



Plenary sitting

A8-0330/2018

16.10.2018

*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council implementing the safeguard clauses and other mechanisms allowing for the temporary withdrawal of preferences in certain agreements concluded between the European Union and certain third countries
(COM(2018)0206 – C8-0158/2018 – 2018/0101(COD))

Committee on International Trade

Rapporteur: Christofer Fjellner

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ▬ symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council implementing the safeguard clauses and other mechanisms allowing for the temporary withdrawal of preferences in certain agreements concluded between the European Union and certain third countries

(COM(2018)0206 – C8-0158/2018 – 2018/0101(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2018)0206),
 - having regard to Article 294(2) and Article 207(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0158/2018),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on International Trade (A8-0330/2018),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The Union regularly concludes trade agreements ('Agreements') with third countries which *may* include bilateral safeguard clauses. It is necessary to lay down the procedures to guarantee the effective application of the safeguard clauses that will have been agreed with the countries concerned.

Amendment

(1) The Union regularly concludes trade agreements (Agreements) with third countries ***whereby it grants preferential treatment*** which ***might*** include bilateral safeguard clauses. It is necessary to lay down the procedures to guarantee the effective application of the safeguard clauses that will have been agreed with the countries concerned.

Amendment 2

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) The Agreements may also include other mechanisms for temporary withdrawal of tariff or of other preferential treatment. It is also necessary to lay down the procedures for the application of such mechanisms, where included in the Agreements.

Amendment

(2) The Agreements ***might*** also include other mechanisms, ***including stabilisation mechanisms for certain sensitive products***, for ***the*** temporary withdrawal of tariffs or of other preferential treatment. It is also necessary to lay down the procedures for the application of such mechanisms, where included in the Agreements..

Amendment 3

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) The follow up and review of the Agreements, the conduct of investigations and, where appropriate, the imposition of safeguard measures should be carried out ***transparently***.

Amendment

(4) The follow up and review of the Agreements, the conduct of investigations and, where appropriate, the imposition of safeguard measures should be carried out ***in the most transparent manner possible. The European Parliament should be kept informed and involved at all stages of the procedure and, in particular, prior to the adoption of any safeguard measures.***

Amendment 4

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) Close monitoring of sensitive products, if any, should facilitate a timely

Amendment

(7) Close monitoring of sensitive products, ***including products that are***

decision concerning the possible initiation of an investigation and subsequent application of measures. Therefore the Commission should regularly monitor imports of sensitive products, if any, from the date of provisional application or entry into force of the Agreements, if there is no provisional application. Monitoring should be extended to other sectors upon a duly justified request made by the relevant industry.

produced in significant quantities in any or several outermost regions, if any, should facilitate a timely decision concerning the possible initiation of an investigation and subsequent application of measures. Therefore the Commission should regularly monitor imports of sensitive products, if any, from the date of provisional application or entry into force of the Agreements, if there is no provisional application. Monitoring should be extended to other sectors upon a duly justified request made by the relevant industry, *or a duly justified joint request of industry and a trade union*.

Amendment 5

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) In accordance with Article 349 of the Treaty on the Functioning of the European Union (TFEU), special attention should be paid to the outermost regions of the Union, as certain sectors of those regions are particularly vulnerable. As a result, previous free trade agreements between the Union with third countries or regions already contain special mechanisms for those regions. Those mechanisms allow, in certain cases, for the removal of preferences if a product is imported in such increased quantities and under such conditions as to cause or threaten to cause serious deterioration in the economic situation of any of those regions. In the event of an increase of imports that could eventually cause or threaten to cause serious deterioration in the economic situation of any of those regions, it should be possible for the Commission to introduce prior surveillance measures. When a free trade agreement between the Union and a third

country or region provides for special treatment for those regions, those specific measures should apply in accordance with the provisions of this Regulation.

Amendment 6

Proposal for a regulation Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) Certain products, including agricultural products, that are produced in significant quantities in any or several of the outermost regions might be sensitive products and particular attention should be paid to them when applying this Regulation. Appropriate provisions should therefore apply where a product is imported in such large quantities or under such conditions as to cause or potentially cause serious injury to the economic situation of any or several of the outermost regions.

