



*Committee on International Trade
Committee on Industry, Research and Energy
Committee on the Internal Market and Consumer Protection*

2026/0068(COD)

19.10.2026

AMENDMENTS

1514 - 1771

Draft report

Anna Cavazzini, Christophe Grudler, Pierre Jouvét
(PE792.067v02-00)

Proposal for a Regulation of the European Parliament and of the Council
establishing a framework of measures for the acceleration of industrial capacity
and decarbonisation in strategic sectors and amending Regulations (EU)
2018/1724, (EU) 2024/1735 and (EU) 2024/3110

Proposal for a regulation
(COM(2026)0100 – C10-0067/2026 – 2026/0068(COD))

AM_Com_LegReport

Amendment 1514
Tomislav Sokol

Proposal for a regulation
Article 7 a (new)

Text proposed by the Commission

Amendment

Article 7a

Union origin for softwares

For the purposes of this Regulation, where a Union origin requirement applies to software which is not subject to the rules for determining the non-preferential origin of goods under Regulation (EU) No 2026/2108, the Union origin of that software shall be determined on the basis of the place where the principal development activities resulting in the essential characteristics and functionalities of the software are carried out.

In determining whether software is of Union origin, account shall be taken, in particular, of the place where the principal software architecture, development, programming, testing, validation and integration activities are carried out and of the share of the value of those activities generated within the Union.

The Commission is empowered to adopt delegated acts in accordance with Article 30 to supplement this Regulation by establishing the methodology and criteria for determining the Union origin of software pursuant to this paragraph, including rules concerning software developed in more than one country and rules necessary to prevent circumvention.

Or. en

Amendment 1515
Tomislav Sokol

Proposal for a regulation
Article 7 b (new)

Text proposed by the Commission

Amendment

Article 7b

***Anticircumvention of Union origin
equivalence***

Where there is sufficient evidence that the treatment as Union origin provided for in Article 8 or 9 is being obtained through practices that circumvent the conditions or objectives underlying that treatment, the Commission may initiate an investigation with a view to withdrawing or suspending that treatment in respect of the third country, product or economic operator concerned.

For the purposes of this Article, circumvention means a change in the pattern of trade or production stemming from a practice, process or operation for which there is insufficient due cause or economic justification other than obtaining the treatment provided for in Article 8 or 9, including in particular:

(a) the assembly or completion, in a third country benefiting from that treatment, of parts or components originating in other third countries, where the processing or working carried out is minor having regard to the nature and value of the parts or components concerned; or

(b) the relocation or establishment in a third country benefiting from that treatment of processing, assembly or manufacturing operations which generate only limited local value creation and do not reflect genuine manufacturing capacity.

The Commission may initiate an investigation on its own initiative or following a substantiated request from a Member State, a contracting authority or representatives of Union industry. The

Commission shall inform the third country and the economic operators concerned of the initiation of the investigation and shall provide them with an opportunity to submit relevant information. The investigation shall be concluded within nine months of its initiation.

Where the Commission determines that circumvention has taken place, it shall, by means of an implementing act adopted in accordance with Article [XX], withdraw or suspend the treatment provided for in Article 8 or 9 in respect of the products or economic operators concerned or, where the circumvention is systemic and cannot effectively be addressed through measures limited to individual products or economic operators, in respect of the third country concerned. Any measure adopted pursuant to this paragraph shall be proportionate to the circumvention identified.

Or. en

Amendment 1516

Bart Groothuis, Nikola Minchev, Christophe Grudler, Jeannette Baljeu, Morten Løkkegaard, Barry Andrews, Sandro Gozi, Pascal Canfin, Sophie Wilmès, Benoit Cassart, Yvan Verougstraete, Barry Cowen, Billy Kelleher, Michael McNamara, Engin Eroglu, Brigitte van den Berg, Anna-Maja Henriksson, Sigrid Friis, Karin Karlsbro, Martin Hojsik, Ľubica Karvašová, Ivars Ijabs

Proposal for a regulation Article 7 b (new)

Text proposed by the Commission

Amendment

Article 7b

Monitoring of circumvention

1. The Commission shall monitor the following indicators for each partner country:

(a) imports into the Union from that partner country, compared with that

country's imports of components and inputs from a third country which holds more than 40% of global manufacturing capacity in the sector concerned, and with the share of its production exported to the Union;

(b) foreign direct investment from such a third country in production facilities or warehouses in that partner country;

(c) the participation of economic operators from that partner country in procurement procedures and support schemes covered by this Regulation.

Where those indicators point to a risk of circumvention, the Commission shall, on its own initiative or at the request of a Member State, issue an early warning for a product category and country.

2. The Commission shall investigate the accuracy of a self-declaration following an early warning or a substantiated request from a Member State, and may do so on its own initiative. Member States, contracting authorities, contracting entities and representative organisations of the sectors concerned may submit to the Commission any relevant evidence. The Commission shall conclude the investigation within nine months and, where the self-declaration is found to be false, establish circumvention by decision.

3. Where early warnings or established cases of circumvention recur in respect of a partner country, the Commission shall assess whether that country still meets the criteria for partner country status and shall, where appropriate, exclude it in accordance with Article 7.

Or. en

Justification

The Commission tracks a few simple indicators per partner country: imports compared with the partner's own imports of parts and its export share, investment from dominant third countries, and participation in Union tenders and schemes. Where these point to a risk, it

must issue an early warning and investigate. An investigation takes at most nine months. If cases keep recurring, the partner country can lose its status.

Amendment 1517

Hanna Gedin, Rudi Kennes, Marina Mesure

Proposal for a regulation

Article 8

Text proposed by the Commission

Amendment

Article 8

deleted

Content equivalent to Union origin in public procurement

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under

any other exception under the applicable agreement.

Or. en

Amendment 1518

Raúl de la Hoz Quintano, Adrián Vázquez Lázara, Esteban González Pons, Pilar del Castillo Vera, Dolors Montserrat, Javier Zarzalejos, Susana Solís Pérez, Borja Giménez Larraz, Carmen Crespo Díaz, Antonio López-Istúriz White, Esther Herranz García, Nicolás Pascual de la Parte, Juan Ignacio Zoido Álvarez, Francisco José Millán Mon, Maravillas Abadía Jover, Isabel Benjumea Benjumea, Gabriel Mato

Proposal for a regulation Article 8

Text proposed by the Commission

Amendment

Article 8

deleted

*Content equivalent to Union origin in
public procurement*

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

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(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in

the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1519

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation Article 8

Text proposed by the Commission

Amendment

Article 8

deleted

Content equivalent to Union origin in public procurement

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

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(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid

dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. fr

Amendment 1520
Costas Mavrides

Proposal for a regulation
Article 8

Text proposed by the Commission

Amendment

Article 8

deleted

Content equivalent to Union origin in public procurement

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(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in

the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1521

Sophie Wilmès, Benoit Cassart, João Cotrim De Figueiredo, Yvan Verougstraete

Proposal for a regulation

Article 8

Text proposed by the Commission

Amendment

Article 8

deleted

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(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1522

David Cormand, Anna Cavazzini, Sara Matthieu
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 8

Text proposed by the Commission

Amendment

Article 8

deleted

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(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under

any other exception under the applicable agreement.

Or. en

Amendment 1523
Dario Tamburrano

Proposal for a regulation
Article 8

Text proposed by the Commission

Amendment

Article 8

deleted

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public procurement*

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(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Amendment 1524

Bart Groothuis, Nikola Minchev, Jeannette Baljeu, Morten Løkkegaard, Barry Andrews, Sophie Wilmès, Benoit Cassart, Yvan Verougstraete, Barry Cowen, Billy Kelleher, Michael McNamara, Engin Eroglu, Brigitte van den Berg, Anna-Maja Henriksson, Sigrid Friis, Karin Karlsbro, Ivars Ijabs

**Proposal for a regulation
Article 8**

Text proposed by the Commission

Amendment

Article 8

deleted

***Content equivalent to Union origin in
public procurement***

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(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Justification

Replaced by the partner-country system in Article 7.

Amendment 1525

Pierre Jouvét, Kathleen Van Brempt, Jens Geier, Javier Moreno Sánchez, Nicolás González Casares, François Kalfon, René Repasi, Jean-Marc Germain, Matthias Ecke, José Cepeda, Hana Jalloul Muro, Idoia Mendia, Marc Angel, Elena Sancho Murillo, Bruno Tobback, Elisabeth Grossmann, Adnan Dibrani, Laura Ballarín Cereza, Raphaël Glucksmann, Niels Fuglsang, Lina Gálvez

Proposal for a regulation
Article 8

Text proposed by the Commission

Amendment

Article 8

deleted

***Content equivalent to Union origin in
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(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in

the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1526

Yvan Verougstraete, Sandro Gozi, Christophe Grudler, Stéphanie Yon-Courtin

Proposal for a regulation

Article 8

Text proposed by the Commission

Amendment

Article 8

deleted

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(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1527

Paolo Borchia, Isabella Tovaglieri, Raffaele Stancanelli, Anna Brylka, Klara Dostalova, Jana Nagyová, Ondřej Knotek, Jaroslav Bžoch, Tomáš Kubín, Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation Article 8

Text proposed by the Commission

Amendment

Article 8

deleted

Content equivalent to Union origin in public procurement

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(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in

the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1528

Oihane Agirregoitia Martínez

Proposal for a regulation

Article 8

Text proposed by the Commission

Amendment

Article 8

deleted

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(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Justification

The aim is not to close off the different forms of public intervention, as companies from third countries will be able to participate in tenders and auctions but will have to comply with the EU manufacturing requirements, just like EU producers, provided that there is reciprocal access for EU companies. For industrial companies from third countries to demonstrate manufacturing in the EU, they must invest and manufacture in the EU in compliance with the high standards of our internal market.

Amendment 1529

Bruno Gonçalves

Proposal for a regulation

Article 8

Text proposed by the Commission

Amendment

Article 8

deleted

Content equivalent to Union origin in public procurement

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

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(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in

relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1530

Rudi Kennes, Marina Measure, Hanna Gedin

Proposal for a regulation

Article 8

Text proposed by the Commission

Amendment

Article 8

deleted

Content equivalent to Union origin in public procurement

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(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1531

Hanna Gedin, Rudi Kennes, Marina Measure

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin. *deleted*

Or. en

Amendment 1532

Mariateresa Vivaldini, Carlo Fidanza, Elena Donazzan, Nicola Procaccini, Sergio Berlato, Stefano Cavedagna, Carlo Ciccio, Alessandro Ciriani, Pietro Fiocchi, Alberico Gambino, Chiara Gemma, Paolo Insevlini, Lara Magoni, Mario Mantovani, Giuseppe Milazzo, Denis Nesci, Michele Picaro, Ruggero Razza, Antonella Sberna, Marco Squarta, Francesco Torselli, Francesco Ventola, Jessika van Leeuwen, Giovanni Crosetto, Nicolas Bay, Marion Maréchal

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin. *deleted*

Or. en

Amendment 1533

Pierre Jouvét, Kathleen Van Brempt, Jens Geier, Javier Moreno Sánchez, Nicolás González Casares, François Kalfon, René Repasi, Jean-Marc Germain, Matthias Ecke, José Cepeda, Hana Jalloul Muro, Idoia Mendia, Ștefan Mușoiu, Marc Angel, Elena Sancho Murillo, Bruno Tobback, Elisabeth Grossmann, Raphaël Glucksmann, Niels Fuglsang, Lina Gálvez

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin. *deleted*

Or. en

Amendment 1534 Costas Mavrides

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

deleted

Or. en

Amendment 1535

Daniel Obajtek, Marion Maréchal, Anna Zalewska, Jadwiga Wiśniewska, Jacek Ozdoba

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries *with which the Union has concluded* an agreement establishing a free trade area or a customs union, *or that are parties* to the Agreement on Government Procurement, *where relevant obligations* of the Union *exist under that agreement*, shall be deemed to be of Union origin.

1. *I.* With respect to the Union origin requirements referred to in Article 11, content originating in third countries *shall be deemed to be of Union origin where:*

a) content originates from members of the European Free Trade Associations (EFTA) which are members of the European Economic Area (EEA), and the United Kingdom, or

b) all of the following conditions are met in respect of the third country concerned:

(i) the third country accords national treatment to Union products and economic operators pursuant to an

agreement establishing a free trade area or a customs union *with the Union, or pursuant to the Agreement on Government Procurement, in respect of all sectors listed in Annex II and III;*

(ii) the inclusion is consistent with the objective of strengthening the economic security of the Union, including the security and resilience of supply chains for the products concerned, energy security and the resilience of the internal market, and does not create or reinforce unhealthy strategic dependencies on third countries;

(iii) the third country respects and enforces internationally recognised labour rights and applicable labour law, including workers' rights, freedom of association and collective bargaining;

(iv) the third country has in place, and effectively implements, a legal and regulatory framework that is substantially equivalent to that applicable within the Union internal market, including as regards environmental and climate protection standards, and has adopted and effectively implemented industrial sustainability measures comparable in their objectives and level of ambition to those applicable in the Union, including, where appropriate, a carbon pricing mechanism or equivalent measures;

(v) the inclusion of the third country does not give rise to a risk of circumvention of the Union-origin requirements laid down in this Regulation, in particular through the re-export of products or components originating in third countries that are not covered by a delegated act adopted pursuant to this Article, or through the establishment, on the territory of the third country concerned, of undertakings owned or controlled by entities established in third countries not covered by this Article, where such establishment is intended primarily to obtain access to the Union market for those products or

components.

(vi) in respect of products originating in that third country falling within the sectors covered by Annexes II and III, reliable, verifiable and sufficiently detailed information is available to enable the competent authorities to assess compliance with the low-carbon requirements or with requirements relating to the use of sustainable carbon sources laid down pursuant to this Regulation.

Or. en

Justification

Union-origin treatment should be limited to products originating in the Union, EEA/EFTA countries, the United Kingdom and a narrowly defined group of third countries demonstrating a high degree of alignment with Union standards. Such third countries should also guarantee effective reciprocity for Union companies and goods, in particular as regards access to public procurement procedures and national support schemes. The Commission proposal is excessively broad and risks diluting the effectiveness of the Regulation by extending equivalent treatment too widely.

Amendment 1536

Radan Kanev

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Without prejudice to sub paragraph 1, only third countries which have submitted their Nationally Determine Contributions

(NDCs) to the UNFCCC, have proven measurable progress in absolute greenhouse gas emissions reduction , have a trajectory to phase-out fossil fuels and in particular the combustion of all types of coal, have a national carbon trading scheme in place and have effective commitment to international climate finance objectives under the UNFCCC and the Paris Agreement, shall be deemed to be of Union origin.

Or. en

Justification

Whether it's opt-in or opt - out: additional reciprocity requirement for comparable climate legislations as those applicable to EU companies

Amendment 1537

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries ***with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.***

Amendment

1. With respect to the Union origin requirements referred to in Article 11, ***only*** content originating in ***the*** third countries ***listed in Annex IIa shall be deemed to be of Union origin. A third country may be included in Annex IIa only by means of a legislative act adopted in accordance with the ordinary legislative procedure, and provided that it is bound to the Union and its Member States by an international agreement, ratified by each Member State in accordance with its constitutional requirements, containing reciprocal and legally binding commitments on access to public procurement in the sectors listed in Annex I. The criteria set out in paragraph 3 must be met cumulatively at the time of registration. On the date of entry into force of this Regulation, Annex IIa does***

not include any third countries.

Or. fr

Amendment 1538

Letizia Moratti, Fulvio Martusciello, Massimiliano Salini, Salvatore De Meo

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. ***With respect to*** the Union origin requirements referred to in Article 11, content originating in third ***countries*** with which the Union has concluded an agreement establishing a ***free trade*** area or a customs union, ***or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement,*** shall be ***deemed to be of Union origin.***

Amendment

1. ***For the purposes of applying*** the Union origin requirements referred to in Article 11, ***‘originating content’ of a third country means*** content originating in:

a) a third country that is a party to the Agreement on Government Procurement (GPA), where the procurement concerned falls within the scope of the Union’s commitments under Appendix I to the GPA, including the relevant annexes;

b) a third country with which the Union has concluded an agreement establishing a ***free-trade*** area or a customs union, ***subject to the conditions set out therein, provided that the agreement establishes relevant Union obligations for the specific product.***

The origin of goods and their components shall be determined in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council.

Or. en

Amendment 1539
Brando Benifei

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

For the purposes of Union origin requirements applicable to vessels and maritime equipment, the equivalence referred to in this paragraph shall be assessed on a sector-by-sector basis, taking into account the level of reciprocity, the effectiveness of enforcement, and the existence of market distortions resulting from state support measures in the third country concerned.

Or. en

Amendment 1540
Laura Ballarín Cereza

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement,

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement,

where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin. ***This provision shall remain applicable only where no failure to comply with the commitments entered into has been established and shall be limited to strategic components sourced from selected close partner countries that meet comparable environmental and social standards.***

Or. en

Justification

The legislation should make clear that appropriate checks must be carried out and that failure to comply with customs arrangements may result in a product being denied European-origin status. Compliance with customs arrangements and rules of origin should therefore be subject to robust verification, particularly for products originating in third countries, to prevent practices that could circumvent or undermine European-origin requirements. There is the need to ensure that the provisions of the Act concerning the recognition of goods from third countries with which the EU has concluded a free trade agreement or customs union, as Union-origin products, do not create incentives for nearshoring and offshoring policies that could negatively affect European industry.

