



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 02.12.2002
COM(2002) 675 final

2002/0278 (ACC)

Proposal for a

COUNCIL DECISION

on the position to be taken by the Community within the EU-Czech Republic Association Council established by the Europe Agreement between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, which entered into force on 1 February 1995, extending the double-checking system for the period from the date of entry into force of the Decision of the Association Council up to the date of accession by the Czech Republic to the European Union, concerning the export of certain steel products from the Czech Republic to the Community

(presented by the Commission)

EXPLANATORY MEMORANDUM

The aim of the double-checking system is to improve transparency and to avoid possible diversions of trade. It is founded on the provision in the EC-Czech Republic Europe Agreement¹ which allows either Party to introduce an administrative procedure having as its purpose the rapid provision of information on the trend of trade flows. The Parties agreed to establish such a system in 1998 in respect of certain steel products by means of Decision N° 3/97² of the Association Council. By Decision N° 7/98³ of the Association Council the system was extended, with amended product coverage, for the period from 1 January to 31 December 1999, by means of Decision N° 1/00⁴ of the Association Council the system was extended for the period from 1 January to 31 December 2000, by means of Decision N° 1/01⁵ of the Association Council the system was extended for the period from 1 January to 31 December 2001 and by means of Decision N° 1/2002⁶ of the Association Council the system was extended for the period from 1 January to 31 December 2002. Council Regulation (EC) N° 87/98⁷, amended by Council Regulation (EC) N° 248/99⁸, extended by Council Regulation (EC) N° 567/00⁹, Council Regulation (EC) N°239/01¹⁰ and Council Regulation N° 844/2002¹¹ established the corresponding implementing legislation for the Community.

At its meeting on 23 October 2002, the Contact Group agreed to recommend that the Association Council should extend the double-checking system for the period from the date of entry into force of the Decision of the Association Council up to the date of accession by the Czech Republic to the European Union.

The attached proposal consequently seeks to extend Decision N° 3/97 of the Association Council for the period from the date of entry into force of the Decision of the Association Council up to the date of accession by the Czech Republic to the European Union.

¹ OJ N° L 360, 31.12.94, p. 2.
² OJ N° L 13, 19.01.98, p. 99.
³ OJ N° L 29, 03.02.99, p. 26.
⁴ OJ N° L 69, 17.03.00, p. 53
⁵ OJ N° L 35, 6.2.01, p. 37
⁶ OJ N° L 135, 23.5.2002, p. 23.
⁷ OJ N° L 13, 19.01.98, p. 43.
⁸ OJ N° L 29, 03.02.99, p. 1.
⁹ OJ N° L 69, 17.03.00, p. 1
¹⁰ OJ N° L 35, 6.2.01, p. 3
¹¹ OJ N° L 135, 23.5.2002, p. 1.

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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,

Having regard to the Decision of the Council and the Commission of 19 December 1994 on the conclusion of the Europe Agreement between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, and in particular Article 2(1) thereof,

Whereas:

- (1) The Contact Group referred to in Article 10 of Protocol 2 of the Europe Agreement between the European Communities and their Member States of the one part and the Czech Republic of the other part, which entered into force on 1 February 1995¹², met on 23 October 2002 to discuss trends in imports of certain steel products from the Czech Republic into the Community and recognised the need to find appropriate solutions in the framework of Article 34 (2) of the Agreement in order to ensure that the attainment of the objectives of the Agreement will not be jeopardised;
- (2) The Contact Group therefore agreed to recommend to the Association Council established under Article 104 of the Agreement that the double-checking system introduced in 1998 by Decision N° 3/97¹³ of the Association Council, amended by Decision 7/98¹⁴ of the Association Council, extended by Decisions N° 1/00¹⁵, N°1/01¹⁶ and N° 1/2002¹⁷ of the Association Council, should be extended for the

¹² OJ N° L 360, 31.12.94, p. 2.

¹³ OJ N° L 13, 19.01.98, p. 99.

