

REPORT (2006) OF THE COMMITTEE ON SAFEGUARDS TO THE COUNCIL FOR TRADE IN GOODS

I. GENERAL

1. The Committee on Safeguards was established in 1995 to perform the functions set out in Article 13 of the Agreement on Safeguards. This report is submitted in accordance with Article 13.1(a) of the Agreement, which requires the Committee to report annually to the Council for Trade in Goods on the general implementation of the Agreement. The report covers the period since the Committee's last annual report (G/L/761), i.e., 4 November 2005–23 October 2006.

2. During the period under review, the Committee held two regular meetings, on 24 April 2006 (G/SG/M/29) and 23 October 2006 (G/SG/M/30).

3. Observer governments in the General Council of the WTO have observer status in the Committee. Pursuant to their Agreements with the WTO, the IMF and the World Bank have observer status in the Committee as well. UNCTAD has observer status in the Committee through a Committee decision.

4. Both the OECD and the ACP Group have requested regular observer status in the Committee. At its regular meetings in 1998, the Committee decided to invite the OECD to attend Committee meetings on an *ad hoc* basis, subject to objection by a Member in particular cases. At the same time, the Committee also decided to invite the ACP Group to attend its meetings on an *ad hoc* basis, pending the outcome of horizontal consultations with respect to the ACP Group's request for observership in various WTO bodies. The Committee continued this practice during the reporting period.

5. At its regular meeting in April 2006, the Committee elected Mr. Seung-ho Kim as Chairperson, and Ms. Jo McKeag as Vice Chairperson.

II. NOTIFICATION AND EXAMINATION OF SAFEGUARDS LAWS AND/OR REGULATIONS OF MEMBERS

6. During the period under review, the Committee continued its review of notifications under Article 12.6 of the Agreement concerning national legislation and/or regulations in the area of safeguards. For Members with such legislation and/or regulations, these notifications consist of the full and integrated text thereof. For Members without such legislation and/or regulations, these notifications inform the Committee of this fact.

7. As of 23 October 2006, 93 Members had notified the Committee of their domestic safeguards legislation and/or regulations or made communications in this regard to the Committee (G/SG/N/1/... series; see Annex 1). 31 Members had not as of that date made such a notification. The extent of the non-compliance with this notification obligation, and the implications of this situation, were raised by the Chairman at the regular meetings of the Committee held during the review period (G/SG/M/29 and G/SG/M/30).

8. During the period under review, the Committee reviewed the notified (new or amended) legislative texts of the following Members: Australia, China, Ecuador and Mexico.

9. The substance of the review of legislative notifications is reflected in the written questions put to Members and the written answers to those questions. References to the questions and answers pertaining to each notification can be found in the minutes of the meetings at which the notifications were reviewed (G/SG/M/29 and G/SG/M/30).

III. NOTIFICATIONS OF ACTIONS RELATED TO SAFEGUARD MEASURES

10. During the period under review, the Committee received and reviewed a variety of notifications of actions related to safeguard measures. The notifications of initiations, the application of safeguard measures, and the termination of investigations without measures received by the Committee from 4 November 2005 – 23 October 2006 are summarized in Annex 2. A record of investigations underway, and measures applicable, as of 23 October 2006 is set forth in Annex 3.

11. During the period under review, the Committee reviewed 14 notifications¹ under Article 12.1(a) regarding the initiation of new investigations. These were from Argentina on compact discs; from Canada on Unmanufactured Bright Virginia Flue-Cured Tobacco; from Chile on dairy products; from Indonesia on cast glass and rolled glass; from Jordan on footwear; from Panama on printed film in rolls; from Philippines on sodium tripolyphosphates; two notifications from Tunisia on bottles and on taps; and five notifications from Turkey on footwear, on salt, on vacuum cleaners, on steam smoothing irons and on motorcycles.

12. During the period under review, the Committee reviewed 2 notifications concerning the application of new provisional measures under Article 12.4. These were from Philippines on sodium tripolyphosphates ; and from Turkey on motorcycles.

13. During the period under review, the Committee reviewed 5 notifications concerning new findings of serious injury or threat thereof caused by increased imports. These were: one notification from Philippines on sodium tripolyphosphates and 4 notifications from Turkey on vacuum cleaners, steam smoothing irons, salt and footwear.