Amendment 1541 **Miriam Lexmann**

Proposal for a regulation **Article 8 – paragraph 1**

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, ***provided that the Union has signed with that third country a bilateral arrangement to ensure that it is regarded as a trusted partner contributing to the Union's***

competitiveness and strengthening its economic resilience, shall be deemed to be of Union origin.

Or. en

Amendment 1542
Claudiu-Richard Târziu

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin, ***provided that these equivalences take into account the principle of effective reciprocity, security of supply and the risk of excessive strategic dependencies on the third country concerned.***

Or. ro

Justification

The European market must remain open and compliance with international trade commitments must continue. However, the automatic application of content equivalence to Union origin should not lead to entrenched strategic dependencies or to situations where European producers are at a disadvantage compared to third-country operators. The principle of reciprocity must be applied in practice, it should not just exist on paper, and security of supply must be taken into account when the application of origin requirements could affect strategic sectors.

Amendment 1543
François-Xavier Bellamy, Céline Imart

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in ***third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement,*** shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, ***only*** content originating in ***Member States*** shall be deemed to be of Union origin.

Or. en

Amendment 1544
Krzysztof Hetman, Adam Jarubas

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be ***deemed to be of*** Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be ***eligible for treatment equivalent to*** Union origin ***only where the conditions laid down in Article 9a are fulfilled, without prejudice to the Union's obligations under the relevant international agreement.***

Or. en

Amendment 1545
Niels Flemming Hansen

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin. ***Recognition under this Article shall only apply where the product has undergone substantial transformation resulting in meaningful economic activity in the partner country.***

Or. en

Amendment 1546
Peter Agius, Michalis Hadjipantela, David Casa

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, ***as well as content originating in other trusted partner countries where reciprocity, security of supply and resilient integration into Union value chains are demonstrated***, shall be deemed to be of Union origin.

Justification

Malta relies heavily on diversified international supply chains for access to raw materials, components, equipment and technologies that are not produced domestically or are not available in sufficient quantities within the Union. A narrowly defined “Made in Europe” approach could therefore increase costs, restrict supplier choice and expose smaller, import-dependent Member States to supply disruptions, without necessarily delivering a proportionate increase in Union industrial capacity. The amendment preserves the objective of strengthening European production and strategic resilience while recognising the contribution of trusted partner countries. Treating qualifying partner content as equivalent to Union origin would reflect the operational reality of modern manufacturing, in which final products frequently incorporate inputs sourced across closely interconnected and rules-based supply networks. It would also help European manufacturers remain competitive by ensuring continued access to specialised inputs, critical components and technologies that cannot readily be substituted in the short or medium term. For Malta, this flexibility is particularly important to safeguard the affordability and timely delivery of public and private investment projects, preserve effective competition and avoid disproportionate disadvantages arising from geographic insularity, limited domestic production and a small internal market. Eligibility should nevertheless be based on transparent criteria and regularly reviewed. This balanced “Made with Europe” approach would strengthen Europe’s industrial base through cooperation with reliable partners, diversify external dependencies and reduce strategic vulnerabilities, while ensuring that European preference does not become an overly restrictive instrument that undermines competitiveness, investment or supply-chain resilience

Amendment 1547

Sofie Eriksson, Adnan Dibrani

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

The Commission shall maintain an updated list of countries that are covered by paragraph 1, including exclusions

made in accordance with paragraph 2.

Or. en

Amendment 1548

Dimitris Tsiodras

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in ***third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement,*** shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in the ***European Union Member States, and the EEA/EFTA States,*** shall be deemed to be of Union origin.

Or. en

Justification

Over 75% of EU steel imports come from free-trade-agreement countries, the rule could allow products from nearly 80 countries to qualify as ‘Made in EU.’ Having such a broad eligibility to access lead markets will weaken demand for EU produced low-carbon steel, and perversely use public funds to incentivise imports and weaken the investment case within the EU. The current definition would also allow producers from third countries, e.g. China, to maintain market access by shifting investment to partner countries qualifying under EU trade arrangements (e.g. Morocco, Turkey or Serbia), without strengthening European industrial capacity. For this reason, the definition of “Union origin” should be limited to production within the EU, the European Economic Area and EFTA countries. Limiting eligibility for Public Procurement lead markets is required in order to meet the objectives of the IAA and is justified under the following WTO exceptions: - GPA: Article III.2(a) – public order; - GATT: the recitals point to Article XX(j) (critical shortages), Article XXI (essential security interests) and/or Article XX(a) (public morals linked to public order).

Amendment 1549

Tomislav Sokol

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in ***third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement,*** shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in ***Member States of the European Economic Area and Switzerland*** shall be deemed to be of Union origin.

Or. en

Amendment 1550
Matej Tonin

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin. ***Prior to the entry into force of the Regulation, a comprehensive list of third countries fulfilling those criteria shall be published by the Commission.***

Or. en

Justification

As the Commission proposal allows third countries to be treated as equivalent to Union origin, subject to certain criteria, it is essential to ensure predictability and legal certainty for

Union-based businesses. To this end, the Commission should publish, before the Regulation enters into force, a list of third countries that meet the criteria set out in Article 8.

Amendment 1551

Rihards Kols

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, ***including association agreements providing for a deep and comprehensive free trade area concluded with candidate countries***, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Or. en

Amendment 1552

Pascal Canfin

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, ***shall be deemed*** to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, ***the Commission is empowered to adopt delegated acts in accordance with Article 30 in order to establish, in whole or in part***, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement,

where relevant obligations of the Union exist under that agreement, to be of Union origin.

Or. en

Justification

Opt-in approach to include partner countries

Amendment 1553

Dirk Gotink, Wouter Beke, Pascal Arimont, Christian Ehler, Willemien Koning, Markus Ferber, Sabine Verheyen, Monika Hohlmeier, Christian Doleschal, Norbert Herhammer, Verena Mertens, Henrik Dahl, Andreas Schwab, Hildegard Bentele, Rasa Juknevičienė, Regina Doherty, Norbert Lins, Peter Agius, Borys Budka, Mirosława Nykiel, Krzysztof Hetman, Andrzej Buła, Dariusz Joński, Bogdan Andrzej Zdrojewski, Adam Jarubas, Kamila Gasiuk-Pihowicz, Angelika Niebler

**Proposal for a regulation
Article 8 – paragraph 1**

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries ***with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement,*** shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries ***determined in accordance with Article 70 (2) of [Proposal for Public Procurement Act]*** shall be deemed to be of Union origin.

Or. en

Amendment 1554

Jörgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Lúdia Pereira, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Nina Carberry, Mika Aaltola, Dirk Gotink

**Proposal for a regulation
Article 8 – paragraph 1**

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, ***where relevant obligations of the Union exist under that agreement***, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement shall be deemed to be of Union origin.

Third countries subject to this status, from which imported content shall be deemed equivalent to Union origin, are listed in Annex [X1].

Or. en

Amendment 1555

Klara Dostalova, Jaroslava Pokorná Jermanová, Tomáš Kubín, Jaroslav Bžoch, Ondřej Knotek, Jana Nagyová, Jaroslav Knot, Anna Brylka, Enikő Győri, András Gyürk, Ernő Schaller-Baross, András László

**Proposal for a regulation
Article 8 – paragraph 1**

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in ***the members of the European Free Trade Association and*** third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Or. en

Justification

EFTA shares similar environmental and safety standards. For these reasons, full inclusion into EU origin equivalent plays important role in keeping European supply chains and

security infrastructure in place.

Amendment 1556

Regina Doherty, Nina Carberry, Peter Agius

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded ***an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that*** agreement, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in ***the European Economic Area (EEA), European Free Trade Association (EFTA) states, countries participating in the Union's enlargement process, the United Kingdom, and*** third countries with which the Union has concluded a customs union, ***a single market*** agreement, ***a comprehensive economic agreement*** shall be deemed to be of Union origin.

Or. en

Amendment 1557

Seán Kelly, Regina Doherty, Nina Carberry, Maria Walsh

Proposal for a regulation

Article 8 – paragraph 1

2026/0068 (COD)

Article 8

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded ***an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that*** agreement, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in ***the European Economic Area (EEA), European Free Trade Association (EFTA) states, countries participating in the Union's enlargement process, and*** third countries with which the Union has concluded a customs union, ***a Single Market*** agreement, ***or a comprehensive economic***

agreement, shall be deemed to be of Union origin.

Or. en

Amendment 1558

Ondřej Krutílek

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements referred to in Article 11, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements referred to in Article 11, content originating in ***EFTA and*** third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin.

Or. en

Amendment 1559

Kateřina Konečná

Proposal for a regulation

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. By way of derogation from point (a) of Part I and point (a) of Part II of Annex III, a vehicle of category M2, M3, N2 or N3, as referred to in Article 4(1) of Regulation (EU) 2018/858, which is assembled in a third country with which the Union has concluded an agreement establishing a customs union shall be deemed to be assembled within the Union where it is assembled by a Union heavy-duty vehicle manufacturer or by its joint

venture established in that third country before 5 March 2026 and controlled, solely or jointly, directly or indirectly, by at least one entity established in a Member State.

For the purposes of this derogation, eligibility on the basis of a joint venture shall be limited to joint ventures established before 5 March 2026. Such eligibility shall be non-transferable and shall automatically lapse in the event of a change of control, transfer of ownership, or acquisition by a new owner, so as to prevent the creation, restructuring, or acquisition of entities for the sole purpose of benefiting from this derogation.

Or. en

Amendment 1560
Dan Barna

Proposal for a regulation
Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Union origin requirements shall not apply where their application would be incompatible with imperative requirements of nuclear safety, operational safety, physical protection, cybersecurity, licensing, technical qualification, or authorization, including in situations where the competent national authority in the field of nuclear safety mandates the use of the original equipment manufacturer, the technology holder, the organization responsible for the initial design, their successors, or suppliers qualified/authorized in accordance with the applicable framework.

Or. en

Amendment 1561

Seán Kelly, Regina Doherty, Nina Carberry, Maria Walsh

Proposal for a regulation

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Content originating in other third countries with which the Union has concluded an agreement establishing a free trade area or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin, subject to strict and verifiable conditions. These conditions must ensure effective reciprocity verified through regular checks, alignment with Union rules in the area of public procurement, and the protection of Union value chains from distortive state subsidies.

Or. en

Amendment 1562

Regina Doherty, Nina Carberry, Peter Agius

Proposal for a regulation

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Content originating in other third countries with which the Union has concluded an agreement establishing a free trade area, or that are parties to the Agreement on Government Procurement, where relevant obligations of the Union exist under that agreement, shall be deemed to be of Union origin. The Commission shall regularly monitor whether those third countries provide effective national treatment to Union

products and entities.

Or. en

Amendment 1563

Jörgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Lúdia Pereira, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Mika Aaltola, Dirk Gotink

Proposal for a regulation

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. As from [OP: Please insert the date = [five] years after the date of entry into force of this Regulation] only third countries in the partnership categories set out in paragraph 1 which have also guaranteed Union products and entities national treatment shall continue to enjoy the status of equivalence to Union origin and continue being listed in Annex [X1].

Or. en

Amendment 1564

Hanna Gedin

Proposal for a regulation

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. that third country, or the economic operator operating in that third country, comply with social and labour clauses, collective bargaining, ILO 97, in order to promote fair competition and high-quality jobs as defined in this regulation;

Or. en

Amendment 1565
Dan Barna

Proposal for a regulation
Article 8 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. Union origin requirements for nuclear fission technologies should not apply to projects for which, prior to the entry into force of the regulation, one or more of the following stages have already been initiated or completed: technology selection, launch of FEED studies, structuring of the procurement strategy, signing or negotiation of EPC/EPCM contracts, initiation of licensing procedures, initiation of financing processes, or discussions regarding public support.

Or. en

Amendment 1566

Jörgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Lídia Pereira, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Mika Aaltola, Dirk Gotink

Proposal for a regulation
Article 8 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. The Commission shall adopt delegated acts in accordance with Article 30 to include a third country that joins one of the partnership categories referred to in paragraph 1 within the scope of equivalence to Union origin, by listing that country in Annex [X1].

Or. en

Amendment 1567
Costas Mavrides

Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

Amendment

- 2. *The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:*** ***deleted***
- (a) *that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;***
- (b) *such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;***
- (c) *such exclusion is justified under any other exception under the applicable agreement.***

Or. en

Amendment 1568
Hanna Gedin, Rudi Kennes, Marina Measure

Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

Amendment

- 2. *The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:*** ***deleted***
- (a) *that third country has failed to provide national treatment related to Union products or entities under the***

agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1569
Tomislav Sokol

Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria: *deleted*

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1570

Pierre Jouvét, Kathleen Van Brempt, Jens Geier, Javier Moreno Sánchez, Nicolás González Casares, François Kalfon, René Repasi, Jean-Marc Germain, Matthias Ecke, José Cepeda, Hana Jalloul Muro, Idoia Mendia, Ștefan Mușoiu, Marc Angel, Elena Sancho Murillo, Bruno Tobback, Elisabeth Grossmann, Laura Ballarín Cereza, Raphaël Glucksmann, Niels Fuglsang, Lina Gálvez

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

Amendment

- 2. *The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:***
- (a) *that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;***
- (b) *such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;***
- (c) *such exclusion is justified under any other exception under the applicable agreement.***
- deleted*

Or. en

Amendment 1571

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

- 2. *The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1***
- 2. *Only a third-country partner that is eligible within the meaning of Article 3(1)(40a) may be listed in Annex IIa, and only where all of the following criteria are***

based on any of the following criteria:

met:

(a) the third country provides, in law and in practice, Union products, services and operators with effective and reciprocal access to its public procurement systems in all the sectors listed in Annex I, and does not impose any conditions relating to production, subsidies or market access that substantially distort competition to the detriment of Union operators;

(b) the listing demonstrably contributes to the security of supply and the resilience of the Union's value chains, without creating or reinforcing any structural or strategic dependence on the third country concerned;

(c) the third country guarantees, for the products concerned, standards of production, certification and traceability, as well as environmental and labour requirements, equivalent to those applicable in the Union, including the ratification and effective implementation of the ILO's core conventions;

(d) the third country applies a carbon pricing mechanism or measures with equivalent effect, so that its producers bear a carbon cost comparable to that borne by Union producers;

(e) the third country has established, or is committed to establishing within a defined timeframe, demand-side measures favouring low-carbon industrial products comparable to those provided for in this Regulation and which provide national treatment to Union products and operators;

(f) the listing does not pose any risk of circumvention of the EU origin requirements, in particular through the re-export of products or components originating in other third countries or through the establishment in the territory of the third country of undertakings owned or controlled by entities established in non-listed third countries.

The listing shall specify the products, components, sectors and categories of public procurement covered. It shall cease to have effect five years after the entry into force of the legislative act providing for it, unless renewed by a new legislative act adopted in accordance with the ordinary legislative procedure.

The Commission shall assess at least every two years the compliance of each third country listed in Annex IIa with those criteria and forward its assessment to the European Parliament and to the Council. Any Member State may request it to carry out such an assessment at any time; the Commission shall act on such requests within three months.

Where the Commission finds that any of the criteria set out in the first subparagraph is no longer fulfilled, it shall adopt without delay an implementing act suspending, in whole or in part, the benefit of the equivalent treatment for the third country concerned. This implementing act shall be adopted in accordance with the advisory procedure referred to in Article 31(2). The suspension may be lifted only by a legislative act adopted in accordance with the ordinary legislative procedure.

Recycled materials from waste collected, sorted or recycled in a third country shall not be subject to any equivalent treatment under this Article. This treatment shall apply solely for the purposes of this Regulation and shall not alter the customs origin of the content concerned.

Or. fr

Amendment 1572

Letizia Moratti, Fulvio Martusciello, Massimiliano Salini, Salvatore De Meo

Proposal for a regulation Article 8 – paragraph 2

Text proposed by the Commission

2. The Commission shall adopt ***delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any*** of the following criteria:

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Amendment

2. The Commission shall adopt ***implementing acts to establish and update the lists of third countries providing partner originating content. The Commission shall assess the implementation of the agreements referred to in paragraph 1, on the basis of*** the following criteria:

(a) whether the country grants national treatment to Union products and entities;

(b) risks related to security of supply or high-risk dependencies;

(c) any applicable exceptions under the relevant agreements;

(d) the level of openness of the country's public procurement market;

(e) the existence of measures limiting access for Union operators or products;

(f) the comparability of regulatory frameworks, including on transparency, competition and sustainability;

(g) the existence of fair competition conditions;

(h) risks of circumvention of Article 11 requirements;

(i) risks of creating or increasing strategic dependencies.

3. The Commission shall update the list of countries where necessary, including where new agreements are concluded or circumstances change.

4. The implementing acts shall also

provide for periodic monitoring of these criteria. The initial list shall be adopted within six months by the entry into force of this Regulation.

5. The Commission shall monitor trade flows and market developments, in particular to detect:

a) unusual increases in imports indicating possible circumvention;

b) distortions identified in trade defence or anti-subsidy cases;

c) inconsistencies between trade flows and production capacity.

