

# WORLD TRADE ORGANIZATION

G/L/126

28 October 1996

(96-4486)

## **Committee on Subsidies and Countervailing Measures**

### REPORT (1996) OF THE COMMITTEE ON SUBSIDIES AND COUNTERVAILING MEASURES

#### I. Organization of the work of the Committee

1. The Agreement on Subsidies and Countervailing Measures (hereinafter "the Agreement") entered into force on 1 January 1995. All Members of the WTO are *ipso facto* members of the Committee on Subsidies and Countervailing Measures established under the Agreement.

2. Observer governments in the General Council of the WTO have Observer status in the Committee. In addition, the Committee invited, on an *ad hoc* basis, representatives of the World Bank, OECD, IMF and UNCTAD to attend meetings of the Committee in an observer capacity. At its regular meeting on 23 October 1996, the Committee took note of the decision of the General Council regarding the status of international organizations as Observers to the WTO and authorized the Chairman to consult informally regarding on which international intergovernmental organizations would be granted observer status in the Committee. Pending the outcome of such consultations, the Committee agreed to continue to invite those organizations which had been following the Committee's meetings on an *ad hoc* basis.

3. This Report focuses on the period since the Committee's last annual report (G/L/31 and Corr. 1), that is, November 1995 - October 1996. However, where relevant, information from the previous period is reported. During the period under review (1 November 1995 - 24 October 1996) the Committee held six meetings. Regular meetings of the Committee were held on 1-2 May 1996 and 23-24 October 1996 (G/SCM/M/9 and G/SCM/M/12). Special meetings of the Committee were held on 6 March 1996 and 22-26 July 1996 (G/SCM/M/8 and G/SCM/M/11). Additional special meetings were held jointly with the Committee on Anti-Dumping Practices on 4-7 December 1995 and 24-26 April 1996 (G/SCM/M/7 and G/SCM/M/10).

4. The Committee at its special meeting of 22 February 1995 elected Mr. Ole Lundby (Norway) as its Chairman. The Committee at its regular meeting of 13 June 1995 elected Mr. Victor do Prado (Brazil) as its Vice-Chairman. The Committee at its regular meeting of 1-2 May 1996 elected Mr. Victor do Prado (Brazil) as its Chairman and Ms. Michelle Slade (New Zealand) as its Vice-Chairwoman. Pursuant to the Committee's Rules of Procedure, they took office at the end of that meeting.

5. The Committee at its regular meeting of 1-2 May 1996 adopted Rules of Procedure for Meetings of the Committee on Subsidies and Countervailing Measures (G/SCM/10). The Council for Trade in Goods subsequently approved the Committee's Rules of Procedure at its meeting of 22 May 1996.

#### II. Permanent Group of Experts

6. The Committee is required by Article 24.3 of the Agreement to establish a Permanent Group of Experts ("PGE"). The tasks assigned to the PGE by the Agreement are to provide assistance to a Panel, on request, with regard to whether a measure is a prohibited subsidy; to provide Members with confidential advisory opinions on the nature of any subsidy proposed to be introduced or currently

maintained by that Member; and to provide the Committee with advisory opinions on the existence and nature of any subsidy. At its special meeting of 6 March 1996, the Committee elected as members of the Permanent Group of Experts the following persons: Mr. Seung-Wha Chang, Mr. Gary Horlick, Mr. Friedrich Klein, Mr. Akira Kotera and Mr. Robert Martin.

7. Pursuant to a Decision adopted by the Committee (G/SCM/4), the PGE shall develop rules of procedure, taking into account any guidance provided by the Committee, which rules shall be subject to approval by the Committee. Draft Rules of Procedure were prepared by the PGE and circulated to the Committee on 18 April 1996 (G/SCM/W/365). These draft Rules of Procedure were discussed at the Committee's regular meeting of 1-2 May 1996, and revised draft Rules of Procedure were circulated to the Committee on 24 June 1996 (G/SCM/W/365/Rev. 1). However, the Committee did not approve these draft Rules of Procedure at its special meeting of 22-26 July 1996. In light of likely requests to the PGE for advisory opinions from Members and of pending disputes regarding prohibited subsidies, the Committee at that meeting took note that the PGE would work under the draft Rules of Procedure until the regular meeting of the Committee on 23 October 1996. At its regular meeting on 23 October 1996, the Committee failed to approve the PGE's draft Rules of Procedure or to authorize their provisional application.

### III. Informal Group of Experts

8. Annex IV of the Agreement provides guidance regarding the calculation of the total *ad valorem* subsidization for the purposes of determining whether there exists a presumption of serious prejudice under Article 6.1(a) of the Agreement. Note 62 to Annex IV of the Agreement provides that "[a]n understanding among Members should be developed, as necessary, on matters which are not specified in this Annex or which need further clarification for the purposes of paragraph 1(a) of Article 6." The Committee at its meeting of 13 June 1995 created an Informal Group of Experts to examine such matters and to report to the Committee such recommendations as the Group considers could assist the Committee in the development of an understanding among Members, as necessary, regarding such matters. The Informal Group is composed of experts who serve in their personal capacities rather than as representatives of governments. The Group began its work on 1 November 1995 and has met on six occasions to date. The Group on 14 October 1996 circulated to the Committee an outline of issues that it had discussed to date (G/SCM/W/413).

