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Committee on Anti-Dumping Practices

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REPORT (1995) OF THE COMMITTEE ON ANTI-DUMPING PRACTICES

I. Organization of the work of the Committee

1. The Agreement on Implementation of Article VI of the General Agreement of Tariffs and Trade (hereinafter "the Agreement") entered into force on 1 January 1995. All Members of the WTO are *ipso facto* members of the Committee on Anti-Dumping Practices 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.
3. During the period under review (January 1995 - October 1995) the Committee held five meetings. A special meeting of the Committee was held on 21 February 1995 (G/ADP/M/1). Regular meetings of the Committee were held on 12 June 1995 and 30 October 1995 (G/ADP/M/2 and 5 respectively). Special meetings of the Committee were held jointly with the Committee on Subsidies and Countervailing Measures on 17 - 21 July 1995 and 23 - 27 October 1995 (G/ADP/M/3 and 4 respectively).
4. The Committee at its special meeting of 21 February 1995 elected Mr. Mohan Kumar (India) as its Chairman. The Committee at its regular meeting of 12 June 1995 elected Mr. John McNab (Canada) as its Vice-Chairman.
5. The Committee at its special meeting of 21 February 1995 decided that its two regular meetings would usually be held in the last week of April and of October.

II. Notification and examination of anti-dumping laws and/or regulations of Members

6. The Committee decided at its special meeting of 21 February 1995 that all Members which had available legislation and/or regulations regarding anti-dumping 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 by 15 March 1995. If such legislation and/or regulations did not exist or were not yet available, the Member would inform the Committee of this fact, and explain the reasons therefore. These notifications will be treated as unrestricted documents.
7. The Committee also decided at its special meeting of 21 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 anti-dumping duties, and information regarding any anti-dumping measures taken by the Observer government.
8. As of 30 October 1995, 57 Members had notified the Committee of their domestic anti-dumping legislation or made communications in this respect to the Committee (G/ADP/N/1 and addenda). 38 Members had not, as yet, made notifications under Article 18.5 of the Agreement. One Observer

government submitted a notification under Article 18.5 of the Agreement. Annex A lists the status of notifications under Article 18.5 of the Agreement.

9. During the period under review, the Committee reviewed the notifications of anti-dumping legislation of the following Members in special meetings held jointly with the Committee on Subsidies and Countervailing Measures: Mexico, Chile, United States, Venezuela, Australia, Korea, European Community, Brazil, Canada, Argentina, India, and New Zealand. Written questions and answers regarding these legislations can be found in documents in the G/ADP/W/... series. The Committee also reviewed the notifications without legislative text of the following Members: Czech Republic, Egypt, Hungary, Mauritius, Peru, Slovak Republic, Singapore, Switzerland, and Uruguay. Written questions and answers regarding these notifications can be found in documents in the G/ADP/W/... series.

III. Semi-annual reports on anti-dumping actions taken by Members

10. Article 16.4 of the Agreement provides that Members shall submit, on a semi-annual basis, reports on anti-dumping 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 21 February meeting (G/ADP/M/1, paras. 21-22), 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.

11. At its regular meeting of 30 October 1995, the Committee adopted revised guidelines for information to be provided in semi-annual reports submitted pursuant to Article 16.4 (G/ADP/1).

12. The following Members and countries eligible to become original Members notified the Committee that they had not taken any anti-dumping actions during the period 1 July-31 December 1994 (G/ADP/N/2/Add.1/Rev.2):

Austria	Malta
Brunei Darussalam	Mauritius
Costa Rica	Morocco
Cuba	Nicaragua
Czech Republic	Norway
Dominican Republic	Pakistan
Egypt	Paraguay
El Salvador	Poland
Finland	Romania
Ghana	Slovak Republic
Guatemala	Slovenia
Honduras	Sri Lanka
Hong Kong	Sweden
Hungary	Switzerland
Iceland	Tanzania
Indonesia	Trinidad and Tobago
Israel	Uruguay
Jamaica	Zambia
Malaysia	Zimbabwe

13. Semi-annual reports of anti-dumping actions taken during this period were received from the following Members: Argentina, Australia, Brazil, Canada, Chile, Colombia, European Community,

India, Japan, Korea, Mexico, New Zealand, Peru, Singapore, South Africa, Thailand, Turkey, United States and Venezuela (G/ADP/N/2 and addenda).

