margins, product graduation and GSP+ thresholds,
 - Product expansion as suggested in the Presidency's compromise paper. This product expansion was intended only for GSP purposes.
 - Modification of special safeguard provisions as in the Presidency's compromise paper.
- Moreover, this would be further addressed in the context of the trilogue negotiations with the European Parliament.

- Transition period as in the Presidency's compromise paper. In addition, to enhance predictability for economic operators, preferences will not be applied before 1 January 2014.
- Treatment of reservations to international conventions as in the Presidency's compromise paper, with the understanding that concrete drafting might be further refined.
- The Presidency undertook to work with all Member States to find acceptable language on the scope of the five-year review, regarding the impact of the new GSP regime on trade and tariff income, with particular attention to beneficiary countries.

On this basis, there was support for the Presidency to prepare a draft negotiating mandate for the upcoming trilogue negotiations with the European Parliament, with a view to finalising the mandate by COREPER on 28 March if possible.

=====