### IV. Notification of subsidies

9. New and full notifications. Transparency is central to the effective operation of the Agreement. Pursuant to Article 25.1 of the Agreement and Article XVI:1 of GATT 1994, all Members of the Committee were required to submit a new and full notification of subsidies to the Committee by 30 June 1995. A format for such notifications was approved by the Committee on 21 July 1995 (G/SCM/6). While a substantial number of Members have submitted notifications of subsidies pursuant to these provisions, discussions in the Committee indicate a widely held view that compliance is not fully adequate, both in terms of the number of notifications and the content of the notifications received (G/SCM/M/8, paras. 21-23, G/SCM/M/11, paras. 29-31).

10. As of 24 October 1996, 46 of 125 WTO Members<sup>1</sup> had notified subsidies pursuant to Article 25 of the Agreement and Article XVI of GATT 1994. In addition, 18 Members had notified that they maintain no subsidies notifiable pursuant to these provisions. These notifications may be found in document series G/SCM/N/3/... However, 61 Members had submitted no notification as of the close of the period covered by this Report. Thus, sixteen months after the due date set forth in the Agreement,

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<sup>1</sup>The EC is counted as sixteen Members.

nearly half of WTO Members have not yet submitted a notification of subsidies. Of these Members, 22 are least-developed countries, while the remainder are developing countries, countries in transition to a market economy, and (in a few cases) developed countries. A table indicating the status of subsidy notifications is reproduced in Annex A to this Report. The Chairman on several occasions expressed his serious concerns regarding the number of Members that had not as yet submitted a notification.

11. Special session. Article 26.1 of the Agreement requires that new and full notifications be examined by the Committee at special sessions held every third year. Because very few new and full notifications were received in a timely manner, the first special session to review such notifications was not held until the week of 22 July 1996, while a second session will be held in the week of 28 October 1996. As of the close of the second session, fifty-four of the 1995 new and full notifications received to date will have been reviewed. Pursuant to a decision of the Committee, the review sessions are conducted on the basis of written questions, with written answers provided after the special session. Written questions have been posed by approximately a dozen Members (G/SCM/Q2/...), and with respect to almost all of the notifications reviewed.

12. At the end of the first special session in July 1996, the Chairman noted the progress that had been made in the review process. The review had been conducted in a spirit of cooperation and good will, and a considerable amount of information had been exchanged. However, written questions and discussions revealed concerns by some Members regarding the completeness of many of the notifications reviewed. In many cases, questions were raised regarding certain programmes or measures not notified to the Committee. Questions were also posed regarding the failure of some Members to notify agricultural subsidies, and of the vast majority of Members to notify subsidies at a subnational level (G/SCM/Q2/...).

13. Updating notifications. Article 25.1 of the Agreement requires that an updating notification be submitted by 30 June 1996. As of 24 October 1996, nine such notifications had been received. Australia, Brazil, Iceland, Japan, Norway, Romania and Thailand had notified subsidies, while Hong Kong and New Zealand had notified that they maintained no notifiable subsidies. These notifications may be found in document series G/SCM/N/16/.... The remaining 116 Members had not yet submitted an updating notification.

#### V. Notification of existing inconsistent subsidies

14. Article 28.1 of the Agreement provides that subsidy programmes established before the date a Member signed the WTO Agreement and which are inconsistent with the Agreement were to be notified not later than 90 days after the date of entry into force of the WTO Agreement. As of 24 October 1996, Chile, Malaysia and South Africa had notified programmes pursuant to this provision (the notification by Chile also made reference to Article 27 of the Agreement). Canada, Cuba and Honduras had notified they had no such programmes (G/SCM/N/2 and Corr. 1 and addenda). The Committee also had received a notification from Singapore pursuant to Article 27 (G/SCM/N/6).

#### VI. Notification by Members in transformation into a market economy

15. Article 29.3 provides that Members in transformation into a market economy shall notify subsidy programmes falling within the scope of Article 3 by the earliest practicable date after the date of entry into force of the WTO Agreement. The Committee decided at its regular meeting of 13 June 1995 on an indicative date of 30 June 1995 for these notifications. As of 24 October 1996, Hungary, Poland and Romania had notified programmes pursuant to this provision (G/SCM/N/9/HUN, G/SCM/N/9/POL & Corr.1, and G/SCM/N/9/ROM). The Czech Republic had notified that it had no such subsidy programmes (G/SCM/N/9/CZE). No other Member had submitted a notification.

VII. Non-actionable subsidies

16. Notifications. Article 8.3 of the Agreement provides that a subsidy programme for which non-actionability is invoked pursuant to Article 8.2 shall be notified to the Committee in advance of its implementation. A recommendation by the Informal Contact Group of a format for initial notifications (PC/IPL/11, Annex 1) was approved by the Committee at its meeting of 22 February 1995. As of 24 October 1996, no such notifications had been made. In addition, the Working Party on Subsidies Notifications was established on 22 February 1995 and has held five formal meetings to date to discuss, *inter alia*, a format for updates of non-actionable subsidies. A draft format was circulated to the Committee on 26 April 1996 (G/SCM/W/390). As of the end of the review period, no format had yet been adopted. However, the Chairman at the regular meeting of the Committee on 23 October 1996 indicated that he would consult regarding the date for another meeting of the Working Party to consider the draft format.

