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COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	25 February 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.:	C(2025) 1148 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 25.2.2025 amending Regulation (EU) 2019/287 of the European Parliament and of the Council as regards specific provisions contained in the Interim Trade Agreement between the European Union and the Republic of Chile

Delegations will find attached document C(2025) 1148 final.

Encl.: C(2025) 1148 final



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

of 25.2.2025

amending Regulation (EU) 2019/287 of the European Parliament and of the Council as regards specific provisions contained in the Interim Trade Agreement between the European Union and the Republic of Chile

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The European Union regularly concludes trade agreements with third countries, in which it grants those countries preferential treatment. Among such agreements is the Interim Trade Agreement between the European Union and the Republic of Chile ('EU-Chile Agreement'), which contain bilateral safeguard clauses.

Regulation (EU) 2019/287 of the European Parliament and of the Council of 13 February 2019 ('Bilateral Safeguard Regulation') implements bilateral safeguard clauses and other mechanisms allowing for the temporary withdrawal of preferences in certain trade agreements concluded between the European Union and third countries. Where certain trade agreements contain specific provisions that are not in accordance with the Bilateral Safeguard Regulation, those specific provisions should be listed in the Annex to that Regulation.

The EU-Chile Agreement contains such specific provisions on bilateral safeguards and, therefore, it is necessary to amend accordingly the Annex to the Bilateral Safeguard Regulation by listing those provisions.

Article 15 of the Bilateral Safeguard Regulation empowers the Commission to adopt delegated acts in order to amend the Annex to that Regulation.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

Pursuant to paragraph 4 of the Annex to the Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making, appropriate and transparent consultation was carried out. No additional consultations with interested parties or stakeholders, or a preparation of an impact assessment are necessary.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

Article 15 of the Bilateral Safeguard Regulation empowers the Commission to adopt delegated acts in order to amend the Annex to the Bilateral Safeguard Regulation, with a view to adding entries relating to specific bilateral safeguard clauses or other mechanisms, allowing for the temporary withdrawal of tariff preferences or of other preferential treatment, which are contained in trade agreements concluded between the European Union and one or more third countries and are not in accordance with the Bilateral Safeguard Regulation. The Annex to the Bilateral Safeguard Regulation will be amended to list specific provisions contained in the Interim Trade Agreement between the European Union and the Republic of Chile.

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

of 25.2.2025

amending Regulation (EU) 2019/287 of the European Parliament and of the Council as regards specific provisions contained in the Interim Trade Agreement between the European Union and the Republic of Chile

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2019/287 of the European Parliament and of the Council of 13 February 2019 implementing bilateral safeguard clauses and other mechanisms allowing for the temporary withdrawal of preferences in certain trade agreements concluded between the European Union and third countries¹, and in particular Article 15 thereof,

Whereas:

- (1) Regulation (EU) 2019/287 lays down provisions for the implementation of bilateral safeguard clauses and other mechanisms allowing for the temporary withdrawal of preferences in certain trade agreements concluded between the European Union and one or more third countries. The provisions of Regulation (EU) 2019/287 apply without prejudice to any specific provisions contained in those trade agreements, where such provisions are not in accordance with that Regulation. Such specific provisions contained in certain trade agreements are listed in the Annex to Regulation (EU) 2019/287.
- (2) The European Union and Chile have concluded an Interim Trade Agreement² containing certain provisions on bilateral safeguards that are not in accordance with Regulation (EU) 2019/287. Therefore, the Annex to that Regulation should include references to such provisions.
- (3) Accordingly, in order to ensure transparency and readability, these provisions should be added to the Annex to Regulation (EU) 2019/287,

HAS ADOPTED THIS REGULATION:

Article 1

The text in the Annex to this Regulation is added to the text in the Annex to Regulation (EU) 2019/287.

Article 2

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

¹ OJ L 53, 22.2.2019, p.1.

² OJ L, 2024/2953, 20.12.2024

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 25.2.2025

For the Commission
The President
Ursula VON DER LEYEN