



Brussels, 6 February 2019
(OR. en)

6120/19

COMER 20
WTO 48
RELEX 99
UD 40
DELACTION 21

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 11.1.2019 supplementing Regulation (EU) 2017/821 of the European Parliament and of the Council as regards the methodology and criteria for the assessment and recognition of supply chain due diligence schemes concerning tin, tantalum, tungsten and gold - Intention not to raise objections to a delegated act

1. The Commission has submitted the above delegated act¹ to the Council in accordance with the procedure set out in Article 290 TFEU and with Article 8(2) of Council Regulation (EU) 2017/821 laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating from conflict-affected and high-risk areas². The Commission having notified the delegated act with regard to supplementing the Regulation by setting out the methodology and criteria allowing the Commission to assess whether supply chain due diligence schemes facilitate the fulfilment of the requirements of Regulation (EU) 2017/821 by economic operators and allowing the Commission to recognise schemes on 11 January 2019, the Council may object to it until 11 March 2019.

¹ doc. 5283/17 COMER 7 WTO 10 RELEX 20 UD 15 DELACT 3

² OJ L 130 of 19.05.2017

2. The Working Party on Trade Questions has examined the delegated act and agreed that there are no grounds for the Council to object to it.
 3. It is therefore suggested that Coreper recommend that the Council confirm that it has no intention to object to the delegated act and that the Commission and the European Parliament are to be informed thereof. This implies that, unless the European Parliament objects to it, the delegated act shall be published and enter into force in accordance with Article 8(2) of Council Regulation (EU) 2017/821 laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating from conflict-affected and high-risk areas.
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