17. Arbitration. Article 8.5 of the Agreement provides for binding arbitration in certain cases relating to notifications of non-actionable subsidies. The informal group on procedures for arbitration under Article 8.5 of the Agreement has met repeatedly to discuss procedures for the conduct of arbitration under Article 8.5, and a paper containing proposed procedures (G/SCM/W/5) was circulated to the Committee on 11 May 1995. However, no procedures have yet been adopted.

18. Review of the operation of Article 8.2(a). Footnote 25 to Article 8.2(a) of the Agreement provides that, "[n]ot later than 18 months after the date of entry into force of the WTO Agreement, the Committee shall review the operation of the provisions of paragraph 2(a) with a view to making all necessary modifications to improve the operation of these provisions. In its consideration of possible modifications the Committee shall carefully review the definitions of the categories set forth in this subparagraph in the light of the experience of Members in the operation of research programmes and the work of other relevant international organizations." Accordingly, the Committee reviewed the operation of this provision at its regular meeting of 1-2 May 1996 (G/SCM/M/9, paras. 50-57). Certain Members observed that there had been limited activity with respect to subparagraph 8.2(a) of the Agreement, and in particular that no notifications of non-actionable research subsidies had been made pursuant to Article 8.3. It was noted that a broader review of the operation of Articles 6.1, 8 and 9 of the Agreement would be required not later than 5 July 1999 under Article 31 of the Agreement. The Committee took note of the statements made and considered that for the present it had concluded the review of the operation of subparagraph 8.2(a) envisioned by footnote 25 of the Agreement; if Members so desired, the Committee could revert to the issue at a future date.

VIII. Notifications of subsidies linked to privatization programmes

19. Article 27.13 of the Agreement provides that certain subsidies that are granted within and are directly linked to a privatization programme of a developing country Member and which are duly notified to the Committee are not subject to the provisions of Part III of the Agreement. A format for such notifications was recommended by the Preparatory Committee (PC/IPL/11) and adopted by the Committee (G/SCM/M/1, paras 19-20). Brazil made a notification pursuant to this provision (G/SCM/N/13/BRA) and noted that, while not all of the information required in the format was necessarily included in the notification, this was being presented with a view to providing basic information on the Brazilian privatization programme. The notification was discussed at the regular meeting of the Committee on 1-2 May 1996 (G/SCM/M/9, paras. 40-42).

IX. Notification and examination of countervailing duty laws and/or regulations

20. In the area of countervailing duties, WTO rules are implemented through Members' national legislation. Pursuant to Article 32.6 of the Agreement, as amplified by a decision of the Committee,

Members with available legislation and/or regulations regarding countervailing duty investigations or reviews covered by the Agreement should notify the full and integrated text of the relevant legislation and/or regulations to the Committee. If such legislation and/or regulations do not exist or are not available, the Member should inform the Committee of this fact and, in the case of non-availability, explain the reasons therefor. In addition, the Committee decided, at its special meeting of 22 February 1995, that Observer governments should provide the Committee with any information the Observer government considers relevant to matters within the purview of the Agreement, including the text of its laws and regulations regarding countervailing duties, and information regarding any countervailing measures taken by the Observer government.

21. As of 24 October 1996, 80 Members<sup>2</sup> had notified the Committee regarding their domestic countervailing duty legislation. These notifications can be found in document series G/SCM/N/1/.... Forty-five Members had not, as yet, made any notification under Article 32.6 of the Agreement. Annex B sets out the status of notifications of legislation under Article 32.6 of the Agreement. Of the 80 Members submitting notifications, 18 notified that they had no specific legislation relating to countervailing duties, 29 notified new legislation, and 35 notified pre-WTO legislation still in force. Of the 53 Members notifying no countervailing legislation or pre-WTO legislation still in force, 36 indicated that new legislation is being considered or drafted. In addition, 26 Members indicated that the WTO Agreement has force of law in the territory of the Member.

22. During the period under review, the Committee continued the work of reviewing notifications of countervailing duty laws and/or regulations begun in 1995. In addition to the legislations and notifications without legislative text reviewed during the previous period, the Committee reviewed the notifications of countervailing duty legislation of the following Members in two special meetings held jointly with the Committee on Anti-Dumping Practices: Barbados, Bolivia, Colombia, Costa Rica, Cuba, Ecuador, Iceland, Israel, Jamaica, Japan, Malawi, Malaysia, Norway, Philippines, Romania, Saint Lucia, Slovenia, South Africa, Thailand, Trinidad & Tobago, Tunisia, Turkey, and Zambia. The Committee also reviewed the notifications without legislative text of the following Members: Botswana, Cyprus, Dominican Republic, El Salvador, Guatemala, Republic of Guinea, Honduras, Indonesia, Maldives, Malta, Morocco, Nicaragua, Pakistan, Paraguay, Poland, Sri Lanka, Suriname, Turkey, Uganda, and Zimbabwe. The substance of the review is reflected in the written questions put to Members, and their written answers. References to these questions and answers can be found in the minutes of the joint special meetings to review legislation, G/SCM/M/6 and G/SCM/M/10.

23. As of the end of April 1996, the Committee had conducted an initial review of almost all notifications received to date, in four special meetings held jointly with the Committee on Anti-Dumping Practices. The Committee therefore decided that for the immediate future, joint special meetings to review legislation were no longer needed, and the continued review of legislation would take place in the context of regular Committee meetings. The Committee adopted procedures for the continued review of legislation (G/SCM/W/293), based on a process of written questions and answers, to facilitate productive discussions during the continued review of legislations. Review of new and amended legislations would follow the same procedures used during the joint special meetings to review legislation. References to the questions and answers submitted regarding continued review of notifications of legislation can be found in the minutes of the regular meeting of the Committee (G/SCM/M/12).