Where necessary, the Commission may adopt measures, including suspending or limiting the recognition of originating content, or excluding a third country, in accordance with the applicable procedures.

6. By way of derogation from the provisions of paragraph 1, Union origin requirements applicable to vehicles and his components with addition of corporate low emission vehicles in the context of public procurement procedures referred to in Annex III, the definition of “equivalent content of origin” shall be include only products and components originating from the UK.

Or. en

Amendment 1573

Mariateresa Vivaldini, Daniele Polato, Carlo Fidanza, Elena Donazzan, Nicola Procaccini, Sergio Berlato, Stefano Cavedagna, Carlo Ciccio, Alessandro Ciriani, Pietro Focchi, Alberico Gambino, Chiara Gemma, Paolo Inselvini, Lara Magoni, Mario Mantovani, Giuseppe Milazzo, Denis Nesci, Michele Picaro, Ruggero Razza, Antonella Sberna, Marco Squarta, Francesco Torselli, Francesco Ventola, Giovanni Crosetto, Nicolas Bay, Marion Maréchal

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. ***The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:***

Amendment

2. ***Contracting authorities and contracting entities shall exclude access to procurement procedures referred to in Part I of Annex II and Part III of Annex III by economic operators owned or controlled, within the meaning of Article 3(2) of Regulation (EC) No 139/2004, by an entity established in a third country which has not concluded an international agreement with the Union guaranteeing such access.***

For the purposes of this paragraph, ownership or control shall be assessed taking into account all direct and indirect ownership structures, including through affiliates, chains of ownership and entities acting in concert, so as to prevent circumvention through the interposition of intermediate entities formally established within the Union.

Or. en

Justification

Reciprocity in public procurement must apply in substance and not only in form. Operators ultimately owned or controlled from countries that do not provide reciprocal access should not be able to circumvent the rules through intermediate corporate structures established in the Union.

Amendment 1574

Jörgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Lídia Pereira, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Mika Aaltola, Dirk Gotink

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1

Amendment

2. The Commission shall ***as from [OP: Please insert the date = [five] years after the date of entry into force of this Regulation]*** adopt delegated acts in

based on any of the following criteria:

accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 ***in case that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I. Such exclusion must be duly justified under the applicable agreement and in conformity with relevant dispute settlement procedures and rules of the WTO.***

Or. en

Amendment 1575

Ondřej Krutílek

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall adopt ***delegated*** acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

Amendment

2. The Commission shall adopt ***implementing*** acts in accordance with ***the examination procedure referred to in Article 31(3)*** to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria: ***The Commission shall base such exclusion on objective and verifiable evidence, shall provide a reasoned justification, and shall ensure appropriate consultation of Member States prior to adoption.***

Or. en

Amendment 1576

Klara Dostalova, Jaroslava Pokorná Jermanová, Tomáš Kubín, Jaroslav Bžoch, Ondřej Knotek, Jana Nagyová, Jaroslav Knot, Anna Brylka

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall adopt ***delegated*** acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

Amendment

2. The Commission shall adopt ***implementing*** acts in accordance with ***the examination procedure referred to in*** Article 31(3) to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria; ***The Commission shall base such exclusion on objective and verifiable evidence, shall provide a reasoned justification, and shall ensure appropriate consultation of Member States prior to adoption.***

Or. en

Justification

Excluding third countries has major trade and political implications and should not rest solely on Commission delegated acts. Member State involvement through committee control, via implementing acts, is warranted, with evidence-based, predictable criteria. Any exclusion should apply only after a transitional period of at least 24 months, without affecting ongoing procedures or concluded contracts, and should avoid sudden supply chain disruption in critical energy infrastructure.

Amendment 1577

Dirk Gotink, Wouter Beke, Pascal Arimont, Christian Ehler, Willemien Koning, Markus Ferber, Sabine Verheyen, Monika Hohlmeier, Christian Doleschal, Norbert Herhammer, Verena Mertens, Andrea Wechsler, Henrik Dahl, Andreas Schwab, Jörgen Warborn, Hildegard Bentele, Rasa Juknevičienė, Regina Doherty, Norbert Lins, Peter Agius, Borys Budka, Mirosława Nykiel, Krzysztof Hetman, Andrzej Buła, Dariusz Joński, Bogdan Andrzej Zdrojewski, Adam Jarubas, Kamila Gasiuk-Pihowicz, Oliver Schenk, Angelika Niebler

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

Amendment

2. The Commission shall adopt ***as from [OP: Please insert the date = [one] years after the date of entry into force of this Regulation]*** delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the

scope of paragraph 1. *Such exclusion shall be based on a thorough, objective, and evidence-based assessment demonstrating that* any of the following criteria *are met*:

Or. en

Amendment 1578

Martine Kemp

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

Amendment

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on *objective, transparent and proportionate criteria, including whether that third country provides effective and reciprocal access to its public procurement markets for Union economic operators, and on* any of the following criteria:

Or. en

Amendment 1579

Regina Doherty, Peter Agius

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall *adopt delegated acts* in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of *paragraph 1* based on any of the following criteria:

Amendment

2. The Commission shall *engage with the European Council and European Parliament to follow Ordinary Legislative Procedure* in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of *paragraphs 1 and 1a* based on any of the following criteria:

Amendment 1580

Seán Kelly, Regina Doherty, Nina Carberry, Maria Walsh

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall ***adopt delegated acts*** in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of ***paragraph 1*** based on any of the following criteria:

Amendment

2. The Commission shall ***engage with the European Council and European Parliament to follow Ordinary Legislative Procedure*** in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of ***paragraphs 1 and 2*** based on any of the following criteria:

Amendment 1581

Dimitris Tsiodras

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission ***shall*** adopt delegated acts in accordance with Article 30 to ***exclude***, in whole or in part, a third country from the scope of paragraph 1 based on ***any of the following*** criteria:

Amendment

2. ***By way of derogation***, the Commission ***may*** adopt delegated acts in accordance with Article 30 to ***include***, in whole or in part, a third country ***within*** from the scope of paragraph 1 based on ***objective*** criteria, ***including***:

Amendment 1582

François-Xavier Bellamy, Céline Imart

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission **shall** adopt delegated acts in accordance with Article 30 to **exclude**, in whole or in part, a third country **from** the scope of paragraph 1 based on any of the following criteria:

Amendment

2. The Commission **may** adopt delegated acts in accordance with Article 30 to **include**, in whole or in part, a third country **within** the scope of paragraph 1 based on any of the following **cumulative** criteria:

Or. en

Amendment 1583

Piotr Müller

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall adopt **delegated acts in accordance with Article 30** to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

Amendment

2. The Commission shall adopt **implementing acts** to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

Or. en

Justification

Excluding a trade partner is a sensitive trade-policy decision affecting ongoing contracts, supply chains and relations with allies. It should be taken under the control of the Member States through the examination procedure rather than by a delegated act.

Amendment 1584

Pascal Canfin

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall adopt delegated acts in accordance with Article 30 to **exclude**, in whole or in part, a third

Amendment

2. The Commission shall adopt delegated acts in accordance with Article 30 to **include**, in whole or in part, a third

country **from** the scope of paragraph 1 based on **any of** the following criteria:

country **in** the scope of paragraph 1 based on the following criteria:

Or. en

Amendment 1585

Daniel Obajtek, Marion Maréchal, Anna Zalewska, Jadwiga Wiśniewska, Jacek Ozdoba

Proposal for a regulation

Article 8 – paragraph 2 – introductory part

Text proposed by the Commission

2. The **Commission** shall **adopt** delegated acts **in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:**

Amendment

2. The **list of equivalent countries referred to in point (b)** shall **be established by means of** delegated acts **adopted by the Commission. That list shall be reviewed every five years.**

Or. en

Justification

Union-origin treatment should be limited to products originating in the Union, EEA/EFTA countries, the United Kingdom and a narrowly defined group of third countries demonstrating a high degree of alignment with Union standards. Such third countries should also guarantee effective reciprocity for Union companies and goods, in particular as regards access to public procurement procedures and national support schemes. The Commission proposal is excessively broad and risks diluting the effectiveness of the Regulation by extending equivalent treatment too widely.

Amendment 1586

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

(a) **that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in**

Amendment

deleted

Annex I;

Or. fr

Amendment 1587

Costas Mavrides

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I; *deleted*

Or. en

Amendment 1588

Hanna Gedin, Rudi Kennes, Marina Measure

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I; *deleted*

Or. en

Amendment 1589

Pierre Jouvét, Kathleen Van Brempt, Jens Geier, Javier Moreno Sánchez, Nicolás González Casares, François Kalfon, René Repasi, Jean-Marc Germain, Matthias Ecke, José Cepeda, Hana Jalloul Muro, Idoia Mendia, Ștefan Mușoiu, Marc Angel, Elena Sancho Murillo, Bruno Tobback, Elisabeth Grossmann, Laura Ballarín Cereza,

Raphaël Glucksmann, Niels Fuglsang, Lina Gálvez

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I; **deleted**

Or. en

Amendment 1590

Tomislav Sokol

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I; **deleted**

Or. en

Amendment 1591

Mariateresa Vivaldini, Daniele Polato, Carlo Fidanza, Elena Donazzan, Nicola Procaccini, Sergio Berlato, Stefano Cavedagna, Carlo Caccioli, Alessandro Ciriani, Pietro Fiocchi, Alberico Gambino, Chiara Gemma, Paolo Inselvini, Lara Magoni, Mario Mantovani, Giuseppe Milazzo, Denis Nesci, Michele Picaro, Ruggero Razza, Antonella Sberna, Marco Squarta, Francesco Torselli, Francesco Ventola, Giovanni Crosetto, Nicolas Bay, Marion Maréchal

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I; **deleted**

Or. en

Justification

See above

Amendment 1592

Jörgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Lídia Pereira, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Mika Aaltola, Dirk Gotink

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I; **deleted**

Or. en

Amendment 1593

Dimitris Tsiodras

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to **(a) reciprocal international commitments such as the Government**

Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

Procurement Agreement and;

Or. en

Justification

Over 75% of EU steel imports come from free-trade-agreement countries, the rule could allow products from nearly 80 countries to qualify as ‘Made in EU.’ Having such a broad eligibility to access lead markets will weaken demand for EU produced low-carbon steel, and perversely use public funds to incentivise imports and weaken the investment case within the EU. The current definition would also allow producers from third countries, e.g. China, to maintain market access by shifting investment to partner countries qualifying under EU trade arrangements (e.g. Morocco, Turkey or Serbia), without strengthening European industrial capacity. Union origin should therefore be limited to EU, the European Economic Area and EFTA countries (as in Article 7) in order to meet the objectives of the IAA i.e. securing EU resilience, strategic autonomy, economic security and public order. The option to add a limited number of counties should be based on objective criteria that helps secure the objectives of the IAA. Limiting eligibility for Public Procurement lead markets is required in order to meet the objectives of the IAA and is justified under the following WTO exceptions:· GPA: Article III.2(a) – public order; GATT: the recitals point to Article XX(j) (critical shortages), Article XXI (essential security interests) and/or Article XX(a) (public morals linked to public order)

Amendment 1594

Pascal Canfin

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

(a) that third country has ***failed to provide national*** treatment ***related*** to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

Amendment

(a) that third country has ***provided, de jure and de facto, verifiable reciprocal*** treatment to Union products or entities ***accross the different levels of gouvernement*** under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

Or. en

Amendment 1595
Niels Flemming Hansen

Proposal for a regulation
Article 8 – paragraph 2 – point a

Text proposed by the Commission

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

Amendment

(a) that third country has failed to provide national treatment, ***including reciprocal access to public procurement,*** related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

Or. en

Amendment 1596
Ondřej Krutílek

Proposal for a regulation
Article 8 – paragraph 2 – point a

Text proposed by the Commission

(a) that third country ***has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to*** any of the sectors listed in Annex I;

Amendment

(a) that third country ***engages in systemic unfair trading practices, such as maintaining structural overcapacities or aiding the circumvention of EU trade protection measures in*** any of the sectors listed in Annex I;

Or. en

Amendment 1597
Regina Doherty, Peter Agius

Proposal for a regulation
Article 8 – paragraph 2 – point a

Text proposed by the Commission

(a) that third country has failed to provide national treatment related to Union

Amendment

(a) that third country has failed to provide national treatment related to Union

products or entities under the agreements referred to in **paragraph 1** in relation to any of the sectors listed in Annex I;

products or entities under the agreements referred to in **paragraphs 1 and 1a** in relation to any of the sectors listed in Annex I;

Or. en

Amendment 1598

Seán Kelly, Regina Doherty, Nina Carberry, Maria Walsh

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in **paragraph 1** in relation to any of the sectors listed in Annex I;

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in **paragraphs 1 and 2** in relation to any of the sectors listed in Annex I;

Or. en

Amendment 1599

François-Xavier Bellamy, Céline Imart

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

(a) that third country **has failed to provide** national treatment **related to** Union products **or** entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

Amendment

(a) that third country **effectively provides** national treatment **for** Union products **and** entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

Or. en

Amendment 1600

Dirk Gotink, Wouter Beke, Pascal Arimont, Christian Ehler, Willemien Koning, Markus Ferber, Sabine Verheyen, Monika Hohlmeier, Christian Doleschal, Norbert

Herhammer, Verena Mertens, Martine Kemp, Andreas Schwab, Jörgen Warborn, Hildegard Bentele, Rasa Juknevičienė, Regina Doherty, Norbert Lins, Peter Agius, Borys Budka, Mirosława Nykiel, Krzysztof Hetman, Andrzej Buła, Dariusz Joński, Bogdan Andrzej Zdrojewski, Adam Jarubas, Kamila Gasiuk-Pihowicz, Dóra Dávid, Eszter Lakos, Angelika Niebler

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

(a) that third country ***has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1*** in relation to any of the sectors listed in Annex I;

Amendment

(a) that third country ***does not grant the Union reciprocity within the meaning of Article 3, point [definition reciprocity]*** in relation to any of the sectors listed in Annex I;

Or. en

Amendment 1601

Radan Kanev

Proposal for a regulation

Article 8 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) that third country, on the basis of objective and verifiable evidence, has taken measures or engaged in practices which materially undermine the Union's climate and carbon leakage prevention objectives, including by ceasing to implement its commitments under the Paris Agreement, by adopting policies that lead to a significant and sustained increase in greenhouse gas emissions in the sectors listed in Annex I, or by facilitating resource shuffling or other practices aimed at circumventing Regulation (EU) 2023/956, Union customs legislation, or the relevant international agreements referred to in paragraph 1;

Or. en

Justification

To avoid granting preferential treatment to third countries that facilitate CBAM circumvention or undermine the Union's climate commitments.

Amendment 1602

Klara Dostalova, Jaroslava Pokorná Jermanová, Tomáš Kubín, Jaroslav Bžoch, Ondřej Knotek, Jana Nagyová, Jaroslav Knot, Anna Brylka

Proposal for a regulation

Article 8 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) that third country engages in systemic unfair trading practices, such as maintaining structural overcapacities or aiding the circumvention of EU trade protection measures in any of the sectors listed in Annex I;

Or. en

Justification

The amendment introduces a necessary safeguard to protect the internal market from unfair trading practices. The EU should not grant third countries Union origin status if they engage in unfair trading practices.

Amendment 1603

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; **deleted**

Or. fr

Amendment 1604

Mariateresa Vivaldini, Daniele Polato, Carlo Fidanza, Elena Donazzan, Nicola Procaccini, Sergio Berlato, Stefano Cavedagna, Carlo Ciccio, Alessandro Ciriani, Pietro Fiocchi, Alberico Gambino, Chiara Gemma, Paolo Inselvini, Lara Magoni, Mario Mantovani, Giuseppe Milazzo, Denis Nesci, Michele Picaro, Ruggero Razza, Antonella Sberna, Marco Squarta, Francesco Torselli, Francesco Ventola, Giovanni Crosetto, Nicolas Bay, Marion Maréchal

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; *deleted*

Or. en

Justification

See above

Amendment 1605

Hanna Gedin, Rudi Kennes, Marina Mesure

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; *deleted*

Or. en

Amendment 1606

Katri Kulmuni

Proposal for a regulation
Article 8 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; **deleted**

Or. en

Justification

The objective, content and scope for the use of delegated acts should be clearly defined in the legislative act. The text proposed by the Commission does not fulfil these criteria and instead gives almost full discretion to the Commission to exclude a third country from the scope of paragraph 1 on its own decision.