Amendment 7

Proposal for a regulation Recital 14

Text proposed by the Commission

Amendment

(14) The implementation of the safeguard clauses or other mechanisms and criteria for the temporary suspension of tariff or other preferences provided for in the Agreements require uniform conditions for the adoption of provisional and definitive safeguard measures, for the imposition of prior surveillance measures, for the termination of an investigation without measures and for suspending temporarily the preferential tariffs or other

(14) The implementation of the safeguard clauses or other mechanisms and **transparent** criteria for the temporary suspension of tariff or other preferences provided for in the Agreements require uniform conditions for the adoption of provisional and definitive safeguard measures, for the imposition of prior surveillance measures, for the termination of an investigation without measures and for suspending temporarily the preferential

preferential treatment.

tariffs or other preferential treatment.
Criteria for the temporary suspension of tariff or other preferences should be subject to review, where appropriate.

Amendment 8

Proposal for a regulation

Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) The stabilisation mechanism for bananas is one of the mechanisms for temporary withdrawal of tariff preferences in certain agreements between the Union and certain third countries.

Amendment 9

Proposal for a regulation

Article 2 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. For the purposes of this Regulation:

1. For the purposes of this Regulation ***the following definitions apply, without prejudice to any definition provided for in the Agreement :***

Amendment 10

Proposal for a regulation

Article 2 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) ‘threat of serious injury’ to the position of Union industry means serious injury that is clearly imminent;

(e) ‘threat of serious injury’ to the position of Union industry means serious injury that is clearly imminent; ***a determination of the existence of a threat of serious injury shall be based on***

verifiable information;

Amendment 11

Proposal for a regulation

Article 2 – paragraph 1 – point f

Text proposed by the Commission

(f) ‘sensitive product’ means a product identified in a specific agreement as being relatively more vulnerable to a surge of imports than other products;

Amendment

(f) ‘sensitive product’ means a product identified in a specific agreement as being relatively more vulnerable to a surge of imports than other products, ***a determination of this vulnerability shall be made with special regard to whether the product is produced in significant quantities in any of the Union’s outermost regions as referred to in Article 349 TFEU.***

Amendment 12

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

1. The Commission shall monitor the evolution of import statistics of sensitive products, if any, mentioned in Annex in respect of each Agreement. For that purpose, the Commission shall cooperate and exchange data on a regular basis with Member States and the Union industry.

Amendment

1. The Commission shall monitor ***weekly*** the evolution of import statistics of sensitive products, if any, mentioned in Annex in respect of each Agreement. For that purpose, the Commission shall cooperate and exchange data on a regular basis with Member States and the Union industry.

Amendment 13

Proposal for a regulation

Article 4 – paragraph 1 a (new)

1a. Where an Agreement contains chapters on trade and sustainable development, the Commission shall monitor the observance by third countries of the social and environmental standards laid down therein. Upon request by the responsible committee of the European Parliament, the Commission shall report to it on any specific concerns relating to the implementation by the third countries concerned of their commitments on trade and sustainable development.

Amendment 14

Proposal for a regulation Article 4 – paragraph 2

Text proposed by the Commission

Amendment

2. Upon a duly justified request by the Union industry concerned, the Commission may extend the scope of the monitoring to other sectors, if any, than those mentioned in the Annex.

2. Upon a duly justified request by the Union industry concerned, the Commission may extend the scope of the monitoring to other ***products or*** sectors, if any, than those mentioned in the Annex.

Amendment 15

Proposal for a regulation Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Upon request by the responsible committee of the European Parliament, the Commission shall report to it on any specific concerns relating to the implementation by the third countries concerned of their commitments on trade and sustainable development. A request may also be submitted jointly by the Union industry, or by any natural or legal person or any association not having legal personality acting on behalf thereof, and

trade unions, or be supported by trade unions.

Amendment 16

Proposal for a regulation Article 4 – paragraph 3

Text proposed by the Commission

3. The Commission shall present an annual monitoring report to the European Parliament and to the Council on statistics on imports of sensitive products, and those sectors, if any, to which monitoring has been extended.

Amendment

3. The Commission shall present an annual monitoring report to the European Parliament and to the Council on statistics on imports of sensitive products, and those *products or* sectors, if any, to which monitoring has been extended *as well as on the fulfilment of obligations by the countries concerned under the Trade and Sustainable Development chapter, if such a chapter has been included in the Agreement.*

Amendment 17

Proposal for a regulation Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. A request for initiating an investigation may also be submitted jointly by Union industry, or by any natural or legal person or any association not having legal personality acting on behalf thereof, and trade unions, or be supported by trade unions

Amendment 18

Proposal for a regulation Article 5 – paragraph 4

Text proposed by the Commission

4. An investigation may also be initiated where there is a surge of imports concentrated in one or several Member States, provided that there is sufficient prima facie evidence, as determined on the basis of factors referred to in Article 6(5).

