

WORLD TRADE ORGANIZATION

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REPORT (2007) 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/795), i.e., 24 October 2006 – 24 October 2007.
2. During the period under review, the Committee held two regular meetings, on 23 April 2007 (G/SG/M/31) and 24 October 2007 (G/SG/M/32).
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 2007, the Committee elected Miss Jo McKeagg as Chairperson, and Mr. Faisal Abdel Rashid 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 24 October 2007, 91 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). 33 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 meeting of the Committee held during the review period (G/SG/M/32).

8. During the period under review, the Committee reviewed the notified (new or amended) legislative texts of the following Members: Albania, European Communities, Mexico and Panama.

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/S/G/M/31 and G/S/G/M/32).

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 24 October 2006 – 24 October 2007 are summarized in Annex 2. A record of investigations underway, and measures applicable, as of 24 October 2007 is set forth in Annex 3.

11. During the period under review, the Committee reviewed 5 notifications under Article 12.1(a) regarding the initiation of new investigations. These were from Jordan on ceramic tiles; from Moldova on cane or beet sugar; from South Africa on lysine; from two notifications Turkey on frames and mountings for spectacles and on travel goods.

12. During the period under review, the Committee reviewed 3 notifications concerning the application of new provisional measures under Article 12.4. These were from Chile on powdered milk, liquid milk and Gouda cheese; from Panama on PVC films; and from South Africa on lysine.

13. During the period under review the Committee reviewed 2 notifications of termination of safeguard investigations without measures. These notifications were from the Philippines concerning sodium tripolyphosphates; and from Jordan on ceramic tiles.

14. Furthermore, the Committee reviewed 6 notifications concerning decisions to apply new safeguard measures.¹ These notifications were from Argentina on CD-Rs; from Chile on powdered milk, liquid milk and Gouda cheese; from Jordan on footwear; from Panama on PVC films; from South Africa on lysine; and from Turkey on motorcycles.

15. During the period under review, the Committee received 4 notifications concerning new decisions² not to apply a safeguard measure to developing country Members.³ These were from Argentina on CD-Rs; from Jordan on footwear; from Panama on printed film in rolls; and from South Africa on lysine.

16. At the regular meeting of 23 April 2007, some questions were posed by the United States in relation to the role of the government of Brazil in an agreement between the Brazilian and Chinese toy industry associations, which was publicized subsequent to the expiration of the safeguard measure. Brazil responded that the government of Brazil did not take part in that agreement, and clarified that the agreement was publicized by the government for the sake of transparency.

17. Members' oral comments concerning all of the notifications can be found in the minutes of the meetings at which they were reviewed (G/S/G/M/31 and G/S/G/M/32). Members' written questions and answers concerning these notifications can be found in the G/S/G/Q2/... series.

¹ In addition, there were three notifications from the Philippines (on float glass, on figured glass and on glass mirrors) concerning the extension of existing measures.

² Notifications in relation to definitive measures made subsequent to notifications in relation to provisional measures are not treated as "new" decisions here.

³ In addition, there were three notifications from the Philippines (on float glass, on figured glass and on glass mirrors) made in relation to the extension of existing measures.

**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/32). 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 meeting of 23 April 2007, the Committee discussed a number of issues regarding the application of Article 9.1 of the Agreement.

VI. OTHER ISSUES RAISED

20. At the Committee's regular meeting of 23 April 2007, several Members made statements, under "other business", on the initiation of an investigation of a specific Member.

ANNEX 1

SAFEGUARDS LEGISLATIVE NOTIFICATIONS⁴

MEMBER	NOTIFICATION PROVIDED
Albania	G/SG/N/1/ALB/1 + Suppl.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 (*)
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/TCD/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&3
Fiji	G/SG/N/1/FJI/1 (*)
Former Yugoslav Republic of Macedonia	G/SG/N/1/MKD/1+Corr.1+Suppl.1
Gabon	None
Gambia, The	None
Georgia	G/SG/N/1/GEO/1 (*)

⁴ The 27 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
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/HTL/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 ⁵ , 2 & 3
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
Panama	G/SG/N/1/PAN/1
Papua New Guinea	None

⁵ And its corrigendum.

