# HOW PROTECTIVE MEASURES IMPACTED ON INCOME NUMBERS - EXAMPLE OF IMPORTING STEEL FROM THIRD COUNTRIES TO THE REPUBLIC OF CROATIA

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**Abstract.** This paper aims to determine the effect of safeguard measures on example of importing steel from third countries to the republic of croatia. Safeguard measures are adopted at the level of the European Union and applied to all Member States. The purpose of safeguard measures is to protect the European Union industry from excessive imports of a particular product, which threatens to cause serious injury to European Union producers. Given that the safeguard measures against imports of certain steel products are the first safeguard measures in force since the Republic of Croatia joined the European Union, it was decided to investigate the effect of safeguard measures on the territory of the Republic of Croatia. The research approach in the paper is positive, and no personal views will affect the interpretation of the results. The research part of the paper will be conducted by a combination of quantitative and qualitative methods. All data will be displayed in textual and numerical form with the help of figures, graphs, and tables. The work results can be used as an analysis of the effect of these measures, and if necessary, they can be used to correct them.

**Key words:** Safeguard measures, WTO, steel, import, trade.

# КАК ЗАЩИТНЫЕ МЕРЫ ПОВЛИЯЛИ НА ПОКАЗАТЕЛИ ДОХОДОВ - ПРИМЕР ИМПОРТА СТАЛИ ИЗ ТРЕТЬИХ СТРАН В РЕСПУБЛИКУ ХОРВАТИЯ

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Аннотация. Цель данного исследования - определить влияние защитных мер на примере импорта стали из третьих стран в республику Хорватия. Защитные меры принимаются на уровне Европейского Союза и применяются ко всем государствам-членам. Целью защитных мер является защита промышленности Европейского Союза от чрезмерного импорта определенного продукта, который угрожает нанести серьезный ущерб производителям Европейского союза. Учитывая, что защитные меры против импорта определенных видов металлопродукции являются первыми защитными мерами, действующими с момента вступления Республики Хорватии в Европейский Союз, было принято решение изучить влияние защитных мер на территорию Республики Хорватия. Исследовательский подход в статье является позитивным, и никакие личные взгляды не повлияют на интерпретацию результатов. Исследовательская часть статьи будет проводиться с помощью сочетания количественных и качественных методов. Все данные будут отображаться в текстовой и числовой форме с помощью рисунков, графиков и таблиц. Результаты работы могут быть использованы в качестве анализа эффекта этих мер, и при необходимости они могут быть использованы для их корректировки.

Ключевые слова: Защитные меры, ВТО, сталь, импорт, торговля.

### Introduction

By joining the European Union (EU), the Republic of Croatia (RH) also joined the Customs Union. The Customs Union designates and ensures the joint action of all Member States and the application of the same customs practices when importing goods from non-member countries, while in internal trade, the circulation of goods is accessible without the payment of customs duties. The foundation of the EU is a common market and a joint unified Customs Union based on the free movement of goods and a common trade and agricultural policy. The customs union is also marked by standard customs regulations and duty-free trade between member states, and revenues collected from customs duties are joint EU revenues. With full EU membership, all national customs regulations cease to be valid on the date of full membership, and from that moment on, standard EU customs regulations come into force. In the example of the Republic of Croatia, the application of standard EU customs regulations began on 01.07.2013. at 00:00. From the day of accession to the EU, the Republic of Croatia has committed itself to the application of the following measures when importing goods from third countries:

- Customs rates for third countries
- Preferential measures
- Measures within the customs union
- Exemptions from customs duties and tariff suspensions
- Common trade policy measures
- Common agricultural policy measures
- Non-tariff measures
- First come, first served odds
- TARIC common customs tariff.

Following the provisions of the General Agreement on Tariffs and Trade (from now on GATT), the common commercial policy measures have the task of protecting the EU market from dumped imports or excessive imports of goods from third countries. The most crucial trade policy measures are anti-dumping, countervailing, and safeguard measures. Anti-dumping and countervailing measures are often in place, while safeguard measures are less frequently applied—the only safeguards currently in force relating to imports of steel into the Union from third countries.