14. During the period under review the Committee reviewed 5 notifications of terminations of safeguard investigations without measures. These notifications were: two notifications from Canada on bicycles and on tobacco products; one notification from the European Communities on strawberries; and two notifications from Indonesia on cast and rolled glass and on lighters.

15. Furthermore, the Committee reviewed 4 notifications² concerning decisions to apply new safeguard measures. These four notifications were from Turkey on vacuum cleaners, on steam smoothing irons, on salt, and on footwear.

16. During the period under review, the Committee received 6 notifications concerning new decisions not to apply a safeguard measure to developing country Members.³ These were from

¹ In addition, there were one notification from Brazil (on coconut) and three notifications from Philippines (on float glass, figured glass and glass mirrors) on initiation of review of extension of an existing measure.

² In addition, there was a notification from Brazil on an imposition of a measure after the initiation of a review of an existing measure, and one notification from Chile on an extension of an existing measure.

³ In addition, the Philippines notified a revision of the list of exempted developing countries.

Philippines on sodium tripolyphosphates⁴ and five notifications from Turkey on motorcycles⁵, on vacuum cleaners, on steam smoothing irons, on salt, and on footwear.

17. Members' oral comments concerning these notifications can be found in the minutes of the meetings at which they were reviewed (G/SG/M/29 and G/SG/M/30). Members' written questions and answers concerning these notifications can be found in the G/SG/Q2/... series.

IV. TRANSITIONAL REVIEW UNDER PARAGRAPH 18 OF THE PROTOCOL OF ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA TO THE WORLD TRADE ORGANIZATION

18. In accordance with paragraph 18 of the Protocol of Accession of the People's Republic of China to the WTO (WT/L/432), the Committee reviewed China's implementation of the Safeguards Agreement (see G/SG/M/30). The Committee agreed that the Chairman would report to the Council for Trade in Goods on this issue.

V. ISSUES CONCERNING THE APPLICATION OF ARTICLE 9.1

19. At its regular meetings on 24 April 2006, the Committee discussed a number of issues regarding the application of Article 9.1 of the Agreement. At the meeting, Members had a brief discussion based on the information compiled, at the request of Members, by the Secretariat. At the meeting of 23 October 2006, under "other business", Malaysia made a statement concerning this issue.⁶

VI. OTHER ISSUES RAISED

20. At the Committee's regular meetings of 24 April and 23 October 2006, there was no item taken up under "other business", except the item described above in paragraph 19.

⁴ This notification concerns a provisional measure.

⁵ This notification concerns a provisional measure.

⁶ Written version of this statement was made available as a room document, and was subsequently circulated to Members as JOB(06)/249 on 31 October 2006.

ANNEX 1

SAFEGUARDS LEGISLATIVE NOTIFICATIONS⁷

MEMBER	NOTIFICATION PROVIDED
Albania	G/SG/N/1/ALB/1 (*)
Angola	None
Antigua and Barbuda	None
Argentina	G/SG/N/1/ARG/3 + Suppl.1 (*)
Armenia	G/SG/N/1/ARM/1
Australia	G/SG/N/1/AUS/2
Bahrain	G/SG/N/1/BHR/1 (*)
Bangladesh	G/SG/N/1/BGD/1
Barbados	G/SG/N/1/BRB/1 (*)
Belize	None
Benin	G/SG/N/1/BEN/1 + Corr.1 (Corr.1-French only) (*)
Bolivia	G/SG/N/1/BOL/1 + Suppl.1 (*)
Botswana	G/SG/N/1/BWA/1 (*)
Brazil	G/SG/N/1/BRA/3 + Suppl.1
Brunei Darussalam	G/SG/N/1/BRN/1 (*)
Bulgaria	G/SG/N/1/BGR/1
Burkina Faso	None
Burundi	G/SG/N/1/BUR/1 (*)
Cambodia	None
Cameroon	None
Canada	G/SG/N/1/CAN/3
Central African Republic	None
Chad	G/SG/N/1/TCO/1 (*)
Chile	G/SG/N/1/CHL/2
China	G/SG/N/1/CHN/2 + Suppl.1-4
Colombia	G/SG/N/1/COL/2
Congo	None
Congo, Dem. Rep.	None
Costa Rica	G/SG/N/1/CRI/3
Côte d'Ivoire	G/SG/N/1/CIV/1 (*)
Croatia	G/SG/N/1/HRV/2 + Add. 1
Cuba	G/SG/N/1/CUB/1
Djibouti	None
Dominica	G/SG/N/1/DMA/1 (*)
Dominican Republic	G/SG/N/1/DOM/2 + Corr.1 (Corr.1-Spanish only)
Ecuador	G/SG/N/1/ECU/3 + G/SG/N/1/ECU/4 and Rev.1
Egypt	G/SG/N/1/EGY/2
El Salvador	G/SG/N/1/SLV/2
European Communities	G/SG/N/1/EEC/1 + Suppl.1&2
Fiji	G/SG/N/1/FJI/1 (*)
Former Yugoslav Republic of Macedonia	G/SG/N/1/MKD/1+Corr.1+Suppl.1
Gabon	None

