



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 29.11.2002  
COM(2002) 666 final

2002/0277 (ACC)

Proposal for a

### **COUNCIL DECISION**

**on the position to be taken by the Community within the EU-Slovak Republic Association Council established by the Europe Agreement between the European Communities and their Member States, of the one part, and the Slovak 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 Slovak Republic to the European Union, concerning the export of certain steel products from the Slovak 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-Slovak Republic Europe Agreement<sup>1</sup> 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° 3/97<sup>2</sup> of the Association Council. By means of Decision N° 1/99<sup>3</sup> 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° 1/00<sup>4</sup> of the Association Council the system was extended for the period from 1 January to 31 December 2000, by means of Decision N° 1/01<sup>5</sup> of the Association Council the system was extended for the period from 1 January to 31 December 2001 and by means of Decision N° 3/2002<sup>6</sup> of the Association Council the system was extended for the period from 1 January to 31 December 2002. Council Regulation (EC) N° 85/98<sup>7</sup>, amended by Council Regulation (EC) N° 288/99<sup>8</sup>, extended by Council Regulations (EC) N° 543/00<sup>9</sup>, N° 238/01<sup>10</sup> and N° 1093/2002<sup>11</sup> established the corresponding implementing legislation for the Community.

At its meeting on 28 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 Slovak 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 Slovak Republic to the European Union.

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<sup>1</sup> OJ N° L 359, 31.12.94, p. 2.

<sup>2</sup> OJ N° L 13, 19.01.98, p. 71.

<sup>3</sup> OJ N° L 36, 10.02.99, p. 18.

<sup>4</sup> OJ N° L 67, 15.03.00, p. 36.

<sup>5</sup> OJ N° L 35, 6.2.01, p. 38

<sup>6</sup> OJ N° L 166, 25.6.2002, p. 22.

<sup>7</sup> OJ N° L 13, 19.01.98, p. 15.

<sup>8</sup> OJ N° L 36, 10.02.99, p. 1

<sup>9</sup> OJ N° L 67, 15.03.00, p. 3.

<sup>10</sup> OJ N° L 35, 6.2.01, p. 2

<sup>11</sup> OJ N° L 166, 25.6.2002, p. 1.

Proposal for a

**COUNCIL DECISION**

**on the position to be taken by the Community within the EU-Slovak Republic Association Council established by the Europe Agreement between the European Communities and their Member States, of the one part, and the Slovak 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 Slovak Republic to the European Union, concerning the export of certain steel products from the Slovak Republic to the Community**

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<sup>12</sup>,

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 Slovak 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 Slovak Republic of the other part, which entered into force on 1 February 1995<sup>13</sup>, met on 28 October 2002 to discuss trends in imports of products from the Slovak 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° 3/97<sup>14</sup> of the Association Council, amended by Decision N° 1/99<sup>15</sup> of the Association Council, extended by Decisions N° 1/00<sup>16</sup>, N°

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<sup>13</sup> OJ N° L 359, 31.12.94, p.1

<sup>14</sup> OJ N° L 13, 19.01.98, p. 71.

<sup>15</sup> OJ N° L 36, 10.02.99, p. 18.

<sup>16</sup> OJ N° L 67, 15.03.00, p. 36.

1/01<sup>17</sup> and N° 3/2002<sup>18</sup> of the Association Council, should be extended 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 Slovak 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 Slovak 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 Slovak Republic to the European Union,

HAS DECIDED AS FOLLOWS:

*Sole Article*

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 Slovak Republic, of the other part, concerning the export of certain steel products from the Slovak 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*

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<sup>17</sup> OJ N° L 35, 6.2.01, p. 38

<sup>18</sup> OJ N° L 166, 25.6.2002, p. 22.

**DECISION N° ...../2002 OF THE EU-SLOVAK 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 Slovak 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 Slovak Republic, of the other part, which entered into force on 1 February 1995<sup>19</sup>, met on 28 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° 1/99<sup>20</sup> thereof for the period from January to 31 December 1999, extended by Decision N° 1/00<sup>21</sup> thereof for the period from 1 January to 31 December 2000, extended by Decision N° 1/01<sup>22</sup> thereof for the period from 1 January to 31 December 2001 and extended by Decision N° 3/2002<sup>23</sup> 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 Slovak 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 :

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<sup>19</sup> OJ N° L 359, 31.12.1994, p. 2.

<sup>20</sup> OJ N° L 36, 10.02.99, p. 18.

<sup>21</sup> OJ N° L 67, 15.03.00, p. 36.

<sup>22</sup> OJ N° L 35, 6.02.02, p. 38.

<sup>23</sup> OJ N° L 166, 25.6.2002, p. 22.

### *Article 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 Slovak 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 Slovak Republic to the European Union'.

### *Article 2*

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

### *Article 3*

This Decision shall enter into force on the 10<sup>th</sup> day following its publication in the Official Journal of the European Communities.

Done at Brussels,

*For the Association Council  
The President*