The European Union has concluded the Agreement establishing the World Trade Organization (from now on referred to as the WTO), including the GATT and the Agreement on Safeguards. "Safeguards are a mechanism of the common trade policy regulated following the Agreement establishing the WTO" (Matanić and Matijević, 2020, p. 16). The Safeguards Agreement defines how the application of safeguard measures can be considered if a particular product is imported into the EU in such increased quantities that those quantities could cause or threaten to cause serious injury to EU producers.

When introducing protective measures, care is taken to preserve traditional income flows, and consequently, protective measures are managed through First - Come First - Served quotas (from now on FCFS quotas). Until the import of a particular product reaches the quantity within the corresponding FCFS quotas, it will not be subject to a protective duty. The use of FCFS quotas is intended to enable the continued import of products covered by safeguard measures without charging for them.

The primary goal of this paper is to investigate the effect and application of protective measures on the example of steel in the Republic of Croatia. In order to realize and determine the primary goal of this paper, it is necessary to perform the following analyzes:

- Quantitative analysis of the volume of imports within a particular category of products covered by safeguard measures in the Republic of Croatia with the application of FCFS quotas and with the application of safeguard measures,
- Quantitative analysis of the share of the use of FCFS quotas in the Republic of Croatia concerning other EU member states,
- Quantitative analysis of the protective duty collected,
- Quantitative comparison of the volume of imports before the adoption of safeguard measures and after their adoption,
- Qualitative analysis of the price behavior of a particular category of imported products compared to the price on the Customs Union market and the impact of the introduction of protective measures on importers in the Republic of Croatia.

A combination of qualitative and quantitative research was selected for the research work of this paper. The research will be based on professional literature in international economics, the legislation defining common rules for import of goods into the Customs Union, professional journals in customs and international business. At the same time, the analysis will be conducted based on statistical data. For the use of which written approval was obtained for the quantitative part of the research. An in-depth interview will be conducted for the qualitative part of the research. In addition, an open-type interview will be conducted with certain economic entities in the Republic of Croatia to compare price trends and the impact of protective measures on business. The research questions are as follows:

- What are safeguards?
- What are the consequences of introducing protective measures?
- Impact of safeguard measures on exporting countries from third countries?
- Volumes of imports of products covered by safeguard measures?
- The impact of safeguards on the price of the products covered by the measures?
- Impact of protective measures on importers of steel products in the Republic of Croatia?
- The effect of safeguards?

Each EU member state is legally obliged to implement the adopted measures as prescribed by law. As the human factor is necessary for implementing measures, there is always the possibility of some omissions. There may also be more circumventive measures with certain misdemeanors and reporting actions by certain exporters, and as the topic is sensitive, information about the same is secret, so it will not be possible to state it. Bypassing the application of safeguard measures is a problem faced by every Member State because by avoiding it, third-country exporters ensure unfair price competition in the market. Such treatment is not allowed because exporters are obliged to declare the goods correctly, and otherwise, they are subject to misdemeanor liability. Given the above, there may be minimal deviations in the analysis, which we believe will not ultimately affect the analysis of the application of safeguard measures, especially in the form of a comparison of the volume of imports and the price.

"The methodology encompasses a system of rules based on which research procedures are carried out, theories are built, and their verification is performed" (Milas, 2005, p.14).

The following research methods will be used:

