Commission Delegated Regulation (EU) No 1421/2013 of 30 October 2013 amending Annexes I, II and IV to Regulation (EU) No 978/2012 of the European Parliament and of the Council applying a scheme of generalised tariff preferences

COMMISSION DELEGATED REGULATION (EU) No 1421/2013

of 30 October 2013

amending Annexes I, II and IV to Regulation (EU) No 978/2012 of the European Parliament and of the Council applying a scheme of generalised tariff preferences

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008[(1)], and in particular Articles 3(2), 5(3) and 17(2) thereof,

Whereas:

(1) Article 3 of Regulation (EU) No 978/2012 provides that a list of eligible countries should be amended to take account of changes in the international status or classification of countries. The list of eligible countries is established in Annex I to that Regulation.

(2) Article 4 of Regulation (EU) No 978/2012 establishes criteria for the granting of tariff preferences under the general arrangement of the Generalised Scheme of Preferences (GSP). In accordance with such criteria, a country that has been classified by the World Bank as a high or an upper-middle income country for three consecutive years should not benefit from such preferences. The list of beneficiary countries of the general arrangement of the GSP is established in Annex II to that Regulation.

(3) Article 17(1) of Regulation (EU) No 978/2012 provides that a country that is identified by the UN as a least-developed country should benefit from the tariff preferences under the special arrangement for the least-developed countries (EBA). The list of EBA beneficiary countries is established in Annex IV to that Regulation.

(4) The Republic of Croatia (hereinafter Croatia) became a member of the European Union as of 1 July 2013. Therefore, Croatiashould be removed from Annex I.

(5) The Republic of South Sudan (hereinafter South Sudan) has become an independent State. On 14 July 2011, the General Assembly of United Nations adopted Resolution A/RES/65/308 admitting South Sudan to membership in the United Nations. On 18 December 2012, the General Assembly of United Nations adopted Resolution A/RES/67/136 adding South Sudan to the list of Least Developed Countries. Therefore, South Sudan should be included in Annexes I, II and IV.

(6) Regulation (EU) No 607/2013 of the European Parliament and of the Council of 12 June 2013 repealing Council Regulation (EC) No 552/97 temporarily withdrawing access to generalised tariff preferences from Myanmar/Burma[(2)] repealed the temporary

withdrawal of Myanmar/Burma's access to the Generalised Scheme of Preferences (GSP) tariff preferences. Therefore, Myanmar/Burma should be removed from the table in Annex I, which lists the 'Eligible countries of the scheme referred to in Article 3 which have been temporarily withdrawn from the scheme, in respect of all or of certain products originating in these countries', from the table in Annex II which lists the 'Beneficiary countries of the general arrangement referred to in point (a) of Article 1(2) which have been temporarily withdrawn from that arrangement, in respect of all or of certain products originating in these countries' and from the table in Annex IV, which lists the 'Beneficiary countries of the special arrangement for the least-developed countries referred to in point (c) of Article 1(2) which have been temporarily withdrawn from that arrangement, in respect of all or of certain products originating in these countries'.

(7) The People's Republic of China (hereinafter China), the Republic of Ecuador (hereinafter Ecuador), the Republic of Maldives (hereinafter the Maldives) and the Kingdom of Thailand (hereinafter Thailand) have been classified by the World Bank as upper-middle income countries in 2011, 2012 and 2013. Accordingly, China, Ecuador, the Maldives and Thailandshould be removed from Annex II as from one year after the date of entry into force of this Regulation.

(8) Commission Regulation (EU) No 1127/2010[(3)] establishes a three-year transitional period for withdrawing the Maldives from the special arrangement for the least-developed countries (Everything But Arms (EBA)) and provides for the removal of the Maldivesfrom the list of EBA beneficiary countries as of 1 January 2014. Therefore, the Maldivesshould be removed from Annex IV.

(9) Article 5(2) of the GSP Regulation provides a GSP beneficiary country and economic operators with time for orderly adaptation to the change in the country's status under the scheme. This period should be indicated for each GSP beneficiary country concerned in the respective Annex to Regulation (EU) No 978/2012,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 978/2012 is amended as follows:

(1) Annex I is replaced by the text set out in Annex I to this Regulation;

(2) Annex II is replaced by the text set out in Annex II to this Regulation;

(3) Annex IV is replaced by the text set out in Annex III to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 2014.

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

Done at Brussels, 30 October 2013.

For the Commission

The President

José Manuel BARROSO

Changes to legislation: *There are currently no known outstanding effects for the Commission Delegated Regulation (EU) No 1421/2013. (See end of Document for details)*

ANNEX I

ANNEX **E**ligible countriesof the scheme referred to in Article 3

Column A : alphabetical code, in accordance with the nomenclature of countries and territories for the Union external trade statistics

Column B : name

A	**B**
AE	United Arab Emirates
AF	Afghanistan
AG	Antigua and Barbuda
AL	Albania
AM	Armenia
AO	Angola
AR	Argentina
AZ	Azerbaijan
BA	Bosnia and Herzegovina
BB	Barbados
BD	Bangladesh
BF	Burkina Faso
BH	Bahrain
BI	Burundi
BJ	Benin
BN	Brunei Darussalam
BO	Bolivia
BR	Brazil
BS	Bahamas
BT	Bhutan
BW	Botswana
BY	Belarus
BZ	Belize
CD	Congo, Democratic Republic of
CF	Central African Republic
CG	Congo
CI	Côte d'Ivoire

a This designation is without prejudice to positions on status, and is in line with UN Security Council Resolution 1244 (1999) and the International Court of Justice Opinion on the Kosovo's declaration of independence.

CK	Cook Islands
CL	Chile
CM	Cameroon
CN	China, People's Republic of
CO	Colombia
CR	Costa Rica
CU	Cuba
CV	Cape Verde
DJ	Djibouti
DM	Dominica
DO	Dominican Republic
DZ	Algeria
EC	Ecuador
EG	Egypt
ER	Eritrea
ET	Ethiopia
FJ	Fiji
FM	Micronesia, Federated States of
GA	Gabon
GD	Grenada
GE	Georgia
GH	Ghana
GM	Gambia
GN	Guinea
GQ	Equatorial Guinea
GT	Guatemala
GW	Guinea-Bissau
GY	Guyana
HK	Hong Kong
HN	Honduras
HT	Haiti
ID	Indonesia
IN	India

a This designation is without prejudice to positions on status, and is in line with UN Security Council Resolution 1244 (1999) and the International Court of Justice Opinion on the Kosovo's declaration of independence.