

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 Romania, of the other part, concerning the export of certain steel products from Romania to the European Communities

(2002/C 262 E/10)

COM(2002) 188 final — 2002/0084(ACC)

(Submitted by the Commission on 15 April 2002)

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 EU-Romania Europe Agreement ⁽¹⁾ which allows either Party to introduce an administrative procedure having as its purpose the rapid provision of information on the trend of trade flows. In 1996 the Parties agreed to establish such a system in respect of Romanian exports of certain steel products to the Community.

This double-checking system was extended by common agreement every year up to 2001 for a period between 1 January and 31 December of the year in question. It expired on 31 December 2001.

At its meeting on 22 January 2002, the bilateral Contact Group agreed to recommend that the Association Council should re-introduce the double-checking system in 2002.

The annexed proposal is intended to define the position to be adopted by the Community within the EU-Romania Association Council with a view to re-introducing the double-checking system for the period 1 July to 31 December 2002.

⁽¹⁾ OJ L 357, 31.12.1994, p. 12.

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 Romania, of the other part, and in particular Article 2(1) thereof ⁽¹⁾,

Whereas:

- (1) The Contact Group referred to in Article 11 of Protocol 2 of the Europe Agreement between the European Communities and their Member States of the one part and Romania of the other part, which entered into force on 1 February 1995 ⁽²⁾, met on 22 January 2002 to discuss trends in imports of steel products from Romania into the Community and, in the context of Article 34(2) of that Agreement, recognised the need for an administrative procedure having as its purpose the rapid provision of information on the trend of trade flows, 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 106 of the

Agreement that the double-checking system introduced in 1996 by Decision No 3/95 ⁽³⁾ of the Association Council and last extended for 2001 by Decision No 1/2001 ⁽⁴⁾ should be re-introduced for the period from 1 July to 31 December 2002.

- (3) The Parties are desirous of promoting the orderly and equitable development of trade in steel between the Community and Romania.
- (4) The Association Council, having been supplied with all relevant information, found that the solution acceptable to the two parties which least disturbs the functioning of the Agreement is the re-introduction of the double-checking system, without quantitative limits, for the import into the Community of certain steel products for the period from 1 July to 31 December 2002,

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 Romania, of the other part, concerning the export of certain steel products from Romania to the European Communities, and in particular the re-introduction of the double-checking system, shall be based on the draft decision of the Association Council annexed to this Decision.

⁽¹⁾ OJ L 357, 31.12.1994, p. 1.

⁽²⁾ OJ L 357, 31.12.1994, p. 2.

⁽³⁾ OJ L 325, 30.12.1995, p. 51.

⁽⁴⁾ OJ L 35, 6.2.2001, p. 36.

DECISION No .../2002 OF THE EU-ROMANIA ASSOCIATION COUNCIL

of ... 2002

**concerning the export of certain steel products from Romania to the Community for the period
1 July to 31 December 2002 (double-checking system)**

(2002/.../EC)

THE ASSOCIATION COUNCIL,

Whereas:

- (1) The Contact Group referred to in Article 11 of Protocol 2 of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part, which entered into force on 1 February 1995, met on 22 January 2002 and agreed to recommend to the Association Council established under Article 106 of the Agreement that the double-checking system introduced in 1996 by Association Council Decision No 3/95 and last extended for 2001 by Decision No 1/2001 should be re-introduced for the period from 1 July to 31 December 2002.
- (2) The Association Council, having been supplied with all relevant information, has agreed with this recommendation,

HAS DECIDED AS FOLLOWS:

Article 1

- (1) For the period 1 July to 31 December 2002, imports into the Community of the products listed in Annex I originating in Romania shall be subject to the presentation of an import document conforming to the model shown at Annex II issued by the authorities in the Community.
- (2) The classification of the products covered by this Agreement is based on the tariff and statistical nomenclature of the Community (hereinafter called the 'Combined Nomenclature', or in abbreviated form 'CN'). The origin of the products covered by this Decision shall be determined in accordance with the rules in force in the Community.
- (3) For the period stipulated in paragraph 1, imports into the Community of the iron and steel products listed in Annex I originating in Romania shall, in addition, be subject to the issue of an export document by the competent Romanian authorities. The importer must present the original of the export document not later than 31 March of the year following that in which the goods covered by the document were shipped. Shipment is considered to have taken place on the date of loading onto the exporting means of transport.
- (4) The export document shall conform to the model shown in Appendix III. It shall be valid for exports throughout the customs territory of the Community.
- (5) Romania shall notify the Commission of the European Community of the names and addresses of the appropriate Romanian governmental authorities which are authorised to issue and to verify export documents, together with specimens of the stamps and signatures they use. Romania

shall also notify the Commission of any change in these particulars.

(6) Certain technical provisions on the implementation of the double-checking system are set out in Annex IV.

(7) Goods shipped before 1 July 2002 are not covered by this Decision.

