

**COMMISSION REGULATION (EC) No 2331/2003
of 23 December 2003**

implementing Article 12 of Council Regulation (EC) No 2501/2001 applying a scheme of generalised tariff preferences for the period 1 January 2002 to 31 December 2004 and amending that Regulation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2501/2001 of 10 December 2001 applying a scheme of generalised tariff preferences for the period 1 January 2002 to 31 December 2004 ⁽¹⁾, and in particular Article 12 thereof,

Whereas:

- (1) The tariff preferences provided for in Articles 7 and 10 of Regulation (EC) No 2501/2001 should be removed in respect of products, originating in a beneficiary country, of a sector which has met, during three consecutive years, either of the criteria laid down in Article 12(1) of that Regulation.
- (2) Tariff preferences which had been removed under previous schemes and under Council Regulation (EC) No 815/2003 ⁽²⁾, should be re-established in respect of a sector that has not met, during three consecutive years, the criteria laid down in Article 12(2) of Regulation (EC) No 2501/2001.
- (3) The condition in Article 12(3) of Regulation (EC) No 2501/2001, whereby paragraphs 1 and 2 of Article 12 do not apply to beneficiary countries whose exports to the Community account for less than the threshold mentioned in that condition, has been met by Argentina, Iran and Uruguay.
- (4) Tariff preferences which had been removed under previous schemes and under Regulation (EC) No 815/2003, should be re-established in respect of sectors of all beneficiary countries whose exports to the Community account for less than the threshold mentioned in Article 12(3) of Regulation (EC) No 2501/2001.
- (5) The most recent and complete statistics, which are those for the years 1999 to 2001, should be used in order to establish which sectors meet the conditions laid down in Regulation (EC) No 2501/2001.

(6) Annex I to Regulation (EC) No 2501/2001 should be replaced in order to reflect the removal or re-establishment of tariff preferences provided for in Articles 7 and 10.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Generalised Preferences Committee,

HAS ADOPTED THIS REGULATION:

Article 1

1. The tariff preferences provided for in Articles 7 and 10 of Regulation (EC) No 2501/2001 shall be removed according to Article 12(1) of that Regulation in respect of products originating in the beneficiary countries listed in Annex I to this Regulation, falling under the sectors mentioned in that Annex alongside each country concerned.

2. The tariff preferences provided for in Articles 7 and 10 of Regulation (EC) No 2501/2001 shall be re-established according to Article 12(2) of that Regulation in respect of products originating in the beneficiary countries listed in Annex II to this Regulation, falling under the sectors mentioned in that Annex alongside each country concerned.

3. The tariff preferences which had been removed under previous schemes and under Regulation (EC) No 815/2003, shall be re-established according to Article 12(3) of Regulation (EC) No 2501/2001 in respect of all beneficiary countries listed in Annex II to this Regulation.

Article 2

Annex I to Regulation (EC) No 2501/2001 shall be replaced by the text set out in Annex III to this Regulation.

Article 3

This Regulation shall enter into force on 1 January 2005.

⁽¹⁾ OJ L 346, 31.12.2001, p. 1; Regulation as last amended by Council Regulation (EC) No 2211/2003 (OJ L 332, 19.12.2003, p. 1).

⁽²⁾ OJ L 116, 13.5.2003, p. 3.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 December 2003.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX I

Sectors in respect of which tariff preferences shall be removed

Country code	Beneficiary country	Sector	Description
BR	Brazil	XXXIV	Other base metals and articles of base metal
CN	People's Republic of China	XXV	Jewellery and precious metals
MX	Mexico	XXXI	Automobiles
PK	Pakistan	XXII	Clothing
RU	Russian Federation	XXXIV	Other base metals and articles of base metal
TH	Thailand	XXIV	Glass and ceramic

ANNEX II

— **Sectors in respect of which tariff preferences shall be re-established in application of Article 12(2) of Regulation (EC) No 2501/2001**

