



20 August 2021

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**Council for Trade in Goods
Committee on Safeguards**

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**IMMEDIATE NOTIFICATION UNDER ARTICLE 12.5 OF THE AGREEMENT ON
SAFEGUARDS TO THE COUNCIL FOR TRADE IN GOODS OF PROPOSED
SUSPENSION OF CONCESSIONS AND OTHER OBLIGATIONS
REFERRED TO IN PARAGRAPH 2 OF ARTICLE 8 OF
THE AGREEMENT ON SAFEGUARDS**

ECUADOR

The following communication, dated and received on 10 August 2021, is being circulated at the request of the delegation of Ecuador.

Pursuant to Article 12.5 of the Agreement on Safeguards, and in accordance with the agreed formats for notifications (G/SG/1, 1 July 1996; amended on 19 October 2009, [G/SG/1/Rev.1](#) - [G/SG/N/6/Rev.1](#) - [G/SG/89](#)), Ecuador hereby immediately notifies the Council for Trade in Goods of the proposed suspension of concessions and other obligations referred to in paragraph 2 of Article 8.

1. Which Member is proposing suspension of concessions and other obligations referred to in Article 8.2.

Republic of Ecuador.

2. Specify the measure, the product subject to the measure, the WTO document that notified the safeguard measure, and the Member imposing the measure in relation to which the Member is proposing suspension of concessions and other obligations referred to in Article 8.2.

On 16 April 2021, the Interdepartmental Commission on International Trade of Ukraine adopted Decision No. SP-487/2021/4411-03, whereby a definitive safeguard measure was applied to the importation of fresh cut roses to Ukraine under UKTZED code 0603 11 00, irrespective of the country of origin and export, for a period of three years in the form of a special duty of 56% for the first year.

Ukraine notified the measure in question in WTO documents G/SG/N/10/UKR/10/Suppl.1 - G/SG/N/11/UKR/8/Suppl.1.

Pursuant to Article 12.3 of the Agreement on Safeguards, the Ecuadorian Investigating Authority twice requested consultations (on 6 and 16 October 2020) with the Ukrainian Investigating Authority; it also requested information on the public hearing in the context of the investigation. No reply was received that would enable the consultations referred to in Article 12 to be held.

These communications were in addition to the initial comments on the investigation process (14 July 2020) and the comments on the initial technical report (8 August 2020).

3. Describe the proposed suspension of concessions and other obligations referred to in Article 8.2 and indicate the date from which it will come into effect.

Ecuador hereby notifies the Council for Trade in Goods that it has decided to reserve its right to suspend the application of substantially equivalent concessions or other obligations under the GATT 1994 to its trade with Ukraine.

Details of the suspension of concessions will be provided to the Council for Trade in Goods prior to its implementation.

The suspension will take effect from 21 May 2024 in the event that Ukraine decides to extend the period of application of the measure, in accordance with Article 7 of the Agreement, or after the date on which the safeguard measure imposed by Ukraine is determined to be inconsistent with the Agreement on Safeguards, whichever is earlier.