Article 2

(1) Romania undertakes to supply the Community with precise statistical information on the export documents issued by the Romanian authorities pursuant to Article 1. Such information shall be transmitted to the Community by the end of the month following the month to which the statistics relate.

(2) The Community undertakes to supply the Romanian authorities with precise statistical information on import documents issued by Member States in connection with the export documents issued by the Romanian authorities under Article 1. Such information shall be transmitted to the Romanian authorities by the end of the month following the month to which the statistics relate.

Article 3

If necessary, at the request of either of the Parties, consultations shall be held on any problems arising from the operation of this Decision. Such consultations shall be held promptly. Any consultations held under this paragraph shall be approached by both Parties in a spirit of cooperation and with a desire to reconcile the difference between them.

Article 4

Any notifications to be given hereunder shall be given:

- in respect of the Community, to the Commission of the European Communities (DG Trade E.2),
- in respect of Romania, to the Romanian Mission to the European Communities and the Ministry of Industry and Trade of Romania.

Article 5

This Decision shall enter into force on the day of its adoption.

It shall apply from 1 July 2002.

Done at ...

For the Association Council

The President

ANNEX I

ROMANIA

List of products subject to double-checking (2002)

7202 11 20	7209 26 90	7213 91 10	7219 12 90	7225 20 20
7202 11 80	7209 27 10	7213 91 20	7219 13 10	7225 30 00
7202 99 11	7209 27 90	7213 91 41	7219 13 90	7225 40 20
	7209 28 10	7213 91 49	7219 14 10	7225 40 50
7203 90 00	7209 28 90	7213 91 70	7219 14 90	7225 40 80
	7209 90 10	7213 91 90	7219 21 10	7225 50 00
7206 10 00		7213 99 10	7219 21 90	7225 91 10
7206 90 00	7210 11 10	7213 99 90	7219 22 10	7225 92 10
	7210 12 11		7219 22 90	7225 99 10
7208 10 00	7210 12 19	7214 20 00	7219 23 00	
7208 25 00	7210 20 10	7214 30 00	7219 24 00	7226 11 10
7208 26 00	7210 30 10	7214 91 10	7219 31 00	7226 19 10
7208 27 00	7210 41 10	7214 91 90	7219 32 10	7226 19 30
7208 36 00	7210 49 10	7214 99 10	7219 32 90	7226 20 20
7208 37 10	7210 50 10	7214 99 31	7219 33 10	7226 91 10
7208 37 90	7210 61 10	7214 99 39	7219 33 90	7226 91 90
7208 38 10	7210 69 10	7214 99 50	7219 34 10	7226 92 10
7208 38 90	7210 70 31	7214 99 61	7219 34 90	7226 93 20
7208 39 10	7210 70 39	7214 99 69	7219 35 10	7226 94 20
7208 39 90	7210 90 31	7214 99 80	7219 35 90	7226 99 20
7208 40 10	7210 90 33	7214 99 90	7219 90 10	
7208 40 90	7210 90 38			7227 10 00
7208 51 10		7215 90 10	7220 11 00	7227 20 00
7208 51 30	7211 13 00		7220 12 00	7227 90 10
7208 51 50	7211 14 10	7216 10 00	7220 20 10	7227 90 50
7208 51 91	7211 14 90	7216 21 00	7220 90 11	7227 90 95
7208 51 99	7211 19 20	7216 22 00	7220 90 31	
7208 52 10	7211 19 90	7216 31 11		7228 10 10
7208 52 91	7211 23 10	7216 31 19	7221 00 10	7228 10 30
7208 52 99	7211 23 51	7216 31 91	7221 00 90	7228 20 11
7208 53 10	7211 29 20	7216 31 99		7228 20 19
7208 53 90	7211 90 11	7216 32 11	7222 11 11	7228 20 30
7208 54 10		7216 32 19	7222 11 19	7228 30 20
7208 54 90	7212 10 10	7216 32 91	7222 11 21	7228 30 41
7208 90 10	7212 10 91	7216 32 99	7222 11 29	7228 30 49
	7212 20 11	7216 33 10	7222 11 91	7228 30 61
7209 15 00	7212 30 11	7216 33 90	7222 11 99	7228 30 69
7209 16 10	7212 40 10	7216 40 10	7222 19 10	7228 30 70
7209 16 90	7212 40 91	7216 40 90	7222 19 90	7228 30 89
7209 17 10	7212 50 31	7216 50 10	7222 30 10	7228 60 10
7209 17 90	7212 50 51	7216 50 91	7222 40 10	7228 70 10
7209 18 10	7212 60 11	7216 50 99	7222 40 30	7228 70 31
7209 18 91	7212 60 91	7216 99 10		7228 80 10
7209 18 99			7225 11 00	7228 80 90
7209 25 00	7213 10 00	7219 11 00	7225 19 10	
7209 26 10	7213 20 00	7219 12 10	7225 19 90	7301 10 00