Amendment 1607

Jörgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Mika Aaltola, Dirk Gotink

Proposal for a regulation
Article 8 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; **deleted**

Or. en

Amendment 1608
Tomislav Sokol

Proposal for a regulation
Article 8 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid **deleted**

*dependencies or any other developments
that may threaten the security of supply in
the Union of the products in question;*

Or. en

Amendment 1609

Dirk Gotink, Wouter Beke, Pascal Arimont, Christian Ehler, Willemien Koning, Markus Ferber, Sabine Verheyen, Monika Hohlmeier, Christian Doleschal, Norbert Herhammer, Verena Mertens, Henrik Dahl, Andreas Schwab, Jörgen Warborn, Hildegard Bentele, Rasa Juknevičienė, Regina Doherty, Norbert Lins, Peter Agius, Borys Budka, Mirosława Nykiel, Krzysztof Hetman, Andrzej Buła, Dariusz Joński, Bogdan Andrzej Zdrojewski, Adam Jarubas, Kamila Gasiuk-Pihowicz, Dóra Dávid, Eszter Lakos, Angelika Niebler

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; *deleted*

Or. en

Amendment 1610

Pierre Jouvét, Kathleen Van Brempt, Jens Geier, Javier Moreno Sánchez, Nicolás González Casares, François Kalfon, René Repasi, Jean-Marc Germain, Matthias Ecke, José Cepeda, Hana Jalloul Muro, Idoia Mendia, Ștefan Mușoiu, Marc Angel, Elena Sancho Murillo, Bruno Tobback, Elisabeth Grossmann, Laura Ballarín Cereza, Raphaël Glucksmann, Niels Fuglsang, Lina Gálvez

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; *deleted*

Or. en

Amendment 1611
Costas Mavrides

Proposal for a regulation
Article 8 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

deleted

Or. en

Amendment 1612

Svenja Hahn, Andreas Glück, Jan-Christoph Oetjen, Marie-Agnes Strack-Zimmermann, Moritz Körner

Proposal for a regulation
Article 8 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question, including in cases of adverse undermining, taking into account the third country's supply chain relations with other third countries in which direct high-risk dependencies of the Union exist. In such cases, prior to removing that third country, the Commission shall first establish requirements for enhanced controls on compliance with the rules of origin applicable under the respective agreement and provide for the possibility of removing individual third-country suppliers that contribute to the persistence of high-risk dependencies;

Or. en

Justification

The opt-out mechanism should enable potential cases of adverse undermining to be identified and addressed swiftly and effectively, thereby preventing such situations from arising in the first place.

Amendment 1613

Claudiu-Richard Târziu

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

(b) such exclusion is justified ***to avoid*** dependencies or any other developments that ***may threaten*** the security of supply in the Union of the products in question;

Amendment

(b) such exclusion is justified ***when there are*** dependencies or any other developments that ***threaten or pose a significant risk to*** the security of supply in the Union of the products in question;

Or. ro

Justification

Security of supply is one of the central objectives of the Regulation. In the case of strategic sectors, the Union should not wait for a crisis to materialise before it can limit a dependency. It must be possible to intervene when there is a significant and demonstrable risk, not only once there has already been a disruption to supply.

Amendment 1614

Dimitris Tsiodras

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

(b) ***such exclusion is justified to avoid dependencies or any other developments that may threaten*** the security of supply in the Union of the products in question;

Amendment

(b) ***contribution to the Union's competitiveness, resilience and economic security objectives;***

Or. en

Justification

Over 75% of EU steel imports come from free-trade-agreement countries, the rule could allow products from nearly 80 countries to qualify as 'Made in EU.' Having such a broad eligibility to access lead markets will weaken demand for EU produced low-carbon steel, and perversely use public funds to incentivise imports and weaken the investment case within the EU. The current definition would also allow producers from third countries, e.g. China, to maintain market access by shifting investment to partner countries qualifying under EU trade arrangements (e.g. Morocco, Turkey or Serbia), without strengthening European industrial capacity. Union origin should therefore be limited to EU the European Economic Area and EFTA countries (as in Article 7) in order to meet the objectives of the IAA i.e. securing EU resilience, strategic autonomy, economic security and public order. The option to add a limited number of counties should be based on objective criteria that helps secure the objectives of the IAA. Limiting eligibility for Public Procurement lead markets is required in order to meet the objectives of the IAA and is justified under the following WTO exceptions: GPA: Article III.2(a) – public order; GATT: the recitals point to Article XX(j) (critical shortages), Article XXI (essential security interests) and/or Article XX(a) (public morals linked to public order)

Amendment 1615

Niels Flemming Hansen

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

Amendment

(b) such exclusion is justified to avoid dependencies, **coercion** or any other developments that may threaten the security of supply **or distort competition** in the Union of the products in question;

Or. en

Amendment 1616

François-Xavier Bellamy, Céline Imart

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

(b) such **exclusion is** justified to **avoid dependencies or any other developments**

Amendment

(b) such **inclusion is duly** justified to **positively contribute to the Union's**

that may threaten the security of supply in the Union of the products in question;

economic security;

Or. en

Amendment 1617

Andrea Wechsler, Christian Ehler, Angelika Niebler, Jens Gieseke, Andreas Schwab, Norbert Herhammer, Hildegard Bentele, Markus Ferber, Eszter Lakos, Oliver Schenk, Christian Doleschal, Monika Hohlmeier, Verena Mertens, Ralf Seekatz, Marie-Sophie Christ, Alexandra Mehnert, Norbert Lins, Marion Walsmann, Jörgen Warborn, Tomas Tobé, Arba Kokalari

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

Amendment

(b) such exclusion ***under the applicable agreement*** is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

Or. en

Justification

The amendment clarifies that exclusions must remain fully compatible with the relevant international agreement. The Union must strengthen its economic resilience without undermining its treaty commitments or its credibility as an open trading partner.

Amendment 1618

Pascal Canfin

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

(b) such ***exclusion*** is justified to ***avoid*** dependencies or ***any other developments that may threaten*** the security of supply in the Union of the products in question;

Amendment

(b) such ***inclusion*** is justified to ***reduce Union's*** dependencies or ***to strengthen*** the security of supply in the Union of the products in question ***as well as the Union's economic security;***

Amendment 1619

Klara Dostalova, Jaroslava Pokorná Jermanová, Tomáš Kubín, Jaroslav Bžoch, Ondřej Knotek, Jana Nagyová, Jaroslav Knot, Anna Brylka, Enikő Győri, András Gyürk, Ernő Schaller-Baross, András László

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

(b) such exclusion is justified to avoid dependencies ***or any other developments that may threaten*** the security of supply in the Union of the products in question;

Amendment

(b) such exclusion is justified to avoid ***high- risk critical*** dependencies ***threatening*** the security of supply in the Union of the products in question;

Or. en

Justification

The current wording does not give sufficient predictability for businesses as it gives the Commission great discretion in deciding which country can be removed based on this criteria. It should be noted, that assessment of high-risk critical dependencies should be also based on objective criteria.

Amendment 1620

Ondřej Krutílek

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

(b) such exclusion is justified to avoid dependencies ***or any other developments that may*** threaten the security of supply in the Union of the products in question;

Amendment

(b) such exclusion is justified to avoid ***high-risk critical*** dependencies threaten the security of supply in the Union of the products in question;

Or. en

Amendment 1621

Christophe Clergeau, Jean-Marc Germain

Proposal for a regulation
Article 8 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) With respect to the Union origin requirements referred to in article 11 the Commission may adopt delegated acts in accordance with Article 30 in order to establish, in whole or in part, content originating in a third country to be of Union origin if all the following conditions are fulfilled:

(a) that third country has provided, in law and in practice, national treatment related to Union products or entities under agreements establishing a free trade area or a customs union or the Agreement on Government Procurement, in relation to all the sectors listed in Annex I,

(b) such inclusion is consistent with the objective to avoid dependencies and with the objective of strengthening the economic security of the Union, including the security of supply chains for the products in question, energy security, and the resilience of the Single Market;

(c) that third country has a legal framework for competition that are substantially equivalent to those that apply in the Union single market, including in respect to environmental due diligence and green house gas emission reporting, and has ratified and effectively implements the ILO Fundamental Conventions;

(d) that third country complies with the commitment to implement the Paris Agreement through its national determined contributions and implements domestic carbon prices mechanisms or measures having equivalent effects;

(e) that third country protects and promotes human rights by implementing the United Nations Global Compact and the United Nations Guiding Principles on

Business and Human Rights;

(f) that third country has established, or is committed to establishing within a defined timeframe, demand-side measures for low-carbon industrial products comparable to those provided for in this Regulation and which provide national treatment to Union products or entities.

NEW (f): that third country's regulatory framework and practices do not, on the basis of objective evidence and having regard to internationally recognised One Health indicators^{1a}, materially undermine the Union's health and environmental objectives;

(g) the inclusion of that third country does not entail a risk of circumvention of the Union origin requirements set out in this Regulation, in particular through the re-export of products or components originating in third countries which are not contained in a delegated act adopted based on this Article, or through the establishment on its territory of undertakings owned and controlled by entities established in third countries that are not within the scope of this Article with the purpose to access to the Union market for such products or components. Where the above conditions are no longer met, the Commission shall adopt a delegated act in accordance with Article 30 to exclude in whole or in part a third country from any delegated act adopted on this paragraph.

^{1a} Regulation (EU) 2022/2371

Or. en

Justification

Following the new structure proposed by the co rapporteurs, we are adding here: NEW (f): that third country's regulatory framework and practices do not, on the basis of objective evidence and having regard to internationally recognised One Health indicators^{1a}, materially undermine the Union's health and environmental objectives;

Amendment 1622

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation

Article 8 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement. **deleted**

Or. fr

Amendment 1623

Hanna Gedin, Rudi Kennes, Marina Measure

Proposal for a regulation

Article 8 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement. **deleted**

Or. en

Amendment 1624

Jörgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Lídia Pereira, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Mika Aaltola, Dirk Gotink

Proposal for a regulation

Article 8 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement. **deleted**

Amendment 1625
Costas Mavrides

Proposal for a regulation
Article 8 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement. **deleted**

Amendment 1626
Tomislav Sokol

Proposal for a regulation
Article 8 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement. **deleted**

Amendment 1627
Mariateresa Vivaldini, Daniele Polato, Carlo Fidanza, Elena Donazzan, Nicola Procaccini, Sergio Berlato, Stefano Cavedagna, Carlo Ciccio, Alessandro Ciriani, Pietro Fiocchi, Alberico Gambino, Chiara Gemma, Paolo Inselvini, Lara Magoni, Mario Mantovani, Giuseppe Milazzo, Denis Nesci, Michele Picaro, Ruggero Razza, Antonella Sberna, Marco Squarta, Francesco Torselli, Francesco Ventola, Jessika van Leeuwen, Giovanni Crosetto, Nicolas Bay, Marion Maréchal

Proposal for a regulation
Article 8 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement. **deleted**

Or. en

Justification

See above

Amendment 1628

Pierre Juvet, Kathleen Van Brempt, Jens Geier, Javier Moreno Sánchez, Nicolás González Casares, François Kalfon, René Repasi, Jean-Marc Germain, Matthias Ecke, José Cepeda, Hana Jalloul Muro, Idoia Mendia, Ștefan Mușoiu, Marc Angel, Elena Sancho Murillo, Bruno Tobback, Elisabeth Grossmann, Laura Ballarín Cereza, Raphaël Glucksmann, Niels Fuglsang, Lina Gálvez

Proposal for a regulation

Article 8 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement. **deleted**

Or. en

Amendment 1629

Pascal Canfin

Proposal for a regulation

Article 8 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement.

(c) the third country has a legal framework for competition that is substantially equivalent to that applying in the Union internal market, and ensures a level of environmental and climate ambition comparable to that of the Union,

in particular by applying environmental due diligence and greenhouse gas emission reporting requirements, by complying with its commitments under the Paris Agreement through its nationally determined contributions, and by implementing domestic carbon pricing mechanisms or measures having equivalent effect;

Or. en

Amendment 1630

François-Xavier Bellamy, Céline Imart

Proposal for a regulation

Article 8 – paragraph 2 – point c

Text proposed by the Commission

(c) such *exclusion* is justified *under any other exception under the applicable agreement*.

Amendment

(c) such *inclusion* is justified *by the existence and effective enforcement of measures by the third country to prevent, detect and address circumvention of the Union origin or low-carbon requirements set out in this Regulation*.

Or. en

Amendment 1631

Dimitris Tsiodras

Proposal for a regulation

Article 8 – paragraph 2 – point c

Text proposed by the Commission

(c) *such exclusion is justified under any other exception under the applicable agreement*.

Amendment

(c) *specific manufacturers of Union's strategic interest established in third countries;*

Or. en

Justification

Over 75% of EU steel imports come from free-trade-agreement countries, the rule could allow products from nearly 80 countries to qualify as ‘Made in EU.’ Having such a broad eligibility to access lead markets will weaken demand for EU produced low-carbon steel, and perversely use public funds to incentivise imports and weaken the investment case within the EU. The current definition would also allow producers from third countries, e.g. China, to maintain market access by shifting investment to partner countries qualifying under EU trade arrangements (e.g. Morocco, Turkey or Serbia), without strengthening European industrial capacity. Union origin should therefore be limited to EU the European Economic Area and EFTA countries (as in Article 7) in order to meet the objectives of the IAA i.e. securing EU resilience, strategic autonomy, economic security and public order. The option to add a limited number of counties should be based on objective criteria that helps secure the objectives of the IAA. Limiting eligibility for Public Procurement lead markets is required in order to meet the objectives of the IAA and is justified under the following WTO exceptions:· GPA: Article III.2(a) – public order; GATT: the recitals point to Article XX(j) (critical shortages), Article XXI (essential security interests) and/or Article XX(a) (public morals linked to public order)

Amendment 1632

Piotr Müller

Proposal for a regulation

Article 8 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) in relation to products for which Annex II lays down Union origin requirements, producers of those products in that third country enjoy a significant cost advantage over Union producers because they do not bear carbon costs comparable to those borne by Union producers under Directive 2003/87/EC; that comparison shall be made per tonne of product on the basis of net costs on both sides, taking into account any carbon price effectively paid in that third country, the amounts paid under Regulation (EU) 2023/956 on imports of those products into the Union, and any free allocation, exemption or compensation for indirect emission costs granted in that third country or in the Union;

Or. en

Justification

Union producers pay for their emissions under the EU ETS. CBAM equalises only part of that cost: for aluminium and steel it covers direct emissions only, not those from electricity, and it is phased in as free allocation is phased out. Treating as Union origin products whose producers gain a significant net advantage would make Union producers pay twice. The comparison is made per tonne, on net costs on both sides including CBAM, and only where Annex II requires Union origin.

Amendment 1633

Pascal Canfin

Proposal for a regulation

Article 8 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the inclusion of the third country does not entail a risk of circumvention of the Union origin requirements set out in this Regulation. To that end, the third country shall have in place a mechanism for the screening of foreign direct investments that is substantially equivalent to that established under Regulation (EU) 2019/452 and to the conditions laid down in Chapter IV of this Regulation, and shall cooperate with the Commission, including through the exchange of relevant information on such investments.

Or. en

Amendment 1634

Bernd Lange

Proposal for a regulation

Article 8 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) Any exclusion under this paragraph shall be consistent with the Union's obligations under the applicable

international agreement including public procurement and shall comply with the conditions and procedures laid down in that agreement. Before adopting a delegated act, the Commission shall provide a reasoned assessment including its effects on Union value chains and downstream users.

Or. en

Amendment 1635

Rihards Kols

Proposal for a regulation

Article 8 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) that third country, or economic operators established in its territory, facilitates in a systematic manner the circumvention of restrictive measures adopted pursuant to Article 215 TFEU, in particular those concerning Russia's war of aggression against Ukraine and the involvement of Belarus;

Or. en

Amendment 1636

Marcin Sypniewski

Proposal for a regulation

Article 8 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) such exclusion is justified due to a risk of unfair competition, a deterioration of the economic position, or a reduction in the competitiveness of European Union enterprises.

Or. en

Justification

One of the exceptions should be the protection of enterprises located in EU Member States against a loss of competitiveness and a deterioration of their economic situation resulting from the granting of authorizations to enterprises from third countries.

Amendment 1637

Dimitris Tsiodras

Proposal for a regulation

Article 8 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) legal provisions in place in a third country recognising Union products as originating in that third country.

Or. en

Justification

Over 75% of EU steel imports come from free-trade-agreement countries, the rule could allow products from nearly 80 countries to qualify as ‘Made in EU.’ Having such a broad eligibility to access lead markets will weaken demand for EU produced low-carbon steel, and perversely use public funds to incentivise imports and weaken the investment case within the EU. The current definition would also allow producers from third countries, e.g. China, to maintain market access by shifting investment to partner countries qualifying under EU trade arrangements (e.g. Morocco, Turkey or Serbia), without strengthening European industrial capacity. Union origin should therefore be limited to EU the European Economic Area and EFTA countries (as in Article 7) in order to meet the objectives of the IAA i.e. securing EU resilience, strategic autonomy, economic security and public order. The option to add a limited number of counties should be based on objective criteria that helps secure the objectives of the IAA. Limiting eligibility for Public Procurement lead markets is required in order to meet the objectives of the IAA and is justified under the following WTO exceptions:· GPA: Article III.2(a) – public order; GATT: the recitals point to Article XX(j) (critical shortages), Article XXI (essential security interests) and/or Article XX(a) (public morals linked to public order)

Amendment 1638

Céline Imart, François-Xavier Bellamy

Proposal for a regulation

Article 8 – paragraph 2 a (new)

2a. The Commission shall continuously monitor the flow of imports of products covered by Annex II from third countries benefiting from paragraphs 1 or 2, as well as trends in investment in the production capacity of those countries by operators from third countries not covered. The Commission may issue an early warning on its own initiative or following a referral from one or more Member States, on the basis of objective evidence indicating a risk of circumvention of the Union's rules of origin, in particular:

(a) a rapid and significant increase in imports into the Union of products covered by Annex II originating from a third country benefiting from treatment equivalent to Union origin, without corresponding production capacity in that country;

b) substantial investments made in the production capacity of that country by operators from third countries not benefiting from this equivalence, in particular in facilities limited to assembly or final processing;

c) evidence that the operations carried out in that country are limited to processing that confers originating status within the meaning of Regulation (EU) No 952/2013, without substantial local value-added.