¹⁴ OJ N° L 29, 03.02.99, p. 26.

¹⁵ OJ N° L 69, 17.03.00, p. 53

¹⁶ OJ N° L 35, 6.02.01, p. 37

period from the date of entry into force of the Decision of the Association Council up to the date of accession by the Czech Republic to the European Union;

- (3) The Parties are desirous to promote the orderly and equitable development of trade in steel between the Community and the Czech Republic;
- (4) The Association Council, having been supplied with all relevant information, has determined that the solution acceptable to the two parties which least disturbs the functioning of the Agreement is the extension of the double-checking system, without quantitative limits, for the import into the Community of certain steel products for the period from the date of entry into force of the Decision of the Association Council up to the date of accession by the Czech Republic to the European Union,

HAS DECIDED AS FOLLOWS:

The position to be taken by the Community within the Association Council established by the Europe Agreement between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, concerning the export of certain steel products from the Czech Republic to the European Communities, and in particular the extension of the double-checking system, shall be based on the draft decision of the Association Council annexed to this Decision.

Done at Brussels,

For the Council
The President

¹⁷ OJ N° L 135, 23.5.2002, p. 23.

DECISION N°/2002 OF THE EU-CZECH REPUBLIC ASSOCIATION COUNCIL

of 2002

extending the double-checking system established by Decision N° 3/97 of the Association Council for the period from the date of entry into force of this Decision up to the date of accession by the Czech Republic to the European Union

(2002/...../EC)

THE ASSOCIATION COUNCIL,

Whereas:

- (1) The Contact Group referred to in Article 10 of Protocol 2 of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, which entered into force on 1 February 1995¹⁸, met on 23 October 2002 and agreed to recommend to the Association Council established under Article 104 of the Agreement that the double-checking system introduced in 1998 by Decision N° 3/97 of the Association Council, extended by Decision N° 7/98¹⁹ thereof for the period from 1 January to 31 December 1999, extended by Decision N° 1/00²⁰ thereof for the period from 1 January to 31 December 2000, extended by Decision N° 1/01²¹ thereof for the period from 1 January to 31 December 2001, extended by Decision N° 1/2002²² thereof for the period from 1 January to 31 December 2002, should be extended for the period from the date of entry into force of this Decision up to the date of accession by the Czech Republic to the European Union;
- (2) The Association Council, having been supplied with all relevant information, has agreed with this recommendation,

HAS DECIDED AS FOLLOWS :

¹⁸ OJ N° L 360, 31.12.94, p. 2.
¹⁹ OJ N° L 29, 03.02.99, p. 26.
²⁰ OJ N° L 69, 17.03.00, p. 53
²¹ OJ N° L 35, 6.02.01, p.37
²² OJ N° L 135, 23.5.2002, p. 23.

Article 1

1. The double-checking system established by Decision N° 3/97 of the Association Council shall continue to apply for the period from the date of entry into force of this Decision up to the date of accession by the Czech Republic to the European Union. In the Preamble and Article 1 (1) and (3) of the Decision, references to the period '1 January to 31 December 2002' shall be replaced by references to 'the date of entry into force of this Decision up to the date of accession by the Czech Republic to the European Union'.

2. Annex I to that Decision shall be replaced by the attached Annex I.

Article 2

Goods shipped to the EC as from 1 January 2003 until the date of entry into force of this Decision shall be excluded from the scope of this Decision.

Article 3

This Decision shall enter into force on the 10th day after its publication in the *Official Journal of the European Communities*.

Done at Brussels,

*For the Association Council
The President*

ANNEX I

CZECH REPUBLIC

List of products subject to double-checking

Cold-rolled sheet

Welded tubes

7209 15 00

Complete CN heading 7306

7209 16 90

7209 17 90

7209 18 91

7209 18 99

7209 25 00

7209 26 90

7209 27 90

7209 28 90

7211 23 10

7211 23 51

7211 29 20