Amendment

4. An investigation may also be initiated where there is a surge of imports concentrated in one or several Member States ***or outermost regions***, provided that there is sufficient prima facie evidence, as determined on the basis of factors referred to in Article 6(5).

Amendment 19

Proposal for a regulation

Article 5 – paragraph 5

Text proposed by the Commission

5. The Commission shall inform all Member States when it receives a request to initiate an investigation or when it considers initiation of an investigation to be appropriate on its own initiative pursuant to paragraph 1.

Amendment

5. The Commission shall inform ***the European Parliament and*** all Member States when it receives a request to initiate an investigation or when it considers initiation of an investigation to be appropriate on its own initiative pursuant to paragraph 1.

Amendment 20

Proposal for a regulation

Article 5 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. Where the European Parliament adopts a recommendation to initiate a safeguard investigation, the Commission shall carefully examine whether the conditions for initiating an investigation are fulfilled and if so, proceed as laid down in this Regulation. If the Commission considers that the conditions are not fulfilled, it shall present a report to the responsible committee of the European Parliament including an explanation of all the factors relevant to the rejection of such an investigation.

Amendment 21

Proposal for a regulation Article 6 – paragraph 3

Text proposed by the Commission

3. The investigation shall, where possible, be concluded within *six* months of its initiation. That time limit may be extended by a further period of three months in exceptional circumstances such as the involvement of an unusually high number of interested parties or complex market situations. The Commission shall notify all interested parties of any such extension and explain the reasons therefor.

Amendment

3. The investigation shall, where possible, be concluded within *five* months of its initiation. That time limit may be extended by a further period of three months in exceptional circumstances such as the involvement of an unusually high number of interested parties or complex market situations. The Commission shall notify all interested parties of any such extension and explain the reasons therefor.

Amendment 22

Proposal for a regulation Article 6 – paragraph 9 a (new)

Text proposed by the Commission

Amendment

9a. The Commission shall facilitate access to the investigation for diverse and fragmented industry sectors, largely composed of small and medium-sized enterprises (SMEs), through a dedicated SME Helpdesk, for example by awareness raising, by providing general information and explanations on procedures and on how to submit a request, by releasing standard questionnaires in all official languages of the Union and by replying to general, non-case-specific queries. The SME Helpdesk shall make available standard forms for statistics to be submitted for standing purposes and questionnaires.

Amendment 23

Proposal for a regulation Article 6 – paragraph 10

Text proposed by the Commission

10. Where information is not supplied within the time limits set by the Commission, or where the investigation is significantly impeded, the Commission may reach a decision on the basis of the available facts. Where the Commission finds that any interested party or any third party has supplied it with false or misleading information, it shall disregard that information **and** may make use of the facts available.

Amendment

10. Where information is not supplied within the time limits set by the Commission, or where the investigation is significantly impeded, the Commission may reach a decision on the basis of the available facts. Where the Commission finds that any interested party or any third party has supplied it with false or misleading information, it shall disregard that information, may make use of the facts available **and assess the potential actions to be taken against that party.**

Amendment 24

Proposal for a regulation Article 6 – paragraph 10 a (new)

Text proposed by the Commission

Amendment

10a. The Commission shall have in place the office of the Hearing Officer whose powers and responsibilities shall be set out in a mandate adopted by the Commission and who shall safeguard the effective exercise of the procedural rights of the interested parties.

Justification

The provisions for the Hearing Officer in Regulation 2018/825 shall apply for these measures as well.

Amendment 25

Proposal for a regulation Article 6 – paragraph 11

Text proposed by the Commission

11. The Commission shall notify the country concerned in writing of the initiation of an investigation.

Amendment

11. The Commission shall, ***according to the provisions set out in the Agreement***, notify the country ***or countries*** concerned in writing of the initiation of an investigation.

