

Council Decision (EU) 2019/1955 of 21 November 2019 on the position to be taken on behalf of the European Union within the General Council of the World Trade Organization as regards the adoption of a decision on the review of the Understanding on Tariff Rate Quota Administration Provisions of Agricultural Products ('TRQ Understanding')

COUNCIL DECISION (EU) 2019/1955

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on the position to be taken on behalf of the European Union within the General Council of the World Trade Organization as regards the adoption of a decision on the review of the Understanding on Tariff Rate Quota Administration Provisions of Agricultural Products ('TRQ Understanding')

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 22 December 1994, the Marrakesh Agreement Establishing the World Trade Organization (the 'WTO Agreement') was concluded by the Union by Council Decision 94/800/EC⁽¹⁾ and entered into force on 1 January 1995.
- (2) Pursuant to paragraph 1 of Article IV of the WTO Agreement, the Ministerial Conference of the World Trade Organization ('WTO') has the authority to take decisions on all matters under any of the Multilateral Trade Agreements.
- (3) Pursuant to paragraph 2 of Article IV of the WTO Agreement, in the intervals between meetings of the Ministerial Conference the functions of the Ministerial Conference are to be conducted by the General Council of the WTO.
- (4) Pursuant to paragraph 1 of Article IX of the WTO Agreement, WTO bodies usually take decisions by consensus.
- (5) In December 2013, the Ninth Session of the WTO Ministerial Conference adopted a Ministerial Decision on Understanding on Tariff Rate Quota Administration Provisions of Agricultural Products, as defined in Article 2 of the Agreement on Agriculture (WT/MIN(13)/39) (the 'TRQ Understanding') that governs the management of tariff rate quotas of agricultural products.
- (6) Pursuant to paragraph 13 of the TRQ Understanding, a review of the operation of the TRQ Understanding is to commence no later than four years following its adoption, taking into account experience gained up to that time. The objective of this review is to promote a continuing process of improvement in the utilisation of tariff rate quotas.

Changes to legislation: There are currently no known outstanding effects for the Council Decision (EU) 2019/1955, Introductory Text. (See end of Document for details)

- (7) In accordance with paragraph 13 of the TRQ Understanding, the Committee on Agriculture proceeded with the review of that Understanding in 2018. The review findings will be presented to the December 2019 meeting of the General Council of the WTO in the form of a report issued by the Committee on Agriculture (Report No G/AG/29 'Review of the Operation of the Bali Decision on TRQ Administration' of 31 October 2019).
- (8) Given the lack of consensus among WTO members on the substantive amendments to the TRQ Understanding, the report recommends prolonging the review period until the end of 2021, so that a consensus on substantive amendments may be reached. The report further includes recommendations intended to increase the transparency of TRQ administration.
- (9) In its December 2019 meeting, the General Council of the WTO should be invited to consider the adoption of the recommendations laid down in Annex 2 of Report No G/AG/29 in the form of a decision on the review of the TRQ Understanding.
- (10) It is appropriate to establish the position to be taken on the Union's behalf in the General Council of the WTO, as the decision to be adopted will be binding on the Union.
- (11) In the General Council of the WTO, the Union is to be represented by the Commission, in accordance with Article 17(1) of the Treaty on European Union,

HAS ADOPTED THIS DECISION:

Changes to legislation: There are currently no known outstanding effects for the
Council Decision (EU) 2019/1955, Introductory Text. (See end of Document for details)

- (1) Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) ([OJ L 336, 23.12.1994, p. 1](#)).

Changes to legislation:

There are currently no known outstanding effects for the Council Decision (EU) 2019/1955, Introductory Text.