Where an early warning is triggered pursuant to the above paragraph, the Commission shall immediately inform the European Parliament and the Council and initiate an investigation into the case. Member States, contracting authorities, contracting entities and organisations representing the sectors concerned may bring to the Commission's attention any evidence indicating a risk of circumvention.

Amendment 1639
Rihards Kols

Proposal for a regulation
Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall monitor the application of Article 8 on an ongoing basis. Where a Member State or the European Parliament provide substantial information, indicating that one of the criteria set out in paragraph 2 is met, Commission shall immediately assess that information and, within three months, either adopt a delegated act pursuant to paragraph 2 or inform the European Parliament and the Council of the reasons for not doing so.

Or. en

Amendment 1640
Aura Salla

Proposal for a regulation
Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. there is clear and credible evidence that the third country systematically facilitates or enables, or seriously and persistently fails to take reasonable measures to prevent the circumvention of Union restrictive measures, or provides material support to actions by another third country that pose a serious and substantial threat to the security of the Union or its Member States or constitute a grave violation of the rules-based international order.

Justification

Preferential treatment should be conditional on a partner not facilitating actions that directly undermine the Union's security interests. This should include systematic circumvention of Union sanctions, including through third-country ports, financial channels or logistics networks used to support f. ex. Russia's war of aggression against Ukraine or its shadow fleet. Partners benefiting from Union-equivalent treatment should be expected to take reasonable measures to prevent such circumvention.

Amendment 1641

Peter Agius, Michalis Hadjipantela, David Casa

Proposal for a regulation**Article 8 – paragraph 2 a (new)**

Text proposed by the Commission

Amendment

2a. The Commission shall establish, maintain and regularly update a publicly accessible list of third countries and sectors covered by paragraph 1, specifying the applicable coverage under free trade agreements, customs unions and the Agreement on Government Procurement. Contracting authorities and contracting entities may rely on that list for the purposes of this Regulation.

Or. en

Justification

Contracting authorities and contracting entities should not be required to interpret independently the Union's free trade agreements, customs unions and commitments under the Agreement on Government Procurement. Specialised legal and technical expertise that is not consistently available at national or local level may be required. This creates a risk of divergent interpretations across Member States, inconsistent treatment of economic operators, procurement delays and avoidable legal challenges. The burden would be particularly significant for smaller administrations such as Malta's, where procurement authorities operate with limited specialist resources. A single, authoritative and publicly accessible Commission list would provide a reliable reference point, strengthen legal certainty and facilitate the uniform application of partner-origin equivalence throughout the Union. It should identify the countries and sectors covered, explain any relevant limitations or exclusions, and be updated promptly whenever an agreement enters into force, is provisionally applied, amended, suspended or otherwise changes in scope. Allowing

contracting authorities and economic operators to rely on that list in good faith would reduce duplication, lower administrative and compliance costs, support faster procurement procedures and make tender requirements more predictable. It would also contribute to equal treatment and effective competition by ensuring that suppliers from eligible partner countries are assessed according to the same transparent criteria in every Member State. The Commission would remain responsible for monitoring developments, while contracting authorities would retain responsibility for verifying the documentary evidence submitted in each procedure, without transferring disproportionate interpretative burdens to individual authorities.

Amendment 1642
Kateřina Konečná

Proposal for a regulation
Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. From [date of entry into force of this Regulation], the Commission shall make available and maintain a freely accessible digital tool that lists third countries referred to in paragraph 1 and, where appropriate, third countries referred to in paragraph 2, in order to assist contracting authorities, contracting entities and economic operators with the implementation of this Article.

Or. en

Amendment 1643
Svenja Hahn, Andreas Glück, Jan-Christoph Oetjen, Marie-Agnes Strack-Zimmermann, Moritz Körner

Proposal for a regulation
Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. From [date of entry into force of this Regulation], the Commission shall make available a digitally accessible lists of third countries referred to in paragraph 1 and, as applicable, third countries

referred to in paragraph 2, in order to assist contracting authorities, contracting entities and economic operators with the implementation of this Article.

Or. en

Amendment 1644

Daniel Obajtek, Marion Maréchal, Anna Zalewska, Jadwiga Wiśniewska, Jacek Ozdoba

Proposal for a regulation

Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. For monitoring purposes, and in alignment with Regulation (EU) 2026/1384, the origin of low-carbon steel products shall be determined by reference to the country of ‘melt and pour’, as defined in Article 4 of that Regulation, and verified in accordance with the implementing acts adopted pursuant thereto.

Or. en

Amendment 1645

Jan Farský, Tomáš Zdechovský

Proposal for a regulation

Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. For projects related to nuclear safety and national defence, the equivalence of the Agreement on Government Procurement countries cannot be retroactively withdrawn after the EPC (Engineering, Procurement and Construction) contract has been signed.

Or. en

Amendment 1646
Tomislav Sokol

Proposal for a regulation
Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Content originating in a third country other than those referred to in paragraph 1 shall be deemed to be of Union origin only where that third country is designated as a trusted partner in accordance with paragraph 2b.

Or. en

Amendment 1647
Pascal Canfin

Proposal for a regulation
Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Where the above conditions are no longer met, the Commission shall adopt a delegated act in accordance with Article 30 to exclude in whole or in part a third country from any delegated act adopted on this paragraph.

Or. en

Amendment 1648
Pascal Canfin

Proposal for a regulation
Article 8 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. When applying paragraph 2, the

Commission shall give priority to European countries, in line with the European dimension of the Union as reflected in the Treaties, in particular Article 49 of the Treaty on European Union, in particular the countries of the EEA, EFTA and the United Kingdom, as well as trusted partners that meet the following four criteria:

(a) it is a party to the Agreement on Government Procurement;

(b) it has concluded an agreement establishing a free trade area or a custom union with the Union, where relevant obligations of the Union exist under that agreement;

(c) it is a full member of the International Energy Agency; and

(d) it is party to the Paris Agreement.

The first delegated act assessing the inclusion of the trusted partners referred above shall be adopted within [Please insert the date = 6 months after the entry into force of this Regulation].

Or. en

Amendment 1649
Tomislav Sokol

Proposal for a regulation
Article 8 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. The Commission shall adopt delegated acts in accordance with Article 30 designating third countries as trusted partners, in whole or in relation to one or more of the sectors listed in Annex I, where both of the following conditions are fulfilled:

(a) reciprocity: the third country provides Union products and entities with effective

and substantially equivalent access to its public procurement markets, including national treatment and non-discriminatory treatment, in the sectors concerned;

(b) equivalent regulatory standards: the third country ensures and effectively applies standards and requirements substantially equivalent to those applicable in the Union in areas relevant to the products and sectors concerned, including safety, and where applicable, environmental, social or labour standards.

Or. en

Amendment 1650

Peter Agius, Michalis Hadjipantela, Regina Doherty, David Casa

Proposal for a regulation

Article 8 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. The Commission shall adopt standardised templates and guidance for demonstrating Union origin and equivalent partner origin. Contracting authorities and contracting entities shall not be required to carry out independent legal assessments of the coverage of international agreements where the required documentation has been submitted.

Or. en

Justification

Standardised templates and practical guidance are necessary. In the absence of common documentation, contracting authorities may adopt different evidentiary standards or require economic operators to submit extensive legal, customs and supply-chain information to demonstrate eligibility. This would increase uncertainty, prolong procurement procedures and create avoidable administrative costs for both authorities and tenderers. The burden would be particularly significant in Malta, where many contracting authorities have limited

access to specialised expertise on rules of origin and the scope of the Union's international agreements, while economic operators are often SMEs with limited capacity to undertake complex legal and supply-chain verification exercises. Clear Commission templates should specify the information and supporting evidence required, etc. Accompanying guidance should explain how authorities are to assess declarations, certificates and manufacturer or supplier documentation, including where goods contain components from several jurisdictions or move through integrated international value chains. Where the prescribed documentation has been submitted and there are no reasonable grounds to doubt its accuracy, contracting authorities should be entitled to rely on it without conducting an independent legal assessment of the relevant trade agreement or repeating verification already undertaken elsewhere in the supply chain. This reliance mechanism would reduce duplication, promote consistent treatment of economic operators and limit the risk of procurement decisions being challenged on different interpretations. It would also strengthen competition by making participation more accessible to smaller suppliers.

Amendment 1651

Svenja Hahn, Marie-Agnes Strack-Zimmermann, Moritz Körner, Andreas Glück, Jan-Christoph Oetjen

Proposal for a regulation

Article 8 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. No later than one year following the date of entry into force of this Regulation, the Commission shall adopt delegated acts in accordance with Article 30, based on the principle of reciprocity, whereby a third country may be considered equivalent to the Union with regard to rules of origin.

Or. en

Amendment 1652

Tomislav Sokol

Proposal for a regulation

Article 8 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2c. When assessing whether the conditions laid down in paragraph 2b are

fulfilled, the Commission shall take into account, in particular:

(a) the existence, scope and effective implementation of international agreements or other binding commitments governing access to public procurement markets;

(b) the existence of restrictions, discriminatory measures or practices affecting access of Union products or entities to the public procurement market of the third country;

(c) the effective implementation and enforcement of the standards referred to in paragraph 2b, point (b); and

(d) any dependencies or other developments which may threaten the security of supply in the Union of the products concerned.

Or. en

Amendment 1653

Tomislav Sokol

Proposal for a regulation

Article 8 – paragraph 2 d (new)

Text proposed by the Commission

Amendment

2d. A designation pursuant to paragraph 2b may be limited to specific sectors, categories of products covered by reciprocal market access in public procurement.

Or. en

Amendment 1654

Tomislav Sokol

Proposal for a regulation

Article 8 – paragraph 2 e (new)

Text proposed by the Commission

Amendment

2e. *The Commission shall regularly review the designations adopted pursuant to paragraph 2b. Where a trusted partner no longer fulfils either of the conditions laid down in paragraph 2b, or where developments referred to in paragraph 2c, point (d), so justify, the Commission shall, by means of delegated acts adopted in accordance with Article 30, suspend, restrict or withdraw that designation.*

Or. en

Amendment 1655

Tomislav Sokol

Proposal for a regulation

Article 8 – paragraph 2 f (new)

Text proposed by the Commission

Amendment

2f. *By the date of application of this Regulation, the Commission shall adopt the delegated acts referred to in paragraph 2b designating the third countries which, on the basis of the conditions laid down in that paragraph, qualify as trusted partners. Those delegated acts shall apply from the same date as this Regulation.*

Or. en

Amendment 1656

Tomislav Sokol

Proposal for a regulation

Article 8 – paragraph 2 g (new)

Text proposed by the Commission

Amendment

2g. *For the purposes of Union origin*

requirements applicable to vessels and maritime equipment, the equivalence referred to in this paragraph shall be assessed on a sector-by-sector basis, taking into account the level of reciprocity, the effectiveness of enforcement, and the existence of market distortions resulting from state support measures in the third country concerned.

Or. en

Amendment 1657

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

**Proposal for a regulation
Article 8 a (new)**

Text proposed by the Commission

Amendment

Article 8a

***Inclusion of a third country for the
purposes of public procurement***

1. With regard to the EU origin requirements referred to in Article 11, content originating in a third country may only be assimilated to content originating in the EU if that third country has been included in the scope of this Article by a decision of the Council acting unanimously, on a proposal from the Commission. The mere existence of an agreement establishing a free trade area or a customs union, or the status of a party to the Agreement on Government Procurement, shall not be sufficient in itself to confer eligibility for such treatment.

2. The Commission may submit a proposal under paragraph 1 only in relation to an eligible third country partner country as defined in point (40a) of Article 3(1) and where the following criteria are cumulatively met:

(a) the third country provides, in law and in practice, Union products, services and operators with effective and reciprocal access to its public procurement systems in all the sectors listed in Annex I, and does not impose any conditions relating to production, subsidies or market access that substantially distort competition to the detriment of Union operators;

(b) inclusion on the list demonstrably contributes to the security of supply and the resilience of the Union's value chains, without creating or reinforcing any structural or strategic dependence on the third country concerned;

(c) the third country guarantees, for the products concerned, standards of production, certification and traceability, as well as environmental and labour requirements, equivalent to those applicable in the Union, including the ratification and effective implementation of the ILO's core conventions;

(d) the third country applies a carbon pricing mechanism or measures with equivalent effect, so that its producers bear a carbon cost comparable to that borne by Union producers;

(e) the third country has established, or is committed to establishing within a defined timeframe, demand-side measures favouring low-carbon industrial products comparable to those provided for in this Regulation and which provide national treatment to Union products and operators;

(f) inclusion on the list does not pose any risk of circumvention of the EU origin requirements, in particular through the re-export of products or components originating in other third countries or through the establishment in the territory of the third country of undertakings owned or controlled by entities established in third countries which are not included on the list.

3. The Council decision shall specify the products, components, sectors and categories of public procurement covered. It shall be adopted for a maximum period of five years, renewable in accordance with the same procedure.

4. The Commission shall assess at least every two years compliance with the criteria set out in paragraph 2 and forward its assessment to the European Parliament and to the Council. Any Member State may request the Commission to carry out such an assessment at any time; the Commission shall act on such requests within three months.

5. Where the Commission finds that any of the criteria set out in paragraph 2 is no longer fulfilled, it shall adopt without delay an implementing act suspending, in whole or in part, the benefit of the equivalent treatment. That act shall be adopted in accordance with the advisory procedure referred to in Article 31(3). Lifting the suspension shall require a new decision by the Council acting unanimously.

6. Recycled materials from waste collected, sorted or recycled in a third country shall not be subject to any equivalent treatment under this Article.

7. This treatment shall apply solely for the purposes of this Regulation and shall not alter the customs origin of the content concerned.

Or. fr

Justification

Pour qu'un contenu originaire d'un pays tiers soit considéré comme d'origine UE, l'inclusion de ce pays doit avoir été validée par une décision du Conseil, statuant à l'unanimité. Il doit de surcroît être lié à l'Union par un accord commercial respectant réciprocité, concurrence loyale et équivalence environnementale, l'accord seul ne suffisant pas, et respecter les critères suivants : réciprocité, normes équivalentes, coût carbone comparable et aucun risque de dépendance ou de contournement. Le respect de ces conditions est évalué tous les deux ans, l'équivalence doit être renouvelée tous les cinq ans et, en cas de non respect des

conditions, l'équivalence est supprimée sans délai.

Amendment 1658

Raúl de la Hoz Quintano, Adrián Vázquez Lázara, Esteban González Pons, Pilar del Castillo Vera, Dolors Montserrat, Javier Zarzalejos, Susana Solís Pérez, Borja Giménez Larraz, Carmen Crespo Díaz, Antonio López-Istúriz White, Esther Herranz García, Nicolás Pascual de la Parte, Juan Ignacio Zoido Álvarez, Francisco José Millán Mon, Maravillas Abadía Jover, Isabel Benjumea Benjumea, Gabriel Mato

Proposal for a regulation

Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

Content equivalent to Union origin in other forms of public intervention

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Amendment 1659

Costas Mavrides

Proposal for a regulation

Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

Content equivalent to Union origin in other forms of public intervention

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Amendment 1660

Bart Groothuis, Nikola Minchev, Jeannette Baljeu, Morten Løkkegaard, Barry Andrews, Sophie Wilmès, Benoit Cassart, Yvan Verougstraete, Barry Cowen, Billy Kelleher, Michael McNamara, Engin Eroglu, Brigitte van den Berg, Anna-Maja Henriksson, Sigrid Friis, Karin Karlsbro, Ivars Ijabs

Proposal for a regulation

Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

Content equivalent to Union origin in other forms of public intervention

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Justification

Replaced by the partner-country system in Article 7.

Amendment 1661

Yvan Verougstraete, Sandro Gozi, Stéphanie Yon-Courtin, Christophe Grudler

Proposal for a regulation

Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

Content equivalent to Union origin in other forms of public intervention

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1662

David Cormand, Anna Cavazzini, Sara Matthieu
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

***Content equivalent to Union origin in
other forms of public intervention***

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1663

Mariateresa Vivaldini, Daniele Polato, Carlo Fidanza, Elena Donazzan, Nicola Procaccini, Sergio Berlato, Stefano Cavedagna, Carlo Ciccio, Alessandro Ciriani, Pietro Fiocchi, Alberico Gambino, Chiara Gemma, Paolo Inselvini, Lara Magoni, Mario Mantovani, Giuseppe Milazzo, Denis Nesci, Michele Picaro, Ruggero Razza, Antonella Sberna, Marco Squarta, Francesco Torselli, Francesco Ventola, Nicolas Bay, Giovanni Crosetto, Marion Maréchal

Proposal for a regulation
Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

***Content equivalent to Union origin in
other forms of public intervention***

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Justification

Public support should primarily strengthen industrial production and investment within the Union. Unlike public procurement, where the Union must take account of specific international market-access commitments, public support measures should remain focused on Union-origin content in order to maximise their contribution to European industrial capacity, resilience and competitiveness.