Amendment 26

Proposal for a regulation

Article 8 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

The Commission shall adopt provisional safeguard measures in critical circumstances where a delay ***could*** cause damage which would be difficult to repair, pursuant to a preliminary determination by the Commission on the basis of the factors referred to in Article 6(5) that there is sufficient prima facie evidence that a product originating in the country concerned is imported:

Amendment

The Commission shall adopt provisional safeguard measures in critical circumstances where a delay ***is likely to*** cause damage which would be difficult to repair, ***making immediate action necessary***, pursuant to a preliminary determination by the Commission on the basis of the factors referred to in Article 6(5) that there is sufficient prima facie evidence that a product originating in the country concerned is imported:

Amendment 27

Proposal for a regulation

Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall inform the European Parliament of any decision to impose provisional safeguard measures.

Amendment 28

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

3. Provisional safeguard measures shall not apply for more than 200 calendar days.

Amendment

3. Provisional safeguard measures shall not apply for more than 200 calendar days, ***without prejudice to any other period agreed upon in the Agreement concerned.***

Amendment 29

**Proposal for a regulation
Article 11 – paragraph 1**

Text proposed by the Commission

1. A safeguard measure shall remain in force only for such period of time as may be necessary to prevent or remedy the serious injury to Union industry and to facilitate adjustment. That period shall not exceed two years, unless it is extended under paragraph 3.

Amendment

1. A safeguard measure shall remain in force only for such period of time as may be necessary to prevent or remedy the serious injury to Union industry and to facilitate adjustment. That period shall not exceed two years, unless it is extended under paragraph 3, ***without prejudice to any other period agreed upon in the Agreement concerned.***

Amendment 30

**Proposal for a regulation
Article 11 – paragraph 3**

Text proposed by the Commission

3. The initial period of duration of a safeguard measure as referred to in paragraph 1, may be extended by up to two years provided that the safeguard measure continues to be necessary to prevent or remedy serious injury to Union industry and that there is evidence that the Union industry is adjusting.

Amendment

3. The initial period of duration of a safeguard measure as referred to in paragraph 1, may be extended by up to two years, ***without prejudice to any other period agreed upon in the Agreement concerned,*** provided that the safeguard measure continues to be necessary to prevent or remedy serious injury to Union industry and that there is evidence that the Union industry is adjusting.

Amendment 31

Proposal for a regulation

Article 11 – paragraph 7

Text proposed by the Commission

7. The total duration of a safeguard measure shall not exceed four years, including the period of application of any provisional safeguard measure, the initial period of application and prorogation thereof.

Amendment

7. The total duration of a safeguard measure shall not exceed four years, ***without prejudice to any other period agreed upon in the Agreement concerned,*** including the period of application of any provisional safeguard measure, the initial period of application and prorogation thereof.

Amendment 32

Proposal for a regulation

Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

Outermost regions of the Union

Where any product is being imported in such increased quantities and under such conditions as to cause or threaten to cause serious deterioration in the economic situation of one or several of the Union's outermost regions, as referred to in Article 349 TFEU, a safeguard measure may be imposed, in accordance with the procedure laid down in this Regulation, if such a provision has been provided for in the Agreement concerned.

Amendment 33

Proposal for a regulation

Article 13 – paragraph 2

Text proposed by the Commission

2. The report shall, inter alia, include information about the application of provisional and definitive measures, prior surveillance measures, regional surveillance and safeguard measures and the termination of investigations and proceedings without measures.

Amendment

2. The report shall, inter alia, include information about the application of provisional and definitive measures, prior surveillance measures, regional surveillance and safeguard measures and the termination of investigations and proceedings without measures ***and shall justify the relevance of the information on which conclusions have been made.***

Amendment 34

**Proposal for a regulation
Article 13 – paragraph 3 a (new)**

Text proposed by the Commission

Amendment

3a. The report shall include information on the activities of the various bodies responsible for monitoring the implementation of the Agreement, as well as information regarding the fulfilment of obligations under the Trade and Sustainable Development chapter, if such a chapter has been included in the Agreement and on the activities with civil society advisory groups.

Amendment 35

**Proposal for a regulation
Article 13 – paragraph 4**

Text proposed by the Commission

Amendment

4. The ***European Parliament may, within one month of*** submission of the Commission's report, ***invite*** the Commission ***to an ad hoc meeting of its responsible committee*** to present and explain any issues related to the implementation of this Regulation.

