

# Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) <a href="#">2012/0251(COD)</a> Regulation</p>	Procedure completed
<p>Generalised scheme of tariff preferences (GSP): reinstatement of tariff preferences for Myanmar/Burma</p> <p>Repealing Regulation (EC) No 552/97 <a href="#">1996/0317(CNS)</a> Repealing Regulation (EC) No 552/97 <a href="#">1997/0041(CNS)</a></p> <p>Subject 6.30.01 Generalised scheme of tariff preferences (GSP), rules of origin 6.40.08 Relations with Asian countries</p> <p>Geographical area Burma Myanmar</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>INTA</b> International Trade		06/11/2012
		S&D <a href="#">MARTIN David</a> Shadow rapporteur PPE <a href="#">FJELLNER Christofer</a> ALDE <a href="#">RINALDI Niccolò</a> Verts/ALE <a href="#">KELLER Ska</a> ECR <a href="#">STURDY Robert</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>AFET</b> Foreign Affairs	The committee decided not to give an opinion.	
	<b>DEVE</b> Development	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">3243</a>	06/06/2013
European Commission	Commission DG	Commissioner	
	<a href="#">Trade</a>	DE GUCHT Karel	

Key events			
17/09/2012	Legislative proposal published	<a href="#">COM(2012)0524</a>	Summary
22/10/2012	Committee referral announced in Parliament, 1st reading		
21/03/2013	Vote in committee, 1st reading		

25/03/2013	Committee report tabled for plenary, 1st reading	<a href="#">A7-0122/2013</a>	Summary
22/05/2013	Debate in Parliament		
23/05/2013	Results of vote in Parliament		
23/05/2013	Decision by Parliament, 1st reading	<a href="#">T7-0218/2013</a>	Summary
06/06/2013	Act adopted by Council after Parliament's 1st reading		
12/06/2013	Final act signed		
12/06/2013	End of procedure in Parliament		
29/06/2013	Final act published in Official Journal		

### Technical information

Procedure reference	2012/0251(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Regulation (EC) No 552/97 <a href="#">1996/0317(CNS)</a> Repealing Regulation (EC) No 552/97 <a href="#">1997/0041(CNS)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 207
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	INTA/7/10682

### Documentation gateway

Legislative proposal	<a href="#">COM(2012)0524</a>	17/09/2012	EC	Summary
Committee draft report	<a href="#">PE504.017</a>	01/02/2013	EP	
Amendments tabled in committee	<a href="#">PE506.119</a>	27/02/2013	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A7-0122/2013</a>	25/03/2013	EP	Summary
Text adopted by Parliament, 1st reading/single reading	<a href="#">T7-0218/2013</a>	23/05/2013	EP	Summary
Draft final act	<a href="#">00012/2013/LEX</a>	12/06/2013	CSL	

### Additional information

National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

### Final act

[Regulation 2013/607](#)  
[OJ L 181 29.06.2013, p. 0013](#) Summary

## Generalised scheme of tariff preferences (GSP): reinstatement of tariff preferences for Myanmar/Burma

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PURPOSE: to repeal [Council Regulation \(EC\) No 552/97](#) temporarily withdrawing access to generalised tariff preferences from Myanmar/Burma.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: [the Generalised Scheme of Tariff Preferences \(GSP scheme\) is part of the European Union's common commercial policy, in accordance with the general provisions governing the European Union's external action.](#)

[Council Regulation \(EC\) No 732/2008 applying the current GSP scheme](#) provides that the preferential arrangements provided for in this Regulation may be withdrawn temporarily, in respect of all or of certain products originating in a beneficiary country, for the serious and systematic violation of principles laid down in fifteen out of the twenty-seven international conventions listed in its Annex, on the basis of the conclusions of the relevant monitoring bodies. The relevant conventions also cover core labour rights such as forced labour.

Myanmar/Burma's access to the GSP tariff preferences was temporarily withdrawn by Council Regulation (EC) No 552/97 due to routine and widespread practice of forced labour, confirmed by the International Labour Organisation (ILO), in a special procedure of its Commission of Inquiry.

Since 2011, Myanmar/Burma has been undertaking a historic programme of openness and reform and the Council is now in favour of "reinstating the Generalised System of Preferences (GSP) for Myanmar/Burma as soon as possible once the required conditions are fulfilled, following the assessment of the International Labour Organisation".

