



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 2.12.2002  
COM(2002) 677 final

2002/0284 (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 Romania, 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 Romania to the European Union, concerning the export of certain steel products from Romania to the European Communities**

(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-Romania 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. 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 was reintroduced in 2002 with Association Council Decision N° 3/2002<sup>2</sup> for the period 1 July to 31 December 2002.

At its meeting on 23 October 2002 , the bilateral 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 Romania to the European Union.

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 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 Romania to the European Union.

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<sup>1</sup> OJ L 357, 31.12.1994, p. 2.

<sup>2</sup> OJ L 227, 23.8.2002, p. 38.

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, 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 Romania to the European Union, concerning the export of certain steel products from Romania to the European Communities**

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,

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,<sup>3</sup> met on 23 October 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<sup>4</sup> of the Association Council and reintroduced by Decision N° 3/2002<sup>5</sup> for the period from 1 July to 31 December 2002, 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 Romania to the European Union.

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<sup>3</sup> OJ L 357, 31.12.1994, p.2.

<sup>4</sup> OJ L 325, 30.12.1995, p.51.

<sup>5</sup> OJ L 227, 23.8.2002, p. 38.

- (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 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 Romania 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 Romania, of the other part, concerning the export of certain steel products from Romania 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 No ...../2002 OF THE EU-ROMANIA ASSOCIATION COUNCIL**

**of ..... 2002**

**extending the double-checking system established by Decision 3/2002 of the Association Council for the period from the date of entry into force of this Decision up to the date of accession by Romania to the European Union**

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<sup>6</sup>, which entered into force on 1 February 1995, met on 23 October 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<sup>7</sup> and reintroduced for the period from 1 July to 31 December 2002 by Association Council Decision N° 3/2002<sup>8</sup>, should be extended for the period from the date of entry into force of this Decision up to the date of accession by Romania 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° 3/2002 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 Romania to the European Union. In the preamble and Article 1 (1) of the Decision, references to the period "1 July 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 Romania 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 Decision shall be excluded from the scope of this Decision.

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<sup>6</sup> OJ L 357, 31.12.1994, p. 2.

<sup>7</sup> OJ L 325, 30.12.1995, p. 51.

<sup>8</sup> OJ L 227, 23.8.2002, p. 38.

### *Article 3*

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

Done at Brussels

*For the Association Council  
The President*