



12 December 2014

(14-7258)

Page: 1/2

Council for Trade in Goods  
Committee on Safeguards

Original: English

**IMPOSITION BY THAILAND OF A PROVISIONAL SAFEGUARD MEASURE ON  
IMPORTS OF NON ALLOY HOT ROLLED STEEL FLAT PRODUCTS  
IN COILS AND NOT IN COILS**

**NOTIFICATION UNDER ARTICLE 12.5 OF THE RESULTS OF CONSULTATIONS BETWEEN  
THAILAND AND TURKEY UNDER ARTICLE 12.4 OF THE AGREEMENT ON SAFEGUARDS**

The following communication, dated 12 December 2014, is being circulated at the request of the Delegation of Thailand and Turkey.

We enclose a notification pursuant to Article 12.5 of the Agreement on Safeguards, of the results of consultations under Article 12.4 of that Agreement which took place between Thailand and Turkey in relation to the imposition of a provisional safeguard measure by Thailand on imports of non alloy hot rolled steel flat products in coils and not in coils. The measure was notified to the WTO Committee on Safeguards on 27 May 2014.

Pursuant to Article 12.5 of the Agreement on Safeguards, and in light of the agreed format for notifications (G/SG/1/Rev.1, 5 November 2009), Thailand and Turkey provide the following notification to the Council for Trade in Goods.

**1. Specify the provision under which consultations were held**

Article 12.4 of the Agreement on Safeguards.

**2. Provide reference to the WTO document that notified the safeguard action regarding which consultations were held**

WTO document G/SG/N/7/THA/3–G/SG/N/11/THA/3, dated 28 May 2014 and G/SG/N/7/THA/3/Suppl.1–G/SG/N/11/THA/3/Suppl.1, dated 25 September 2014.

**3. Specify the Members involved in the consultations and provide the time period during which consultations were held**

The Members involved in the consultations were Thailand and Turkey. The consultations took place on 9 October 2014.

**4. Describe the results of the consultations**

The main purpose of the consultations was for Thailand to explain the background and reasoning behind the imposition of a provisional safeguard measure. Turkey emphasized on the importance of the exports of product concerned to Thailand and made several comments relating to the provisional safeguard measure such as the need of publication of the detailed report in accordance with Article 6 of the Agreement on Safeguards, the difference between the injury period stated in the Notification on provisional measure (2010-2013) and the injury period stated in the Complaint (2008-2013), the lack of unforeseen developments with a reference to Article XIX:1(a) of GATT 1994, serious injury of the domestic industry by referring to Article 4.1(a) of the AoS, the causal link between the increase in imports and serious injury with a reference to Article 4.2(b), the impropriety of using safeguards in order to deal with allegations of evasion or circumvention of

duties of other investigation, the exclusion from any possible safeguard measures within the context of Article 9.1 of AoS, equivalent level of concessions/trade compensation under Article 8.1 of AoS, and the possibility of suspending the concessions within the context of Article 8.2.

Thailand noted Turkey's position and stated that it was pleased to explain the provisional safeguard measure, and to hear the views of Turkey thereon.

---