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

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**BRAZIL'S RESPONSE TO THE EUROPEAN UNION'S COMMUNICATION TO THE WTO
CONCERNING THE BRAZILIAN PROPOSED SUSPENSION OF CONCESSIONS
AND OTHER OBLIGATIONS REFERRED TO IN PARAGRAPH 2 OF
ARTICLE 8 OF THE AGREEMENT ON SAFEGUARDS**

BRAZIL

The following communication, dated 4 March 2019, is being circulated at the request of the Delegation of Brazil.

Brazil refers to the communication by the European Union circulated on 28 February 2019 (G/L/1300 - G/SG/N/12/BRA/3/Suppl.1) in respect of Brazil's proposed suspension of concessions or other obligations following the European Union's imposition of safeguard measures on certain steel products.

In its communication, the European Union states that Brazil's "request" to suspend concessions or other obligations "does not conform to the requirements in Article 8 of the Safeguards Agreement either procedurally or substantively". The European Union states further that, "[as] it stands, Brazil's intention to exercise the suspension of concessions is illegal and prohibited under WTO rules".

Brazil disagrees.

With respect to the procedures envisaged in the Agreement on Safeguards, Brazil's proposed suspension was notified in strict accordance with the timeframes and other procedures set out in Articles 8.2 and 12.5 of the Agreement on Safeguards.

With regard to Brazil's intention to exercise its right to suspend concessions or other obligations before the expiry of the first three years that the safeguard measure is in effect, Brazil has firm legal grounds to believe that such an intention is fully consistent with Article 8.3 of the Agreement on Safeguards.
