



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 16 December 2013

17504/13

**Interinstitutional File:
2012/0085 (COD)**

**CODEC 2885
AGRI 831
AGRIORG 175
WTO 336
PE 588**

INFORMATION NOTE

from:	General Secretariat
to:	Special Committee on Agriculture/Council
Subject:	Proposal for a Regulation of the European Parliament and of the Council on imports of rice originating in Bangladesh - Outcome of the European Parliament's proceedings (Strasbourg, 9 to 12 December 2013)

I. INTRODUCTION

The Rapporteur, Mr. Paul MURPHY (EUL/NGL, IE), presented a report on the proposal for a Regulation, on behalf of the Committee on International Trade, containing 12 amendments (amendments 1-12).

In addition, one amendment (amendment 13) was tabled jointly by the S&D and EUL/NGL political groups.

II. VOTE

When it voted on 10 December 2013, the plenary adopted all 13 amendments (amendments 1-13) to the proposal for a Regulation.

The vote on the legislative resolution was postponed to a later session, thereby not closing the European Parliament's first reading and leaving open the possibility of reaching an agreement in first reading. The matter was then referred back to the Committee on International Trade, pursuant to Rule 57(2) of the European Parliament's Rules of Procedure.

Imports of rice from Bangladesh ***I

Amendments adopted by the European Parliament on 10 December 2013 on the proposal for a regulation of the European Parliament and of the Council on imports of rice originating in Bangladesh (COM(2012)0172 – C7-0102/2012 – 2012/0085(COD))¹

(Ordinary legislative procedure: first reading)

Amendment 1

Proposal for a regulation

Title

Text proposed by the Commission

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on imports of rice originating in Bangladesh

Amendment

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on imports of rice originating in Bangladesh *and repealing Council Regulation (EEC) No 3491/90*

Amendment 2

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) In order to ensure the reliability and the efficiency of the preferential import arrangement, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to establish rules making the participation in the arrangement conditional upon the lodging of a security. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and

Amendment

(3) In order to ensure the reliability and the efficiency of the preferential import arrangement, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission to establish rules making the participation in the arrangement conditional upon the lodging of a security *in line with Commission Regulation (EC) No 1964/2006 of 22 December 2006 laying down detailed rules for the opening and administration of an import quota for rice*

¹ The matter was referred back to the committee responsible for reconsideration pursuant to Rule 57(2), second subparagraph (A7-0304/2013).

drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

originating in Bangladesh, pursuant to Council Regulation (EEC) No 3491/90¹. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

¹ *OJ L 408, 30.12.2006, p. 18*

Amendment 3

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers, save where explicitly provided otherwise, should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and 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 powers . However, where the suspension of the preferential import arrangement becomes necessary, the Commission should ***be allowed*** to adopt implementing ***acts*** without applying ***the*** Regulation (EU) No 182/2011.

Amendment

(4) In order to ensure uniform conditions ***for the adoption of certain measures*** for the implementation of this Regulation, implementing powers should be conferred on the Commission. Those powers, save where explicitly provided otherwise, should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and 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 powers . However, where the suspension of the preferential import arrangement becomes necessary, the Commission should adopt ***an*** implementing ***act*** without applying Regulation (EU) No 182/2011.

Amendment 4

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) To ensure the advantages of the preferential import arrangements are limited only to rice originating in Bangladesh, a certificate of origin should be issued *and an export tax of an amount corresponding to the reduction of the import duty should be collected by the exporting country.*

Amendment

(7) To ensure the advantages of the preferential import arrangements are limited only to rice originating in Bangladesh, a certificate of origin should be issued.