24. As of the end of the period under review, a significant number of the written questions put to Members during the course of the legislative review meetings remained unanswered. Nonetheless, the Chairman observed the progress that had been made in the review process (G/SCM/M/7, para. 30). Questions put to Members ranged from those regarding general, policy matters to very specific

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<sup>2</sup> The EC is counted as sixteen Members.

and highly technical questions of national administration of countervailing measures. Among the concerns raised by Members were perceived inconsistencies between the Agreement and both newly-enacted legislation and legislation enacted prior to the entry into force of the Agreement. In addition, Members expressed concern regarding the potential for actions inconsistent with the Agreement if such actions are based on legislation enacted prior to the entry into force of the Agreement. Another concern was the complexity of the procedural and substantive requirements of the Agreement, and the need for significant training and education, particularly for new users of countervailing measures and developing countries, to ensure that actions were taken consistently with the Agreement.

X. Semi-annual reports on countervailing actions

25. Article 25.11 of the Agreement provides that Members shall submit, on a semi-annual basis, reports on countervailing duty actions taken within the preceding six months. Pursuant to the recommendation of the Informal Contact Group (PC/IPL/11, Annex 7), which was adopted by the Committee at its 22 February 1995 meeting (G/SCM/M/1, paras. 19-20), the first semi-annual report submitted by each WTO Member would cover the period July-December or January-June, whichever was more recent, preceding the date of entry into force of the WTO Agreement for that Member. In addition, Members taking no action during a given period are requested to so notify the Committee.

26. Guidelines for information to be provided in semi-annual reports submitted pursuant to Article 25.11 are contained in document G/SCM/2. Submission of semi-annual reports by Members known to be users of countervailing measures has improved since early 1995. A significant number of Members have never filed a semi-annual report, however. While many if not most of these Members are believed not to be active users of countervailing measures, in the absence of semi-annual reports, the situation remains uncertain. The Committee reviewed the notifications of action for the periods 1 July - 31 December 1995 and 1 January - 30 June 1996 at its regular meetings in May and October 1996. In addition to specific questions raised concerning the actions taken by Members, concern was expressed over the lack of notifications, and the fact that notifications often did not follow the format set forth in the guidelines. The comments of Members are reflected in the minutes of the regular meeting of 1-2 May 1996 (G/SCM/M/9, para. 33).

27. Notifications for 1 July -31 December 1995. As of 24 October 1996, eight Members had notified actions taken during the period 1 July-31 December 1995. Forty-six Members had notified the Committee that they had not taken any countervailing duty action during this period. Approximately half of WTO Members had not submitted a notification. The semi-annual reports were circulated in document series G/SCM/N/12. The status of semi-annual reports is set out in Annex C.

28. Notifications for 1 January - 30 June 1996. As of 24 October 1996, nine Members had notified actions taken during the period 1 January-30 June 1996. Thirty-nine Members had notified the Committee that they had not taken any countervailing duty action during this period (G/SCM/N/19 and addenda). Approximately two-thirds of WTO Members had not submitted a notification. The semi-annual reports were circulated in document series G/SCM/N/19. The status of semi-annual reports is set out in Annex C.

29. A table summarising notifications of countervailing actions taken by Members during the period 1 July 1995-30 June 1996 is reproduced in Annex D to this Report.

XI. Reports on all preliminary or final countervailing duty actions

30. Pursuant to Article 25.11 of the Agreement, Members are to report without delay to the Committee all preliminary and final countervailing actions taken. Guidelines for the information to be contained in these reports are set forth in G/SCM/3. As of 24 October 1996, reports of preliminary

and final countervailing actions during the period under consideration were received from Argentina, Australia, Brazil, Canada, Côte D'Ivoire, the EC, Mexico, New Zealand, Peru, and the United States. (G/SCM/N/14, 15, 17, and 20). While such reports are regularly submitted by some users of countervailing measures, a number of Members known to have taken preliminary and final actions have not reported those actions without delay to the Committee. The Committee reviewed the notifications of preliminary and final actions at its regular meetings in May and October 1996. During these reviews, the Chairman expressed the view that compliance with this notification had not been fully adequate (G/SCM/M/5, para.7).

**XII. Other matters discussed by the Committee**

31. **Notification of Competent Authorities.** At its regular meeting on 1-2 May 1996, the Committee decided to request members to notify the name, address, telephone and fax number, and electronic mail address where available, of their authorities competent to initiate and conduct countervailing duty investigations. This notification would be made once, subject to updating or correcting notifications should the relevant information of any Member change. The list containing the information notified by Members is maintained by the Secretariat and circulated in addenda to document G/SCM/N/18. As of 24 October 1996, the following Members had notified relevant information to the Secretariat: Argentina, Australia, Bolivia, Brazil, Canada, Chile, EC, Guatemala, Hong Kong, Hungary, Iceland, Israel, Jamaica, Kenya, Korea, Malaysia, Mauritius, Mexico, New Zealand, Norway, Peru, Romania, Singapore, Slovenia, Switzerland, Thailand, Turkey, Uganda, United States, Venezuela and Zambia. At the Committee's regular meeting in October, it was proposed that the Committee ask Members to notify, separately from their notifications of legislation and/or regulations, their domestic procedures for the conduct of countervailing duty investigations.

