

## ANNEX I-D TO CHAPTER 1

### SAFEGUARD MEASURES FOR EXPORT DUTIES

1. During the fifteen (15) years following the EIF of the Agreement, Ukraine may apply a safeguard measure in the form of a surcharge to the export duty on the goods listed in Annex I-D, consistent with paragraphs 1 through 11, if during any 1-year period following the EIF the cumulative volume of exports from Ukraine to EU under each listed Ukrainian customs code exceeds a trigger level, as set out in its Schedule included in Annex I-D.
2. The surcharge Ukraine may apply under paragraph 1 shall be set according to its Schedule included in Annex I-D and can only be applied for the remainder of the period as defined in paragraph 1.
3. Ukraine shall apply any safeguard measure in a transparent manner. For this purpose, Ukraine shall as soon as possible provide written notification to the EU of its intention to apply such a measure and provide all the pertinent information including the volume (in tons) of domestic production or collection of materials, and the volume of exports to the European Union and to the world. Ukraine shall invite the European Union for consultations as far in advance of taking such measure as practicable in order to discuss this information. No measure shall be taken within 30 working days after the invitation for consultations.
4. Ukraine shall ensure that the statistics that are used as evidence for such measures are reliable, adequate and publicly accessible in a timely manner. Ukraine shall provide without delay quarterly statistics on volumes (in tons) of exports to the European Union and to the world.
5. The implementation and operation of Article 31 of this Agreement and related Annexes may be the subject of discussion and review in the Trade Committee referred to in Article 465 of this Agreement.
6. Any supplies of the goods in question which were en route on the basis of a contract made before the surcharge is imposed under paragraphs 1 through 3, shall be exempted from any such surcharge.

#### Schedule of Ukraine: Subject Goods, Trigger Levels and Maximum Safeguard Duties

Note: The tables below apply if the EIF of the Agreement takes place between 1 January 2013 and 15 May 2014. Should the EIF not take place within this time span, the table would need to be recalculated in order to maintain the relative preference (same proportion) compared to the WTO-bound export duty rates applicable for each period.

7. This Annex sets out: those originating goods that may be subject to safeguard measures under Article 31 of this Agreement, the trigger levels for applying such measures defined for each of the Ukrainian customs code quoted, and the maximum surcharge to export duty that may be applied each 1-year period for each such good in addition to export duty. All duties are expressed in % unless otherwise specified; EIF refers to the 12-month period following the date of entry into force of the Agreement; EIF+1 refers to the 12-month period beginning on the first anniversary of entry into force of the Agreement; and so on until EIF+15.

8. For the hide raw materials as covered below:

Coverage: the hide raw materials falling within the following Ukrainian customs codes: 4101, 4102, 4103 90.

<b>Year (WTO)</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Ukraine WTO commitment	25,0	24,0	23,0	22,0	21,0	20,0
Year (Agreement)	EIF	EIF+1	EIF+2	EIF+3	EIF+4	EIF+5
Ukraine export duty to EU	12,50	11,25	10,00	8,75	7,50	6,25
Trigger Level (tonne)	300,0	315,0	330,0	345,0	360,0	375,0
Maximum surcharge	0,00	0,75	1,50	2,25	3,00	3,75

<b>Year (WTO)</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Ukraine WTO commitment	20,0	20,0	20,0	20,0	20,0
Year (Agreement)	EIF+6	EIF+7	EIF+8	EIF+9	EIF+10
Ukraine export duty to EU	5,0	3,75	2,50	1,25	0,0
Trigger Level (tonne)	390,0	405,0	420,0	435,0	450,0
Maximum surcharge	5,0	6,25	7,5	8,75	10,0

<b>Year (WTO)</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Ukraine WTO commitment	20,0	20,0	20,0	20,0	20,0
Year (Agreement)	EIF+11	EIF+12	EIF+13	EIF+14	EIF+15
Ukraine export duty to EU	0,0	0,0	0,0	0,0	0,0
Trigger Level (tonne)	450,0	450,0	450,0	450,0	450,0
Maximum surcharge	8,0	6,0	4,0	2,0	0,0

9. For the sunflower seeds, whether or not broken as covered below:

Coverage: the sunflower seeds, whether or not broken falling within the following Ukrainian customs codes: 1206 00.

