

檔		保存年限
號	/ /	

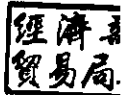
駐美國代表處經濟組 函

NW

受文者：經濟部國際貿易局

發文日期：中華民國110年11月16日
發文字號：經美字第1100001410號
速別：普通件
密等及解密條件或保密期限：
附件：如文（經美1100001410_Attach1.pdf）

主旨：陳報美國國會研究處發布「美歐鋼鋁協議之內涵」專文內容如說明，敬請查參。



說明：

- 一、本組本(110)年11月1日經美字第1100001356號函諒達。
- 二、美國國會研究處(CRS)於本(11)月12日發布專文「美歐鋼鋁協議之內涵」(What's in the New U.S.-EU Steel and Aluminum Deal?)，美國與歐盟於上(10)月31日宣布雙方達成協定，處理美國對歐盟鋼鋁產品之232條款關稅，以及歐盟對部分美國產品之報復關稅：
 - (一)該協定採取「關稅配額」取代鋼鋁232條款關稅；建立新平台，處理全球過剩產能，確保市場導向，並處理鋼鋁產業之碳排放問題。
 - (二)拜登政府目標減少與盟友間之貿易衝突，建立夥伴關係以解決全球問題，並保護美國產業免於來自中國工業政策之不公平競爭。
- 三、鋼鋁產品關稅：
 - (一)美國自2018年3月起對鋼、鋁產品分別課徵25%、10%之2

國際貿易局 110/11/17



1107037004

32條款關稅。美國陸續與巴西、南韓、阿根廷、澳洲、墨西哥及加拿大達成協議免除該關稅(如配額協議)，惟美國先前未與歐盟達成協議。

(二)採取「關稅配額」(TRQ)取代鋼鋁232條款關稅：

- 1、自明(2022)年1月1日起，歐盟輸美330萬公噸鋼鐵、18,000公噸「未鍛軋鋁」、366,000公噸「鍛軋鋁」免徵232條款關稅；超過上述數量之鋼鋁進口將被課徵關稅。
- 2、除上述整體配額外，上述3項TRQ分為次類別(subcategories)，即「鋼鐵」下分為54產品，「未鍛軋鋁」下分為2類別，「鍛軋鋁」分為14類別，該TRQ將分配給歐盟之27個成員國。美國將每年檢視並調整TRQ。
- 3、鋼鐵產品需在歐盟進行鎔鑄(melted and poured)，避免「非歐盟鋼鐵」享有該待遇。歐盟之鋼鋁衍生產品(derivative products)將豁免該關稅。另，美國進口商仍可申請特定產品豁免232條款關稅，獲得豁免之產品將不計入上述TRQ數量。

(三)自明年1月1日起，歐盟停止對美國產品之報復關稅，包括威士忌、摩托車等。另，美歐同意在貿易救濟及關務領域進一步合作。

四、WTO爭端解決：雙方將停止在WTO有關美國鋼鋁國安關稅、歐盟報復關稅之控訴，惟美國仍在WTO遭遇其他成員對其232條款關稅之控訴，包括土耳其、瑞士、俄國、挪威、印度及中國。

五、處理鋼鋁產業之全球過剩產能及碳排放：

(一)美歐合作回復鋼鋁產業之市場導向條件，並減少該產業之碳排放。美歐同意組成「技術工作小組」，諮商「全

球永續鋼鋁協議」(Global Arrangement on Sustainable Steel and Aluminum)，目標於2年內達成協議。

(二)邀請理念相近經濟體參加該協議：

- 1、該協議成員未來在符合國際規範下，可能限制非成員鋼鋁進口，若非成員不具備市場導向條件，導致過剩產能，以及不符合低碳排標準。
- 2、該協議成員未來可能須具備支持低碳排之國內政策，且應確保市場導向條件，包括禁止來自非市場導向國家(如中國)之投資。