14. No reports were received from the following Members:

Antigua and Barbuda	Macau
Bahrain	Malawi
Bangladesh	Maldives
Barbados	Mali
Belize	Mauritania
Botswana	Myanmar
Burkina Faso	Namibia
Central African Republic	Nigeria
Côte d'Ivoire	Philippines
Djibouti	Saint Lucia
Dominica	Saint Vincent & Grenadines
Gabon	Senegal
Guinea Bissau	Suriname
Guyana	Swaziland
Kenya	Togo
Kuwait	Tunisia
Lesotho	Uganda

15. As of 30 October 1995, the following Members had notified the Committee that they had not taken any anti-dumping actions during the period 1 January-30 June 1995. The final list will be published in document G/ADP/N/4/Add.1:

Barbados	Malta
Costa Rica	Norway
Cuba	Poland
Czech Republic	Romania
Dominican Republic	Slovak Republic
Egypt	Slovenia
Honduras	Switzerland
Hong Kong	Uruguay
Hungary	Tanzania
Iceland	Uruguay
Malaysia	Zambia

16. Semi-annual reports of anti-dumping actions taken during this period were received from the following Members: Argentina, Australia, Brazil, Canada, Chile, Colombia, European Community, India, Japan, Korea, Mexico, New Zealand, Peru, Singapore, Thailand, Turkey, United States, and Venezuela (G/ADP/N/4 and addenda).

17. No reports were received from the following Members:

Antigua and Barbuda	Brunei Darussalam
Bahrain	Burkina Faso
Bangladesh	Burundi
Belize	Central African Republic
Bolivia	Côte d'Ivoire
Botswana	Cyprus

Djibouti	Mauritania
Dominica	Mauritius
El Salvador	Morocco
Gabon	Mozambique
Ghana	Myanmar
Guatemala	Namibia
Guinea Bissau	Nicaragua
Guinea, Rep. of	Nigeria
Guyana	Pakistan
Indonesia	Paraguay
Israel	Philippines
Jamaica	Saint Lucia
Kenya	Saint Vincent & Grenadines
Kuwait	Senegal
Lesotho	Sierra Leone
Liechtenstein	South Africa
Macau	Sri Lanka
Malawi	Suriname
Maldives	Swaziland
Mali	Togo
	Trinidad and Tobago
	Tunisia
	Uganda
	Zimbabwe

18. The Committee has examined the reports circulated in addenda to G/ADP/N/2 and 4, and the comments of Members are reflected in the minutes. A Table summarising anti-dumping actions taken by Members during the period 1 July 1994-30 June 1995 is reproduced in Annex B to this report.

IV. Reports on all preliminary or final anti-dumping actions

19. At its regular meeting of 30 October 1995, the Committee reissued as a Committee document the minimum information requirements for reports of preliminary and final actions, which had been adopted by the Committee at its special meeting of 21 February 1995 (G/ADP/2).

20. Reports of preliminary and final anti-dumping actions were received from Australia, Canada, the European Community, Korea, Mexico, New Zealand, Peru, Singapore, Turkey, and the United States. (G/ADP/N/3, 5 and Corr.1, 6, and 7).

V. Other matters discussed by the Committee

21. At its special meeting of 21 February 1995, the Committee took note of the Decision on Transitional Arrangements - Avoidance of Procedural and Institutional Duplication adopted by the General Council on 31 January 1995 (WT/L/29). That decision provides for coordination of meetings and notification procedures between the Committee and the Tokyo Round Committee on Anti-Dumping Practices. The decision envisions that notification of a measure to the Committee shall, unless otherwise indicated, be deemed to be a notification to the Tokyo Round Committee on Anti-Dumping Practices.

