



1 December 2020

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Committee on Safeguards

Original: English

**NOTIFICATION UNDER ARTICLE 12.1(C) OF THE AGREEMENT  
ON SAFEGUARDS UPON TAKING A DECISION  
TO APPLY A SAFEGUARD MEASURE  
NOTIFICATION PURSUANT TO ARTICLE 9, FOOTNOTE 2  
OF THE AGREEMENT ON SAFEGUARDS**

*Polymeric materials*

UKRAINE

*Supplement*

The following communication, dated 24 November 2020, is being circulated at the request of the delegation of Ukraine.\*

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Pursuant to Articles 12.1(b) of the Agreement on Safeguards, Ukraine notified on finding a serious injury or threat thereof to the domestic industry producing polymeric materials and on proposed safeguard measures. This notification contained all pertinent information relating to the proposed safeguard measures in accordance with Article 12.2 of the Agreement on Safeguards and an offer for consultations pursuant to Article 12.3 of the Agreement on Safeguards ([G/SG/N/8/UKR/9](#) – [G/SG/N/10/UKR/9](#) – [G/SG/N/11/UKR/7/Suppl.1](#)).

On 21 February 2020 the Interdepartmental Commission on International Trade (hereinafter referred as the Commission) took the decision "On initiation and conduction of safeguard investigation on imports to Ukraine of polymeric materials regardless of country of origin and export" No. SP-440/2020/4411-03 ([G/SG/N/6/UKR/17](#)) of 28 February 2020). On 25 February 2020 the abovementioned decision was published in the official newspaper "Uryadovyi Courier" No. 36.

On 22 May 2020 the Commission took the decision "On application of provisional safeguard measures on imports to Ukraine of polymeric materials regardless of country of origin and export" No. SP-445/2020/4411-03 ([G/SG/N/7/UKR/2](#) - [G/SG/N/11/UKR/7](#)).

On 20 November 2020 the Commission took the Decision "On application of safeguard measures on imports to Ukraine of polymeric materials regardless of country of origin and export" No. SP-466/2020/4411-03. Notice of the decision was published in the official newspaper "Uryadovyi Courier" No. 227 of 21 November 2020.

**1 PROVIDE PRECISE DESCRIPTION OF THE PRODUCT INVOLVED**

PVC suspension, with K-value within the range from 64 to 69 (K-value determined in certification documents - K 64-69), which can be classified under UKTZED code 3904 10 00 00, except for emulsion and micro-suspension PVC; and polyethylene in white granules (without addition of dyes or pigments) with a size of 2-5 mm with a specific gravity of 0.940 g/cm<sup>3</sup> or more and at the same

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\* A copy of the final finding has been submitted electronically. To consult this document please contact Ms. Richards ([anne.richards@wto.org](mailto:anne.richards@wto.org)) or Ms. Naville ([delphine.naville@wto.org](mailto:delphine.naville@wto.org)) of the Rules Division.

time a melt flow rate (MFR) of 5-17 grams/10 minutes at a load of 21.6 kgf, or a melt flow rate (MFR) of 0,34-0.37 grams/10 minutes at a load of 5.0 kgf or melt flow rate (MFR) 0.06-0.08 grams/10 minutes at a load of 2.16 kgf, which can be classified under UKTZED code 3901 20 90 00.

## **2 PROVIDE PRECISE DESCRIPTION OF THE PROPOSED MEASURE**

Safeguard duty of 12,4%.

## **3 PROVIDE PROPOSED DATE OF INTRODUCTION OF THE MEASURE**

November 2020.

The measures take effect from the date of publication of the notice of the decision on application of safeguard measures.

## **4 PROVIDE EXPECTED DURATION OF THE MEASURE**

Safeguard measures are imposed for a period of 3 years.

## **5 IF THE EXPECTED DURATION IS OVER ONE YEAR, TO PROVIDE EXPECTED TIMETABLE FOR PROGRESSIVE LIBERALIZATION OF THE MEASURE**

The level of the duty should be decreased by 5% annually during measures validity.

1<sup>st</sup> year (from the date of application) – 12,4%;

2<sup>nd</sup> year (12 months from the date of application) – 12,0%;

3<sup>rd</sup> year (24 months from the date of application) – 11,5%.

## **6 TO PROVIDE INFORMATION RELATING TO THE EXTENSION OF A SAFEGUARD MEASURE**

Not applicable

## **7 EXCLUSION OF CERTAIN COUNTRIES FROM THE SCOPE OF THE DEFINITIVE MEASURES**

According to the Article 9.1 of the Agreements on Safeguards (List of the Least Developed Countries of the United Nations), Free Trade Agreement between the EFTA States and Ukraine dated 24.06.2010, Free Trade Agreement between the Government of Ukraine and the Government of Montenegro dated 18.11.2011, Free Trade Agreement of the Commonwealth of Independent States, dated 18.10.2011 and taking into account Chapter 8 of the Article XXIV of the General Agreement on Tariffs and Trade 1994 imports of goods described in paragraph 3 of this notification into Ukraine originating from the following countries should be excluded from the application of the definitive measures: the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway, the Swiss Confederation, the Republic of Montenegro, the Republic of Azerbaijan, the Republic of Armenia, the Republic of Belarus, the Republic of Kazakhstan, the Republic of Kyrgyzstan, the Republic of Moldova, the Republic of Tajikistan, Turkmenistan, the Islamic Republic of Afghanistan, the Republic of Angola, the People's Republic of Bangladesh, the Republic of Benin, the Kingdom of Bhutan, the Republic of Burkina Faso, the Republic of Burundi, the Kingdom of Cambodia, the Central African Republic, the Republic of Chad, the Union of the Comoros, the Democratic Republic of the Congo, the Republic of Djibouti, the State of Eritrea, the Federal Democratic Republic of Ethiopia, the Islamic Republic of Gambia, the Republic of Guinea, the Republic of Guinea-Bissau, the Republic of Haiti, the Republic of Kiribati, the Lao People's Democratic Republic, the Kingdom of Lesotho, the Republic of Liberia, the Republic of Madagascar, the Republic of Malawi, the Republic of Mali, the Islamic Republic of Mauritania, the Republic of Mozambique, the Republic of the Union of Myanmar, the Federal Democratic Republic of Nepal, the Republic of Niger, the Republic of Rwanda, the Democratic Republic of Sao Tome and Principe, the Republic of Senegal, the Republic of Sierra Leone, Solomon Islands, the Federal Republic of

Somalia, the Republic of South Sudan, the Republic of the Sudan, the Democratic Republic of Timor-Leste, the Republic of Togo, Tuvalu, the Republic of Uganda, the United Republic of Tanzania, the Republic of Yemen, the Republic of Zambia.

**8 PUBLICLY AVAILABLE DOCUMENT CONTAINING THE RELEVANT DECISION MADE BY THE COMPETENT AUTHORITY IS ATTACHED, IN AN ELECTRONIC FORM, AND CAN BE FOUND BY THE FOLLOWING LINK:**

<https://ukurier.gov.ua/uk/articles/zahodi-shodo-importu-v-ukrayinu-polimernih-227/>.

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