⁷ The 25 member states of the European Communities are not indicated individually in this table, and are counted as 1 under the entry "European Communities" for the purpose of this table.

MEMBER	NOTIFICATION PROVIDED
Gambia, The	None
Georgia	G/SG/N/1/GEO/1 (*)
Ghana	G/SG/N/1/GHA/1 (*)
Grenada	None
Guatemala	G/SG/N/1/GTM/2
Guinea Bissau	None
Guinea, Rep. of	G/SG/N/1/GIN/1 (*)
Guyana	None
Haiti	G/SG/N/1/HTI/1 (*)
Honduras	G/SG/N/1/HND/2
Hong Kong, China	G/SG/N/1/HKG/1 (*)
Iceland	G/SG/N/1/ISL/1 (*)
India	G/SG/N/1/IND/2 + Suppl.1
Indonesia	G/SG/N/1/IDN/2
Israel	G/SG/N/1/ISR/1 + Corr. 1
Jamaica	G/SG/N/1/JAM/2 + Corr. 1
Japan	G/SG/N/1/JPN/2 + Corr.1 & Suppl.1 G/SG/N/1/JPN/3
Jordan	G/SG/N/1/JOR/2 + Corr. 1&2
Kenya	G/SG/N/1/KEN/1 (*)
Korea	G/SG/N/1/KOR/5
Kuwait	None
Kyrgyz Rep.	G/SG/N/1/KGZ/1
Lesotho	G/SG/N/1/LSO/1 (*)
Liechtenstein	G/SG/N/1/LIE/1 (*)
Macao, China	G/SG/N/1/MAC/2
Madagascar	G/SG/N/1/MDG/1 (*)
Malawi	G/SG/N/1/MWI/1 (*)
Malaysia	G/SG/N/1/MYS/1 (*)
Maldives	G/SG/N/1/MDV/1 (*)
Mali	None
Mauritania	None
Mauritius	G/SG/N/1/MUS/1 (*)
Mexico	G/SG/N/1/MEX/1 + Suppl.1 ⁸ & 2
Moldova	G/SG/N/1/MDA/1
Mongolia	G/SG/N/1/MNG/1 (*)
Morocco	G/SG/N/1/MAR/1 (*)
Mozambique	None
Myanmar	G/SG/N/1/MYM/1 (*)
Namibia	G/SG/N/1/NAM/2 (*)
Nepal	None
New Zealand	G/SG/N/1/NZL/1
Nicaragua	G/SG/N/1/NIC/1
Niger	None
Nigeria	G/SG/N/1/NGA/1 (*)
Norway	G/SG/N/1/NOR/3
Oman	G/SG/N/1/OMN/1 (*)
Pakistan	G/SG/N/1/PAK/3

⁸ And its corrigendum.