22. The Committee also discussed the following matters during its regular meetings:

- (i) EU enlargement and automatic application of anti-dumping duties to the new Members of the EU (G/ADP/M/2, paras. 66-83).

- (ii) Anti-circumvention (G/ADP/M/2, paras. 60-65). At its meeting on 30 October 1995, the Committee authorized the Chairman to engage in informal consultations with a view to reporting back to the Committee at its meeting in December on how the Committee is going to respond to the Ministerial Decision, including terms of reference and procedural issues.
- (iii) At its meeting of 30 October 1995, several Members of the Committee raised the issue of the initiation by the European Community of anti-circumvention investigations involving imports of 3.5 inch microdisks from several Members.
- (iv) At its meeting of 30 October 1995, the Committee authorized the Chairman to consult informally regarding a format for a one-time notification of all preliminary and/or final measures in force at the time of entry into force of the WTO Agreement for the Member.

ANNEX A
ANTI-DUMPING LEGISLATION NOTIFICATIONS

MEMBER/OBSERVER	NOTIFICATION PROVIDED
Antigua and Barbuda	
Argentina	X
Australia	X
Bahrain	
Bangladesh	
Barbados	X
Belize	
Bolivia	X
Botswana	X
Brazil	X
Brunei Darussalam	
Burkina Faso	
Burundi	
Canada	X
Central African Republic	
Chile	X
Colombia	X
Costa Rica	X
Côte d'Ivoire	
Cuba	X
Cyprus	X
Czech Republic	X
Djibouti	
Dominica	
Dominican Republic	X
European Community	X
Ecuador (Observer)	X
Egypt	X
El Salvador	X

Gabon	
Ghana	
Guatemala	X
Guinea Bissau	
Guinea, Rep.of	
Guyana	
Honduras	X
Hong Kong	X
Hungary	X
Iceland	X
India	X
Indonesia	X
Israel	X
Jamaica	X
Japan	X
Kenya	
Korea	X
Kuwait	
Lesotho	
Liechtenstein	
Macau	
Malawi	
Malaysia	X
Maldives	X
Mali	
Malta	
Mauritania	
Mauritius	X
Mexico	X
Morocco	X
Mozambique	
Myanmar	

Namibia	
New Zealand	X
Nicaragua	X
Nigeria	
Norway	X
Pakistan	
Paraguay	X
Peru	X
Philippines	X
Poland	X
Romania	X
Saint Lucia	
Saint Vincent & Grenadines	
Senegal	
Sierra Leone	
Singapore	X
Slovak Republic	X
Slovenia	X
South Africa	X
Sri Lanka	X
Suriname	X
Swaziland	
Switzerland	X
Tanzania	
Thailand	X
Togo	
Trinidad and Tobago	X
Tunisia	
Turkey	X
Uganda	X ¹

¹Document submitted does not, on its face, satisfy the requirement to notify.

United States	X
Uruguay	X
Venezuela	X
Zambia	X
Zimbabwe	X ¹

ANNEX B¹
Summary of Anti-Dumping Actions
(1 July 1994-30 June 1995)

Initiation			Provisional Measures (negative preliminary determinations not included)			Definitive Duties (negative determinations not included)			Price Undertakings			Measures in force on 30 June 1995 (definitive duties and price undertakings)	
No.	Countries ² involved		No	Countries involved		No	Countries involved		No.	Countries involved			
	ARGENTINA												
6	BRA(1)	CHN(2)	6	CHN(3)	CHT(1)	KOR(1)	CHN(1)	CHT(1)	JPN(1)	2	ESP(1)	USA(1)	3 ³
	DEU(1)	KOR(1)		PRY(1)			KOR(2)	PRY(1)					
	AUSTRALIA												
6	CHN(2)	IDN(1)	5	BRA(1)	CHN(2)	HKG(1)	BRA(1)	SGP(1)		1	USA(1)		86
	ZAF(1)			THA(1)									

¹Includes actions covered by the Tokyo Round Agreement, the WTO Agreement, and Article VI of GATT 1947.

²"Countries" refers in all cases to countries or customs territories. A list of the abbreviations used in this table can be found following the table.

