

COUNCIL DECISION
of 19 December 2002
on trade in certain steel products between the European Community and Ukraine

(2002/1001/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Partnership and Cooperation Agreement between the European Communities and their Member States, on the one part, and Ukraine, of the other part ⁽¹⁾, provides in its Article 22(1), that trade in some steel products shall be the subject of a specific agreement.
- (2) The previous bilateral agreement between the ECSC and the Government of Ukraine on trade for certain steel products expired on 31 December 2001.
- (3) The Parties agreed to conclude a new agreement and the negotiations of this new agreement have not yet been completed.
- (4) The European Community (EC) has taken over the international obligations of the ECSC since the expiry of the ECSC Treaty, and measures relating to trade in steel products with third countries now fall under the competence of the EC in the field of trade policy.
- (5) Quantitative limits for the year 2002 have been fixed by Decision 2001/933/ECSC of the representatives of the Government of the Member States meeting within the Council of 19 December 2001 ⁽²⁾.
- (6) Pending the signature and the entry into force of the new agreement, quantitative limits for the year 2003 must be established.
- (7) The Ukrainian Parliament passed a law imposing a tax of EUR 30/tonne on exports of ferrous scrap, to be applied as of 1 January 2003; this proposed tax will constitute an obstacle to the free trade of ferrous scrap and would seriously limit, if not block, exports of ferrous scrap, thereby penalising the Community steel industry and affecting adversely the Community ferrous scrap market. As a consequence, it is appropriate to reduce the quantitative limits for 2003 by 30 % compared to the quantitative limits set for 2002, pending a satisfactory solution to this issue and the conclusion of the negotiations of the new Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

During the period mentioned in Annex I, imports into the European Community of steel products referred to in Annex II originating in Ukraine shall be subject to licensing. Licenses shall be issued only within the limits defined in Article 2.

Article 2

Imports shall be authorised, for each product group and for the whole of the Community, up to the quantitative limits indicated in Annex I.

The period of validity of the import licence is hereby fixed at four months. Unused or partially used import licences may be renewed for two months.

Article 3

Member States shall issue licences according to rules agreed within the Steel Liaison Committee and inform the Commission thereof immediately. The Commission shall keep the Member States regularly informed of the extent to which the quantities have been used up.

The Member States and the Commission shall confer in order to ensure that these quantities are not exceeded.

Article 4

The provisions of the agreement on trade in certain steel products together with any measures to give effect to it, shall as from the date of entry into force of the agreement replace the provisions of this Decision.

Article 5

This Decision shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

Done at Brussels, 19 December 2002.

For the Council
The President
L. ESPERSEN

⁽¹⁾ OJ L 49, 19.2.1998, p. 3.

⁽²⁾ OJ L 345, 29.12.2001, p. 75. Decision amended by Decision 2002/476/ECSC (OJ L 164, 22.6.2002, p. 37).

ANNEX I

QUANTITATIVE LIMITS FIXED FOR THE PERIOD 1.1.2002-31.12.2003

<i>Products</i>	<i>Tonnes</i>
SA. Flat products	
SA1. Coils	46 604
SA2. Heavy plate	178 364
SA3. Other flat products	14 391
SB. Long products	
SB1. Beams	6 273
SB2. Wire rod	89 624
SB3. Other long products	112 926

ANNEX II

SA Flat-rolled products	7209 17 90	7219 33 90	7214 99 10
	7209 18 10	7219 34 10	7214 99 31
<i>SA1. Coils</i>	7209 18 91	7219 34 90	7214 99 39
7208 10 00	7209 18 99	7219 35 10	7214 99 50
7208 25 00	7209 25 00	7219 35 90	7214 99 61
7208 26 00	7209 26 10	7225 40 80	7214 99 69
7208 27 00	7209 26 90		
	7209 27 10	SB Longs	7214 99 80
7208 36 00			7214 99 90
7208 37 10	7209 27 90	<i>SB1. Beams</i>	
7208 37 90	7209 28 10		7215 90 10
7208 38 10	7209 28 90	7207 19 31	7216 10 00
7208 38 90	7209 90 10	7207 20 71	7216 21 00
7208 39 10		7216 31 11	7216 22 00
7208 39 90	7210 11 10	7216 31 19	7216 40 10
	7210 12 11	7216 31 91	7216 40 90
7211 14 10	7210 12 19	7216 31 99	7216 50 10
7211 19 20	7210 20 10	7216 32 11	7216 50 91
	7210 30 10	7216 32 19	7216 50 99
7219 11 00	7210 41 10	7216 32 91	7216 99 10
7219 12 10	7210 49 10	7216 32 99	
7219 12 90	7210 50 10	7216 33 10	7218 99 20
7219 13 10	7210 61 10	7216 33 90	
7219 13 90	7210 69 10		7222 11 11
7219 14 10	7210 70 31	<i>SB2. Wire rod</i>	7222 11 19
7219 14 90	7210 70 39		7222 11 21
	7210 90 31	7213 10 00	7222 11 29
7225 20 20	7210 90 33	7213 20 00	7222 11 91
7225 30 00	7210 90 38	7213 91 10	7222 11 99
<i>SA2. Heavy Plate</i>		7213 91 20	7222 19 10
7208 40 10	7211 14 90	7213 91 41	7222 19 90
7208 51 10	7211 19 90	7213 91 49	7222 30 10
7208 51 30	7211 23 10	7213 91 70	7222 40 10
7208 51 50	7211 23 51	7213 91 90	7222 40 30
7208 51 91	7211 29 20	7213 99 10	
7208 51 99	7211 90 11	7213 99 90	7224 90 31
7208 52 10			7224 90 39
7208 52 91	7212 10 10	7221 00 10	
7208 52 99	7212 10 91	7221 00 90	7228 10 10
7208 53 10	7212 20 11		7228 10 30
	7212 30 11	7227 10 00	7228 20 11
7211 13 00	7212 40 10	7227 20 00	7228 20 19
7225 40 20	7212 40 91	7227 90 10	7228 20 30
7225 40 50	7212 50 31	7227 90 50	7228 30 20
7225 99 10	7212 50 51	7227 90 95	
	7212 60 11		7228 30 41
<i>SA3. Other flat rolled products</i>	7212 60 91	<i>SB3 Other longs</i>	7228 30 49
7208 40 90			7228 30 61
7208 53 90	7219 21 10	7207 19 11	7228 30 69
7208 54 10	7219 21 90	7207 19 14	7228 30 70
7208 54 90	7219 22 10	7207 19 16	7228 30 89
7208 90 10	7219 22 90	7207 20 51	7228 60 10
	7219 23 00	7207 20 55	7228 70 10
7209 15 00	7219 24 00	7207 20 57	7228 70 31
7209 16 10		7214 20 00	7228 80 10
7209 16 90	7219 31 00	7214 30 00	7228 80 90
7209 17 10	7219 32 10	7214 91 10	
	7219 32 90	7214 91 90	7301 10 00
	7219 33 10		