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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	3 February 2016
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2016) 44 final
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) 2015/936 of the European Parliament and of the Council on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules

Delegations will find attached document COM(2016) 44 final.

Encl.: COM(2016) 44 final



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Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) 2015/936 of the European Parliament and of the Council on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

- **Reasons for and objectives of the proposal**

Regulation (EU) 2015/936¹ lays down the common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules.

The release of the political prisoners on 22 August 2015 was an important step, which together with several positive initiatives undertaken by the Republic of Belarus over the last two years contributed to the improvement of EU-Belarus relations.

Recognizing the positive political developments in relations between the European Union and the Republic of Belarus and in order to further improve bilateral relations, the Commission proposes to abolish the autonomous quotas on imports of textiles and clothing originating in the Republic of Belarus, also considering their limited use. To that effect, Annexes II and III of Regulation (EU) 2015/936 should be amended accordingly.

In addition, this opportunity will be seized to correct erroneous CN codes and to introduce the official names of the Republic of Belarus and the Democratic People's Republic of Korea according to the 2011 Interinstitutional Style Guide of the European Union, as well as to increase the period of validity of import authorisations from six to nine months in order to facilitate administrative procedures.

- **Consistency with existing policy provisions in the policy area**

The release of political prisoners on 22 August 2015 was an important step, which together with several positive initiatives undertaken by the Republic of Belarus over the last two years contributed to the improvement of relations between the European Union and the Republic of Belarus. These positive political developments between the European Union and the Republic of Belarus should be recognised and bilateral relations further improved. Accordingly, the present regulation repeals the autonomous quotas on imports of textiles and clothing originating in the Republic of Belarus, provided for in Annexes II and III of Regulation (EU) 2015/936.

- **Consistency with other Union policies**

The release of political prisoners on 22 August 2015 and other positive initiatives undertaken by the Republic of Belarus over the last two years contributed to improved relations between the European Union and the Republic of Belarus. The abolition of quotas on imports of textiles and clothing originating in the Republic of Belarus will contribute among other measures to further improve relations with the Republic of Belarus.

¹ Regulation (EU) 2015/936 of the European Parliament and of the Council of 9 June 2015 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules (OJ L 160, 25.6.2015, p. 1).

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

The legal basis is Article 207(2) of the Treaty on the Functioning of the European Union.

Regulation (EU) 2015/936 will be amended through the ordinary legislative procedure.

- **Subsidiarity (for non-exclusive competence)**

Trade policy is an exclusive competence of the EU. Therefore, subsidiarity does not apply.

- **Proportionality**

The limited use of the autonomous quotas on imports of textiles and clothing originating in the Republic of Belarus implies that the removal of those quotas will have a limited impact on EU trade.

- **Choice of the instrument**

In order to abolish the autonomous textile quotas on imports of textiles and clothing originating in the Republic of Belarus, Regulation (EU) 2015/936 should be amended, as it regulates the annual quantitative limits with the Republic of Belarus.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

Imports of textiles and clothing originating in the Republic of Belarus will be monitored by the Commission.

- **Stakeholder consultations**

Member States were informed at the Textile Committee meeting on 5 November 2015.

- **Collection and use of expertise**

The Commission has relied on the use of quotas provided by the European Commission's *Système Intégré de Gestion de Licenses* (SIGL) and EUROSTAT figures.

- **Impact assessment**

No impact assessment was carried out due to the limited use of the autonomous quotas on imports of textiles and clothing originating in the Republic of Belarus.

- **Regulatory fitness and simplification**

Once the autonomous quotas on imports of textiles and clothing originating in the Republic of Belarus will be abolished, SIGL will no longer need to manage the related import authorizations with Member States.

- **Fundamental rights**

Not applicable.

4. BUDGETARY IMPLICATIONS

Reduced workload for the European Commission's SIGL team as the management of autonomous quotas with the Republic of Belarus is concerned.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

Imports of textiles and clothing originating in Belarus will be monitored by the European Commission.

- **Explanatory documents (for directives)**

Not applicable.

- **Detailed explanation of the specific provisions of the proposal**

Not applicable.

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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(2) 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 procedure,

Whereas:

- (1) Regulation (EU) 2015/936² lays down the common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules.
- (2) The release of political prisoners on 22 August 2015 was an important step, which together with several positive initiatives undertaken by the Republic of Belarus over the last two years contributed to the improvement of relations between the European Union and the Republic of Belarus.
- (3) These positive political developments between the European Union and the Republic of Belarus should be recognised and bilateral relations further improved. Accordingly, the present regulation repeals the autonomous quotas on imports of textiles and clothing originating in the Republic of Belarus, provided for in Annexes II and III of Regulation (EU) 2015/936.
- (4) The limited use of the autonomous quotas on imports of textiles and clothing originating in the Republic of Belarus implies that the removal of those quotas will have a limited impact on EU trade.

² Regulation (EU) 2015/936 of the European Parliament and of the Council of 9 June 2015 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Union import rules (OJ L 160, 25.6.2015, p. 1).

- (5) In order to correct erroneous CN codes in categories 12, 13, 18, 68, 78, 83 (Group II B), 67, 70, 94, 96 (Group III B) and 161 (Group V), Annex I of Regulation (EU) 2015/936 should be amended accordingly.
- (6) The official name of the Democratic People's Republic of Korea should be used in Annexes II, III and IV of Regulation (EU) 2015/936 and the official name of the Republic of Belarus should be used in Annex V of Regulation (EU) 2015/936.
- (7) In order to facilitate administrative procedures, the period of validity of import authorisations should be increased from six to nine months in Article 21(2) of Regulation (EU) 2015/936,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EU) 2015/936 is amended as follows:

1. Article 21(2) is replaced by the following:
 - '2. The period of validity of import authorisations issued by the competent authorities of the Member States shall be nine months. This period of validity may be modified where necessary, in accordance with the examination procedure referred to in Article 30(3).'
2. Section A of Annex I to Regulation (EU) 2015/936 is amended in accordance with the Annex to this Regulation and Annexes II, III, IV and V to Regulation (EU) 2015/936 are replaced by texts set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following that 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 Brussels,

For the European Parliament
The President

For the Council
The President