ANNEX II

EUROPEAN COMMUNITY		SURVEILLANCE DOCUMENT	
Holder's copy	1	1. Consignee (name, full address, country, VAT number)	2. Serial No of issue
			3. Proposed place and date of import
			4. Authority responsible for issue (name, address and telephone No)
		5. Declarant/representative as applicable (name and full address)	6. Country of origin (and nomenclature code)
		7. Country of consignment (and nomenclature code)	
	1	8. Last day of validity	
9. Goods description		10. CN code and category	
		11. Quantity in kilograms (net mass) or in additional units	
		12. Value in euros, cif at Community frontier	
13. Further particulars			
14. Stamp of the competent authority			
Date:			
Signature:		Stamp:	

15. Attributions Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof.			
16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
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1.			
2.			

Extension pages to be attached hereto.

EUROPEAN COMMUNITY

SURVEILLANCE DOCUMENT

Copy for the issuing authority	2	1. Consignee (name, full address, country, VAT number)	2. Serial No of issue
			3. Proposed place and date of import
			4. Authority responsible for issue (name, address and telephone No)
		5. Declarant/representative as applicable (name and full address)	6. Country of origin (and nomenclature code)
			7. Country of consignment (and nomenclature code)
	2		8. Last day of validity
	9. Goods description		10. CN code and category
			11. Quantity in kilograms (net mass) or in additional units
12. Value in euros, cif at Community frontier			
13. Further particulars			
14. Stamp of the competent authority			
Date:			
Signature:		Stamp:	

15. Attributions Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof.			
16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
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Extension pages to be attached hereto.

ANNEX III

1. Exporter (name, full address, country)	ORIGINAL		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	EXPORT DOCUMENT (ECSC and EC steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment — means of transport	9. Supplementary details			
10. Description of goods — manufacturer	11. CN code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY				
15. Competent authority (name, full address, country)	At ... on ... (Signature) (Stamp)			

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.
 (2) In the currency of the sale contract.

1. Exporter (name, full address, country)	COPY		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	EXPORT DOCUMENT (ECSC and EC steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment — means of transport	9. Supplementary details			
10. Description of goods — manufacturer	11. CN code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY				
15. Competent authority (name, full address, country)	At ... on ...			
	(Signature)		(Stamp)	

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.
(2) In the currency of the sale contract.

ANNEX IV

ROMANIA

TECHNICAL ANNEX ON THE DOUBLE-CHECKING SYSTEM

1. The export documents shall measure 210 mm × 297 mm. The paper used shall be white writing paper, sized, not containing mechanical pulp, and weighing not less than 25 g/m². They shall be made out in English. If they are completed by hand, entries must be in ink and in printed script. These documents may comprise additional copies duly indicated as such. If the documents have several copies only the top copy is the original. This copy shall be clearly marked as 'original' and other copies as 'copies'. Only the original shall be accepted by the competent authorities of the Community as being valid for the control of export to the Community in accordance with the provisions of the double-checking system.
 2. Each document shall bear a standardised serial number, whether or not printed, by which it can be identified. This number shall be composed of the following elements:
 - two letters identifying the exporting country as follows: RO,
 - two letters identifying the intended Member State of customs clearance as follows:
 - BE = Belgium
 - DK = Denmark
 - DE = Germany
 - EL = Greece
 - ES = Spain
 - FR = France
 - IE = Ireland
 - IT = Italy
 - LU = Luxembourg
 - NL = Netherlands
 - AT = Austria
 - PT = Portugal
 - FI = Finland
 - SE = Sweden
 - GB = United Kingdom.
 - a one-digit number identifying the year, corresponding to the last figure in the respective year, e.g. 2 for 2002,
 - a two-digit number from 01 to 99, identifying the particular issuing office concerned in the exporting country,
 - a five-digit number running consecutively from 00001 to 99999 allocated to the intended Member State of customs clearance.
 3. The export documents shall be valid for six months from the date of their issue. They may be renewed or prolonged, but not beyond 31 December of the calendar year appearing in Box No 3 of the export document.
 4. Since the importer needs to present the original export document when requesting an import document, export documents should, as far as possible, be issued in respect of individual commercial transactions, not global contracts.
 5. Romania need not show price information on the export document if there is a genuine need to protect commercial confidentiality. In such cases, Box 9 of the export document should indicate the reason for not showing the price information and that it is available to the competent authorities of the Community on request.
 6. Export documents may be issued after the shipment of the products to which they relate. In such cases they must bear the endorsement 'issued retrospectively'.
 7. In the event of a theft, loss or destruction of an export document, the exporter may apply to the competent governmental authority which issued the document for a duplicate to be made out on the basis of the export documents in his possession. The duplicate of any such document so issued shall bear the endorsement 'duplicate'. The duplicate shall bear the date of the original export document.
 8. The competent authorities of the Community shall be informed immediately of the withdrawal or modification of any export documents already issued and, where relevant, of the basis for such action.
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