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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
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Subject:	Proposal for a Regulation of the European Parliament and of the Council on applying a generalised scheme of tariff preferences and repealing Regulation (EU) No 978/2012 of the European Parliament and of the Council - Preparation for the trilogue

1. On 13 March 2024, the Permanent Representatives Committee adopted a revised Council mandate[1] for a revised version of Regulation (EU) No 978/2012 on applying a generalised scheme of tariff preferences (the GSP Regulation) (documents ST 12184/21 + ADD 1-4).

2. Following a pause due to the European elections, the negotiations were resumed at the end of May on the basis of the Council mandate of March 2024. Negotiations focused on three remaining issues: safeguards for rice imports, a recital to clarify the compatibility of the readmission provisions with WTO law, and access for the Parliament to Visa Code[2] information when preferences are withdrawn due to the readmission provisions.

3. On 17 June 2025, the Polish Presidency participated in a trilogue, which did not manage to reach agreement. The main difficulty was the issue of safeguards for rice, addressing imports from beneficiaries of the Everything But Arms (EBA) programme.

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1 ST 5770/24.

2 Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas.

Rice imports

4. During the trilogue on 17 June, the Parliament proposed that a compromise may be found with a mechanism based on automatic tariff-rate quotas (TRQs) for rice. The Trade Policy Committee (Generalised Scheme of Preferences) (TPC(GSP)) has examined this mechanism in detail and the Presidency has discussed it with representatives of the Commission and Parliament, most recently in an inter-institutional technical meeting on 10 November 2025.

5. The key elements of the proposed mechanism are:

   a) A threshold for the rice imports to the EU from each EBA beneficiary;

   b) A de minimis level for the thresholds below which duties would not be imposed;

   c) A surge percentage that triggers the mechanism and is applied for all beneficiaries;

   d) A period of application: if in a given calendar year the rice imports from a beneficiary exceed the threshold plus the surge percentage, the MFN tariffs are applied to that beneficiary until the end of the calendar year and a TRQ equal to the threshold is applied for a period to be determined; and

   e) A review procedure to update the mechanism to reflect changing market circumstances.

6. Although technical discussions in the Council and with the Parliament and Commission indicate that this mechanism could be an acceptable compromise solution, the key elements need to be determined in a trilogue.

7. The Presidency aims to achieve the following outcomes on each key element of the mechanism:

   a) Thresholds: setting a fair threshold reflecting the historical imports from each beneficiary, to be updated regularly, for example every two years;

   b) De minimis: setting a level below which it can be assumed that imports from the beneficiary will not create a serious disturbance in the EU rice market. The Presidency would propose the extension of the de minimis threshold of 6 percent for the automatic safeguards that is reflected in the current and the revised GSP Regulation to rice;

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c) Surge percentage: setting a percentage where typical annual fluctuations in import levels reflecting normal global rice market developments do not trigger the mechanism; only higher imports that would create a serious disturbance in the EU rice market would do trigger the mechanism;

d) Duration: imposing MFN customs duties until the end of the year when the mechanism is triggered and imposing a TRQ for the following calendar year;

e) Review: including a review clause to ensure that changes in the global market for rice can be reflected in the mechanism.

8. The main point of discussion with the Parliament has been the threshold figures. The rice sector is calling for a threshold and percentage surge that leads to a maximum total duty-free import volumes from GSP beneficiaries of 200,000 tonnes per year, which is well below current import levels estimated at approximately 500,000 tonnes in 2024.

WTO compatibility

9. The Council Legal Service and the Parliament's Legal Service have drafted a recital on the compatibility of the readmission provisions with the WTO Enabling Clause, and the Presidency proposes to agree to the addition of this recital.

Access to Visa Code information

10. On 10 November at the inter-institutional technical meeting, there was agreement at technical level on the Presidency proposal on access for the Parliament to Visa Code information. The Presidency proposes to endorse this text.

Conclusion

11. In conclusion, it appears that there may be a possibility to conclude the trilogue negotiations if all sides are willing to show flexibility.

12. Against this background, and with a view to the trilogue with the European Parliament scheduled for 1 December, the Permanent Representatives Committee is invited to confirm its support to the Council mandate of 13 March 2024, with the modifications indicated above.

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