4. ***After*** the submission of the Commission's report ***and upon the request of the European Parliament,*** the Commission ***shall*** present and explain any issues related to the implementation of this Regulation ***to an ad hoc meeting of its responsible committee.***

Amendment 36

Proposal for a regulation

Article 14 – paragraph 1 – subparagraph 1 – introductory part

Text proposed by the Commission

Where an Agreement provides for other mechanisms and criteria permitting temporary withdrawal of preferences in respect of certain products, the Commission shall, where the conditions laid down in the relevant Agreement are met, adopt implementing acts:

Amendment

Where an Agreement provides for other mechanisms and criteria permitting temporary withdrawal of preferences in respect of certain products, ***such as a stabilisation mechanism***, the Commission shall, where the conditions laid down in the relevant Agreement are met, adopt implementing acts:

Amendment 37

Proposal for a regulation

Article 14 – paragraph 1 – subparagraph 1 – point a

Text proposed by the Commission

(a) suspending the preferences for the product concerned;

Amendment

(a) suspending ***or confirming the non-suspension of*** the preferences for the product concerned;

Amendment 38

Proposal for a regulation

Article 14 – paragraph 2

Text proposed by the Commission

2. On duly justified imperative grounds of urgency, where a delay in ***the imposition of provisional safeguard measures*** would cause damage which would be difficult to repair or to prevent a negative impact on the situation of the Union market, in particular as a result of an increase in imports, or as otherwise provided in the Agreement, the Commission shall adopt immediately

Amendment

2. On duly justified imperative grounds of urgency, where a delay in ***taking the action referred to in paragraph 1*** would cause damage which would be difficult to repair or to prevent a negative impact on the situation of the Union market, in particular as a result of an increase in imports, or as otherwise provided in the Agreement, the Commission shall adopt immediately

applicable implementing acts in accordance with the procedure referred to in Article 17(4).

applicable implementing acts in accordance with the procedure referred to in Article 17(4).

Amendment 39

Proposal for a regulation Article 15 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. The Commission shall be empowered to adopt delegated acts in accordance with Article 16 laying down provisions regarding monitoring, deadlines for investigations, reporting and criteria for examination of procedures for mechanisms under article 14. The other provisions of this Regulation shall apply mutatis mutandis to the implementation of such mechanisms.

EXPLANATORY STATEMENT

The European Commission presented on 18 April 2018 a proposal for a regulation of the European Parliament and of the Council implementing the safeguard clauses and other mechanisms allowing for the temporary withdrawal of preferences in certain agreements concluded between the European Union and certain third countries.

The majority of the EU's trade agreements contain bilateral safeguard mechanisms allowing the parties to respond to significant increases in imports resulting from the liberalisation of tariffs under the Free Trade Agreements (FTAs) leading to serious injury to a domestic industry. In addition, some EU trade agreements may include special mechanisms which also confer the possibility to reintroduce the MFN customs duty rate under specific circumstances. The application of these safeguard and specific mechanisms requires implementation at EU level. Instead of proposing an FTA specific regulation adopted through the ordinary legislative procedure as for previous agreements (e.g. South Korea, Colombia, Peru, Ecuador), the Commission proposes a horizontal regulation that could be used for several FTAs. The first EU FTAs to be covered by this horizontal regulation will be the ones with Japan, Singapore and Vietnam. However, the Regulation would apply not only to the upcoming, but also to future trade agreements by way of amending the Annex via delegated acts.

A safeguard instrument is designed to provide a safety net by suspending further tariff liberalisation or increase the customs duty rate up to the Most Favoured Nation rate when, as a result of commitments in an FTA and unforeseen developments, imports take place in such increased quantities and under such conditions as to cause (or threaten to cause) serious injury to the domestic producers producing the like or directly competitive product.

The provisions proposed by the European Commission for the horizontal safeguard clause are very similar to the pattern of the Regulations implementing the bilateral safeguard clauses of the agreements with Colombia, Peru, Ecuador, Central American countries, the Republic of Moldova and Georgia.

There are however some differences which might be important with a view of current trade negotiations and envisaged agreements with e.g. MERCOSUR it has to be noted that the proposal lacks detailed provisions for a possible special mechanism for sensible products such as bananas (stabilisation mechanism for bananas). The stabilisation mechanism for bananas which is part of the safeguard regulation with Colombia, Peru and Ecuador is a system which allows (until 2019) to suspend preferences when a specific level of import, the trigger volume, is reached during a given calendar year.