MEMBER	NOTIFICATION PROVIDED
Panama	G/SG/N/1/PAN/1
Papua New Guinea	None
Paraguay	G/SG/N/1/PRY/2
Peru	G/SG/N/1/PER/2 + Suppl. 1 & 2
Philippines	G/SG/N/1/PHL/2
Qatar	G/SG/N/1/QAT/1 (*)
Romania	G/SG/N/1/ROM/1
Rwanda	None
Saint Kitts & Nevis	None
Saint Lucia	G/SG/N/1/LCA/1 (*)
Saint Vincent & Grenadines	None
Saudi Arabia	None
Senegal	G/SG/N/1/SEN/1 (*)
Sierra Leone	None
Singapore	G/SG/N/1/SGP/1 (*)
Solomon Islands	None
South Africa	G/SG/N/1/ZAF/1+ZAF/2
Sri Lanka	G/SG/N/1/LKA/1 (*)
Suriname	G/SG/N/1/SUR/1 (*)
Swaziland	None
Switzerland	G/SG/N/1/CHE/1 (*)
Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu	G/SG/N/1/TPKM/2 + Suppl.1
Tanzania	None
Thailand	G/SG/N/1/THA/2
Togo	None
Trinidad and Tobago	G/SG/N/1/TTO/1 (*)
Tunisia	G/SG/N/1/TUN/2
Turkey	G/SG/N/1/TUR/3
Uganda	G/SG/N/1/UGA/1 (*)
United Arab Emirates	G/SG/N/1/ARE/1 (*)
United States	G/SG/N/1/USA/1
Uruguay	G/SG/N/1/URY/1 + Suppl.1 & Corr.1 (Corr.1-Spanish only)
Venezuela	G/SG/N/1/VEN/2
Zambia	G/SG/N/1/ZMB/1 (*)
Zimbabwe	G/SG/N/1/ZWE/2 (*)

- Notification accompanied with the mark (*) is a "nil" notification.
- "None" means that no notification has been submitted.

ANNEX 2

SUMMARY OF VARIOUS NOTIFICATIONS BETWEEN 4 NOVEMBER 2005 - 23 OCTOBER 2006⁹

Reporting Member	Safeguard investigations initiated	Provisional safeguard measures	Definitive safeguard measures (including recommendations of imposition)	Safeguard investigations terminated without measures	Expired or terminated measures ¹⁰
Argentina (compact discs)	06/06/2006 (G/SG/N/6/ARG/6) ¹¹				
Brazil (coconuts)	17/02/2006 (G/SG/N/6/BRA/2/Suppl.1) ¹²		01/09/2006 (G/SG/N/10/BRA/3/Suppl.4)		
Bulgaria (crown corks)			12/01/2006 (G/SG/N/10/BGR/1/Suppl.1) ¹³		
Canada (bicycles)				06/06/2006 (G/SG/N/9/CAN/3)	
Canada (tobacco products)	29/12/2005 (G/SG/N/6/CAN/3)			16/02/2006 (G/SG/N/9/CAN/2+Corr.1)	
Chile (dairy products)	08/09/2006 (G/SG/N/6/CHL/11)	13/10/2006 (G/SG/N/7/CHL/8) ¹⁴			
Chile (wheat flour)			05/12/2005 (G/SG/N/10/CHL/6/Suppl.3) ¹⁵		
European Communities (mandarins)			04/11/2005 (G/SG/N/13/EEC/1) ¹⁶		
European Communities (strawberries)				04/04/2006 (G/SG/N/9/EEC/1)	
Indonesia (glass, cast & rolled)	02/01/2006 (G/SG/N/6/IDN/3)			07/09/2006 (G/SG/N/9/IDN/2)	

⁹ Dates indicated in this table are dates of the actual initiation, taking of the measure etc.

¹⁰ This column only indicates information on expiration or termination which the relevant Member notified as such in writing.

¹¹ And a corrigendum (in Spanish only).

¹² This is a notification of the initiation of a review of an existing measure.

¹³ This is a notification on modification of tariff classification.

¹⁴ This notification was received after the issuance of the airgram for the meeting of 23 October 2006.

¹⁵ This is a notification on the extension of an existing measure.

¹⁶ This is a notification on the result of a mid-term review.

