



6 April 2018

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

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**IMMEDIATE NOTIFICATION UNDER ARTICLE 12.5 OF THE AGREEMENT
ON SAFEGUARDS TO THE COUNCIL FOR TRADE IN GOODS OF
PROPOSED SUSPENSION OF CONCESSIONS AND OTHER
OBLIGATIONS REFERRED TO IN PARAGRAPH 2 OF
ARTICLE 8 OF THE AGREEMENT ON SAFEGUARDS**

REPUBLIC OF KOREA

The following communication, dated 5 April 2018, has been received from the Permanent Mission of the Republic of Korea.

Pursuant to Article 12.5 of the Agreement on Safeguards, and in accordance with the agreed format for notifications, as contained in G/SG/1 dated 1 July 1996, the Republic of Korea provides the immediate notification to the Council for Trade in Goods of proposed suspension of concessions and other obligations referred to in paragraph 2 of Article 8 of the Agreement on Safeguards.

1. Which Member is proposing suspension of concessions and other obligations referred to in Article 8.2?

The Republic of Korea.

2. Specify the measure, the product subject to the measure, the WTO document that notified the safeguard measure, and the Member imposing the measure in relation to which the Member is proposing suspension of concessions and other obligations referred to in Article 8.2

The measure imposed by the United States consists of an increase in duty and imposition of a tariff rate quota on imports of certain crystalline silicon photovoltaic cells (whether or not partially or fully assembled into other products) for a period of four years and one day starting 7 February 2018.

It was notified in WTO document G/SG/N/6/USA/11; G/SG/N/6/USA/11/Suppl.1; G/SG/N/8/USA/9; G/SG/N/8/USA/9/Suppl.1; G/SG/N/8/USA/9/Suppl.2; G/SG/N/8/USA/9/Suppl.3; and G/SG/N/8/USA/9/Suppl.4-G/SG/N/10/USA/7-G/SG/N/11/USA/6.

3. Describe the proposed suspension of concessions and other obligations referred to in Article 8.2, and the proposed date from which it will come into effect

The Republic of Korea notifies the Council for Trade in Goods that it has decided to suspend substantially equivalent concessions and other obligations under the General Agreement on Tariffs and Trade 1994 to the trade of the United States. The US measure affects \$1,099.906 million of annual imports from Korea as of year 2017, to which the application of the duties imposed by the United States, results in \$329.972 million of duty to be collected. The details of the calculation of the effects of the US measure are provided in the table below. The further details of the suspension of concessions and other obligations will be provided to the Council for Trade in Goods before their application. The application of the suspension of concessions and other obligations will come into effect on 7 February 2021 or following the date of a decision from the WTO Dispute Settlement Body that the safeguard measure imposed by the United States is incompatible with

the WTO Agreements, whichever is earlier. The suspension of concessions and other obligations will continue to apply until the United States' safeguard measure is lifted.

Table

	Korea's exports (USD)	US Increase in duty	Duty to be collected (USD)
CSPV Modules	1,094,947,849	30%	328,484,355
CSPV Cells	4,958,291	0%(within quota)	0
		30%(out of quota)	1,487,487
Total	1,099,906,140	In case all Korean CSPV Cells are within the quota	328,484,355
		In case all Korean CSPV Cells are out of the quota	329,971,842

* Data: USITC

* Note: The applied product codes, HTSUS, are as follows:

- CSPV modules: 8541.40.6020, 8501.31.80, 8501.61.00, 8507.20.80
- CSPV cells: 8541.40.6030