Country code	Beneficiary country	Sector	Description
BR	Brazil	XXIII	Footwear
IN	India	XVII	Leather, raw hides and skins
TH	Thailand	XVIII	Articles of leather and fur skins

— **Countries in respect of which all tariff preferences previously removed shall be re-established in application of Article 12(3) of Regulation (EC) No 2501/2001**

Argentina

Brunei Darussalam

Belarus

Chile

Colombia

Costa Rica

Iran

Kuwait

Macao

Mauritius

Philippines

Ukraine

Uruguay

ANNEX III

Beneficiary countries and territories of the Community's scheme of generalised tariff preferences

Column A: code according to the nomenclature of countries and territories for the external trade statistics of the Community

Column B: name of country

Column C: sectors not included in the general arrangements for the beneficiary country concerned (Article 7(7))

Column D: sectors in respect of which tariff preferences have been removed for the beneficiary country concerned (Article 7(8) and Article 10(3))

Column E: countries included in the special incentive arrangements for the protection of labour rights (Title III Section 1)

Column F: sectors included in these arrangements for the beneficiary country concerned (Article 8(1) and (2))

Column G: countries included in the special incentive arrangements for the protection of the environment (Title III Section 2)

Column H: countries included in the special arrangements for least developed countries (Article 9)

Column I: countries included in the special arrangements to combat drug production and trafficking (Title IV)

A	B	C	D	E	F	G	H	I
AE	United Arab Emirates							
AF	Afghanistan						X	
AG	Antigua and Barbuda							
AI	Anguilla							
AM	Armenia	II, XXVI						
AN	Netherlands Antilles							
AO	Angola						X	
AQ	Antarctica							
AR	Argentina							
AS	American Samoa							
AW	Aruba							
AZ	Azerbaijan	II, XXVI						
BB	Barbados							
BD	Bangladesh						X	
BF	Burkina Faso						X	
BH	Bahrain							
BI	Burundi						X	
BJ	Benin						X	
BM	Bermuda							

A	B	C	D	E	F	G	H	I
BN	Brunei Darussalam ⁽¹⁾							
BO	Bolivia							X
BR	Brazil		I, VI, IX, XI, XII, XVII, XIX, XX, XXVI, XXXIV					
BS	Bahamas							
BT	Bhutan						X	
BV	Bouvet Island							
BW	Botswana							
BY	Belarus	II, XXVI						
BZ	Belize							
CC	Cocos Islands (or Keeling Islands)							
CD	Democratic Republic of Congo						X	
CF	Central African Republic						X	
CG	Congo							
CI	Côte d'Ivoire							
CK	Cook Islands							
CL	Chile							
CM	Cameroon							
CN	People's Republic of China	XXVI ⁽²⁾	III, IV, VIII, XIV, XVI, XVIII, XX, XXII, XXIII, XXIV, XXV, XXVII, XXVIII, XXIX, XXXII, XXXIII					
CO	Colombia							X
CR	Costa Rica							X
CU	Cuba							
CV	Cape Verde						X	
CX	Christmas Islands							
DJ	Djibouti						X	
DM	Dominica							
DO	Dominican Republic							
DZ	Algeria							
EC	Ecuador							X
EG	Egypt							
ER	Eritrea						X	

A	B	C	D	E	F	G	H	I
ET	Ethiopia						X	
FJ	Fiji							
FK	Falklands Islands							
FM	Federated States of Micronesia							
GA	Gabon							
GD	Grenada							
GE	Georgia	II, XXVI						
GH	Ghana							
GI	Gibraltar							
GL	Greenland	II						
GM	Gambia						X	
GN	Guinea						X	
GQ	Equatorial Guinea						X	
GS	South Georgia and South Sandwich Islands							
GT	Guatemala							X
GU	Guam							
GW	Guinea-Bissau						X	
GY	Guyana							
HM	Heard Island and McDonald Islands							
HN	Honduras							X
HT	Haiti						X	
ID	Indonesia		X, XIX, XXIII					
IN	India		XVIII, XXI					
IO	British Indian Ocean Territory							
IQ	Iraq							
IR	Iran (Islamic Republic of)							
JM	Jamaica							
JO	Jordan							
KE	Kenya							
KG	Kyrgyzstan	II, XXVI						