MEMBER	NOTIFICATION PROVIDED
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 (*)
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
Tonga	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 + Supp.1 & Corr.1 (Corr.1-Spanish only)
Venezuela	G/SG/N/1/VEN/2
Vietnam	None
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 24 OCTOBER 2006 - 24 OCTOBER 2007⁶

Reporting Member	Safeguard investigations initiated	Provisional safeguard measures	Definitive safeguard measures (including recommendations of imposition)	Safeguard investigations terminated without measures	Expired or terminated measures ⁷
Argentina (compact discs)	06/06/2006 (G/SG/N/6/ARG/6)		29/05/2007 (G/SG/N/10/ARG/5) G/SG/N/10/ARG/5/ <i>Suppl.1</i>)		
Australia (swine meat)	17/10/2007 (G/SG/N/6/AUS/2) ⁸				
Chile (dairy products)	08/09/2006 (G/SG/N/6/CHL/11)	13/10/2006 (G/SG/N/7/CHL/8)	14/12/2006 G/SG/N/10/CHL/7		
Jordan (ceramic tiles, flags & paving)	31/10/2007 (G/SG/N/6/JOR/12)			25/7/2007 (G/SG/N/9/JOR/7)	
Jordan (Footwear)	01/08/2006 (G/SG/N/6/JOR/11)		19/02/2007 (G/SG/N/10/JOR/6, (G/SG/N/10/JOR/6/ <i>Corr.1</i> , (G/SG/N/10/JOR/6/ <i>Suppl.1</i>)		
Moldova (cane or beet sugar)	27/07/2007 (G/SG/N/6/MDA/3) ⁹				
Panama (printed film in rolls)	11/09/2006 (G/SG/N/6/PAN/1)	12/04/2007 (G/SG/N/7/PAN/1, G/SG/N/7/PAN/1/ <i>Suppl.1</i>)	10/10/2007 (G/SG/N/10/PAN/1/ <i>Suppl.1</i>) ¹⁰		
Philippines ¹¹ (sodium tripolyphosphates)	08/03/2006 (G/SG/N/6/PHL/6)	06/07/2006 (G/SG/N/7/PHL/6)			06/02/2007 (G/SG/N/7/PHL/6/ <i>Rev.1</i>) ¹²

⁶ Dates indicated in this table are dates of the actual initiation, taking of the measure etc. Notifications indicated in bold italics are those actually notified during this period.

⁷ This column only indicates information on expiration or termination which the relevant Member notified as such in writing.

⁸ This notification was submitted after the issuance of the airgram for the autumn 2007 meeting, and will be discussed at the spring 2008 meeting.

⁹ Moldova clarified at the meeting of 24 October 2007 that this notification refers to an investigation concerning extension of the existing safeguard measure.

¹⁰ This notification was submitted after the issuance of the airgram for the autumn 2007 meeting, and will be discussed at the spring 2008 meeting.

¹¹ Three notifications from the Philippines (on float glass, on figured glass and on glass mirrors) concerning the extension of existing measures are not included in this table.

¹² This is a notification of termination of a provisional measure for public interest reasons.

Reporting Member	Safeguard investigations initiated	Provisional safeguard measures	Definitive safeguard measures (including recommendations of imposition)	Safeguard investigations terminated without measures	Expired or terminated measures ⁷
South Africa (lysine)	11/05/2007 (G/SG/N/6/ZAF/1)	11/05/2007 (G/SG/N/7/ZAF/1)	<i>measure not yet in force</i> ¹³ (G/SG/N/10/ZAF/1)		
Turkey (frames and mountings for spectacles)	11/02/2007 (G/SG/N/6/TUR/11)				
Turkey (motorcycles)	15/08/2006 (G/SG/N/6/TUR/10)	15/08/2006 (G/SG/N/7/TUR/1)	02/03/2007 (G/SG/N/10/TUR/7)		
Turkey (travel goods)	05/06/07 (G/SG/N/6/TUR/12)				

¹³ South Africa has notified that "the definitive measure, if adopted, will come into effect in mid-November 2007."