<b>Year (WTO)</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Ukraine WTO commitment	11,0	10,0	10,0	10,0	10,0	10,0
Year (Agreement)	EIF	EIF+1	EIF+2	EIF+3	EIF+4	EIF+5
Ukraine export duty to EU	9,1	8,2	7,3	6,4	5,5	4,5
Trigger Level (tonne)	100 000,0	100 000,0	100 000,0	100 000,0	100 000,0	100 000,0
Maximum surcharge	0,9	1,8	2,7	3,6	4,5	5,5

<b>Year (WTO)</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Ukraine WTO commitment	10,0	10,0	10,0	10,0	10,0
Year (Agreement)	EIF+6	EIF+7	EIF+8	EIF+9	EIF+10

Ukraine export duty to EU	3,6	2,7	1,8	0,9	0,0
Trigger Level (tonne)	100 000,0	100 000,0	100 000,0	100 000,0	100 000,0
Maximum surcharge	6,4	7,3	8,2	9,1	10,0

Year (WTO)	2024	2025	2026	2027	2028
Ukraine WTO commitment	10,0	10,0	10,0	10,0	10,0
Year (Agreement)	EIF+11	EIF+12	EIF+13	EIF+14	EIF+15
Ukraine export duty to EU	0,0	0,0	0,0	0,0	0,0
Trigger Level (tonne)	100 000,0	100 000,0	100 000,0	100 000,0	100 000,0
Maximum surcharge	8,0	6,0	4,0	2,0	0,0

10. For the alloyed ferrous metal scrap, nonferrous metal scrap and semi-manufactured goods of them as covered below:

Coverage: the waste and scrap of alloyed steel falling within the following Ukrainian customs codes: 7204 21, 7204 29 00 00, 7204 50 00 00.

Year (WTO)	2013	2014	2015	2016	2017	2018
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF	EIF+1	EIF+2	EIF+3	EIF+4	EIF+5
Ukraine export duty to EU	10,0	9,0	8,0	7,0	6,0	5,0
Trigger Level (tonne)	4 000,0	4 200,0	4 400,0	4 600,0	4 800,0	5 000,0
Maximum surcharge	0,0	1,0	2,0	3,0	4,0	5,0

<b>Year (WTO)</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF+6	EIF+7	EIF+8	EIF+9	EIF+10
Ukraine export duty to EU	4,0	3,0	2,0	1,0	0,0
Trigger Level (tonne)	5 200,0	5 400,0	5 600,0	5 800,0	6 000,0
Maximum surcharge	6,0	7,0	8,0	9,0	10,0

<b>Year (WTO)</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF+11	EIF+12	EIF+13	EIF+14	EIF+15
Ukraine export duty to EU	0,0	0,0	0,0	0,0	0,0
Trigger Level (tonne)	6 000,0	6 000,0	6 000,0	6 000,0	6 000,0
Maximum surcharge	8,0	6,0	4,0	2,0	0,0

Coverage: the stainless steel in form of ingots and in other primary forms falling within the following Ukrainian customs codes: 7218 10 00 00.

<b>Year (WTO)</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF	EIF+1	EIF+2	EIF+3	EIF+4	EIF+5

Ukraine export duty to EU	10,0	9,0	8,0	7,0	6,0	5,0
Trigger Level (tonne)	2 000,0	2 100,0	2 200,0	2 300,0	2 400,0	2 500,0
Maximum surcharge	0,0	1,0	2,0	3,0	4,0	5,0

Year (WTO)	2019	2020	2021	2022	2023
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF+6	EIF+7	EIF+8	EIF+9	EIF+10
Ukraine export duty to EU	4,0	3,0	2,0	1,0	0,0
Trigger Level (tonne)	2 600,0	2 700,0	2 800,0	2 900,0	3 000,0
Maximum surcharge	6,0	7,0	8,0	9,0	10,0

Year (WTO)	2024	2025	2026	2027	2028
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF+11	EIF+12	EIF+13	EIF+14	EIF+15
Ukraine export duty to EU	0,0	0,0	0,0	0,0	0,0
Trigger Level (tonne)	3 000,0	3 000,0	3 000,0	3 000,0	3 000,0
Maximum surcharge	8,0	6,0	4,0	2,0	0,0

Coverage: the copper falling within the following Ukrainian customs codes: 7401 00 00 00, 7402 00 00 00, 7403 12 00 00, 7403 13 00 00, 7403 19 00 00.