六、外界對「美歐鋼鋁協議」之反應及評論：

(一)鋼、鋁產業意見分歧：

- 1、「美國鋼鐵工人聯合會」支持該協議，稱該協議維持美國產業競爭力，同時處理中國非市場政策，惟須嚴格監測並執行；「美國鋼鐵機構」稱美國鋼鐵產業之碳排放低於大多數國家；「歐洲鋼鐵協會」支持該協議，稱該協議處理全球貿易扭曲及氣候變遷。
- 2、「美國初生鋁協會」支持該協議；「鋁協會」反對TRQ機制，支持對中國加強執法。

(二)其他意見：

- 1、「美國金屬製造者及使用者聯盟」稱該協議係好消息，惟關切TRQ無法完全消除232條款關稅，特別是美國基礎建設投資可能導致鋼鋁需求增加。
- 2、「美國對外貿易協會」稱該協議TRQ機制為不受歡迎之「貿易管制」作法；「美國總商會」建議停止對美國盟友鋼鋁之232條款關稅及配額限制。
- 3、「新民主黨聯盟」建議與其他盟友達成協議，去除關稅；眾議院歲計委員會之副主席Kevin Brady (R-TX)

中國
騎縫章

經濟
貿易局

表示支持，惟關切TRQ之複雜性。

七、美歐鋼鋁協議之未來：該協議將於明年1月生效，且「全球永續鋼鋁協議」目標於未來2年內達成協議。美國商務部並於上(10)月31日宣布與日本、英國就該關稅進行諮商。

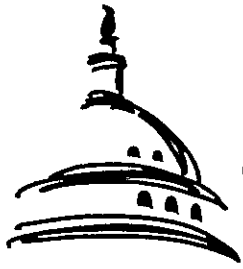
八、檢送該專文，併請查參。

正本：經濟部國際貿易局

副本：行政院經貿談判辦公室、經濟部、經濟部部長室、陳政務次長室(請經濟部代陳)、經濟部工業局(均含附件)

電子公文交換章
2021/11/17 09:18:44

國際
騎縫章



What's in the New U.S.-EU Steel and Aluminum Deal?

November 12, 2021

On October 31, 2021, the United States and European Union (EU) announced a multifaceted agreement to address U.S. steel and aluminum tariffs on EU exports, imposed by the Trump Administration under Section 232, and EU retaliatory tariffs on certain U.S. exports. The deal establishes a new tariff rate quota (TRQ) to replace original Section 232 tariffs. It also creates a new forum to strengthen U.S.-EU cooperation to address global overcapacity, ensure market-oriented conditions, and reduce carbon intensity in these industries. In addressing the tariffs, President Biden sought to decrease trade tensions with allies, build partnerships to tackle global issues, and protect U.S. jobs and industry from unfair competition, stemming from China's excess capacity and industrial policies.

Steel and Aluminum Exports and Tariffs

Effective March 23, 2018, President Trump applied 25% and 10% tariffs, respectively, on certain steel and aluminum imports, under Section 232 of the Trade Expansion Act of 1962 (19 U.S.C. §1862). Although the United States negotiated various tariff exemptions with Brazil, South Korea, Argentina, Australia, Mexico, and Canada, it has fully maintained the tariffs on EU exports since June 1, 2018.

The new arrangement replaces the existing tariffs with a complex TRQ system. Effective January 1, 2022, the EU may export tariff-free 3.3 million tons of steel, 18 thousand metric tons (TMT) for unwrought aluminum, and 366 TMT for semi-finished (wrought) aluminum. Any exports above those levels will be subject to the higher tariff levels applied under Section 232. In addition to the overall quotas, each of the three TRQs are broken into subcategories (54 product categories for steel, two and 14 categories for unwrought and wrought aluminum), applied annually, administered quarterly for steel and semi-annually for aluminum, and are allocated on a member-state basis for the 27 EU countries. Under the deal, the United States will review and may adjust the TRQs annually.

