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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	30 November 2020
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

No. Cion doc.:	C(2020) 8259 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 30.11.2020 amending Annex III to Regulation (EU) No 978/2012 to include the Republic of Uzbekistan among the countries benefiting from tariff preferences under the GSP+

Delegations will find attached document C(2020) 8259 final.

Encl.: C(2020) 8259 final



Brussels, 30.11.2020
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COMMISSION DELEGATED REGULATION (EU) .../...

of 30.11.2020

**amending Annex III to Regulation (EU) No 978/2012 to include the Republic of
Uzbekistan among the countries benefiting from tariff preferences under the GSP+**

{SWD(2020) 297 final}

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The European Union ('EU') has granted trade preferences to developing countries through the Generalised Scheme of Tariff Preferences (GSP scheme) since 1971. GSP is part of the EU's common trade policy in accordance with the general provisions governing the EU's external action. The special incentive arrangement for sustainable development and good governance ('GSP+') provides additional tariff preferences when exporting to the EU to developing countries which are vulnerable due to a lack of diversification and insufficient integration within the international trading system. The GSP+ scheme requires the ratification and effective implementation of 27 core international conventions on human and labour rights, environmental protection, and good governance and supports these countries to assume the duties and responsibilities resulting from this.

Article 9(1) of Regulation (EU) No 978/2012 of the European Parliament and of the Council¹ ('GSP Regulation') establishes the conditions for benefiting from the GSP+. A list of GSP+ beneficiary countries is included in Annex III of the GSP Regulation.

The Republic of Uzbekistan has made a request for GSP+ treatment on 9 June 2020. The Commission has examined the request and has established that the Republic of Uzbekistan meets the eligibility criteria for GSP+.

Further to the decision to grant GSP+ preferences to the Republic of Uzbekistan, the Commission will keep under review the status of ratification of the relevant conventions and their effective implementation by the Republic of Uzbekistan, as well as its cooperation with the relevant monitoring bodies, in accordance with Article 13 of the GSP Regulation.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

In line with paragraph 4 of the Common Understanding on delegated acts between the European Parliament, the Council and the European Commission, appropriate and transparent consultations, including at expert level, have been carried out on this delegated act. The Commission Expert Group on the Generalised Scheme of Preferences was consulted in meetings held on 08 June 2020 and 22 September 2020.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Article 10(4) of the GSP Regulation empowers the Commission to adopt delegated acts to establish and amend its Annex III. The proposed delegated act will amend the list of GSP+ beneficiary countries and add the Republic of Uzbekistan to that list. The proposal should be adopted as soon as possible to allow the Republic of Uzbekistan to benefit from GSP+ at the earliest possible time.

¹ OJ L 303, 31.10.2012, p. 1.

COMMISSION DELEGATED REGULATION (EU) .../...

of 30.11.2020

amending Annex III to Regulation (EU) No 978/2012 to include the Republic of Uzbekistan among the countries benefiting from tariff preferences under the GSP+

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008¹, and in particular Article 10(4) thereof,

Whereas:

- (1) Article 9(1) of Regulation (EU) No 978/2012 establishes specific eligibility criteria for the granting of tariff preferences under the special incentive arrangement for sustainable development and good governance ('GSP+') to a requesting country. For that purpose, the country should be considered vulnerable. It should have ratified all the conventions listed in Annex VIII to Regulation (EU) No 978/2012 and the most recent available conclusions of the relevant monitoring bodies should not identify a serious failure to effectively implement any of those conventions. In relation to any of the relevant conventions, the country should not have formulated a reservation which is prohibited by the convention or which, for the exclusive purposes of Article 9 of Regulation (EU) No 978/2012, is considered to be incompatible with the object and purpose of that convention. It should accept without reservation the reporting requirements imposed by each convention and give the binding undertakings referred to in points (d), (e) and (f) of Article 9(1) of Regulation (EU) No 978/2012.
- (2) A GSP beneficiary country wishing to benefit from GSP+ has to submit a request accompanied by comprehensive information concerning ratification of the relevant conventions, its reservations and the objections to those reservations made by other parties to the convention, and its binding undertakings.
- (3) On 9 June 2020, the Commission received a GSP+ request from the Republic of Uzbekistan.
- (4) The Commission has examined the request and has established that the Republic of Uzbekistan meets the eligibility criteria laid down in Article 9(1) of Regulation (EU) No 978/2012. The Republic of Uzbekistan should therefore be granted GSP+ and Annex III to Regulation (EU) No 978/2012 should be amended accordingly.
- (5) The Commission will keep under review the status of ratification of the relevant conventions and their effective implementation by the Republic of Uzbekistan, as well as the Republic of Uzbekistan's cooperation with the relevant monitoring bodies, in accordance with Article 13 of Regulation (EU) No 978/2012,

¹ OJ L 303, 31.10.2012, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

In Annex III to Regulation (EU) No 978/2012, the following country and the corresponding alphabetical code are added in columns A and B, respectively:

“UZ Republic of Uzbekistan”

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, 30.11.2020

For the Commission
The President
Ursula VON DER LEYEN