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Answer given by Mr Šefčovič
on behalf of the European Commission
(12.2.2026)

The safeguard measures on certain ferro-alloying elements were adopted¹ under the EU's general safeguard framework (Regulation (EU) 2015/478² and Regulation (EU) 2015/755³) and implemented in full conformity with World Trade Organisation (WTO) safeguard rules: safeguard measures are global in scope and apply to imports from all third countries, regardless of preferential arrangements. Beneficiary countries under the Everything But Arms (EBA) arrangement⁴ are therefore not subject to a special treatment nor automatically excluded from the measures because of their EBA status.

However, in compliance with the WTO safeguards agreement⁵, developing countries are exempted from a safeguard measure if their individual import share does not exceed 3%, provided that developing country members of the WTO with less than a 3% import share collectively account for no more than 9% of total EU imports.

This balanced approach aims to protect EU's industry while supporting the development and economic integration of least-developed countries, in line with WTO law.

While Regulation (EU) 978/2012⁶ governs Generalised Scheme of Preferences and EBA preferences, it does not prevent the EU from adopting safeguard measures of general application where the relevant legal conditions are fulfilled. Regulation (EU) 978/2012 also provides for special safeguards rules, which do not constitute a trade defence instrument or a safeguard measure within the meaning of Regulations (EU) 2015/478 and (EU) 2015/755, nor a safeguard measure within the meaning of the WTO Agreement on Safeguards⁷, pursuant to Article XIX of the General Agreement on Tariffs and Trade 1994.

¹ http://data.europa.eu/eli/reg_impl/2025/2351/oj.

² <http://data.europa.eu/eli/reg/2015/478/oj>.

³ <http://data.europa.eu/eli/reg/2015/755/oj>.

⁴ <https://gsphub.eu/about-gsp/eba>.

⁵ As transposed by Article 18 of Regulation (EU) 2015/478 (please see footnote 2).

⁶ <http://data.europa.eu/eli/reg/2012/978/oj>.

⁷ https://www.wto.org/english/res_e/publications_e/ai17_e/safeguards_e.htm.