A	B	C	D	E	F	G	H	I
KH	Cambodia						X	
KI	Kiribati						X	
KM	Comoros						X	
KN	St Kitts and Nevis							
KW	Kuwait							
KY	Cayman Islands							
KZ	Kazakhstan	II, XXVI						
LA	Lao People's Democratic Republic						X	
LB	Lebanon							
LC	St Lucia							
LK	Sri Lanka							
LR	Liberia						X	
LS	Lesotho						X	
LY	Libyan Arab Jamahiriya ⁽¹⁾		XIII					
MA	Morocco		XV					
MD	Moldova (Republic of)	II, XXVI		X	All except II and XXVI			
MG	Madagascar						X	
MH	Marshall Islands							
ML	Mali						X	
MM	Myanmar						X	
MN	Mongolia							
MO	Macao							
MP	Northern Mariana Islands							
MR	Mauritania						X	
MS	Montserrat							
MU	Mauritius							
MV	Maldives						X	
MW	Malawi						X	
MX	Mexico		XI, XIV, XXIV, XXVI, XXXI					
MY	Malaysia		X, XVI, XIX, XXIX					
MZ	Mozambique						X	
NA	Namibia							

A	B	C	D	E	F	G	H	I
NC	New Caledonia							
NE	Niger						X	
NF	Norfolk Island							
NG	Nigeria							
NI	Nicaragua							X
NP	Nepal						X	
NR	Nauru							
NU	Niue Island							
OM	Oman							
PA	Panama							X
PE	Peru							X
PF	French Polynesia							
PG	Papua New Guinea							
PH	Philippines							
PK	Pakistan		XVII, XVIII, XXI, XXII					X
PM	St Pierre and Miquelon							
PN	Pitcairn							
PW	Palau							
PY	Paraguay							
QA	Qatar							
RU	Russian Federation	II, XXVI	XIII, XV, XXXIV					
RW	Rwanda						X	
SA	Saudi Arabia		XIII					
SB	Solomon Islands						X	
SC	Seychelles							
SD	Sudan						X	
SH	Santa Helena							
SL	Sierra Leone						X	
SN	Senegal						X	
SO	Somalia						X	
SR	Suriname							
ST	São Tomé and Príncipe						X	
SV	El Salvador							X
SY	Syrian Arab Republic							
SZ	Swaziland							

A	B	C	D	E	F	G	H	I
TC	Turks and Caicos Islands							
TD	Chad						X	
TF	French Southern territories							
TG	Togo						X	
TH	Thailand		II, XI, XVI, XXIII, XXIV, XXV, XXIX					
TJ	Tajikistan	II, XXVI						
TK	Tokelau Islands							
TL	East Timor							
TM	Turkmenistan	II, XXVI						
TN	Tunisia		XV, XXII					
TO	Tonga							
TT	Trinidad and Tobago							
TV	Tuvalu						X	
TZ	Tanzania (United Republic of)						X	
UA	Ukraine	II, XXVI						
UG	Uganda						X	
UM	United States Minor outlying islands							
UY	Uruguay							
UZ	Uzbekistan	II, XXVI						
VC	St Vincent and Northern Grenadines							
VE	Venezuela							X
VG	Virgin Islands (British)							
VI	Virgin Islands (USA)							
VN	Vietnam							
VU	Vanuatu						X	
WF	Wallis and Futuna							
WS	Samoa						X	
YE	Yemen						X	
YT	Mayotte							
ZA	South Africa	XXVI						
ZM	Zambia						X	
ZW	Zimbabwe							

(1) Beneficiary country without development index.

(2) Only the products of sector XXVI which are underlined in Annex III are not included for the People's Republic of China, pursuant to Article 7(7).