



Council of the  
European Union

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Eingelangt am 15/11/16

Brussels, 15 November 2016  
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ACP 160  
WTO 330  
UD 240  
DELECT 243

#### COVER NOTE

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From: Secretary-General of the European Commission,  
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 9 November 2016

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of  
the European Union

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No. Cion doc.: C(2016) 7065 final

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Subject: COMMISSION DECISION of 9.11.2016 to withdraw Delegated Regulation  
of 8 July 2016 amending Annex I to Council Regulation (EC) No 1528/2007  
with regard to Botswana

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Delegations will find attached document C(2016) 7065 final.

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Encl.: C(2016) 7065 final



Brussels, 9.11.2016  
C(2016) 7065 final

**COMMISSION DECISION**

**of 9.11.2016**

**to withdraw Delegated Regulation of 8 July 2016 amending Annex I to Council  
Regulation (EC) No 1528/2007 with regard to Botswana**

## COMMISSION DECISION

of 9.11.2016

### to withdraw Delegated Regulation of 8 July 2016 amending Annex I to Council Regulation (EC) No 1528/2007 with regard to Botswana

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/1076 of the European Parliament and of the Council of 8 June 2016 applying the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, Economic Partnership Agreements<sup>1</sup>, and in particular Article 2(3)(b) thereof,

Whereas:

- (1) The list of beneficiary countries for duty-free and quota-free imports into the Union is established by Regulation (EU) 2016/1076.
- (2) In accordance with Commission Delegated Regulation (EU) No 1025/2014<sup>2</sup>, Botswana, the Union and its Member States concluded negotiations on a comprehensive Economic Partnership Agreement on 15 July 2014, which allowed Botswana to continue to be covered by the market access arrangement under Regulation (EU) 2016/1076.
- (3) However, in accordance with Regulation (EU) No 1025/2014 the Commission could take appropriate measures if Botswana had not ratified an Economic Partnership Agreement by 1 October 2016 so that Botswana would cease to be covered by the market access conditions set out in Regulation (EU) 2016/1076 by that date.
- (4) On 8 July 2016, the Commission adopted Delegated Regulation C(2016)4171 final<sup>3</sup> to remove Botswana from Annex I to Regulation (EU) 2016/1076 as from 1 October

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<sup>1</sup> OJ L 185, 8.7.2016, p. 1.

<sup>2</sup> Commission Delegated Regulation (EU) No 1025/2014 of 25 July 2014 amending Annex I to Council Regulation (EC) No 1528/2007 applying the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, Economic Partnership Agreements, as amended by Regulation (EU) No 38/2014 of the European Parliament and of the Council amending certain regulations relating to the common commercial policy as regards the granting of delegated and implementing powers for the adoption of certain measures (OJ L 284, 30.9.2014, p. 1).

<sup>3</sup> Commission Delegated Regulation of 8 July 2016 amending Annex I to Council Regulation (EC) No 1528/2007 applying the arrangements for products originating in certain states which are part of the African, Caribbean and Pacific (ACP) Group of States provided for in agreements establishing, or leading to the establishment of, Economic Partnership Agreements (C(2016)4171 final).

2016 in the case of its non-ratification of the Economic Partnership Agreement by that date.

- (5) However, on 30 June 2016 Botswana ratified the comprehensive Economic Partnership Agreement<sup>4</sup>, concluded in 2014. Delegated Regulation C(2016)4171 final of 8 July 2016 should therefore be withdrawn,

HAS DECIDED AS FOLLOWS:

*Sole Article*

Delegated Regulation C(2016)4171final is hereby withdrawn.

Done at Brussels, 9.11.2016

*For the Commission*  
*The President*  
*Jean-Claude JUNCKER*

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<sup>4</sup> OJ L 250, 16.9.2016, p. 3.