Reporting Member	Safeguard investigations initiated	Provisional safeguard measures	Definitive safeguard measures (including recommendations of imposition)	Safeguard investigations terminated without measures	Expired or terminated measures ¹⁰
Indonesia (lighters)				19/01/2006 (G/SG/N/9/IDN/1)	
Indonesia (ceramic tableware)			04/01/2006 (G/SG/N/10/IDN/1/Suppl.1)		
Jordan (Footwear)	01/08/2006 (G/SG/N/6/JOR/11)				
Morocco (ceramic tiles)			26/01/2006 (G/SG/N/10/MAR/2/Suppl.1)		
Panama (printed film in rolls)	11/09/2006 (G/SG/N/6/PAN/1)				
Philippines (sodium tripolyphosphates)	08/03/2006 (G/SG/N/6/PHL/6)	06/07/2006 (G/SG/N/7/PHL/6) ¹⁷			
Philippines (float glass)	21/06/06 (G/SG/N/6/PHL/3/Suppl.1) ¹⁸		30/08/2006 (G/SG/N/10/PHL/3/Suppl.1) ¹⁹		
Philippines (figured glass)	21/06/06 (G/SG/N/6/PHL/4/Suppl.1) ²⁰				
Philippines (glass mirrors)	21/06/06 (G/SG/N/6/PHL/5/Suppl.1) ²¹				
Tunisia (bottles & other containers of glass)	16/06/2006 (G/SG/N/6/TUN/1)				
Tunisia (taps, cocks & valves, locks, etc)	16/06/2006 (G/SG/N/6/TUN/2)				
Turkey (footwear)	05/01/2006 (G/SG/N/6/TUR/6)		10/08/2006 (G/SG/N/10/TUR/6)		
Turkey (salt)	05/01/2006 (G/SG/N/6/TUR/7)		10/08/2006 (G/SG/N/10/TUR/5)		

¹⁷ The addendum to this document pertains only to rectifying its document number.

¹⁸ This is a notification of the initiation of a review of an existing measure.

¹⁹ This is a notification of the revision of the list of developing countries exempt from the existing measure.

²⁰ This is a notification of the initiation of a review of an existing measure.

²¹ This is a notification of the initiation of a review of an existing measure.

Reporting Member	Safeguard investigations initiated	Provisional safeguard measures	Definitive safeguard measures (including recommendations of imposition)	Safeguard investigations terminated without measures	Expired or terminated measures ¹⁰
Turkey (vacuum cleaners)	05/01/2006 (G/SG/N/6/TUR/8)		10/08/2006 (G/SG/N/10/TUR/3)		
Turkey (steam smoothing irons)	05/01/2006 (G/SG/N/6/TUR/9)		10/08/2006 (G/SG/N/10/TUR/4)		
Turkey (motorcycles)	15/08/2006 (G/SG/N/6/TUR/10)	15/08/2006 (G/SG/N/7/TUR/1)			

ANNEX 3

SUMMARY OF ACTIVE SAFEGUARD INVESTIGATIONS AND / OR EXISTING SAFEGUARD MEASURES AS OF 23 OCTOBER 2006²²

Member & Investigation	Initiation date	Effective date of provisional measure, if any ²³	Effective date and type of definitive measure, if any
Argentina			
Compact discs	06.06.2006 (G/SG/N/6/ARG/6)		
Brazil			
Coconuts	10.08.01 (G/SG/N/6/BRA/2)		09.02 Quantitative restriction (G/SG/N/10/BRA/3 & Suppls.1-4)
Bulgaria			
Crown Corks	25.10.01 (G/SG/N/6/BGR/2)		19.11.02 Specific duty (G/SG/N/10/BGR/1)
Chile			
Wheat flour	10.12.04 (G/SG/N/6/CHL/10 & Suppl.1)		04.03.05 Tariff increase (G/SG/N/10/CHL/6 + Suppls.1-3)
Dairy products	08/09/2006 (G/SG/N/6/CHL/11)	13/10/2006 (G/SG/N/7/CHL/8) ²⁴	
European Communities			
Mandarins	11.07.03 (G/SG/N/6/EEC/2)		11.04.04 Tariff rate quotas (G/SG/N/10/EEC/2)
India			
Methylene chloride	17.07.2000 (G/SG/N/6/IND/11 & Corr.1)		N/A
Vegetable oil	27.05.02 (G/SG/N/6/IND/13)		N/A
Bisphenol A	06.03.03 (G/SG/N/6/IND/15)		N/A

²² Measures the duration of which (as stipulated in the notification) have passed are deleted from this table.