32. **Procedures for preparation and adoption of Annual Report.** At its regular meeting on 1-2 May 1996, the Committee considered the procedures for the preparation and adoption of its Annual Report adopted at its first meeting in February 1995, in light of suggestions from the Chairman of the General Council. The Committee decided that the Secretariat should prepare a draft Report in the same format as had been used in the previous year's Report, incorporating from that Report those aspects of implementation that would help explain the progress that the Committee had made. The draft Report would be circulated to Members at the end of September or in early October, at which time the Committee would have to decide whether it should meet informally in advance of the regular October meeting to discuss any additional matters for inclusion in the Report.

33. **Status of Members in Annex VII.** The Chairman informed the Committee that, according to data in the 1996 World Bank Atlas, the GNP per capita per annum of three Members identified in Annex VII(b) of the Agreement (the Dominican Republic, Guatemala, and Morocco) now exceeded \$1000. In addition, the Committee discussed the status of Honduras, which is not identified in Annex VII. The Chairman noted that Honduras was an original Member of the WTO, having signed the WTO Agreement at Marrakesh in April 1994, and had a GNP *per capita per annum* of well under \$1000. Nevertheless, Honduras had not been included in Annex VII. After discussion in the Committee, the Chairman stated that he would consult informally regarding this situation.

**XIII. Concluding observations**

34. The Committee considered that, in general, good progress had been made in the first two years in implementing the Agreement. However, the Committee considered that much remained to be done, and that additional efforts from Members were required in order to achieve full implementation of the Agreement.

35. The Committee observed that one area where implementation was inadequate was notifications. Full transparency was essential to ensure substantive implementation of the Agreement. Every effort was required in order that all Members submitted full and complete notifications on a timely basis. While the achievement of this goal depended primarily on the efforts of individual Members, the Committee could examine steps that might be taken to improve compliance by, *inter alia*, informing concerned governments of compliance problems, examining ways to streamline the notification process, and assisting developing country Members to meet their notification obligations.

36. The Committee noted that there were a number of outstanding tasks confronting it. Among these were the development of a format for update notifications pursuant to Article 8.3, the finalization of procedures for arbitration regarding non-actionable subsidies under Article 8.5, the approval of rules of procedure for the Permanent Group of Experts, and the completion of the work of the Informal Group of Experts established to examine the matters referred to in footnote 62 to Annex IV of the Agreement. The Committee considered that completion of these tasks was important and that Members should make every effort toward that end. The Committee recalled that, while it had for the present concluded the review of the operation of Article 8.2(a) required by footnote 25 of the Agreement, a broader review of the operation of Articles 6.1, 8 and 9 would be required not later than 5 July 1999 under Article 31 of the Agreement. The Committee also observed that the provisions of Article 8.3 had not been used by Members, and that it might usefully consider this situation, taking into account the obligations of the Agreement.

37. The Committee observed that among its major tasks during the first two years of the Agreement had been to review the domestic countervailing legislations and subsidy programmes notified by Members. The review exercises indicated that implementation in this regard was less than complete. Not all Members that are current or potential users of countervailing measures had completed the domestic legislative processes to incorporate the relevant requirements of the Agreement. Thus, further efforts were required in order to ensure substantive implementation of the Agreement. In addition, during the special meetings to review notifications a variety of issues were raised regarding the WTO-consistency of notified legislations, programmes and measures. The meetings provided Members with an opportunity to seek clarification of issues arising out of other Members' legislation. Generally, Members were able to clarify the issues raised. Both Members notifying legislation and those submitting questions generally found the process helpful and wished to continue this work in the Committee. The Committee viewed it as extremely important that Members carefully consider all questions posed, comments made and replies provided in the context of these review sessions.

38. The Committee noted that the procedural and substantive provisions of the new Agreement were detailed and that its implementation required substantial expertise and the commitment of substantial resources by Members. The Committee considered that maximum efforts should be made to assist Members, and in particular developing country Members, to achieve full implementation of the Agreement.

**ANNEX A**  
**SUBSIDY NOTIFICATIONS**  
(G/SCM/N/3/...)

Member		Member		Member		Member	
Antigua & Barbuda		Germany	X	Kuwait		Sierra Leone	
Argentina	X	Greece	X	Lesotho		Singapore	X
Australia	X	Ireland	X	Liechtenstein	nil	Slovak Republic	X
Bahrain		Italy	X	Macau		Slovenia	X
Bangladesh		Luxembourg	X	Madagascar		Solomon Islands	
Barbados		Netherlands	X	Malawi		South Africa	
Belize		Portugal	X	Malaysia	X	Sri Lanka	X
Benin		Spain	X	Maldives		Suriname	nil
Bolivia	nil	Sweden	X	Mali		Swaziland	nil
Botswana	nil	United Kingdom	X	Malta		Switzerland	X
Brazil	X	Ecuador		Mauritania		Tanzania	
Brunei Darussalam		Egypt		Mauritius	nil	Thailand	X
Burkina Faso		El Salvador		Mexico	X	Togo	
Burundi		Fiji		Morocco	nil	Trinidad & Tobago	nil
Cameroon		Gabon		Mozambique		Tunisia	
Canada	X	Gambia	n.a.	Myanmar		Turkey	X
Central African R.		Ghana	nil	Namibia		Uganda	nil
Chad	n.a.	Grenada		New Zealand	nil	United Arab Emirates	
Chile	X	Guatemala		Nicaragua	nil	United States	X
Colombia	X	Guinea Bissau		Nigeria	X	Uruguay	
Costa Rica	X	Guinea, Rep. of		Norway	X	Venezuela	X
Côte d'Ivoire	nil	Guyana		Pakistan	X	Zambia	nil
Cuba		Haiti		Papua New Guinea		Zimbabwe	
Cyprus		Honduras	nil	Paraguay			
Czech Republic	X	Hong Kong	nil	Peru	nil		
Djibouti		Hungary	X	Philippines	X		
Dominica		Iceland	X	Poland			
Dominican Rep.	nil	India	X	Qatar			
EC	X	Indonesia	X	Romania	X		
Austria	X	Israel		Rwanda			
Belgium	X	Jamaica		St. Kitts & Nevis			
Denmark	X	Japan	X	St. Lucia			
Finland	X	Kenya		St. Vincent & Grenadines			
France	X	Korea	X	Senegal			

