



**Dispute Settlement Body
4 July 2016**

MINUTES OF MEETING

HELD IN THE CENTRE WILLIAM RAPPARD
ON 4 JULY 2016

Chairman: Mr. Xavier Carim (South Africa)

1 KOREA – ANTI-DUMPING DUTIES ON PNEUMATIC VALVES FROM JAPAN

A. Request for the establishment of a panel by Japan (WT/DS504/2)

1.1. The Chairman recalled that the DSB had considered this matter at its meeting on 22 June 2016 and had agreed to revert to it. He then drew Members' attention to the communication from Japan contained in document WT/DS504/2, and invited the representative of Japan to speak.

1.2. The representative of Japan said that, at the present meeting, his delegations did not wish to repeat its position and claims pertaining to this dispute as it had explained them in detail in its panel request and the statement made at the 22 June 2016 DSB meeting. Just to summarize, he said that this case concerned Korea's measures imposing anti-dumping duties on imports of pneumatic valves originating from Japan. Japan considered Korea's measures to be inconsistent with Korea's obligations under the GATT 1994 and Anti-Dumping Agreement. This panel request had been considered by the DSB at its meeting on 22 June 2016. As it continued to see the inconsistency not being removed, Japan once again requested, pursuant to Article 6 of the DSU, that a panel be established to examine the matter as set out in this panel request with standard terms of reference in accordance with Article 7.1 of the DSU.

1.3. The representative of Korea said that it was regrettable that Japan had chosen, for the second time, to request the establishment of a panel on this matter at a special DSB meeting. As explained at the 22 June DSB meeting, Korea did its best to try to resolve this dispute through consultations with Japan. Unfortunately, however, those consultations had not resolved this matter. In recent years, dumped imports of pneumatic transmission valves from Japan had increased remarkably. It was determined that Korea's domestic industry was substantially injured from these dumped imports. Korea's Trade Commission had conducted an objective examination pursuant to the Anti-Dumping Agreement, and had adopted its measure in full compliance with Korea's WTO obligations. Notwithstanding the foregoing, Korea understood that a panel would be established at the present meeting, in accordance with Article 6.1 of the DSU. Korea was convinced that its measures were in conformity with the WTO Agreement and was prepared to explain and defend the legitimacy of the measures in the Panel's proceedings.

1.4. The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

1.5. The representatives of China, the European Union, Norway, Turkey and the United States reserved their third-party rights to participate in the Panel's proceedings.