The arrangement includes other conditions. Steel imports must be "melted and poured" in the EU so that non-EU countries cannot avoid tariffs by exporting through the EU. Derivative products from the EU, currently subject to tariffs under Section 232, will be exempt. The product exclusion process will remain in place, allowing U.S. importers to request tariff exclusions for certain products; such imports are not to count toward the TRQ limits, and the exclusions are not to expire until the end of 2023. The two-year time limit adds a level of uncertainty.

Congressional Research Service

<https://crsreports.congress.gov>

IN11799

As part of the agreement, the EU committed to suspending its retaliatory tariffs on a variety of U.S. exports, including American whisky and motorcycles, as of January 1, 2022. Additionally, the parties agreed to further cooperate on trade remedies and customs issues. This will allow officials to provide mutual assistance, monitor bilateral trade, and share information and best practices on topics like fraud detection.

WTO Disputes

The United States and EU agreed to suspend their disputes at the World Trade Organization (WTO) regarding these matters and not initiate new cases on them. The parties are now determining arbitration procedures to formally terminate the disputes. The United States, however, continues to face challenges against its Section 232 tariffs from some other WTO members, including Turkey, Switzerland, Russia, Norway, India, and China.

Addressing Global Overcapacity and Carbon Intensity

The arrangement focuses largely on U.S.-EU opportunities to collaborate to restore market-oriented conditions and reduce carbon emissions in the steel and aluminum sectors. The partners agreed to form a technical working group to discuss establishing a “Global Arrangement on Sustainable Steel and Aluminum,” with a two-year target timeframe.

They plan to invite like-minded economies to participate in the arrangement to promote trade in carbon-friendly steel and aluminum. Compatible with international rules and obligations, members would restrict market access to nonparticipants who do not meet market-oriented conditions, contribute to excess capacity, or do not meet low-carbon intensity standards. The participants would be required to have domestic policies that support lowering carbon intensity and to ensure market-oriented conditions, including screening investment from nonmarket-oriented actors like China.

A goal of this new arrangement is to create a new global forum to tackle both overcapacity and greenhouse gas emissions. It is unclear if the United States and the EU consulted with other economies before making the joint announcement or how the parties might work with the OECD and Global Forum on Steel Excess Capacity.

Stakeholder Reaction

The reaction from steel and aluminum stakeholders is mixed.

The United Steelworkers voiced support for the interim arrangement, stating it would allow U.S. industries to remain competitive while addressing the nonmarket policies of China and others, but noted the need for strict monitoring and enforcement. The American Iron and Steel Institute expressed similar sentiments, adding that the U.S. industry has the lowest carbon-intensity steel of major steel-producing countries. The European Steel Association also welcomed the deal as a “new, transatlantic partnership tackling global trade distortions and climate change together.”

The aluminum industry was not as clearly aligned. The American Primary Aluminum Association welcomed the agreement, while the Aluminum Association opposes the TRQ system, preferring joint enforcement against China.

Others view the U.S.-EU announcement as positive, but insufficient. The Coalition of American Metal Manufacturers and Users said the deal is “good news,” but voiced concern that the TRQ does not fully eliminate the threat of tariffs if U.S. demand surges with new domestic infrastructure investment.

The National Foreign Trade Council sees the shift to TRQs as “an unwelcome form of managed trade,” and the U.S. Chamber of Commerce advocated terminating all steel and aluminum tariffs and quotas on U.S. allies. One analyst pointed to the complexity of the TRQ system, calling it “just brutal for small and medium steel-consuming companies.”

The New Democrats commended the deal and encouraged deals with other allies to remove tariffs. House Ways and Means Committee Ranking Member Brady expressed cautious support, voicing concern about the complexity of the TRQ system.

Outlook

The full impact of the deal will take time to emerge; it goes into effect in January 2022, and the new Global Arrangement may not be finalized for two years. Potential areas of congressional interest and oversight may include the impact of the tariff elimination and TRQ system on U.S. industry and bilateral trade, the joint efforts to tackle China-driven global overcapacity, and the Biden Administration’s announced consultations with Japan and the United Kingdom on the tariffs.

Author Information

Rachel F. Fefer
Analyst in International Trade and Finance

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS’s institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.