- Description method according to Žugaj, Dumičić, and Dušak (2006), the description method is
  dedicated to a detailed description of facts and data in order to increase objectivity and accuracy in
  all phases of research. The method of description in this paper will describe the theoretical part of
  the paper, which explains the concepts that are important for researchers part of the paper, such as
  the concepts of customs, customs union, common trade policy, and safeguard measures.
- Methods of statistical and mathematical analysis "Statistical and mathematical methods can find out in a relatively exact way the general definiteness, regularity and legality of mass phenomena" (Zelenika, 2000, p. 342). In this paper, the mentioned method will be used for researchers in the part of the paper where secondary statistical data available to the Customs Administration of the Republic of Croatia will be used for analysis. The statistical and mathematical analysis will be made on the example of the volume of imports of products covered by safeguard measures, comparing imported quantities with the rest of the EU. Also, a comparison of the number of imports will be made before applying protective measures and after their application, and financial analysis will be made, i.e., how much protective duty has been collected in that period.
- Inductive and deductive method implies inference from individual facts to general conclusions. The inductive method will be used for the conclusions obtained from the analysis of factual matters or theoretical work, while the deductive method will be used for the conclusions of the research work that will be reached after statistical and mathematical analysis. The conclusions will refer to the effectiveness of protective measures on the example of imports into the Republic of Croatia for certain steel products.
- The comparison method will be used to compare the effectiveness of the terrorist part of the task in combination with statistical and mathematical analysis. The statistical and mathematical analysis of the quantities of imports before and after the entry into force of the safeguard measures will make a quantitative comparison. In contrast, the total imports of steel products in the Republic of Croatia will compare imports with other EU member states. Also, for a particular category of products, a comparison of imports and prices on the EU market will be made and the impact of the introduction of protective measures on price movements and income flows.

## Safeguard Measures when importing certain steel products

Steel is the most versatile industrial material in the world. There are thousands of different types of steel on the market, thanks to which the modern world is evolving. Steel is 100% recyclable, making it a fundamental part of the circular economy, which reduces waste and creates sustainable development. As a primary engineering material, steel is also an essential factor in developing and applying innovative technologies that reduce CO2, improve resource efficiency, and encourage sustainable development in Europe (Eurofer, b. D.).

According to data available to Eurofer, the top 5 countries of origin represent 65% of total imports in 2018. Of the total imports to the EU, 21% are imported from Turkey, increasing 65% compared to 2017. Of the total exports from Turkey, 42% of goods are exported to EU countries, of which 71% relate to steel products (Eurofer, b. D.).

Due to an increase in imports and a drop of 11% in exports, the EU trade deficit deepened to almost 17 million tonnes, while in 2017, the trade deficit was 10 million tonnes (Eurofer. B. D.). According to EU data, imports of steel products increased from 17.8 million tonnes to 29.3 million tonnes in 2013-2017. year, which totals an increase of 65%, with the most significant increase in 2016. The EU attributes the significant increase in imports to unforeseen circumstances such as the global overcapacity in steel production and trade measures adopted by third countries. Also, EU steel import prices were lower than EU producer prices throughout the period analyzed, which created additional pressure on sales prices. All these data have been consolidated, and all interested parties have been informed by publication in the Official Journal of the EU No. C111 - Notice of initiation of an investigation concerning safeguard measures concerning imports of steel products.

One of the most significant measures of third countries is undoubtedly the measures introduced by the United States. Since 2017, when Donald Trump became President of the United States, a trade war between the United States and China has begun. After a series of negotiations and the introduction of various trade measures by both sides, finally, in early 2018, the US introduced a 25% tariff on steel imports from China (Scheipl, Bobek, and Horvat, 2020). for imports of particular steel and aluminum products originating in the EU. The US's introduction of such trade measures increases the possibility of redirecting trade from third countries to the EU, while it does not make EU member states competitive for product exports due to the imposed tariffs (EC Europa, b. D.).

Following Art. 15 of Regulation 2015/478, the application of FCFS quotas may be introduced to implement safeguard measures. When introducing FCFS quotas, care shall be taken to maintain traditional trade flows, the amount of available FCFS quotas shall not be lower than the average level of imports during a representative period of at least three years and, where necessary, FCFS quotas shall be allocated in proportion to EU periods. Annex IV of Regulation 2019/159 determines the quantity, ordinal numbers of FCFS quotas, and the period of validity. FCFS quotas for applying safeguard measures within each category of products covered are divided into geographical areas. Therefore, there are FCFS quotas for individual countries and other countries within each product category covered by safeguard measures. Such a quota allocation regime within a particular product category is used to avoid squeezing out smaller exporting countries, all in order to preserve traditional trade flows (Regulation 2019/159). FCFS quotas, for safeguard purposes, are divided into quarters between periods to maintain the continuity of imports throughout the quota year.