"Nil" means that the Member has indicated that it maintains no notifiable subsidies

ANNEX B  
COUNTERVAILING DUTY LEGISLATION NOTIFICATIONS

MEMBER/OBSERVER	NOTIFICATION PROVIDED
Antigua and Barbuda	
Argentina	G/SCM/N/1/ARG/1 + Suppl.1
Australia	G/SCM/N/1/AUS/1 + Suppl.1
Bahrain	
Bangladesh	
Barbados	G/SCM/N/1/BRB/1
Belize	
Benin	
Bolivia	G/SCM/N/1/BOL/1 + Suppl.1
Botswana	
Brazil	G/SCM/N/1/BRA/1 + Suppl.1
Brunei Darussalam	
Burkina Faso	
Burundi	
Cameroon	
Canada	G/SCM/N/1/CAN/2
Central African Republic	
Chad	
Chile	G/SCM/N/1/CHL/1
Colombia	G/SCM/N/1/COL/1
Costa Rica	G/SCM/N/1/CRI/1
Côte d'Ivoire	
Cuba	G/SCM/N/1/CUB/1 + Suppl.1
Cyprus	G/SCM/N/1/CYP/2
Czech Republic	G/SCM/N/1/CZE/1
Djibouti	
Dominica	
Dominican Republic	G/SCM/N/1/DOM/1
European Communities	G/SCM/N/1/EEC/1

<b>MEMBER/OBSERVER</b>	<b>NOTIFICATION PROVIDED</b>
Ecuador	G/SCM/N/1/ECU/1
Egypt	G/SCM/N/1/EGY/1
El Salvador	G/SCM/N/1/SLV/1
Fiji	
Gabon	
Gambia	
Ghana	
Grenada	
Guatemala	G/SCM/N/1/GTM/2
Guinea Bissau	
Guinea, Rep.of	G/SCM/N/1/GIN/1
Guyana	
Haiti	
Honduras	G/SCM/N/1/HND/2
Hong Kong	G/SCM/N/1/HKG/1
Hungary	G/SCM/N/1/HUN/1
Iceland	G/SCM/N/1/ISL/1
India	G/SCM/N/1/IND/2 + Corr.1 + Suppl.1
Indonesia	G/SCM/N/1>IDN/2
Israel	G/SCM/N/1/ISR/2
Jamaica	G/SCM/N/1/JAM/1
Japan	G/SCM/N/1/JPN/2 + Corr.1 & 2 + Suppl.1
Kenya	G/SCM/N/1/KEN/1
Korea	G/SCM/N/1/KOR/1 + Corr.1 & 2
Kuwait	
Lesotho	
Liechtenstein	
Macau	
Madagascar	
Malawi	G/SCM/N/1/MWI/1
Malaysia	G/SCM/N/1/MYS/1

<b>MEMBER/OBSERVER</b>	<b>NOTIFICATION PROVIDED</b>
Maldives	G/SCM/N/1/MDV/1
Mali	
Malta	G/SCM/N/1/MLT/1
Mauritania	
Mauritius	G/SCM/N/1MUS/2
Mexico	G/SCM/N/1/MEX/1 + Corr.1
Morocco	G/SCM/N/1/MAR/1
Mozambique	
Myanmar	
Namibia	
New Zealand	G/SCM/N/1/NZL/2
Nicaragua	G/SCM/N/1/NIC/1
Nigeria	
Norway	G/SCM/N/1/NOR/3
Pakistan	G/SCM/N/1/PAK/1
Papua New Guinea	
Paraguay	G/SCM/N/1/PRY/1
Peru	G/SCM/N/1/PER/1 + Corr.1 + Suppl.1
Philippines	G/SCM/N/1/PHL/1
Poland	G/SCM/N/1/POL/1
Qatar	
Romania	G/SCM/N/1/ROM/1
Rwanda	
Saint Kitts & Nevis	
Saint Lucia	G/SCM/N/1/LCA/1
Saint Vincent & Grenadines	
Senegal	G/SCM/N/1/SEN/1
Sierra Leone	
Singapore	G/SCM/N/1/SGP/1
Slovak Republic	G/SCM/N/1/SVK/1
Slovenia	G/SCM/N/1/SVN/1