<b>Year (WTO)</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF	EIF+1	EIF+2	EIF+3	EIF+4	EIF+5
Ukraine export duty to EU	10,0	9,0	8,0	7,0	6,0	5,0
Trigger Level (tonne)	200,0	210,0	220,0	230,0	240,0	250,0
Maximum surcharge	0,0	1,0	2,0	3,0	4,0	5,0

<b>Year (WTO)</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF+6	EIF+7	EIF+8	EIF+9	EIF+10
Ukraine export duty to EU	4,0	3,0	2,0	1,0	0,0
Trigger Level (tonne)	260,0	270,0	280,0	290,0	300,0
Maximum surcharge	6,0	7,0	8,0	9,0	10,0

<b>Year (WTO)</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF+11	EIF+12	EIF+13	EIF+14	EIF+15
Ukraine export duty to EU	0,0	0,0	0,0	0,0	0,0
Trigger Level (tonne)	300,0	300,0	300,0	300,0	300,0

Maximum surcharge	8,0	6,0	4,0	2,0	0,0
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Coverage: the copper falling within the following Ukrainian customs codes: 7403 21 00 00, 7403 22 00 00, 7403 29 00 00.

Year (WTO)	2013	2014	2015	2016	2017	2018
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0	15,0
Year (FTA)	EIF	EIF+1	EIF+2	EIF+3	EIF+4	EIF+5
Ukraine export duty to EU	10,0	9,0	8,0	7,0	6,0	5,0
Trigger Level (tonne)	4 000,0	4 200,0	4 400,0	4 600,0	4 800,0	5 000,0
Maximum surcharge	0,0	1,0	2,0	3,0	4,0	5,0

Year (WTO)	2019	2020	2021	2022	2023
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF+6	EIF+7	EIF+8	EIF+9	EIF+10
Ukraine export duty to EU	4,0	3,0	2,0	1,0	0,0
Trigger Level (tonne)	5 200,0	5 400,0	5 600,0	5 800,0	6 000,0
Maximum surcharge	6,0	7,0	8,0	9,0	10,0

Year (WTO)	2024	2025	2026	2027	2028
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF+11	EIF+12	EIF+13	EIF+14	EIF+15



Ukraine export duty to EU	0,0	0,0	0,0	0,0	0,0
Trigger Level (tonne)	6 000,0	6 000,0	6 000,0	6 000,0	6 000,0
Maximum surcharge	8,0	6,0	4,0	2,0	0,0

Coverage: the alloyed ferrous metal scrap, nonferrous metal scrap and semi-manufactured goods of them falling within the following Ukrainian customs codes: 7404 00, 7405 00 00 00, 7406, 7418 19 90 00, 7419, 7503 00, 7602 00, 7802 00 00 00, 7902 00 00 00, 8108 30 00 00.

<b>Year (WTO)</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF	EIF+1	EIF+2	EIF+3	EIF+4	EIF+5
Ukraine export duty to EU	10,0	9,0	8,0	7,0	6,0	5,0
Trigger Level (tonne)	200,0	210,0	220,0	230,0	240,0	250,0
Maximum surcharge	0,0	1,0	2,0	3,0	4,0	5,0

<b>Year (WTO)</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF+6	EIF+7	EIF+8	EIF+9	EIF+10
Ukraine export duty to EU	4,0	3,0	2,0	1,0	0,0
Trigger Level (tonne)	260,0	270,0	280,0	290,0	300,0
Maximum surcharge	6,0	7,0	8,0	9,0	10,0

<b>Year (WTO)</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Ukraine WTO commitment	15,0	15,0	15,0	15,0	15,0
Year (Agreement)	EIF+11	EIF+12	EIF+13	EIF+14	EIF+15
Ukraine export duty to EU	0,0	0,0	0,0	0,0	0,0
Trigger Level (tonne)	300,0	300,0	300,0	300,0	300,0
Maximum surcharge	8,0	6,0	4,0	2,0	0,0

11. For the five years following the end of the transitional period, i.e., between EIF+10 and EIF+15, the safeguard mechanism will continue to be available. The maximum surcharge value will decrease linearly from its value specified at EIF +10 to 0 at EIF +15.