²³ Only those provisional measures that are in force as of 23 October 2006 are included in this table.

²⁴ This notification was received after the issuance of the airgram for the meeting of 23 October 2006.

Member & Investigation	Initiation date	Effective date of provisional measure, if any ²³	Effective date and type of definitive measure, if any
Starch, modified starches and manioc based sago	07.07.04 (G/SG/N/6/IND/16)		N/A
Indonesia			
Ceramic tableware	19.10.04 (G/SG/N/6/IDN/1)		10.05.05 Specific duty (G/SG/N/10/IDN/1)
Jordan			
Insecticides	16.01.05 (G/SG/N/6/JOR/10)		16.10.05 Tariff increase (G/SG/N/10/JOR/5 + Suppl.1)
Footwear	01/08/2006 (G/SG/N/6/JOR/11)		
Moldova			
Sugar	21.05.03 (G/SG/N/6/MDA/1)		01.01.04 Tariff increase (G/SG/N/10/MDA/1)
Morocco			
Ceramic tiles	24.01.05 (G/SG/N/6/MAR/3)		Specific duty (G/SG/N/10/MAR/2/ Suppl.1)
Panama			
Printed film in rolls	11/09/2006 (G/SG/N/6/PAN/1)		
Philippines			
Ceramic floor tiles	28.05.01 (G/SG/N/6/PHL/2)		11.04.02 Tariff surcharge (G/SG/N/10/PHL/1)
Glass mirrors	16.04.03 (G/SG/N/6/PHL/3)		13.10.03 Tariff surcharge (G/SG/N/10/PHL/5)
Figured glass	16.04.03 (G/SG/N/6/PHL/4)		13.10.03 Tariff surcharge (G/SG/N/10/PHL/4)

Member & Investigation	Initiation date	Effective date of provisional measure, if any ²³	Effective date and type of definitive measure, if any
Float glass	21.05.03 (G/SG/N/6/PHL/5)		13.10.03 Tariff surcharge (G/SG/N/10/PHL/3)
Sodium tripolyphosphates	08/03/2006 (G/SG/N/6/PHL/6)	06/07/2006 (G/SG/N/7/PHL/6)	
Float glass	21/06/06 (G/SG/N/6/PHL/3/Suppl.1) ²⁵		
Figured glass	21/06/06 (G/SG/N/6/PHL/4/Suppl.1) ²⁶		
Glass mirrors	21/06/06 (G/SG/N/6/PHL/5/Suppl.1) ²⁷		
Tunisia			
Bottles & other containers of glass	16/06/2006 (G/SG/N/6/TUN/1)		
Taps, cocks & valves etc	16/06/2006 (G/SG/N/6/TUN/2)		
Turkey			
Active earth and clays	17.07.04 (G/SG/N/6/TUR/2)		08.07.05 Quantitative restriction (G/SG/N/TUR/1 & Corr.1)
Certain voltmeters and ammeters	17.07.04 (G/SG/N/6/TUR/5)		12.08.05 Quantitative restriction (G/SG/N/10/TUR/2)
Footwear	05.01.2006 (G/SG/N/6/TUR/6)		10.08.2006 fixed duty (G/SG/N/10/TUR/6)
Salt	05.01.2006 (G/SG/N/6/TUR/7)		10.08.2006 variable duty (G/SG/N/10/TUR/5)
Vacuum cleaners	05.01.2006 (G/SG/N/6/TUR/8)		10.08.2006 variable duty (G/SG/N/10/TUR/3)
Steam smoothing irons	05.01.2006 (G/SG/N/6/TUR/9)		10.08.2006 specific duty (G/SG/N/10/TUR/4)
Motorcycles	15/08/2006 (G/SG/N/6/TUR/10)	15/08/2006 (G/SG/N/7/TUR/1)	

²⁵ This is a notification of the initiation of a review of an existing measure.

²⁶ This is a notification of the initiation of a review of an existing measure.

²⁷ This is a notification of the initiation of a review of an existing measure.

Venezuela			
Tyres	08.03.00 (G/SG/N/6/VEN/3)		N/A
Paper	16.10.01 (G/SG/N/6/VEN/4)		N/A
Footwear	23.09.02 (G/SG/N/6/VEN/6)		N/A