Amendment 1664
Hanna Gedin, Rudi Kennes, Marina Measure

Proposal for a regulation
Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

***Content equivalent to Union origin in
other forms of public intervention***

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1665
Rudi Kennes, Marina Measure

Proposal for a regulation
Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

**Content equivalent to Union origin in
other forms of public intervention**

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

**Amendment 1666
Dario Tamburrano**

**Proposal for a regulation
Article 9**

Text proposed by the Commission

Amendment

Article 9

deleted

*Content equivalent to Union origin in
other forms of public intervention*

1. *With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.*

2. *The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:*

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1667

Paolo Borchia, Isabella Tovaglieri, Raffaele Stancanelli, Anna Brylka, Klara Dostalova, Jana Nagyová, Ondřej Knotek, Jaroslav Bžoch, Tomáš Kubín

**Proposal for a regulation
Article 9**

Text proposed by the Commission

Amendment

Article 9

deleted

*Content equivalent to Union origin in
other forms of public intervention*

1. *With respect to the Union origin requirements set out in Article 12, content*

originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1668

Sophie Wilmès, Benoit Cassart, João Cotrim De Figueiredo, Yvan Verougstraete

Proposal for a regulation

Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

Content equivalent to Union origin in other forms of public intervention

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1669
Oihane Agirregoitia Martínez

Proposal for a regulation
Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

Content equivalent to Union origin in other forms of public intervention

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Justification

The aim is not to close off the different forms of public intervention, as companies from third countries will be able to participate in tenders and auctions but will have to comply with the EU manufacturing requirements, just like EU producers, provided that there is reciprocal access for EU companies. For industrial companies from third countries to demonstrate manufacturing in the EU, they must invest and manufacture in the EU in compliance with the high standards of our internal market.

Amendment 1670 **Bruno Gonçalves**

Proposal for a regulation **Article 9**

Text proposed by the Commission

Amendment

Article 9

deleted

Content equivalent to Union origin in other forms of public intervention

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article

30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

- (a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;*
- (b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;*
- (c) such exclusion is justified under any other exception under the applicable agreement.*

Or. en

Amendment 1671

Pierre Juvet, Kathleen Van Brempt, Jens Geier, Javier Moreno Sánchez, Nicolás González Casares, François Kalfon, René Repasi, Jean-Marc Germain, Matthias Ecke, José Cepeda, Hana Jalloul Muro, Idoia Mendia, Ștefan Mușoiu, Marc Angel, Elena Sancho Murillo, Bruno Tobback, Elisabeth Grossmann, Laura Ballarín Cereza, Raphaël Glucksmann, Niels Fuglsang, Lina Gálvez

Proposal for a regulation Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

Content equivalent to Union origin in other forms of public intervention

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third

country from the scope of paragraph 1 based on any of the following criteria:

- (a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;*
- (b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;*
- (c) such exclusion is justified under any other exception under the applicable agreement.*

Or. en

Amendment 1672

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation

Article 9 – title

Text proposed by the Commission

Amendment

Content equivalent to Union origin in other forms of public intervention

Strict Union origin rules in other forms of public intervention

Or. fr

Amendment 1673

Hanna Gedin, Rudi Kennes, Marina Measure

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

Amendment

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement **deleted**

establishing a free trade area or a customs union shall be deemed to be of Union origin.

Or. en

Amendment 1674
Costas Mavrides

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

Amendment

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin. **deleted**

Or. en

Amendment 1675

Pierre Jouvét, Kathleen Van Brempt, Jens Geier, Javier Moreno Sánchez, Nicolás González Casares, François Kalfon, René Repasi, Jean-Marc Germain, Matthias Ecke, José Cepeda, Hana Jalloul Muro, Idoia Mendia, Ștefan Mușoiu, Marc Angel, Elena Sancho Murillo, Bruno Tobback, Elisabeth Grossmann, Raphaël Glucksmann, Niels Fuglsang, Lina Gálvez

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

Amendment

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin. **deleted**

Or. en

Amendment 1676

Daniel Obajtek, Marion Maréchal, Anna Zalewska, Jadwiga Wiśniewska, Jacek Ozdoba

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements ***set out*** in Article ***12***, content originating in third countries ***with which the Union has concluded*** an agreement establishing a free trade area or a customs union ***shall be deemed to be of Union origin***.

Amendment

1. With respect to the Union origin requirements ***referred to*** in Article ***11***, content originating in third countries ***shall be deemed to be of Union origin where:***

a) content originates from members of the European Free Trade Associations (EFTA) which are members of the European Economic Area (EEA), and the United Kingdom, or

b) all of the following conditions are met in respect of the third country concerned:

(i) the third country accords national treatment to Union products and economic operators pursuant to an agreement establishing a free trade area or a customs union with the Union, or pursuant to the Agreement on Government Procurement, in respect of all sectors listed in Annex II and III;

(ii) the inclusion is consistent with the objective of strengthening the economic security of the Union, including the security and resilience of supply chains for the products concerned, energy security and the resilience of the internal market, and does not create or reinforce unhealthy strategic dependencies on third countries;

(iii) the third country respects and enforces internationally recognised labour rights and applicable labour law, including workers' rights, freedom of association and collective bargaining;

(iv) the third country has in place, and effectively implements, a legal and regulatory framework that is substantially equivalent to that applicable within the Union internal market, including as regards environmental and climate protection standards, and has adopted and effectively implemented industrial sustainability measures comparable in their objectives and level of ambition to those applicable in the Union, including, where appropriate, a carbon pricing mechanism or equivalent measures;

(v) the inclusion of the third country does not give rise to a risk of circumvention of the Union-origin requirements laid down in this Regulation, in particular through the re-export of products or components originating in third countries that are not covered by a delegated act adopted pursuant to this Article, or through the establishment, on the territory of the third country concerned, of undertakings owned or controlled by entities established in third countries not covered by this Article, where such establishment is intended primarily to obtain access to the Union market for those products or components.

(vi) in respect of products originating in that third country falling within the sectors covered by Annexes II and III, reliable, verifiable and sufficiently detailed information is available to enable the competent authorities to assess compliance with the low-carbon requirements or with requirements relating to the use of sustainable carbon sources laid down pursuant to this Regulation.

Or. en

Justification

Union-origin treatment should be limited to products originating in the Union, EEA/EFTA countries, the United Kingdom and a narrowly defined group of third countries demonstrating a high degree of alignment with Union standards. Such third countries should

also guarantee effective reciprocity for Union companies and goods, in particular as regards access to public procurement procedures and national support schemes. The Commission proposal is excessively broad and risks diluting the effectiveness of the Regulation by extending equivalent treatment too widely.

Amendment 1677

Claudiu-Richard Târziu

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

1. With respect the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

Amendment

1. With respect the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin, ***provided that this equivalence does not compromise the Union's security of supply, does not lead to excessive strategic dependencies and is applied on the basis of effective reciprocity in terms of market access for Union products and businesses.***

Or. ro

Justification

The amendment aims to prevent the emergence of strategic dependencies and vulnerabilities in the Union's supply by automatically applying equivalence of origin. The use of third-country content as equivalent to content originating in the Union should be subject to security of supply, the avoidance of excessive dependencies and the existence of genuine reciprocity in access to those markets. This ensures that the competitiveness of European industry and the economic interests of the Union are safeguarded.

Amendment 1678

Laura Ballarín Cereza

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin. ***This provision shall remain applicable only where no failure to comply with the commitments entered into has been established and shall be limited to strategic components sourced from selected close partner countries that meet comparable environmental and social standards.***

Or. en

Justification

The legislation should make clear that appropriate checks must be carried out and that failure to comply with customs arrangements may result in a product being denied European-origin status. Compliance with customs arrangements and rules of origin should therefore be subject to robust verification, particularly for products originating in third countries, to prevent practices that could circumvent or undermine European-origin requirements. There is the need to ensure that the provisions of the Act concerning the recognition of goods from third countries with which the EU has concluded a free trade agreement or customs union, as Union-origin products, do not create incentives for nearshoring and offshoring policies that could negatively affect European industry.

Amendment 1679

Krzysztof Hetman, Adam Jarubas

**Proposal for a regulation
Article 9 – paragraph 1**

Text proposed by the Commission

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be ***deemed to be of*** Union origin.

Amendment

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, ***where relevant obligations of the Union exist under that agreement,*** shall be

eligible for treatment equivalent to Union origin only where the conditions laid down in Article 9a are fulfilled, without prejudice to the Union's obligations under the relevant international agreement.

Or. en

Amendment 1680

Rihards Kols

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, ***including association agreements providing for a deep and comprehensive free trade area concluded with candidate countries***, shall be deemed to be of Union origin. ***Content originating in the countries of the European Economic Area shall in any event be deemed to be of Union origin.***

Or. en

Amendment 1681

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements set out in Article 12, content ***originating in third countries with which the Union has concluded an agreement***

Amendment

1. With respect to the Union origin requirements set out in Article 12, ***only*** content ***of Union origin within the meaning of Article 3(1)(10a) and Article 7***

establishing a free trade area or a customs union shall be deemed to be of Union origin.

shall be taken into account. No content originating in a third country may be treated as content of Union origin for the purposes of Article 12, without prejudice to the treatment of content originating in eligible overseas countries and territories as provided for in Article 7(2c).

Or. fr

Amendment 1682

Piotr Müller

Proposal for a regulation Article 9 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union, ***or that are parties to the Agreement on Government Procurement and members of the Organisation for Economic Co-operation and Development***, shall be deemed to be of Union origin. ***This paragraph shall apply without prejudice to paragraph 2.***

Or. en

Justification

Support schemes for households and companies should be able to rely on products from trusted allies such as the United States, with which the Union has no free trade agreement. Limiting this to GPA parties which are OECD members prevents equivalence from being extended to territories that could route production from non-market economies, while partners failing the criteria in paragraph 2 can still be excluded.

Amendment 1683

Sofie Eriksson, Adnan Dibrani

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

The Commission shall maintain an updated list of countries that are covered by paragraph 1, including exclusions made in accordance with paragraph 2.

Or. en

Amendment 1684

Jörgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Lúdia Pereira, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Mika Aaltola, Dirk Gotink

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin. ***Third countries subject to this status, from which imported content shall be deemed equivalent to Union origin, are listed in Annex [X2].***

Or. en

Amendment 1685
Pascal Canfin

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements set out in Article 12, content originating in ***third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.***

Amendment

1. With respect to the Union origin requirements set out in Article 12, content ***of Union origin refers to content*** originating in the ***European*** Union.

Or. en

Justification

Public support funded by Member States should benefit Union value chains. Therefore for Article 12, only content originating in the Union counts as Union origin.

Amendment 1686
François-Xavier Bellamy, Céline Imart

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements set out in Article 12, content originating in ***third countries with which the Union has concluded an agreement establishing a free trade area or a customs union*** shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements set out in Article 12, ***only*** content originating in ***Member States*** shall be deemed to be of Union origin.

Or. en

Amendment 1687
Regina Doherty, Peter Agius

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements set out in Article 12, content ***originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union*** shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements set out in Article 12, content ***referred to in Article 8(1) and (1a)*** shall be deemed to be of Union origin.

Or. en

Amendment 1688

Klara Dostalova, Jaroslava Pokorná Jermanová, Tomáš Kubín, Jaroslav Bžoch, Ondřej Knotek, Jana Nagyová, Jaroslav Knot, Anna Brylka, Enikő Győri, András Gyürk, Ernő Schaller-Baross, András László

**Proposal for a regulation
Article 9 – paragraph 1**

Text proposed by the Commission

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements set out in Article 12, content originating in ***the members of European Free Trade Association and*** third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

Or. en

Amendment 1689

Dimitris Tsiodras

**Proposal for a regulation
Article 9 – paragraph 1**

Text proposed by the Commission

1. With respect to the Union origin requirements set out in Article 12, content originating in ***third countries with which***

Amendment

1. With respect to the Union origin requirements set out in Article 12, content originating in the ***European*** Union

the Union *has concluded an agreement establishing a free trade area or a customs union* shall be deemed to be of Union origin.

Member, and the EEA/EFTA States shall be deemed to be of Union origin.

Or. en

Justification

Over 75% of EU steel imports come from free-trade-agreement countries, the rule could allow products from nearly 80 countries to qualify as 'Made in EU.' Having such a broad eligibility to access lead markets will weaken demand for EU produced low-carbon steel, and perversely use public funds to incentivise imports and weaken the investment case within the EU. The current definition would also allow producers from third countries, e.g. China, to maintain market access by shifting investment to partner countries qualifying under EU trade arrangements (e.g. Morocco, Turkey or Serbia), without strengthening European industrial capacity. For this reason, the definition of "Union origin" should be limited to production within the EU, the European Economic Area and EFTA countries. Limiting eligibility for Public Procurement lead markets is required in order to meet the objectives of the IAA and is justified under the following WTO exceptions: - GPA: Article III.2(a) – public order; - GATT: the recitals point to Article XX(j) (critical shortages), Article XXI (essential security interests) and/or Article XX(a) (public morals linked to public order).

Amendment 1690

Tomislav Sokol

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements *set out* in Article 12, content originating in *third countries with which the Union has concluded an agreement establishing a free trade area or a customs union* shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements *referred to* in Article 12, content originating in *Member States of the European Economic Area and Switzerland* shall be deemed to be of Union origin.

Or. en

Amendment 1691

Ondřej Krutílek

Proposal for a regulation
Article 9 – paragraph 1

Text proposed by the Commission

1. With respect to the Union origin requirements set out in Article 12, content originating in third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

Amendment

1. With respect to the Union origin requirements set out in Article 12, content originating in **EFTA and** third countries with which the Union has concluded an agreement establishing a free trade area or a customs union shall be deemed to be of Union origin.

Or. en

Amendment 1692
Niels Flemming Hansen

Proposal for a regulation
Article 9 – paragraph 1 – point a (new)

Text proposed by the Commission

Amendment

(a) The Commission shall, no later than six months after the entry into force of this Regulation, adopt a delegated act establishing a list of third countries whose content shall be deemed equivalent to Union origin pursuant to paragraph 1. The Commission shall review and, where appropriate, update that list at least every two years.

Or. en

Amendment 1693
Rihards Kols

Proposal for a regulation
Article 9 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Without prejudice to paragraph 1 and to the Union's international

obligations, the Commission may adopt implementing acts recognising content originating in a third country as equivalent to Union origin for specified products and public support schemes where:

(a) that country has a security and defence partnership with the Union or is a member of NATO;

(b) reciprocal access for Union products and economic operators to comparable public support schemes is demonstrated;

(c) recognition contributes to supply-chain diversification or industrial cooperation benefiting production in the Union; and

(d) an assessment demonstrates that recognition does not create or aggravate a high-risk strategic dependency or undermine Union or Member State security interests.

Those implementing acts shall specify the products and schemes concerned, safeguards against circumvention, and a period of application not exceeding three years. They shall be adopted in accordance with the examination procedure referred to in Article 31(3). Renewal shall be subject to a new assessment of the conditions set out in this paragraph.

Or. en

Justification

Targeted, reciprocal cooperation with trusted partners can diversify supplies and support industrial capacity in Europe. Recognition should remain product-specific, time-limited and subject to Member State scrutiny and security safeguards.

Amendment 1694
Kateřina Konečná

Proposal for a regulation
Article 9 – paragraph 1 a (new)

1a. By way of derogation from point (a) of Part I and point (a) of Part II of Annex III, a vehicle of category M2, M3, N2 or N3, as referred to in Article 4(1) of Regulation (EU) 2018/858, which is assembled in a third country with which the Union has concluded an agreement establishing a customs union shall be deemed to be assembled within the Union where it is assembled by a Union heavy-duty vehicle manufacturer or by its joint venture established in that third country before 5 March 2026 and controlled, solely or jointly, directly or indirectly, by at least one entity established in a Member State.

For the purposes of this derogation, eligibility on the basis of a joint venture shall be limited to joint ventures established before 5 March 2026. Such eligibility shall be non-transferable and shall automatically lapse in the event of a change of control, transfer of ownership, or acquisition by a new owner, so as to prevent the creation, restructuring, or acquisition of entities for the sole purpose of benefiting from this derogation.

Or. en

Amendment 1695

Jürgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Lúdia Pereira, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Mika Aaltola, Dirk Gotink

Proposal for a regulation

Article 9 – paragraph 1 a (new)

1a. As from [OP: Please insert the date = [five] years after the date of entry into force of this Regulation] only third

countries in the partnership categories set out in paragraph 1 which have also guaranteed Union products and entities national treatment shall continue to enjoy the status of equivalence to Union origin and continue being listed in Annex [X2].

Or. en

Amendment 1696
Hanna Gedin

Proposal for a regulation
Article 9 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. that third country, or the economic operator operating in that third country, comply with social and labour clauses, collective bargaining, ILO 97, in order to promote fair competition and high-quality jobs as defined in this regulation;

Or. en

Amendment 1697
Jörgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Lídia Pereira, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Mika Aaltola, Dirk Gotink

Proposal for a regulation
Article 9 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. The Commission shall adopt delegated acts in accordance with Article 30 to include a third country that joins one of the partnership categories referred to in paragraph 1 within the scope of equivalence to Union origin, by listing that country in Annex [X2].