<b>MEMBER/OBSERVER</b>	<b>NOTIFICATION PROVIDED</b>
Solomon Islands	
South Africa	G/SCM/N/1/ZAF/1
Sri Lanka	G/SCM/N/1/LKA/1
Suriname	G/SCM/N/1/SUR/1
Swaziland	
Switzerland	G/SCM/N/1/CHE/1
Tanzania	
Thailand	G/SCM/N/1/THA/2 + Corr. 1
Togo	
Trinidad and Tobago	G/SCM/N/1/TTO/1
Tunisia	G/SCM/N/1/TUN/1
Turkey	G/SCM/N/1/TUR/2
Uganda	G/SCM/N/1/UGA/2
United Arab Emirates	
United States	G/SCM/N/1/USA/1 + Corr. 1 + Suppl. 1
Uruguay	G/SCM/N/1/URY/1
Venezuela	G/SCM/N/1/VEN/1 + Suppl. 1 & 2
Zambia	G/SCM/N/1/ZMB/1
Zimbabwe	G/SCM/N/1/ZWE/2

**ANNEX C**  
**SEMI-ANNUAL REPORTS**

**Key:** X = Semi-annual report of actions taken submitted  
N = Report of no actions taken submitted  
not applicable = obligation did not apply to Member for that period  
blank = No report submitted

MEMBER	1 July-31 December 1995	1 January-30 June 1996
Antigua and Barbuda		
Argentina	X	X
Australia	X	X
Bahrain		
Bangladesh		
Barbados	N	
Belize		
Benin		
Bolivia	N	
Botswana	N	N
Brazil	X	X
Brunei Darussalam		
Burkina Faso		
Burundi		
Cameroon		
Canada	X	X
Central African Republic		
Chad	not applicable	
Chile	N	N
Colombia	N	N
Costa Rica	N	
Côte d'Ivoire		
Cuba	N	N
Cyprus	N	

<b>MEMBER</b>	<b>1 July-31 December 1995</b>	<b>1 January-30 June 1996</b>
Czech Republic	N	N
Djibouti		
Dominica		
Dominican Republic	N	N
European Communities <sup>3</sup>	X	X
Ecuador		
Egypt	N	N
El Salvador		
Fiji		
Gabon		
Gambia	not applicable	
Ghana		
Grenada		
Guatemala		
Guinea Bissau		
Guinea, Republic of		
Guyana		
Haiti		
Honduras	N	
Hong Kong	N	N
Hungary	N	N
Iceland	N	N
India	N	N
Indonesia	N	N
Israel	X	N
Jamaica		
Japan	N	N
Kenya		
Korea	N	N

<sup>3</sup>The EC is counted as 1 Member.

<b>MEMBER</b>	<b>1 July-31 December 1995</b>	<b>1 January-30 June 1996</b>
Kuwait		N
Lesotho		
Liechtenstein		
Macau		
Madagascar		
Malawi		
Malaysia	N	N
Maldives		
Mali		
Malta	N	N
Mauritania		
Mauritius	N	
Mexico	X	X
Morocco	N	N
Mozambique		
Myanmar		
Namibia		
New Zealand	X	X
Nicaragua		
Nigeria		
Norway	N	N
Pakistan	N	N
Papua New Guinea		
Paraguay	N	N
Peru	X	N
Philippines	N	N
Poland	N	
Qatar		
Romania	N	N
Rwanda		
Saint Kitts & Nevis		

<b>MEMBER</b>	<b>1 July-31 December 1995</b>	<b>1 January-30 June 1996</b>
Saint Lucia	N	
Saint Vincent & Grenadines		
Senegal	N	N
Sierra Leone		
Singapore	N	N
Slovak Republic	N	N
Slovenia	N	N
Solomon Islands	not applicable	
South Africa	N	
Sri Lanka	N	N
Suriname		
Swaziland	N	
Switzerland	N	N
Tanzania		
Thailand	N	N
Togo		
Trinidad and Tobago	N	
Tunisia	N	N
Turkey	N	N
Uganda		N
United Arab Emirates		N
United States	X	X
Uruguay	N	N
Venezuela	N	N
Zambia	N	N
Zimbabwe	N	

ANNEX D\*  
Summary of Countervailing Duty Actions  
(1 July 1995-30 June 1996)

Initiation		Provisional Measures (negative preliminary determination not included)		Definitive Duties		Price Undertakings		Measures in force on 30 June 1996 (definitive duties and price undertakings)	
No.	Countries <sup>1</sup> involved	No.	Countries involved	No.	Countries involved	No.	Countries involved	No.	Countries involved
	<b>ARGENTINA</b>								
0		0		1	EEC(1)	0		1	
	<b>AUSTRALIA</b>								
1	GBR (1)	0		0		0		13	
	<b>BRAZIL</b>								
0				6	CIV(1) IDN(1) LKA(2)	0		7	
					MYS(1) PHL(1)				

\*Includes actions covered by the Tokyo Round Agreement, the WTO Agreement and Article VI of GATT 1947.

<sup>1</sup>"Countries" refer in all cases to countries or customs territories. A list of the abbreviations used in this table can be found following the table.



