



EUROPEAN COMMISSION

Brussels, 31.10.2011
COM(2011) 716 final

2011/0316 (NLE)

Proposal for a

COUNCIL DECISION

**on a European Union position concerning the decision by the WTO General Council on
the extension of the WTO waiver in order to implement the EU autonomous trade
preferential regime for the Western Balkans**

EXPLANATORY MEMORANDUM

In 2010 the European Union (EU) launched the process of renewing the autonomous preferential regime for the Western Balkans until 31 December 2015. The legislative procedure necessary for the adoption of the renewal of the regime has now been completed..

To permit the EU to provide preferential treatment for the application of autonomous preferential regime to the Western Balkans, without being required to extend the same preferential treatment to the like products of any other Member of the WTO, the EU needs to present a request for the extension of the waiver from the provisions GATT 1994 Article I:1 until 31 December 2016.

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on a European Union position concerning the decision by the WTO General Council on the extension of the WTO waiver in order to implement the EU autonomous trade preferential regime for the Western Balkans

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Union has adopted legislation renewing the autonomous preferential regime for the Western Balkans until 31 December 2015. In the absence of a waiver from the European Union's obligations under paragraph 1 of Article I of the General Agreement on Tariffs and Trade 1994 (GATT 1994) the treatment provided for in the autonomous preferential regime would need to be extended to all other WTO Members. It is therefore appropriate to seek a waiver of Article I.1 GATT 1994 pursuant to Article IX:3 of the Marrakesh Agreement Establishing the World Trade Organisation (WTO Agreement)
- (2) The European Union submitted such a request on 26 October 2011.
- (3) The General Council of the World Trade Organisation will deliberate on this request.
- (4) It is appropriate, therefore, that the position of the European Union in the deliberations of the WTO General Council is to favour adoption of the request,

HAS ADOPTED THIS DECISION:

Article 1

The position of the European Union in the General Council of the World Trade Organisation is to approve the extension of the WTO waiver for the Western Balkans until 31 December 2016. This position shall be expressed by the Commission.

Article 2

This decision shall enter into force on the date of its adoption.

Done at [...],

For the Council
The President