The rapporteur's considerations

Horizontal application

The rapporteur supports the Commission's approach of a horizontal regulation to apply to forthcoming FTAs, to create legal clarity and a coherent application of procedures for all interested parties. The rapporteur also agrees with the Commission in that the regulation should not replace any current bilateral safeguard regulations already in force so not to create any uncertainty as regards to investigations or monitoring for these agreements. The

rappporteur would like to underline that a safeguard provision is a tool to liberalise trade and to take further commitments in FTA negotiations and to create support and acceptance for these commitments among different stakeholders. Safeguard measures must not be misused for protectionist purposes. Necessary provisions therefore need to be built-in to guarantee that measures are only introduced in the right circumstances according to safeguard case-law.

Transparency and predictability

As with other trade defence instruments, the rapporteur considers that investigations must be undertaken in as a transparent and predictable manner as possible. It is also important that small and medium sized enterprises have good access to the instruments as interested parties and that their procedural rights are safeguarded. The provisions on the SME Helpdesk and the Hearing officer in the basic anti-dumping and anti-subsidy regulations should hence be incorporated into this regulation. The European Parliament should also be duly informed of the application of the regulation.

A flexible and future-proof regulation

While safeguard clauses in FTAs often take a similar form, no provision in this regulation should serve as an a priori limit to what the Commission can negotiate in future FTAs. Certain provisions hence need to be flexible in case something else may be agreed in future agreements. It is also necessary to prescribe that detailed provisions for possible special mechanisms are laid down in the relevant delegated act for that agreement.

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Implementing the safeguard clauses and other mechanisms allowing for the temporary withdrawal of preferences in certain agreements concluded between the European Union and certain third countries	
References	COM(2018)0206 – C8-0158/2018 – 2018/0101(COD)	
Date submitted to Parliament	17.4.2018	
Committee responsible Date announced in plenary	INTA 19.4.2018	
Rapporteurs Date appointed	Christofer Fjellner 23.4.2018	
Discussed in committee	10.7.2018	29.8.2018
Date adopted	11.10.2018	
Result of final vote	+: 27	–: 1
	0: 9	
Members present for the final vote	Laima Liucija Andrikienė, Maria Arena, Tiziana Beghin, Daniel Caspary, Salvatore Cicu, Christofer Fjellner, Eleonora Forenza, Karoline Graswander-Hainz, Christophe Hansen, Yannick Jadot, France Jamet, Elsi Katainen, Jude Kirton-Darling, Danilo Oscar Lancini, Bernd Lange, David Martin, Anne-Marie Mineur, Franck Proust, Godelieve Quisthoudt-Rowohl, Inmaculada Rodríguez-Piñero Fernández, Tokia Saïfi, Helmut Scholz, Joachim Schuster, Adam Szejnfeld, William (The Earl of) Dartmouth, Jan Zahradil	
Substitutes present for the final vote	Goffredo Maria Bettini, Klaus Buchner, Sander Loones, Fernando Ruas, Paul Rübig, José Ignacio Salafranca Sánchez-Neyra	
Substitutes under Rule 200(2) present for the final vote	Beatriz Becerra Basterrechea, Czesław Hoc, Stanisław Ożóg, Jozo Radoš, Anders Sellström	
Date tabled	16.10.2018	

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

27	+
ALDE	Beatriz Becerra Basterrechea, Elsi Katainen, Jozo Radoš
ECR	Czesław Hoc, Sander Loones, Stanisław Ozóg, Jan Zahradil
EFDD	Tiziana Beghin
ENF	France Jamet, Danilo Oscar Lancini
PPE	Laima Liucija Andrikienė, Daniel Caspary, Salvatore Cicu, Christofer Fjellner, Christophe Hansen, Franck Proust, Godelieve Quisthoudt-Rowohl, Fernando Ruas, Paul Rübig, Tokia Saïfi, José Ignacio Salafranca Sánchez-Neyra, Anders Sellström, Adam Szejnfeld
S&D	Bernd Lange, David Martin, Inmaculada Rodríguez-Piñero Fernández, Joachim Schuster

1	-
EFDD	William (The Earl of) Dartmouth

9	0
GUE/NGL	Eleonora Forenza, Anne-Marie Mineur, Helmut Scholz
S&D	Maria Arena, Goffredo Maria Bettini, Karoline Graswander-Hainz, Jude Kirton-Darling
VERTS/ALE	Klaus Buchner, Yannick Jadot

Key to symbols:

+ : in favour

- : against

0 : abstention