Initiation		Provisional Measures (negative preliminary determination not included)		Definitive Duties		Price Undertakings		Measures in force on 30 June 1996 (definitive duties and price undertakings)
No.	Countries <sup>l</sup> involved	No.	Countries involved	No.	Countries involved	No.	Countries involved	
0	<b>PERU</b>	0		1	ARG(1)	0		0
	<b>UNITED STATES</b>							
1	CAN(1)	2	ITA(1)	TUR(1)	2	ITA(1)	TUR(1)	0
								65
	<b>VENEZUELA</b>							
0		0			0		0	3

### LIST OF ABBREVIATIONS USED IN ANNEX D

AFG	AFGHANISTAN	GRD	GRENADA	RUS	RUSSIAN FEDERATION
ALB	ALBANIA	GTM	GUATEMALA	RWA	RWANDA
DZA	ALGERIA	GNB	GUINEA-BISSAU	KNA	SAINT KITTS & NEVIS
ATG	ANTIGUA AND BARBUDA	GIN	GUINEA, REP. OF	LCA	SAINT LUCIA
ARG	ARGENTINA	GUY	GUYANA	SAU	SAUDI ARABIA
ARM	ARMENIA	HTI	HAITI	SEN	SENEGAL
AUS	AUSTRALIA	HND	HONDURAS	SYC	SEYCHELLES
AUT	AUSTRIA	HKG	HONG KONG	SLE	SIERRA LEONE
AZE	AZERBAIJAN	HUN	HUNGARY	SGP	SINGAPORE
BHS	BAHAMAS	ISL	ICELAND	SVK	SLOVAK REPUBLIC
BHR	BAHRAIN	IND	INDIA	SVN	SLOVENIA
BGD	BANGLADESH	IDN	INDONESIA	ZAF	SOUTH AFRICA
BRB	BARBADOS	IRN	IRAN	ESP	SPAIN
BLR	BELARUS	IRQ	IRAQ	LKA	SRI LANKA
BEL	BELGIUM	IRL	IRELAND	VCT	SAINT VINCENT & GRENAINES
BLZ	BELIZE	ISR	ISRAEL	SDN	SUDAN
BEN	BENIN	ITA	ITALY	SUR	SURINAME
BMU	BERMUDA	JAM	JAMAICA	SWE	SWEDEN
BOL	BOLIVIA	JPN	JAPAN	CHE	SWITZERLAND
BIH	BOSNIA-HERZEGOVINA	JOR	JORDAN	TJK	TAJIKISTAN
BWA	BOTSWANA	KAZ	KAZAKHSTAN	TZA	TANZANIA
BRA	BRAZIL	KEN	KENYA	THA	THAILAND
BRN	BRUNEI DARUSSALAM	KOR	KOREA	TGO	TOGO
BGR	BULGARIA	KWT	KUWAIT	TTO	TRINIDAD & TOBAGO
BFA	BURKINA FASO	KGZ	KYRGYZSTAN	TUN	TUNISIA
BUR	BURUNDI	LVA	LATVIA	TUR	TURKEY
CMR	CAMEROON	LBN	LEBANON	TKM	TURKMENISTAN
CAN	CANADA	LSO	LESOTHO	UGA	UGANDA
CAF	CENTRAL AFRICAN REPUBLIC	LIE	LIECHTENSTEIN	UKR	UKRAINE
TCD	CHAD	LTU	LITHUANIA	ARE	UNITED ARAB EMIRATES
CHL	CHILE	LUX	LUXEMBOURG	GBR	UNITED KINGDOM
CHN	CHINA	MAC	MACAU	USA	UNITED STATES
CHT	CHINESE TAIPEI	MDG	MADAGASCAR	URY	URUGUAY
COG	CONGO, REPUBLIC	MWI	MALAWI	UZB	UZBEKISTAN
COL	COLOMBIA	MYS	MALAYSIA	VUT	VANUATU
CRI	COSTA RICA	MDV	MALDIVES	VEN	VENEZUELA
CIV	COTE D'IVOIRE	MLI	MALI	VNM	VIET NAM
HRV	CROATIA	MLT	MALTA	ZAR	ZAIRE
CUB	CUBA	MRT	MAURITANIA	ZMB	ZAMBIA
CYP	CYPRUS	MUS	MAURITIUS	ZWE	ZIMBABWE
CZE	CZECH REPUBLIC	MEX	MEXICO		
DNK	DENMARK	MDA	MOLDOVA, REP. OF		
DJI	DJIBOUTI	MNG	MONGOLIA		
DMA	DOMINICA	MAR	MOROCCO		
DOM	DOMINICAN REPUBLIC	MOZ	MOZAMBIQUE		
EEC	EUROPEAN COMMUNITY	NAM	NAMIBIA		
ECU	ECUADOR	NLD	NETHERLANDS		
EGY	EGYPT	NZL	NEW ZEALAND		
SLV	EL SALVADOR	NIC	NICARAGUA		
EST	ESTONIA	NER	NIGER		
FJI	FIJI	NGA	NIGERIA		
FIN	FINLAND	NOR	NORWAY		
FRA	FRANCE	OMN	OMAN		
MKD	FORMER YUGOSLAV REPUBLIC OF MACEDONIA	PAK	PAKISTAN		
GAB	GABON	PAN	PANAMA		
GMB	GAMBIA	PNG	PAPUA NEW GUINEA		
GEO	GEORGIA	PRY	PARAGUAY		
DEU	GERMANY	PER	PERU		
GHA	GHANA	PHL	PHILIPPINES		
GRC	GREECE	POL	POLAND		
		PRT	PORTUGAL		
		PRI	PUERTO RICO		
		QUT	QATAR		
		ROM	ROMANIA		