In the Republic of Croatia, an average of 7,000 applications for FCFS quotas are submitted annually (statistical data of the Customs Administration).

# Research – Analysis of the effect of protective measures

The quantitative part of the analysis - Analysis of imports of goods by categories of products covered by safeguard measures with analysis of imports of goods before the adoption of safeguard measures

The quantitative part of the analysis will be carried out based on existing numerical data available to the Customs Administration. Data processing will be based on statistical and mathematical analysis and description of the obtained results with comparison and deduction. Quantitative research is conducted on larger samples, and for this research, an intentional sample was selected: all economic entities of the Republic of Croatia that import subcontractors covered by protective measures from third countries. Secondary data will be used to conduct the research, and these are data that have already been collected for someone else for another purpose (Verčić et al., 2010). When using secondary data, attention should be paid

to their reliability. This paper uses secondary data available to the Customs Administration, for which approval has been obtained, and is considered the most reliable since it is import data, and the Customs Administration is responsible for all imports of goods from third countries.

Protective measures for the import of certain steel products came into force on 07/19/2018. According to the Commission Implementing Regulation (EU) 2018/1013, and for this analysis, one calendar year will be understood from 01.07. to 30.06. The analyzed period before the application of protective measures refers to the period from 01.07.2016. to 06/30/2018, while the analyzed period after applying protective measures refers to the period from 01.07.2018. to 30.06.2020. years. The quantity of all imports from third countries to the Republic of Croatia will be analyzed and divided into two periods. In each period, the total imported quantity of goods, the most influential exporting countries, the value of goods, the average import price, the total protective duty collected will be analyzed. In addition, the share of imports to the Republic of Croatia concerning all other EU member states will be analyzed, and at the end of each category, changes in the analyzed periods will be determined.

The data analysis revealed that after the introduction of protective measures, there were changes in trade tags. The essential exporting country in the Republic of Croatia is Turkey, which records the most significant imports in the eight analyzed categories. After the introduction of protective measures, trade flows were applied as follows:

- Category 1 non-alloy and other alloyed hot-rolled sheets and strips imports originating in Serbia increased by 140%;
- Category 5 organic coated sheets total imports decreased by 23%. The most significant decrease refers to imports originating in China, which after the introduction of safeguard measures altogether ceased, while imports originating in Taiwan increased significantly;
- Category 12 non-alloy and other alloy bars and light sections significant increase in imports originating in Northern Macedonia
- Category 14 stainless steel bars and light profiles total imports decreased by 22%, the most significant change relates to a decrease in imports originating in Taiwan, by a total of 91, while imports originating in India increased by 38%;
- Category 16 non-alloy and other alloy bars a significant increase in imports originating in Bosnia and Herzegovina in the amount of 62%;
- Category 17 profiles of iron or non-alloy steel total imports increased by 640% with the most significant increase in imports originating in Turkey, which increased by almost 100%;
- Category 19 material for railways significant increase in imports originating in Turkey, imports increased seven times compared to the period before the introduction of safeguard measures;
- Category 22 seamless stainless steel pipes the total increase in imports is 25%, the most significant increase relates to imports originating in Ukraine, which increased by 100%, while imports originating in India decreased by 55%,
- Category 24 other seamless pipes the total decrease in imports is 10%, the most significant decrease refers to imports originating in China, which decreased by 34%;
- Category 25 large welded pipes the total increase in imports is 280%, with the most significant increase in imports originating in Turkey increasing seven times compared to the period before the imposition of safeguard measures;
- Category 26 other welded pipes the total increase in imports is 170%, with the most significant increase in imports originating in Turkey increasing 2,000 times compared to the period before the imposition of safeguard measures;
- Category 27 non-alloy and other alloyed cold-rolled bars total imports decreased by 80%, the most significant decrease relates to imports originating in Ukraine, which decreased by 97%, and imports originating in China, which also decreased by 72%;
- Category 28 non-alloy wire total imports decreased by 15%, the most significant decrease refers to imports originating in Bosnia and Herzegovina, while imports originating in Northern Macedonia increased by 340%.

In conclusion, we can say that the protective measures impacted trade flows and how they came about.

