



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 2.12.2002
COM(2002) 669 final

2002/0283 (ACC)

Proposal for a

COUNCIL DECISION

on 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 Poland, of the other part, which entered into force on 1 February 1994, 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 Poland to the European Union, concerning the export of certain steel products from Poland 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-Poland 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 1999 in respect of certain steel products by means of Decision N° 2/99² of the Association Council. By Decision N° 1/2000³ of the Association Council the system was extended for the period from 1 January to 31 December 2000. By Decision N° 1/2001⁴ of the Association Council the system was extended for the period from 1 January to 31 December 2001. By Decision N° 2/2002⁵ of the Association Council the system was extended for the period from 1 January to 31 December 2002. Council Regulation (EC) N° 1093/99⁶, extended by Council Regulations (EC) N° 541/2000⁷, N° 335/2001⁸ and N° 570/2002⁹ established the corresponding implementing legislation for the Community.

At its meeting on 22 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 Poland to the European Union.

The attached proposal consequently seeks to extend Association Council Decision N° 2/99 for the period from the date of entry into force of the Decision of the Association Council up to the date of accession by Poland to the European Union.

¹ OJ L 348, 31.12.1993, p. 2.
² OJ L 133, 28.5.1999, p. 44.
³ OJ L 67, 15.3.2000, p. 34.
⁴ OJ L 49, 20.2.2001, p. 9.
⁵ OJ L 87, 4.4.2002, p. 52.
⁶ OJ L 133, 28.5.1999, p. 6.
⁷ OJ L 67, 15.3.2000, p. 1.
⁸ OJ L 49, 20.2.2001, p. 1.
⁹ OJ L 87, 4.4.2002, p. 1.

Proposal for a

COUNCIL DECISION

on 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 Poland, of the other part, which entered into force on 1 February 1994, 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 Poland to the European Union, concerning the export of certain steel products from Poland 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,

Having regard to the Decision of the Council and the Commission of 13 December 1993 on the conclusion of the Europe Agreement between the European Communities and their Member States, of the one part, and Poland, 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 Poland of the other part, which entered into force on 1 February 1994¹⁰, met on 22 October 2002 to discuss trends in imports of certain steel products from Poland into the Community and recognised the need to find appropriate solutions in the framework of Article 33(1) 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 102 of the Agreement that the double-checking system introduced in 1999 by N° 2/99¹¹ of the Association Council Decision 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 Poland to the European Union;
- (3) The Parties are desirous to promote the orderly and equitable development of trade in steel between the Community and Poland;

¹⁰ OJ L 348, 31.12.1993, p. 2.

¹¹ OJ L 133, 28.5.1999, p. 44.

- (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 Poland 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 Poland, of the other part, concerning the export of certain steel products from Poland 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

DECISION N°/2002 OF THE EU-POLAND ASSOCIATION COUNCIL,

of 2002

extending the double-checking system established by Decision N° 2/99 of the Association Council for the period from the date of entry into force of this Decision up to the date of accession by Poland 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 part¹², and Poland, of the other part, which entered into force on 1 February 1994, met on 22 October 2002 and agreed to recommend to the Association Council established under Article 102 of the Agreement that the double-checking system introduced in 1999 by Decision N° 2/99 of the Association Council should be extended for the period from the date of entry into force of this Decision up to the date of accession by Poland to the European Union;
- (2) The Association Council, having been supplied with all relevant information, has agreed with this recommendation,

HAS DECIDED AS FOLLOWS :

Article 1

The double-checking system established by Decision N° 2/99 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 Poland 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 Poland to the European Union'.

¹² OJ L 348, 31.12.1993, p. 2.

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*