Amendment 5

Proposal for a regulation

Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) This Regulation is part of the Union's common commercial policy, which must be consistent with the objectives of the Union policy in the field of development cooperation as set out in Article 208 of the Treaty, in particular the eradication of poverty and the promotion of sustainable development and good governance in the developing countries. As such, it should also comply with World Trade Organization (WTO) requirements, in particular with the Decision on Differential and More Favourable Treatment, Reciprocity and Fuller Participation of Developing Countries (the 'Enabling Clause'), adopted under the General Agreement on Tariffs and Trade (GATT) in 1979, under which WTO Members may accord differential and more favourable treatment to developing countries,

Amendment 6

Proposal for a regulation Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) This Regulation is also based on the recognition of the right of small farmers and rural workers to a decent income and to a safe and healthy working environment as fundamental in relation to achieving the general objectives of granting trade preferences to developing countries and least developed countries in particular. The Union aims to define and pursue common policies and actions in order to foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty. In this context, the ratification and effective implementation of core international conventions on human and labour rights, environmental protection and good governance are essential, as reflected by the special incentive arrangement providing for additional tariff preferences under Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences¹,

¹ OJ L 303, 31.10.2012, p. 1.

Amendment 13

Proposal for a regulation Article 7 c (new)

Text proposed by the Commission

Amendment

(7c) To ensure that this Regulation is in line with the general provisions set out in Article 208 TFEU, only rice that is produced, harvested and processed in accordance with the International Labour Organisation Conventions listed in Annex VIII to Regulation (EU) No 978/2012,

and in particular with Conventions on Forced Labour (No. 29), Freedom of Association and Protection of the Right to Organise (No. 87), the Right to Organise and Collective Bargaining (No. 98), Equal Remuneration (No. 1000), Abolition of Forced Labour (No 105), Discrimination (Employment and Occupation) (No. 111) and on the Worst Forms of Child Labour (No. 182), should be covered under this Regulation;

Amendment 7

Proposal for a regulation

Article 1 - paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. This Regulation recognises the right of small farmers and rural workers to a decent income and to a safe and healthy working environment and regards respect for that right as fundamental in relation to achieving the general objectives of granting trade preferences to developing countries and, in particular, to least developed countries.

Amendment 8

Proposal for a regulation

Article 1 - paragraph 3

Text proposed by the Commission

Amendment

3. *By means of an implementing act adopted without the assistance of the Committee referred to in Article 323(1) of Regulation No XXXX/XXXX*, the Commission shall *suspend* the application of the preferential import arrangement provided for in paragraph 1 of this Article once it ascertains that, during the year in progress, imports qualifying under the said arrangement have reached the quantity

3. The Commission shall *adopt an implementing act suspending* the application of the preferential import arrangement provided for in paragraph 1 of this Article once it ascertains that, during the year in progress, imports qualifying under the said arrangement have reached the quantity indicated in paragraph 2 *of this Article. That implementing act shall be adopted without applying the*

indicated in paragraph 2.

procedure referred to in Article 5a(2).

Amendment 9

Proposal for a regulation

Article 2 - paragraph 2 - point (a)

Text proposed by the Commission

(a) that proof is provided that an export tax of an amount corresponding to the reduction referred to in paragraph 1 has been collected by Bangladesh

Amendment

deleted

Amendment 10

Proposal for a regulation

Article 4 - paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 3 shall be conferred on the Commission for *an indeterminate* period of *time from the day of entry into force of this Regulation*.

Amendment

2. The power to adopt delegated acts referred to in Article 3 shall be conferred on the Commission for *a* period of *five years from ...* ^{*}. *The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of that five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.*

^{*} *OJ: please insert date of entry into force of this Regulation.*

Amendment 11

Proposal for a regulation Article 4 - paragraph 5

Text proposed by the Commission

5. A delegated act adopted pursuant to Article 3 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *two* months at the initiative of the European Parliament or of the Council.

Amendment

5. A delegated act adopted pursuant to Article 3 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *four* months at the initiative of the European Parliament or of the Council.

Amendment 12

Proposal for a regulation Article 5 a (new)

Text proposed by the Commission

Amendment

Article 5a

Committee procedure

1. The Commission shall be assisted by the Committee for the Common Organisation of the Agricultural Markets established by Article [323(1)] of Regulation (EU) No [xxxx/yyyy] of the European Parliament and of the Council of establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)¹. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

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

3. Where the opinion of the committee is to be obtained by written procedure, that procedure shall be terminated without result when, within the time-limit for delivery of the opinion, the chair of the committee so decides or a majority of committee members so request.

¹ COD 2010/0385.