The data analysis revealed that after the introduction of safeguard measures, there were changes in the average import price per kilogram. The most significant price change refers to category 25 - large welded pipes, where the average price was reduced by six times, i.e., from HRK 29.90 to HRK 9.44 per kilogram. The subsequent most significant decrease in prices refers to category 19, material for railways, where the average price per kilogram decreased by 90%. With the average import price increase, the most significant

change refers to category 5, sheets with organic coating, where the price increased by 26%. Following the introduction of safeguard measures, it was applied in average import prices and the following categories:

- Category 6 tinplate products average import price increased by 21%
- Category 7 non-alloy and other alloyed quartos sheet metal average import price increased by 25%
- Category 13 steel bars for concrete reinforcement average import price increased by 11%
- Category 14 stainless steel bars and lightweight profiles average import price increased by 21%
- Category 22 seamless stainless steel pipes average import price decreased by 10%
- Category 24 other seamless pipes average import price increased by 22%
- Category 26 other welded pipes average import price increased by 17%
- Category 27 non-alloy and other alloy cold-finished bars average import price increased by 25%
- Category 28 non-alloy wire average import price increased by 10%.

In conclusion, we can say that in most categories, the average import price per kilogram of the product increased after the introduction of safeguard measures. The assumption is that the price increase was due to higher product demand.

After the quantitative part of the research, it can be concluded that the protective measures did not significantly affect importers in the Republic of Croatia. The volume of imports increased significantly after the introduction of safeguard measures, while the purpose of the safeguard measures is to direct trade towards EU producers. Also, in most product categories, import prices increased.

The qualitative part of the analysis - the impact of protective measures on importers of products covered by the measures in the Republic of Croatia

For the needs of the qualitative part of the research, the method of the in-depth interview was chosen for the data collection. The choice of this method will provide a deeper insight into the impact of protective measures on Croatian importers and the problems they face, for which a quantitative part of the research cannot obtain answers. Data processing will be based on transcripts of conducted interviews, and the results of the analysis will be presented by descriptive, comparative, and inductive methods. For this research, the sample was determined after implementing the quantitative part of the research, when it became known which categories of products covered by protective measures are the most important in the Republic of Croatia. The researchers' decision determined the target group. It was decided to conduct two in-depth interviews from insignificant product categories. The qualitative part of the research aims to determine the impact of protective measures on importers from the Republic of Croatia. The interview consists of 10 openended questions, and if necessary, with additional sub-questions to get the most accurate answer possible. The interview questions are focused on establishing knowledge about protective measures, their effectiveness, their impact on price, business, and orientation to other markets. Respondents were assured that the collected data would not be used for purposes other than for this research and were provided with anonymity regarding the company's name and position for which they operate.

After conducting in-depth interviews, we received answers to research questions as follows:

- 1. What are protective measures? Respondents showed knowledge of the concept of protective measures and the purpose of their introduction. They believe they were in part enacted in response to tariffs imposed by the United States. As both respondents operate as traders mainly in the territory of the Republic of Croatia, they have direct contact with ferrous metallurgy with protective measures during import.
- 2. What are the consequences of the introduction of protective measures? Respondents state that with the introduction of protective measures, they had to reorient themselves to the EU market, which is not competitive in terms of price, which creates a deficit for them. The quotas used for the import of goods are used on the first day of existence, and already on the first import, they are partially subject to the collection of protective duty, and in the past six months, approximately 2,000,000.00 kunas of protective duty was paid by the importer. One respondent replied: "The introduction of measures did not change direction, but only raised the scale quite economically and made business more expensive. Because EU producers use this measure for extra profits precisely in the amount of the protection measure rate and at the moment when the quotas are exhausted, and imports from third countries are competitively disabled."
- 3. Impact of protective measures on importers of steel products in the Republic of Croatia? Respondents generally stated that safeguard measures have a significant impact on their business, given that once the quota is exhausted, imports from third countries are no longer competitive. Procurement of goods within the EU market is significantly more expensive than outside the EU, leaving no room for competitiveness. According to one respondent, the largest producers in the EU market increased their sales

prices by 25%, which had an additional impact on the orientation of the EU market. One respondent states the following: "EU producers have more expensive products than Non-EU producers. Moreover, for the industry sector that supports materials from Non-EU parts, they meet the criteria of the profession - quality, economic level, and capacity."