³Figure refers to measures in force as at 31 December 1994, since Argentina did not submit a separate list of measures in force as of 30 June 1995.

	BRAZIL																		
12	BIH(1)	CHN(2)	ESP(1)	2	CHN(1)	IND(1)						0				0			18
	HRV(1)	MKD(1)	RUS(1)																
	SVN(1)	UKR(1)	USA(2)																
	YUG(1)																		
	CANADA																		
9	DEU(1)	DNK(1)	GBR(1)	2	USA(2)							13	AUS(1)	BRA(1)	DEU(1)	1	USA(1)		91
	KOR(1)	NLD(1)	USA(4)										ESP(1)	FRA(1)	GBR(1)				
													IND(1)	JPN(1)	KOR(1)				
													NZL(1)	SWE(1)	USA(2)				
	CHILE																		
2	ARG(1)	CHN(1)		2	ARG(1)	CHN(1)						3	ARG(1)	CHN(1)	VEN(1)	0			2
	COLOMBIA																		
1	VNM(1)			0								2	USA(2)			0			6

[illegible]

MEXICO													
18	ARM(1)	AZE(1)	BLR(1)	19	ARM(1)	AZE(1)	BLR(1)	15	BRA(1)	CHN(11)	USA(3)	0	42
	BRA(2)	EST(1)	GEO(1)		CHN(1)	DEU(1)	EST(1)						
	IND(1)	KAZ(1)	KGZ(1)		GEO(1)	IND(1)	JPN(1)						
	LTU(1)	LVA(1)	MDA(1)		KAZ(1)	KGZ(1)	LTU(1)						
	RUS(1)	TKM(1)	TJK(1)		LVA(1)	MDA(1)	RUS(1)						
	UKR(1)	UZB(1)			TJK(1)	TKM(1)	UKR(1)						
					USA(1)	UZB(1)							
NEW ZEALAND													
9	CHN(1)	CHT(1)	IDN(2)	0				1	THA(1)			0	22
	ITA(1)	KOR(1)	PAK(1)										
	PHL(1)	THA(1)											
PERU													
4	BOL(1)	CHN(1)	KOR(2)	1	CHN(1)			0				0	4

⁴Peru did not submit a list of measures in force.

[illegible]

⁵South Africa did not submit a report for the period 1 January-30 June 1995. Hence, the figures reflect only actions during the period 1 July-31 December 1994.

⁶⁶South Africa did not submit a list of measures in force.

⁷As at 31 December 1994. Thailand did not submit a list of measures in force as at 30 June 1995.

UNITED STATES																	
30	ARG(2)	AUT(1)	BRA(1)	44	ARG(2)	AUT(1)	BRA(2)	48	ARG(2)	AUT(1)	AUT(1)	BRA(2)	3	JPN(1)	NLD(1)	UKR (1)	305
	CHN(7)	CHT(2)	DEU(1)		CHN(10)	COL(1)	DEU(2)		CHN(10)	CHT(1)	CHT(1)	COL(1)					
	ESP(1)	ITA(3)	JPN(2)		ECU(1)	ESP(2)	FRA(1)		DEU(1)	ECU(1)	ECU(1)	ESP(2)					
	KOR(2)	MEX(3)	ROM(1)		GBR(1)	IND(2)	ISR(1)		FRA(1)	GBR(1)	GBR(1)	IND(2)					
	RUS(1)	THA(1)	TUR(1)		ITA(3)	JPN(3)	KOR(2)		ISR(1)	ITA(3)	ITA(3)	JPN(3)					
	ZAF(1)				MYS(1)	RUS(3)	THA(3)		KOR(2)	MEX(1)	MEX(1)	MYS(1)					
					UKR(1)	VEN(1)	ZAF(1)		RUS(2)	THA(4)	THA(4)	UKR(2)					
									VEN(3)	ZAF(1)	ZAF(1)						
VENEZUELA																	
1	PER(1)			2	CHN(2)			2	CHN(2)				0				8

⁸Venezuela did not submit a list of measures in force.

LIST OF ABBREVIATIONS USED IN ANNEX B

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