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Page: 1/1

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

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**IMMEDIATE NOTIFICATION TO THE COUNCIL FOR TRADE IN GOODS OF THE RESULTS OF
THE CONSULTATIONS UNDER ARTICLE 12.3**

JOINT COMMUNICATION OF THE EUROPEAN UNION AND THE UNITED STATES

*Crystalline Silicon Photovoltaic Cells
(Whether or Not Partially or Fully Assembled into Other Products)*

The following communication, dated 19 March 2018, is being circulated at the request of the Delegations of the European Union and the United States.

Pursuant to Article 12.5 of the WTO Agreement on Safeguards (Safeguards Agreement), the European Union and the United States are notifying the results of the consultations conducted under Article 12.3 of the Safeguards Agreement. Documents G/SG/N/8/USA/9 (dated 4 October 2017), G/SG/N/8/USA/9/Suppl.3 (dated 8 January 2018), and G/SG/N/8/USA/9/Suppl.4-G/SG/N/10/USA/7-G/SG/N/11/USA/6 (dated 26 January 2018) contain notifications from the United States concerning measures taken under the Safeguards Agreement concerning crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products (solar products).

On 15 February 2018, the European Union and the United States conducted consultations with a view to discuss the information provided in the above-mentioned documents related to the safeguard measure on solar products, exchange views on the safeguard measure, and reach an understanding on ways to achieve the objective set out in paragraph 1 of Article 8 of the Safeguards Agreement. The European Union and the United States discussed the relevant information and exchanged views on the measure. In particular, the European Union asserted that EU imports were not causing any serious injury due to their volume and higher prices. Thus, it suggested a form of measure that would be less penalizing for European Union imports such as a quota allocated by country or a minimum import price. The United States did not agree with this.

In addition, there was no agreement on the form of compensation. Nevertheless, the United States and European Union have agreed to monitor the impact of the measures on trade flows and continue these discussions. They have also agreed that their reciprocal rights and obligations under the Safeguards Agreement and the General Agreement on Tariffs and Trade 1994 will be maintained.