Amendment 1698

Pierre Jouvét, Kathleen Van Brempt, Jens Geier, Javier Moreno Sánchez, Nicolás González Casares, François Kalfon, René Repasi, Jean-Marc Germain, Matthias Ecke, José Cepeda, Hana Jalloul Muro, Idoia Mendia, Ștefan Mușoiu, Marc Angel, Elena Sancho Murillo, Bruno Tobback, Elisabeth Grossmann, Raphaël Glucksmann, Niels Fuglsang, Lina Gálvez

Proposal for a regulation

Article 9 – paragraph 2

Text proposed by the Commission

Amendment

- 2. *The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:*** *deleted*
- (a) *that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;***
- (b) *such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;***
- (c) *such exclusion is justified under any other exception under the applicable agreement.***

Amendment 1699

Tomislav Sokol

Proposal for a regulation

Article 9 – paragraph 2

Text proposed by the Commission

Amendment

- 2. *The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:*** ***deleted***
- (a) *that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;***
- (b) *such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;***
- (c) *such exclusion is justified under any other exception under the applicable agreement.***

Or. en

Amendment 1700

Hanna Gedin, Rudi Kennes, Marina Measure

Proposal for a regulation

Article 9 – paragraph 2

Text proposed by the Commission

Amendment

- 2. *The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:*** ***deleted***
- (a) *that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;***
- (b) *such exclusion is justified to avoid dependencies or any other developments***

that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1701
Pascal Canfin

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria: *deleted*

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1702
Costas Mavrides

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

deleted

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(c) such exclusion is justified under any other exception under the applicable agreement.

Or. en

Amendment 1703

Letizia Moratti, Fulvio Martusciello, Massimiliano Salini, Salvatore De Meo

Proposal for a regulation

Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. The Commission shall adopt delegated acts *in accordance with* Article 30 *to* exclude, in whole or in part, *a third country* from the scope of paragraph 1 *based on any of the following criteria*:

2. The Commission shall adopt *implementing acts pursuant to Article 5 of Regulation (EU) No 182/2011 to establish and update the lists of third countries whose originating products and components may be considered equivalent to Union-origin content.*

In preparing those implementing acts, the Commission shall assess, in particular:

(a) whether the third country grants effective and reciprocal access to Union products and economic operators under

the relevant agreements;

(b) whether its inclusion could create or increase strategic dependencies or otherwise threaten the security of supply in the Union;

(c) the existence of reservations, sectoral limitations, thresholds, localisation or local content requirements, national preferences or other restrictions;

(d) whether fair competition conditions are ensured, including the absence of discriminatory measures, distortive subsidies or other practices that could undermine the level playing field;

(e) the risk of circumvention of the requirements laid down in Article 12. The Commission shall also take into account any applicable exceptions and the dispute-settlement provisions of the relevant agreements.

3. The Commission shall regularly review the country lists and amend them, where necessary, by means of implementing acts pursuant to Article 5 of Regulation (EU) No 182/2011, including where a third country concludes a new agreement or where the conditions referred to in paragraph 2 are no longer met.

4. The implementing acts shall establish a procedure for the periodic monitoring of the criteria set out in paragraph 2. The first implementing act establishing the lists shall be adopted within six months of the entry into force of this Regulation.

5. The Commission shall monitor trade flows and market developments at least annually in order to identify significant increases in imports, evidence of circumvention, trade-defence or anti-subsidy concerns, or discrepancies between trade flows and production capacity indicating possible transshipment. Where such risks are identified, the Commission may suspend or limit the equivalence of a third country and may, by means of delegated acts

*pursuant to Article 30, exclude **that third country**, in whole or in part, from the scope of paragraph 1.*

6. By way of derogation from paragraph 1, for the Union-origin requirements applicable to vehicles and their components, including corporate low-emission vehicles under the public support schemes referred to in Annex III, “equivalent content of origin” shall include only products and components originating in the United Kingdom.

Or. en

Amendment 1704

Jürgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Lídia Pereira, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Mika Aaltola, Dirk Gotink

Proposal for a regulation

Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 ***based on*** any of the ***following criteria***:

Amendment

2. The Commission shall ***as from [OP: Please insert the date = [five] years after the date of entry into force of this Regulation]*** adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 ***in case that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I. Such exclusion must be duly justified under the applicable agreement and in conformity with relevant dispute settlement procedures and rules of the WTO.***

Or. en

Amendment 1705

Klara Dostalova, Jaroslava Pokorná Jermanová, Tomáš Kubín, Jaroslav Bžoch, Ondřej Knotek, Jana Nagyová, Jaroslav Knot, Anna Brylka

Proposal for a regulation

Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall adopt ***delegated*** acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

Amendment

2. The Commission shall adopt ***implementing*** acts in accordance with ***the examination procedure referred to in*** Article 31(3) to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria; ***The Commission shall base such exclusion on objective and verifiable evidence, shall provide a reasoned justification, and shall ensure appropriate consultation of Member States prior to adoption.***

Or. en

Amendment 1706

Ondřej Krutílek

Proposal for a regulation

Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall adopt ***delegated*** acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

Amendment

2. The Commission shall adopt ***implementing*** acts in accordance with ***the examination procedure referred to in*** Article 31(3) to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria: ***The Commission shall base such exclusion on objective and verifiable evidence, shall provide a reasoned justification, and shall ensure appropriate consultation of Member States prior to adoption.***

Or. en

Amendment 1707

Dirk Gotink, Wouter Beke, Pascal Arimont, Christian Ehler, Willemien Koning, Markus Ferber, Sabine Verheyen, Monika Hohlmeier, Christian Doleschal, Norbert Herhammer, Verena Mertens, Andrea Wechsler, Henrik Dahl, Andreas Schwab, Jörgen Warborn, Hildegard Bentele, Rasa Juknevičienė, Regina Doherty, Norbert Lins, Peter Agius, Borys Budka, Mirosława Nykiel, Krzysztof Hetman, Andrzej Buła, Dariusz Joński, Bogdan Andrzej Zdrojewski, Adam Jarubas, Kamila Gasiuk-Pihowicz, Oliver Schenk, Angelika Niebler

Proposal for a regulation

Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall adopt delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:

Amendment

2. The Commission shall adopt *as from [OP: Please insert the date = [one] years after the date of entry into force of this Regulation]* delegated acts in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1. *Such exclusion shall be based on a thorough, objective, and evidence-based assessment demonstrating that any of the following criteria are met:*

Or. en

Amendment 1708

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation

Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission *shall adopt delegated acts in accordance with Article 30 to exclude*, in whole or in part, *a third country from* the scope of paragraph 1 *based on any of the following* criteria:

Amendment

2. *The Council, acting unanimously on a proposal from* the Commission, *may decide to include*, in whole or in part, *within* the scope of paragraph 1 *a third country which meets the conditions laid down in Article 3(1)(40a), subject to the cumulative fulfilment of the criteria set out in Article 8(2)(a) to (f). Article 8(3) to (7) shall apply.*

Amendment 1709
Dimitris Tsiodras

Proposal for a regulation
Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall adopt delegated acts in accordance with Article 30 to ***exclude***, in whole or in part, a third country ***from*** the scope of paragraph 1 based on ***any of the following*** criteria:

Amendment

2. ***By way of derogation***, the Commission shall adopt delegated acts in accordance with Article 30 to ***include***, in whole or in part, a third country ***within*** the scope of paragraph 1 based on ***objective*** criteria ***including***:

Or. en

Amendment 1710
François-Xavier Bellamy, Céline Imart

Proposal for a regulation
Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission ***shall*** adopt delegated acts in accordance with Article 30 to ***exclude***, in whole or in part, a third country ***from*** the scope of paragraph 1 based on ***any of*** the following criteria:

Amendment

2. The Commission ***may*** adopt delegated acts in accordance with Article 30 to ***include***, in whole or in part, a third country ***within*** the scope of paragraph 1 based on the following ***cumulative*** criteria:

Or. en

Amendment 1711
Daniel Obajtek, Marion Maréchal, Anna Zalewska, Jadwiga Wiśniewska, Jacek Ozdoba

Proposal for a regulation
Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. The **Commission** shall **adopt** delegated acts **in accordance with Article 30 to exclude, in whole or in part, a third country from the scope of paragraph 1 based on any of the following criteria:**

2. The **list of equivalent countries referred to in point (b)** shall **be established by means of** delegated acts **adopted by the Commission. That list shall be reviewed every five years.**

Or. en

Justification

Union-origin treatment should be limited to products originating in the Union, EEA/EFTA countries, the United Kingdom and a narrowly defined group of third countries demonstrating a high degree of alignment with Union standards. Such third countries should also guarantee effective reciprocity for Union companies and goods, in particular as regards access to public procurement procedures and national support schemes. The Commission proposal is excessively broad and risks diluting the effectiveness of the Regulation by extending equivalent treatment too widely.

Amendment 1712

Tomislav Sokol

Proposal for a regulation

Article 9 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

deleted

Or. en

Amendment 1713

Pascal Canfin

Proposal for a regulation

Article 9 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I; **deleted**

Or. en

Amendment 1714

Hanna Gedin, Rudi Kennes, Marina Mesure

Proposal for a regulation

Article 9 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I; **deleted**

Or. en

Amendment 1715

Pierre Juvet, Kathleen Van Brempt, Jens Geier, Javier Moreno Sánchez, Nicolás González Casares, François Kalfon, René Repasi, Jean-Marc Germain, Matthias Ecke, José Cepeda, Hana Jalloul Muro, Idoia Mendia, Ștefan Mușoiu, Marc Angel, Elena Sancho Murillo, Bruno Tobback, Elisabeth Grossmann, Raphaël Glucksmann, Niels Fuglsang, Lina Gálvez

Proposal for a regulation

Article 9 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in **deleted**

relation to any of the sectors listed in Annex I;

Or. en

Amendment 1716

Costas Mavrides

Proposal for a regulation

Article 9 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I; *deleted*

Or. en

Amendment 1717

Jörgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Lídia Pereira, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Mika Aaltola, Dirk Gotink

Proposal for a regulation

Article 9 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I; *deleted*

Or. en

Amendment 1718

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe

Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation

Article 9 – paragraph 2 – point a

Text proposed by the Commission

(a) *that* third country *has failed to provide national treatment related to* Union products *or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;*

Amendment

(a) *the* third country *concerned provides* Union products, *services and operators with effective, fair and reciprocal access to its aid schemes, support mechanisms, financial incentives and other forms of public intervention in the relevant sectors and does not impose any conditions relating to production, subsidies, financing or market access that substantially distort competition to the detriment of Union operators;*

Or. fr

Amendment 1719

François-Xavier Bellamy, Céline Imart

Proposal for a regulation

Article 9 – paragraph 2 – point a

Text proposed by the Commission

(a) *that* third country *has failed to provide national treatment related to* Union products *or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;*

Amendment

(a) *reciprocal international commitments such as the Government Procurement Agreement and;*

Or. en

Amendment 1720

Dimitris Tsiodras

Proposal for a regulation

Article 9 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) *that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;*

(a) *reciprocal international commitments such as the Government Procurement Agreement and;*

Or. en

Amendment 1721

Niels Flemming Hansen

Proposal for a regulation

Article 9 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country has failed to provide national treatment related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

(a) that third country has failed to provide national treatment, ***including reciprocal market access***, related to Union products or entities under the agreements referred to in paragraph 1 in relation to any of the sectors listed in Annex I;

Or. en

Amendment 1722

Dirk Gotink, Wouter Beke, Pascal Arimont, Christian Ehler, Willemien Koning, Markus Ferber, Sabine Verheyen, Monika Hohlmeier, Christian Doleschal, Norbert Herhammer, Verena Mertens, Martine Kemp, Andreas Schwab, Jörgen Warborn, Hildegard Bentele, Rasa Juknevičienė, Regina Doherty, Norbert Lins, Peter Agius, Borys Budka, Mirosława Nykiel, Krzysztof Hetman, Andrzej Buła, Dariusz Joński, Bogdan Andrzej Zdrojewski, Adam Jarubas, Kamila Gasiuk-Pihowicz, Dóra Dávid, Eszter Lakos, Angelika Niebler

Proposal for a regulation

Article 9 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) that third country ***has failed to provide national treatment related to***

(a) that third country ***does not grant the Union reciprocity within the meaning***

Union *products or entities under the agreements referred to in paragraph 1* in relation to any of the sectors listed in Annex I;

of Article 3, point [definition reciprocity] in relation to any of the sectors listed in Annex I;

Or. en

Amendment 1723
Ondřej Krutílek

Proposal for a regulation
Article 9 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) that third country engages in systemic unfair trading practices, such as maintaining structural overcapacities or aiding the circumvention of EU trade protection measures in any of the sectors listed in Annex I;

Or. en

Amendment 1724
Klara Dostalova

Proposal for a regulation
Article 9 – paragraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) that third country engages in systemic unfair trading practices, such as maintaining structural overcapacities or aiding the circumvention of EU trade protection measures in any of the sectors listed in Annex I;

Or. en

Justification

The amendment introduces a necessary safeguard to protect the internal market from unfair trading practices. The EU should not grant third countries Union origin status if they engage

in unfair trading practices.

Amendment 1725

Pierre Jouvét, Kathleen Van Brempt, Jens Geier, Javier Moreno Sánchez, Nicolás González Casares, François Kalfon, René Repasi, Jean-Marc Germain, Matthias Ecke, José Cepeda, Hana Jalloul Muro, Idoia Mendia, Ștefan Mușoiu, Marc Angel, Elena Sancho Murillo, Bruno Tobback, Elisabeth Grossmann, Raphaël Glucksmann, Niels Fuglsang, Lina Gálvez

Proposal for a regulation

Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; *deleted*

Or. en

Amendment 1726

Pascal Canfin

Proposal for a regulation

Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; *deleted*

Or. en

Amendment 1727

Hanna Gedin, Rudi Kennes, Marina Measure

Proposal for a regulation

Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; *deleted*

Or. en

Amendment 1728

Tomislav Sokol

Proposal for a regulation

Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; *deleted*

Or. en

Amendment 1729

Dirk Gotink, Wouter Beke, Pascal Arimont, Christian Ehler, Willemien Koning, Markus Ferber, Sabine Verheyen, Monika Hohlmeier, Christian Doleschal, Norbert Herhammer, Verena Mertens, Henrik Dahl, Andreas Schwab, Jörgen Warborn, Hildegard Bentele, Rasa Juknevičienė, Regina Doherty, Norbert Lins, Peter Agius, Borys Budka, Mirosława Nykiel, Krzysztof Hetman, Andrzej Buła, Dariusz Joński, Bogdan Andrzej Zdrojewski, Adam Jarubas, Kamila Gasiuk-Pihowicz, Dóra Dávid, Eszter Lakos, Angelika Niebler

Proposal for a regulation

Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; *deleted*

Or. en

Amendment 1730
Katri Kulmuni

Proposal for a regulation
Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; **deleted**

Or. en

Justification

The objective, content and scope for the use of delegated acts should be clearly defined in the legislative act. The text proposed by the Commission does not fulfil these criteria and instead gives almost full discretion to the Commission to exclude a third country from the scope of paragraph 1 on its own decision.

Amendment 1731
Costas Mavrides

Proposal for a regulation
Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question; **deleted**

Or. en

Amendment 1732
Jörgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Mika Aaltola, Dirk Gotink

Proposal for a regulation
Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

deleted

Or. en

Amendment 1733

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation
Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(b) the inclusion of that third country demonstrably contributes to the security of supply in the Union, the resilience of its value chains and the maintenance or development of its industrial capacity, without creating or reinforcing any structural or strategic dependence on that country;

Or. fr

Amendment 1734

François-Xavier Bellamy, Céline Imart

Proposal for a regulation
Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(b) such inclusion is duly justified to positively contribute to the Union's economic security;

Amendment 1735
Dimitris Tsiodras

Proposal for a regulation
Article 9 – paragraph 2 – point b

Text proposed by the Commission

(b) *such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;*

Amendment

(b) *contribution to the Union's competitiveness, resilience and economic security objectives;*

Or. en

Amendment 1736
Niels Flemming Hansen

Proposal for a regulation
Article 9 – paragraph 2 – point b

Text proposed by the Commission

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

Amendment

(b) such exclusion is justified to avoid dependencies, **coercion** or any other developments that may threaten the security of supply **or distort competition** in the Union of the products in question;

Or. en

Amendment 1737
Andrea Wechsler, Christian Ehler, Angelika Niebler, Jens Gieseke, Andreas Schwab, Norbert Herhammer, Hildegard Bentele, Markus Ferber, Eszter Lakos, Oliver Schenk, Christian Doleschal, Monika Hohlmeier, Verena Mertens, Ralf Seekatz, Marie-Sophie Christ, Alexandra Mehnert, Norbert Lins, Marion Walsmann, Jörgen Warborn, Tomas Tobé, Arba Kokalari

Proposal for a regulation
Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

(b) such exclusion ***under the applicable agreement*** is justified to avoid dependencies or any other developments that may threaten the security of supply in the Union of the products in question;

Or. en

Justification

The amendment clarifies that exclusions must remain fully compatible with the relevant international agreement. The Union must strengthen its economic resilience without undermining its treaty commitments or its credibility as an open trading partner.

