

Exercise of the Union's rights for the application and enforcement of international trade rules

2012/0359(COD) - 11/07/2017 - Follow-up document

In accordance with Regulation (EU) No 654/2014 of the European Parliament and of the Council, the Commission presented an initial review of the scope of the enforcement Regulation.

As a reminder, the Enforcement Regulation ensures that the European Union is able to enforce and defend its rights under international trade agreements by adopting trade policy measures.

The Enforcement Regulation empowers the Commission to adopt such trade policy measures by means of implementing acts in the area of trade in goods, but not in the area of services or intellectual property.

By 18 July 2017, the Commission is required to review the scope of the trade policy measures which it is empowered to adopt by way of implementing acts and must therefore carry out an initial assessment to consider complementary trade policy measures in the field of services.

Based on its **initial assessment, the Commission does not envisage proposing an extension of the empowerment under the Enforcement Regulation** to adopt trade policy measures in the area of services.

The Commission observed no new developments within the European Union in respect of the adoption of common rules on services sectors that are capable of altering the conclusion that, at this stage of development of European Union law, it is appropriate to focus on areas other than services for the purposes of the Commission's empowerment to adopt trade policy measures under the Enforcement Regulation.

The Commission will therefore **continue to monitor developments** in order to be able to review the scope of the Enforcement Regulation and report its findings to the to the European Parliament and the Council by 18 July 2019, the date on which the Commission must review the scope of the Enforcement Regulation, particularly with respect to the trade policy measures that may be adopted, as well as its implementation.

The Commission stressed that **services play an increasingly important role in today's economy**. The number of WTO disputes in the field of services is growing. Taking countermeasures in the field of services remains a possibility. The EU has a central role to play in **negotiating the trade in services trade agreement and international trade agreements** with a strong service component.

Lastly, the report noted that should it prove necessary for the European Union to resort to trade policy measures not covered by the Enforcement Regulation, including in the field of trade in services, the Commission could make **proposals for a legislative act** based on Article 207 of the TFEU or resort to other applicable procedures.