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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee
No. prev. doc.:	5770/24
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 23 September 2021, the Commission submitted to the Council a proposal 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), which was scheduled to expire at the end of 2023.

2. The European Parliament appointed the Committee on International Trade (INTA) as the lead committee. The European Parliament plenary adopted its report on the proposal on 18 May 2022.

3. On 20 December 2022, the Permanent Representatives Committee adopted the Council mandate for negotiations with the European Parliament, as set out in ST 16270/22.

4. Trilogue meetings were held by the Swedish Presidency, but agreement could not be reached on two key issues: the possibility to withdraw GSP preferences if GSP beneficiaries did not co-operate with the EU on readmission of their own nationals illegally present in the EU; and safeguards, particularly for rice production.

5. Given the failure of the trilogue negotiations to reach an agreement, on 27 November 2023 the current Regulation was extended until the end of 2027[1].

6. On 13 March 2024, the Permanent Representatives Committee adopted a revised Council mandate addressing the European Parliament's concerns expressed during the trilogue negotiations[2]. The revised mandate addresses three points: readmission, safeguards and the date of entry into force.

7. On 13 March 2024, after the adoption of the revised Council mandate, the European Parliament cancelled the trilogue scheduled for 14 March 2024, and in light of the European elections in June 2024 paused the negotiations.

8. In November 2024, the European Parliament appointed Ms Majdouline Sbai (Verts/ALE, FR) as rapporteur.

9. On 20 May 2025, Mr Bernd Lange (S&D, DE), chair of the INTA Committee, informed the Presidency and the Commission that, at the request of Ms Sbai, he had taken over the role of rapporteur. He confirmed that the European Parliament was now ready to resume trilogue negotiations on the basis of the Council mandate of March 2024, although he called for additional modifications on readmission and safeguards for the rice producing sector in the EU.

10. The Presidency held an inter-institutional technical meeting with the European Parliament and the Commission on 3 June 2025. The Presidency presented the revised Council mandate of March 2024 and explained the efforts made by the Council to find agreement with the European Parliament.

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1 Regulation (EU) 2023/2663 of the European Parliament and of the Council of 22 November 2023 amending Regulation (EU) No 978/2012 applying a scheme of generalised tariff preferences.

2 ST 5770/24.

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11. The European Parliament acknowledged the efforts made by the Council in its revised mandate, in particular in the area of readmission, and presented its position, based on three principles that would guide the European Parliament on the file.

a) First, the WTO compatibility of the link between the withdrawal of GSP preferences and readmission should be explicitly addressed.

b) Secondly, the INTA Committee should have access to all the relevant information on the Visa Code[3], on an equal footing with the Council, so it can take an informed decision on any proposal to withdraw GSP preferences. It should be able to invite the Member State that notified the Commission under the Visa Code of substantial and persisting practical problems with readmissions to attend the Committee to explain its position.

c) Thirdly, for safeguards: there should be explicit reference to the customs codes for rice (100610, 100620, 100630); the triggering of safeguard measures should be done for each code separately; there should be clear timelines for triggering the safeguard measures and for their duration; and the European Parliament would be ready to discuss a threshold of 17.5% for the triggering of safeguards.

12. In the discussion that followed:

a) The Commission was asked to prepare a draft recital on WTO compatibility.

b) The European Parliament proposed to circulate language on access to information under the Visa Code and the possibility to invite the Commission or the Member State having notified the Commission to attend the INTA Committee. The Commission indicated that it could possibly make a declaration expressing its willingness to discuss with the INTA Committee as with the LIBE Committee and to share information on readmission concerns in GSP countries.

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

c) The Commission outlined its proposal for a compromise on safeguards. It proposed to establish a system whereby, for ethanol and rice, if the threshold (whose level would still need to be determined by the co-legislators) of total imports was exceeded, a special surveillance mechanism modelled on the one laid down in Article 32 of the revised Council mandate would automatically be launched. The special surveillance mechanism would last for six months, at the end of which, should the Commission identify a market disturbance, it would proceed with withdrawing preferences by implementing act. The Commission argued that this mechanism would be quick, predictable and based on a holistic analysis.

13. The Presidency informed the members of the Trade Policy Committee (Generalised Scheme of Preferences) on 4 June 2025 of progress in the discussions with the European Parliament and the Commission. It promised to circulate the proposals from the Commission and the European Parliament. It noted that the final outcome of the negotiations could be expected to differ from these proposals, but they would indicate to delegations the issues under discussion where the Council would be asked to show flexibility.

14. On this basis it appears that there may be a possibility to conclude the trilogue negotiations if all sides are willing to show flexibility.

15. Against this background, and with a view to re-launching trilogue negotiations with the European Parliament, the Permanent Representatives Committee is invited to confirm its continued support to the Council mandate of 13 March 2024, and indicate any additional flexibility that it wishes the Council to display in these negotiations, in particular for safeguards for rice.

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