On 13 June 2012, the International Labour Conference (ILC) lifted restrictions, which excluded the Government of Myanmar/Burma from receiving ILO technical cooperation and assistance. Accordingly, the violations cannot be any longer considered as "serious and systematic" and thus the tariff preferences should be reinstated according to the current GSP Regulation.

For these reasons, it is recommended that Myanmar/Burmas access to generalized tariff preferences should be reinstated.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: Article 207 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: with this proposed Regulation, it is envisaged to repeal Council Regulation (EC) No 552/97 for the reasons described above.

It should be noted that in the absence of explicit reinstatement provisions in the current GSP Regulation, and in light of the provisions of the Treaty of Lisbon, the ordinary legislative procedure is applied for the adoption of the reinstatement of preferences for Myanmar. This is a one-off procedure aimed at responding to a clear and present political need as expeditiously as possible. The [new GSP Regulation](#) which will apply only as of 1 January 2014 redresses the absence of reinstatement provisions.

BUDGETARY IMPLICATIONS: the proposed Regulation does not incur costs to the EU budget and its application entails a very limited loss of customs revenue. The actual loss of customs revenue resulting from reintegration of Myanmar/Burma is estimated at less than 5 million and is due to a structural lack of production and trading capacity in the country.

## Generalised scheme of tariff preferences (GSP): reinstatement of tariff preferences for Myanmar/Burma

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The Committee on International Trade adopted the report by David MARTIN (S&D, UK) on the proposal for a regulation of the European Parliament and of the Council repealing Council Regulation (EC) No 552/97 temporarily withdrawing access to generalised tariff preferences from Myanmar/Burma.

The committee recommends that the European Parliament adopt its position in first reading taking over the Commission proposal.

## Generalised scheme of tariff preferences (GSP): reinstatement of tariff preferences for Myanmar/Burma

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The European Parliament adopted by 504 votes to 95, with 8 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council repealing Council Regulation (EC) No 552/97 temporarily withdrawing access to generalised tariff preferences from Myanmar/Burma.

Parliament adopted its position at first reading taking over the Commission proposal.

It should be noted that Parliament rejected all amendments proposed in plenary by the Greens/EFA and GUE/NGL groups.

## Generalised scheme of tariff preferences (GSP): reinstatement of tariff preferences for Myanmar/Burma

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PURPOSE: to repeal [Council Regulation \(EC\) No 552/97](#) temporarily withdrawing access to generalised tariff preferences from

Myanmar/Burma.

LEGISLATIVE ACT: Regulation (EU) no 607/2013 of the European Parliament and of the Council repealing Council Regulation (EC) No 552/97 temporarily withdrawing access to generalised tariff preferences from Myanmar/Burma.

CONTENT: [Council Regulation \(EC\) No 732/2008](#) applying the current scheme of generalised tariff preferences provides that the preferential arrangements may be withdrawn temporarily, in respect of all or of certain products originating in a beneficiary country, for the serious and systematic violation of principles laid down in 15 of the 27 international conventions listed in its annex, on the basis of the conclusions of the relevant monitoring bodies. The conventions in question also cover fundamental rights of workers and forced or compulsory labour, in particular.

Myanmar/Burma's access to the GSP tariff preferences was temporarily withdrawn by Council Regulation (EC) No 552/97 due to routine and widespread practice of forced labour, confirmed by the International Labour Organisation (ILO), in a special procedure of its Commission of Inquiry.

Since 2011, Myanmar/Burma has been undertaking a historic programme of openness and reform and the Council is now in favour of reinstating the Generalised System of Preferences (GSP) for Myanmar/Burma once the required conditions are fulfilled, following the assessment of the International Labour Organisation.

On 13 June 2012, the International Labour Conference (ILC) lifted restrictions, which excluded the Government of Myanmar/Burma from receiving ILO technical cooperation and assistance. Accordingly, the violations cannot be any longer considered as "serious and systematic" and it is thus appropriate that Myanmar/Burmas access to generalized tariff preferences is reinstated.

Moreover, in a specific report, published on 17 September 2012, the Commission itself recognised the progress made by Burma/Myanmar in satisfying the ILOs recommendations and recommended that the generalised tariff preferences should be reinstated in its case.

As a result, the European Parliament and the Council decided to repeal Council Regulation No 552/97 to take into account the new situation.

The Commission shall continue to monitor developments in Myanmar/Burma with respect to forced labour and react to them in accordance with the procedures in force, including, if necessary, with renewed withdrawal procedures.

ENTRY INTO FORCE: the Regulation enters into force on 19.07.2013. It is retroactively applicable from 13 June 2012.