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THE EUROPEAN UNION**

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**DECLASSIFICATION<sup>1</sup>**

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Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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<sup>1</sup> Document declassified by the European Commission on 26/07/12.

# RESTREINT UE



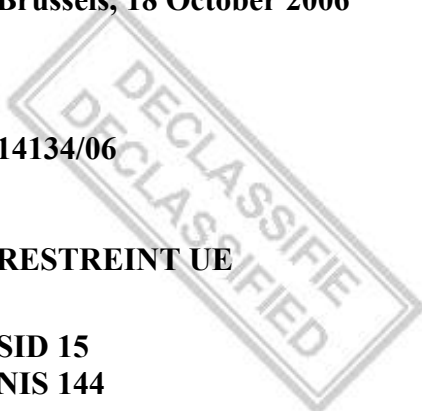
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## **COVER NOTE**

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from:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	18 October 2006
to:	Mr Javier SOLANA, Secretary-General/High Representative
Subject:	Recommendation from the Commission to the Council authorising the Commission to open negotiations with a view to renewing the agreements on trade in certain steel products concluded between the European Community, of the one part, and, respectively, Russia, Ukraine and Kazakhstan, of the other part

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Delegations will find attached Commission document SEC(2006) 1302 final.

Encl.: SEC(2006) 1302 final



# **RESTREINT UE**

## **COMMISSION OF THE EUROPEAN COMMUNITIES**

Brussels, 17.10.2006  
SEC(2006)1302 final

RESTREINT UE

### **RECOMMENDATION FROM THE COMMISSION TO THE COUNCIL**

**authorising the Commission to open negotiations with a view to renewing the agreements on trade in certain steel products concluded between the European Community, of the one part, and, respectively, Russia, Ukraine and Kazakhstan, of the other part**

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## I. EXPLANATORY MEMORANDUM

Under the respective Partnership and Cooperation Agreements (PCAs)<sup>1</sup>, the European Community, of the one part, and, respectively, Russia, Ukraine and Kazakhstan, of the other part, concluded sectoral agreements on trade in certain steel products<sup>2</sup>. These agreements are set to expire on 31 December 2006.

However, these countries will not yet be members of the WTO on 1 January 2007, though it is likely that they will be able to accede to the WTO in the relatively near future, although it is difficult to say precisely when. Provision should therefore be made for these agreements to be renewed for the period from 1 January 2007 to the actual date of accession of each of these countries to the WTO. The agreements should guarantee these countries substantial exports and a framework of legal certainty and predictability. Furthermore, thanks to the removal of potential causes of friction they would also serve to ease bilateral relations, especially at political level.

These future agreements will take into account the traditional imports of the future Member States of the EU.

## II. RECOMMENDATION

In the light of the above, the Commission recommends that:

- the Council authorise the Commission to open negotiations for the renewal of the agreements on trade in certain steel products between the European Community, of the one part, and, respectively, Russia, Ukraine and Kazakhstan, of the other part,
- the Commission conduct these negotiations on behalf of the European Community in consultation with the Article 133 (Steel) Committee,
- the Council adopt the attached negotiating directives.

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<sup>1</sup> OJ L 327, 28.11.1997; OJ L 49, 19.2.1998; and OJ L 196, 28.7.1999, respectively.

<sup>2</sup> - Agreement between the European Community and the Russian Federation on trade in certain steel products (OJ L 303, 22.11.2005, p. 39).  
- Agreement between the European Community and the Government of Ukraine on trade in certain steel products (OJ L 232, 8.9.2005, p. 43).  
- Agreement between the European Community and the Government of the Republic of Kazakhstan on trade in certain steel products (OJ L 232, 8.9.2005, p. 64).

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## ANNEX

### NEGOTIATING DIRECTIVES

#### **1. Objective**

The overall objective is to renew the bilateral agreements on trade in certain steel products between the European Community, of the one part, and, respectively, Russia, Ukraine and Kazakhstan, of the other part.

#### **2. Product coverage**

The product coverage should be largely the same as in the existing agreements unless the Parties decide differently.

#### **3. Duration of the agreements**

The agreements should enter into force on 1 January 2007 and be concluded for a period to be determined. One option could be to conclude them for a period of one year, to be followed by tacit renewal on an annual basis if neither of the contracting parties has given notice of its intention to terminate the agreement. In any event, the agreements will include a termination clause in the event of the accession of these countries to the WTO.

#### **4. Quantities**

The other contracting parties will maintain quantitative limits on their exports to the Community of those steel products covered by the respective agreements for each calendar year. The level of the quantitative limits for 2006 will serve as the benchmark and will be increased for future years, and will take into account the traditional imports of the future Member States of the EU.

#### **5. Basis for the agreements**

The text of the new agreements will be based on the present text.

#### **6. Committee assisting the Commission**

The Commission will conduct the negotiations in consultation with the Article 133 (Steel) Committee on the basis of these negotiating directives.

The Commission will report on the outcome of the negotiations and if necessary on any problem that may arise during the negotiations.