- 4. The impact of safeguard measures on the price of the products covered by the measures. Respondents respond that the impact of safeguards had a significant impact on the price of the product. They also state that the pandemic caused by the Coronavirus certainly had an additional impact on the price. They state that protective measures play a significant role in financial factors and create a deficit of available materials, which causes higher demand and thus a higher price.
- 5. Effect of protective measures? Respondents believe that the safeguards have introduced some security for EU producers, but they have introduced great uncertainty for steel product traders and, ultimately, higher prices for end products. Respondents also state that they consider protective measures as a kind of punishment and a ban on free trade because the protection of the EU market should be addressed through various subsidies and production incentives and not by restricting imports. Among other things, they state that every import is very uncertain because until the goods reach the customs area, the quota can be exhausted, and even if it is not exhausted only after two days, the distribution results are known. They state that a protective duty of 25% cannot be calculated in the margin and that any import that is subject to the entire collection of a protective duty is a loss for the importer.

By conducting a qualitative part of the research, we can conclude that protective measures have introduced unrest and insecurity in the Croatian economy. We can conclude that the measures had a significant impact on the product's final price and that part of the procurement of goods was redirected to the EU market, which is the main reason for the introduction of safeguard measures. The management of FCFS quotas provides a transparent and fair way to manage safeguards but is equally uncertain. When releasing goods for free circulation, importers do not know in what percentage the FCFS quota will be approved and cannot have accurate calculations. The use of FCFS quotas is unpredictable and depends on market needs. In conclusion, we can say that the protective measures have had a significant impact on importers in the Republic of Croatia regarding redirection to the EC market, but the consequence is a significant increase in price and uncertainty in everyday business. Also, we can conclude that Croatian importers consider protective measures a kind of punishment and do not consider them justified, but consider that market protection should be implemented through different measures.

#### Conclusion

Safeguard measures are one of the EU's trade measures. The purpose of safeguard measures and other trade measures is to protect the EU market and producers from excessive imports of a particular product. Based on the established evidence, the Commission decided on introducing protective measures and the import of certain steel products into the EU. This paper investigated the effect and impact of protective measures on the Croatian market, which is the primary purpose of this paper.

After the analysis and the conclusions reached, the answers to the research questions were obtained. The analyzes were conducted separately due to different research techniques, but they complement each other and give the final result of the analysis.

After the quantitative part of the research, it can be concluded that the protective measures did not significantly affect importers in the Republic of Croatia. The volume of imports increased significantly after the introduction of safeguard measures, while the purpose of the safeguard measures is to direct trade towards EU producers. Also, in most product categories, import prices increased. According to respondents, it is assumed that they increased due to higher demand, given that producer prices in the EU increased by 25%. This ultimately did not contribute to a significant shift in trade towards the EU. Respondents state that they do not consider safeguards an excellent way to protect the EU market but consider them a kind of free trade ban. They also believe that much better market protection efficiency would be through various subsidies and incentives from the EU industry.

Finally, it can be stated that protective measures did not positively affect the Croatian economy. Quantitatively, imports are limited on more favorable terms, which allows the market to survive while EU producer prices have increased. With these measures, importers in the Republic of Croatia cease to be competitors on the market, ultimately leading to a reduction in profits, dismissal of workers, or closure of economic entities. The Croatian economy does not have its production but is exclusively engaged in the trade of steel products and largely depends on the import of goods from third countries or goods from member countries. It is assumed that each member state primarily protects and supplies its economy, and only then

other EU economies. The Republic of Croatia has been placed in a very ungrateful position in the steel industry with all the above facts.

Following the introduction of safeguard measures, imports increased significantly, which was not the purpose of the measures. The only change that has taken place is that average import prices have increased, but the question is whether the reason for this is the adjustment of exporters to producer prices or the deficit of products on the market, which is caused by the Coronavirus pandemic.

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