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INFORMATION NOTE

from: General Secretariat
to: Permanent Representatives Committee/Council

Subject: Proposal for a Regulation of the European Parliament and of the Council on the allocation of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union
- Outcome of the European Parliament's first reading
(Strasbourg, 19 to 22 November 2012)

I. INTRODUCTION

The rapporteur, Mr Vital MOREIRA (S&D, PT) presented a report on behalf of the Committee on International Trade, aiming at taking over the Commission proposal for a Regulation of the European Parliament and of the Council on the allocation of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union.

II. VOTE

The Parliament adopted its first-reading position on 21 November 2012 by taking over the Commission proposal. This position is contained in its legislative resolution as set out in the Annex hereto¹.

On 19 November 2012, the Permanent Representatives Committee had approved the Commission's proposal without amendments. The Council should therefore be in a position to approve the European Parliament's position. The legislative act would then be adopted in the wording which corresponds to the European Parliament's position.

¹ The version of the Parliament's position in the legislative resolution has been marked up to indicate the changes made by the amendments to the Commission's proposal. Additions to the Commission's text are highlighted in ***bold and italics***. The symbol "■" indicates deleted text. The symbol "||" indicates changes of a linguistic or clerical nature.

Tariff-rate quotas applying to exports of wood from Russia to the EU *I**

European Parliament legislative resolution of 21 November 2012 on the proposal for a regulation of the European Parliament and of the Council on the allocation of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union (COM(2012)0449 – C7-0215/2012 – 2012/0217(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2012)0449),
 - having regard to Article 294(2) and Article 207 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0215/2012),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the undertaking given by the Council representative by letter of 19 November 2012 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
 - having regard to Rules 55 and 46(1) of its Rules of Procedure,
 - having regard to the report of the Committee on International Trade (A7-0329/2012),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Position of the European Parliament adopted at first reading on 21 November 2012 with a view to the adoption of Regulation (EU) No .../2012 of the European Parliament and of the Council on the allocation of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure¹,

Whereas:

- (1) Considering the economic importance for the Union of imports of raw wood and the importance that the Russian Federation has for the Union as a supplier of raw wood, the Commission negotiated with the Russian Federation commitments by the latter to reduce or eliminate export duties on raw wood.
- (2) These commitments, which became part of the World Trade Organization (WTO) Schedule of Concessions and Commitments on Goods of the Russian Federation upon its accession to the WTO, include tariff-rate quotas for the export of specified types of coniferous wood, a share of which has been allocated for exports to the Union.
- (3) In the context of the negotiations regarding the accession of the Russian Federation to the WTO, the Commission negotiated, on behalf of the Union, an Agreement in the form of an Exchange of Letters between the European Union and the Russian Federation relating to the administration of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union², ("the Agreement").
- (4) The Union and the Russian Federation also negotiated a Protocol on technical modalities pursuant to the Agreement³ ("the Protocol").
- (5) On 14 December 2011, the Council adopted Decision 2012/105/EU⁴ authorising the signing of the Agreement and the Protocol and their provisional application from the date of accession of the Russian Federation to the WTO. The Agreement and the Protocol were signed on 16 December 2011. The Russian Federation acceded to the WTO on 22 August 2012.

¹ Position of the European Parliament of 21 November 2012.

² OJ L 57, 29.2.2012, p. 3.

³ OJ L 57, 29.2.2012, p. 5.

⁴ OJ L 57, 29.2.2012, p. 1.

- (6) In accordance with the terms of the Agreement, the Union is to manage the share of tariff-rate quotas allocated to it in accordance with its internal procedures. Decision 2012/105/EU lays down that the Commission is to adopt detailed rules on the method of allocating quota authorisations pursuant to the Protocol, as well as any other provisions necessary for the management, by the Union, of the quantities of the tariff-quotas allocated to exports to the Union. Commission Implementing Regulation (EU) No 498/2012 of 12 June 2012¹ established the necessary provisional implementing rules with a view to enabling the Union's management of its share of the tariff-rate quotas to be fully operational by the time when the Russian Federation joins the WTO. That Regulation will cease to apply once the Agreement and the Protocol are concluded and enter into force.
- (7) In order to ensure uniform conditions for the implementation of the Agreement and the Protocol following their entry into force, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers².
- (8) In order to ensure legal certainty and legal continuity for economic operators, the new implementing acts to be adopted pursuant to this Regulation should maintain the legal effects of the transitional measures already taken under Implementing Regulation (EU) No 498/2012. Those transitional measures should thereafter be treated as if they were taken under the corresponding provisions of those new implementing acts,

HAVE ADOPTED THIS REGULATION:

Article 1

1. In order to implement the Agreement between the European Union and the Russian Federation relating to the administration of tariff-rate quotas applying to exports of wood from the Russian Federation to the Union and the Protocol on technical modalities pursuant to that Agreement, the Commission shall adopt implementing acts laying down detailed rules on the method of allocating quota authorisations pursuant to paragraph 2 of Article 5 of the Protocol and laying down any other provisions necessary for the management, by the Union, of the quantities of the tariff-rate quotas allocated to exports to the Union. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 2(2).
2. The implementing acts referred to in paragraph 1 shall maintain the legal effects of the transitional measures taken pursuant to Implementing Regulation (EU) No 498/2012.

Article 2

1. The Commission shall be assisted by the Wood Committee established by Article 5 of Decision 2012/105/EU. That committee shall be a committee within the meaning of

¹ OJ L 152, 13.6.2012, p. 28.

² OJ L 55, 28.2.2011, p. 13.

Regulation (EU) No 182/2011. The Wood Committee may examine any matter relating to the application of the Agreement and the Protocol, raised by the Commission or at the request of a Member State.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ...,

For the European Parliament
The President

For the Council
The President