ANNEX 3

SUMMARY OF ACTIVE SAFEGUARD INVESTIGATIONS AND / OR EXISTING SAFEGUARD MEASURES AS OF 24 OCTOBER 2007¹⁴

Member & Investigation	Initiation date	Effective date of provisional measure, if any¹⁵	Effective date and type of definitive measure, if any
Argentina			
Compact discs	06.06.2006 (G/SG/N/6/ARG/6)		29/05/07 specific duty (G/SG/N/10/ARG/5)
Australia			
Swine meat	17.10.2007 (G/SG/N/6/AUS/2) ¹⁶		
Brazil			
Coconuts	10.08.01 (G/SG/N/6/BRA/2)		09.02 Quantitative restriction (G/SG/N/10/BRA/3 & Suppls.1-4)
European Communities			
Mandarins	11.07.03 (G/SG/N/6/EEC/2)		11.04.04 Tariff rate quotas (G/SG/N/10/EEC/2)
India¹⁷			
Starch, modified starches and manioc based sago	07.07.04 (G/SG/N/6/IND/16)		16.02.2005 (G/SAG/N/8/IND/14)
Indonesia			
Ceramic tableware	19.10.04 (G/SG/N/6/IDN/1)		04.01.06 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)

¹⁴ Measures the duration of which (as stipulated in the notification) have passed are deleted from this table.

¹⁵ Only those provisional measures that are in force as of 23 October 2007 are included in this table.

¹⁶ This notification was submitted after the issuance of the airgram for the autumn 2007 meeting, and will be discussed at the spring 2008 meeting.

¹⁷ India stated at the meeting of 24 October 2007 that the investigations notified in documents G/SG/N/6/IND/11, G/SG/N/6/IND/13 and G/SG/N/6/IND/15 were terminated without measures. Accordingly, these items have been removed from this table.

Member & Investigation	Initiation date	Effective date of provisional measure, if any¹⁵	Effective date and type of definitive measure, if any
Footwear	01/08/2006 (G/SG/N/6/JOR/11)		19.02.07 specific duty (G/SG/N/10/JOR/6/ Suppl.1)
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)		September 2005 Specific duty (G/SG/N/10/MAR/2/ Suppl.1)
Panama			
Printed film in rolls	11/09/2006 (G/SG/N/6/PAN/1)		10.10.2007 (G/SG/N/10/PAN/1/ Suppl.1) ¹⁸
Philippines			
Ceramic floor tiles	28.05.01 (G/SG/N/6/PHL/2)		11.04.02 Tariff surcharge (G/SG/N/10/PHL/1)
Float glass	21/06/06 (G/SG/N/6/PHL/3/Suppl.1) ¹⁹		06/11/2006 (G/SG/N/14/PHL/2)
Figured glass	21/06/06 (G/SG/N/6/PHL/4/Suppl.1) ²⁰		06/11/2006 (G/SG/N/14/PHL/3)
Glass mirrors	21/06/06 (G/SG/N/6/PHL/5/Suppl.1) ²¹		06/11/2006 (G/SG/N/14/PHL/4)
South Africa			
Lysine	11/05/07 (G/SG/N/6/ZAF/1)	11/05/07 (G/SG/N/8/ZAF/1)	[Mid-November of 2007?] ²² <i>ad valorem</i> duty (G/SG/N/10/ZAF/1)
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)		

¹⁸ This notification was submitted after the issuance of the airgram for the autumn 2007 meeting, and will be discussed at the spring 2008 meeting.

¹⁹ This is a notification of the initiation of a review of an 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.

²² This measure is still not in force.

Member & Investigation	Initiation date	Effective date of provisional measure, if any¹⁵	Effective date and type of definitive measure, if any
Turkey			
Active earth and clays	17.07.04 (G/SG/N/6/TUR/2)		08.07.05 Quantitative restriction (G/SG/N/10/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)		02/03/07 specific duty (G/SG/N/10/TUR/7)
Frames and mountings for spectacles	11/02/07 (G/SG/N/6/TUR/11)		
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