Amendment 1738

Ondřej Krutílek

Proposal for a regulation

Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies ***or any other developments that may threaten*** the security of supply in the Union of the products in question;

(b) such exclusion is justified to avoid ***high-risk critical*** dependencies ***threatening*** the security of supply in the Union of the products in question;

Or. en

Amendment 1739

Klara Dostalova, Jaroslava Pokorná Jermanová, Tomáš Kubín, Jaroslav Bžoch, Ondřej Knotek, Jana Nagyová, Jaroslav Knot, Anna Brylka, Enikő Győri, András Gyürk, Ernő Schaller-Baross, András László

Proposal for a regulation

Article 9 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) such exclusion is justified to avoid dependencies ***or any other developments that may threaten*** the security of supply in

(b) such exclusion is justified to avoid ***high-risk critical*** dependencies ***threatening*** the security of supply in the

the Union of the products in question;

Union of the products in question;

Or. en

Justification

The current wording does not give sufficient predictability for businesses as it gives the Commission great discretion in deciding which country can be removed based on this criteria. It should be noted, that assessment of high-risk critical dependencies should be also based on objective criteria.

Amendment 1740

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation

Article 9 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) that third country effectively guarantees, for the products concerned, standards of production, certification and traceability, as well as environmental and labour requirements, equivalent to those applicable in the Union. For products subject to low-carbon-emission requirements, the assessment shall take into account the actual carbon intensity of their production, calculated primarily on the basis of the actual carbon intensity of the production site and the energy actually used, and, if there are no reliable, verifiable and independently audited data, on the basis of the average carbon intensity of the energy or electricity mix in the producing country. Compliance with these requirements shall be subject to independent, reliable and regular monitoring and verification mechanisms;

Or. fr

Amendment 1741

Christophe Clergeau, Jean-Marc Germain

Proposal for a regulation
Article 9 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) that, on the basis of objective evidence and having regard to internationally recognised One Health indicators^{1a}, the regulatory framework and practices of that third country materially undermine the Union's health and environmental objectives.

^{1a} Regulation (EU) 2022/2371

Or. en

Amendment 1742
Costas Mavrides

Proposal for a regulation
Article 9 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement.

deleted

Or. en

Amendment 1743
Jörgen Warborn, Tomas Tobé, Arba Kokalari, Jessica Polfjärd, Inese Vaidere, Zala Černilec Tomašič, Aura Salla, Lídia Pereira, Iuliu Winkler, Wouter Beke, Regina Doherty, Henrik Dahl, Mika Aaltola, Dirk Gotink

Proposal for a regulation
Article 9 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable

deleted

agreement.

Or. en

Amendment 1744

Hanna Gedin, Rudi Kennes, Marina Mesure

Proposal for a regulation

Article 9 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement. *deleted*

Or. en

Amendment 1745

Pierre Juvet, Kathleen Van Brempt, Jens Geier, Javier Moreno Sánchez, Nicolás González Casares, François Kalfon, René Repasi, Jean-Marc Germain, Matthias Ecke, José Cepeda, Hana Jalloul Muro, Idoia Mendia, Ștefan Mușoiu, Marc Angel, Elena Sancho Murillo, Bruno Tobback, Elisabeth Grossmann, Raphaël Glucksmann, Niels Fuglsang, Lina Gálvez

Proposal for a regulation

Article 9 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement. *deleted*

Or. en

Amendment 1746

Pascal Canfin

Proposal for a regulation

Article 9 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement.

deleted

Or. en

Amendment 1747

Tomislav Sokol

Proposal for a regulation

Article 9 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement.

deleted

Or. en

Amendment 1748

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation

Article 9 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) such exclusion is justified under any other exception under the applicable agreement.

(c) The applicable agreement lays down legally binding and effectively enforceable commitments relating to the conditions set out in points (a), (b) and (ba), as well as appropriate mechanisms for monitoring, verification and dispute resolution. No exception under the applicable agreement may exempt the third country concerned from complying with the criteria laid down in points (a), (b) and (ba).

Or. fr

Amendment 1749
François-Xavier Bellamy, Céline Imart

Proposal for a regulation
Article 9 – paragraph 2 – point c

Text proposed by the Commission

(c) such *exclusion* is justified *under any other exception under the applicable agreement*.

Amendment

(c) such *inclusion* is justified *by the existence and effective enforcement of measures by the third country to prevent, detect and address circumvention of the Union origin or low-carbon requirements set out in this Regulation*.

Or. en

Amendment 1750
Dimitris Tsiodras

Proposal for a regulation
Article 9 – paragraph 2 – point c

Text proposed by the Commission

(c) *such exclusion is justified under any other exception under the applicable agreement*.

Amendment

(c) *specific manufacturers of Union's strategic interest established in third countries;*

Or. en

Amendment 1751
Bernd Lange

Proposal for a regulation
Article 9 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) *Any exclusion under this paragraph shall be consistent with the Union's obligations under the applicable international agreement including public*

procurement and shall comply with the conditions and procedures laid down in that agreement. Before adopting a delegated act, the Commission shall provide a reasoned assessment including its effects on Union value chains and downstream users.

Or. en

Amendment 1752

Rihards Kols

Proposal for a regulation

Article 9 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) that third country, or economic operators established in its territory, facilitates in a systematic manner the circumvention of restrictive measures adopted pursuant to Article 215 TFEU, in particular those concerning Russia's war of aggression against Ukraine and the involvement of Belarus;

Or. en

Amendment 1753

Marcin Sypniewski

Proposal for a regulation

Article 9 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) such exclusion is justified due to a risk of unfair competition, a deterioration of the economic position, or a reduction in the competitiveness of European Union enterprises.

Or. en

Justification

One of the exceptions should be the protection of enterprises located in EU Member States against a loss of competitiveness and a deterioration of their economic situation resulting from the granting of authorizations to enterprises from third countries.

Amendment 1754

Dimitris Tsiodras

Proposal for a regulation

Article 9 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) legal provisions in place in a third country recognising Union products as originating in that third country.

Or. en

Amendment 1755

Rihards Kols

Proposal for a regulation

Article 9 – paragraph 2 – point c b (new)

Text proposed by the Commission

Amendment

(cb) there is evidence that products or components originating in a third country not covered by paragraph 1, have undergone minimal processing in a third country covered by paragraph 1, only for the purpose of benefiting from paragraph 1.

Or. en

Amendment 1756

Aura Salla

Proposal for a regulation

Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. there is clear and credible evidence that the third country systematically facilitates or enables, or seriously and persistently fails to take reasonable measures to prevent the circumvention of Union restrictive measures, or provides material support to actions by another third country that pose a serious and substantial threat to the security of the Union or its Member States or constitute a grave violation of the rules-based international order.

Or. en

Justification

Preferential treatment should be conditional on a partner not facilitating actions that directly undermine the Union's security interests. This should include systematic circumvention of Union sanctions, including through third-country ports, financial channels or logistics networks used to support f. ex. Russia's war of aggression against Ukraine or its shadow fleet. Partners benefiting from Union-equivalent treatment should be expected to take reasonable measures to prevent such circumvention.

Amendment 1757

Piotr Müller

Proposal for a regulation

Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Paragraph 1 shall cease to apply on [OP: please insert the date = 3 years after the date of entry into force of this Regulation], except in respect of content originating in third countries that are parties to the Agreement on Government Procurement and members of the Organisation for Economic Co-operation and Development.

Or. en

Justification

Equivalence for all free trade partners allows demand created by public support to be met by imports, including from production relocated to partner countries to circumvent this Regulation. A three-year transition gives manufacturers a predictable timetable to invest in Union capacity. Trusted partners that are parties to the GPA and members of the OECD keep equivalence, preserving cooperation with allies and access to inputs on which Union producers rely.

Amendment 1758

Daniel Obajtek, Marion Maréchal, Anna Zalewska, Jadwiga Wiśniewska, Jacek Ozdoba

Proposal for a regulation

Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. For monitoring purposes, and in alignment with Regulation (EU) 2026/1384, the origin of low-carbon steel products shall be determined by reference to the country of ‘melt and pour’, as defined in Article 4 of that Regulation, and verified in accordance with the implementing acts adopted pursuant thereto.

Or. en

Amendment 1759

Tomislav Sokol

Proposal for a regulation

Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Content originating in a third country other than those referred to in paragraph 1 shall be deemed to be of Union origin only where that third country is designated as a trusted partner in accordance with paragraph 2b.

Or. en

Amendment 1760

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

Proposal for a regulation

Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall reassess compliance with the criteria specified in paragraph 2 at least every two years. It shall suspend or withdraw the right to the equivalent treatment immediately if any one of those criteria is no longer met.

Or. fr

Amendment 1761

Niels Flemming Hansen

Proposal for a regulation

Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Before adopting a delegated act pursuant to paragraph 2, the Commission shall publish a draft measure and conduct a stakeholder consultation of no less than 12 weeks.

Or. en

Amendment 1762

Tomislav Sokol

Proposal for a regulation

Article 9 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. The Commission shall adopt

delegated acts in accordance with Article 30 designating third countries as trusted partners, in whole or in relation to one or more of the sectors listed in Annex I, where both of the following conditions are fulfilled:

(a) reciprocity: the third country provides Union products and entities with effective and substantially equivalent access to its public procurement markets, including national treatment and non-discriminatory treatment, in the sectors concerned;

(b) equivalent regulatory standards: the third country ensures and effectively applies standards and requirements substantially equivalent to those applicable in the Union in areas relevant to the products and sectors concerned, including safety, and where applicable, environmental, social or labour standards.

Or. en

Amendment 1763
Niels Flemming Hansen

Proposal for a regulation
Article 9 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2b. Any delegated act adopted pursuant to paragraph 2 shall enter into force no earlier than 12 months after its publication in the Official Journal of the European Union, unless the Commission demonstrates that an earlier application is necessary to address an immediate threat to the security of supply of the Union.

Or. en

Amendment 1764
Tomislav Sokol

Proposal for a regulation
Article 9 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2c. When assessing whether the conditions laid down in paragraph 2b are fulfilled, the Commission shall take into account, in particular:

(a) the existence, scope and effective implementation of international agreements or other binding commitments governing access to public procurement markets;

(b) the existence of restrictions, discriminatory measures or practices affecting access of Union products or entities to the public procurement market of the third country;

(c) the effective implementation and enforcement of the standards referred to in paragraph 2b, point (b); and

(d) any dependencies or other developments which may threaten the security of supply in the Union of the products concerned.

Or. en

Amendment 1765
Tomislav Sokol

Proposal for a regulation
Article 9 – paragraph 2 d (new)

Text proposed by the Commission

Amendment

2d. A designation pursuant to paragraph 2b may be limited to specific sectors, categories of products covered by reciprocal market access in public procurement.

Amendment 1766
Tomislav Sokol

Proposal for a regulation
Article 9 – paragraph 2 e (new)

Text proposed by the Commission

Amendment

2e. The Commission shall regularly review the designations adopted pursuant to paragraph 2b. Where a trusted partner no longer fulfils either of the conditions laid down in paragraph 2b, or where developments referred to in paragraph 2c, point (d), so justify, the Commission shall, by means of delegated acts adopted in accordance with Article 30, suspend, restrict or withdraw that designation.

Or. en

Amendment 1767
Tomislav Sokol

Proposal for a regulation
Article 9 – paragraph 2 f (new)

Text proposed by the Commission

Amendment

2f. By the date of application of this Regulation, the Commission shall adopt the delegated acts referred to in paragraph 2b designating the third countries which, on the basis of the conditions laid down in that paragraph, qualify as trusted partners. Those delegated acts shall apply from the same date as this Regulation.

Or. en

Proposal for a regulation
Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Conditions for treatment equivalent to Union origin

- 1. For the purposes of Articles 8 and 9, the existence of a relevant international access commitment shall constitute a necessary condition for access to treatment equivalent to Union origin but shall not in itself establish equivalence.***
- 2. Products manufactured in installations located in the Union shall be presumed to comply with the corresponding baseline production requirements for the purposes of this Article on the basis of applicable Union and national legislation and its enforcement. Economic operators shall not be required to create new reports or resubmit information already available to public authorities.***
- 3. For products manufactured outside the Union, the economic operator seeking treatment equivalent to Union origin shall demonstrate, for the relevant production installation and production process, a level of protection equivalent in effect to the core requirements applicable to industrial production in the Union, including, as relevant, greenhouse-gas monitoring and performance, industrial emissions and best available techniques, energy efficiency, chemicals management, occupational and process safety, waste management, circularity and resource efficiency.***
- 4. The assessment shall be based on credible and independently verifiable evidence relating to the specific installation, including permits, mandatory monitoring and inspection records,***

official registers or other documentation subject to public supervision, supplemented, where appropriate, by recognised international standards, relevant OECD instruments or independent verification. The regulatory framework applicable in the third country may constitute relevant evidence but shall not automatically establish equivalence. Third-party certificates may support the assessment, but shall not in themselves be sufficient to establish equivalence unless they are based on transparent, independently verifiable evidence and issued under an appropriate accreditation or oversight framework.

5. Where sufficient, reliable and independently verifiable evidence is not provided in any applicable mandatory area, equivalence shall not be deemed to have been demonstrated. A high level of performance in one area, including greenhouse-gas intensity, shall not compensate for failure to demonstrate equivalence in another applicable mandatory area.

6. The Commission may adopt implementing acts specifying harmonised evidence, verification procedures and standardised statements for the purposes of this Article. Such implementing acts shall not lower or materially alter the substantive equivalence requirements laid down in this Article.

Or. en

Amendment 1769

Pierre Juvet, Kathleen Van Brempt, Jens Geier, Javier Moreno Sánchez, Nicolás González Casares, François Kalfon, René Repasi, Jean-Marc Germain, Matthias Ecke, José Cepeda, Hana Jalloul Muro, Idoia Mendia, Ștefan Mușoiu, Marc Angel, Elena Sancho Murillo, Bruno Tobback, Elisabeth Grossmann, Laura Ballarín Cereza, Raphaël Glucksmann, Niels Fuglsang, Brando Benifei, Stefano Bonaccini, Lina Gálvez

Proposal for a regulation Article 9 a (new)

Article 9a

Circumvention

- 1. Circumvention occurs when an economic operator from a third country that has not been declared as equivalent to Union origin via the delegated act referred to in Article 7, diverts trade or investment flows, or otherwise organizes its supply chain, with the objective of accessing the Union public procurement markets covered in this Regulation in the same way as an economic operator established in a third country that is declared as equivalent to Union origin via the delegated act referred to in Article 7.***
- 2. On its own initiative or upon request by the European Parliament, one or more Member States, the Union industry or any natural or legal person acting on behalf of the Union industry, any association not having legal personality acting on behalf of the Union industry or trade unions, the Commission shall investigate if the circumvention referred to in paragraph 1 occurs.***
- 3. Within 5 days of receiving the request referred to in paragraph 2 and after assessing the prima facie evidence, the Commission shall decide on opening an investigation. That decision shall be communicated to the entity that made the request, the European Parliament the Member States, the economic operator and the third countries concerned.***
- 4. The investigation shall be concluded no later than 30 days after the date of communication of the decision to open an investigation.***
- 5. In case the investigation concludes circumvention occurs, the Commission shall notify the third countries concerned. A consultation period of no longer than 30 days after this notification shall be***

installed, during which the third country(ies) concerned should lay out their actions to end the circumvention. If after 30 days no solution has been agreed, the Commission will adopt a delegated act, as referred to in Article 7, to revoke the third country's status as equivalent to Union origin.

Or. en

Amendment 1770

Julie Rechagneux, Aleksandar Nikolic, Mathilde Androuët, Virginie Joron, Christophe Bay, Thierry Mariani, Mélanie Disdier

**Proposal for a regulation
Article 9 a (new)**

Text proposed by the Commission

Amendment

Article 9a

Securing the market for recycled materials

No later than 12 months after this Regulation enters into force, the Commission shall present an assessment of the regulatory barriers affecting the placing on the market of recycled materials in the Union, in particular differences in interpretation between Member States regarding end-of-waste status. On the basis of that assessment, the Commission shall propose, where appropriate, harmonised end-of-waste criteria for recycled materials of strategic importance to European industry. Those criteria shall be designed to ensure the quality of recycled materials, provide legal certainty for operators and establish European supply chains for secondary raw materials.

Or. fr

Amendment 1771

Brando Benifei, Giorgio Gori, Irene Tinagli

Proposal for a regulation

Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Origin of steel products, components and assembled final products containing steel

For the purposes of Articles 7, 8 and 9, Union origin of products falling under Chapters 72 and 73 of the Combined Nomenclature shall be established only where the steel has been melted and poured in the customs territory of the Union. The rules on melt and pour laid down in Article 4 of Regulation (EU) 2026/1384 and Implementing Regulation (EU) 2026/1963, including the rules concerning the evidence required to establish the country of melt and pour, shall apply to the determination and verification of the origin of steel products, components and assembled final products containing steel under this Regulation.

Or. en