

# Protection against dumped and subsidised imports from countries not members of the European Union

2013/0103(COD) - 17/04/2018 - Commission communication on Council's position

The Commission presented a communication on the position of the Council on the adoption of a Regulation of the European Parliament and of the Council amending Regulation (EU) 2016/1036 on protection against dumped imports from countries not members of the European Union and Regulation (EU) 2016/1037 on protection against subsidised imports from countries not members of the European Union.

The Commission accepted the Council's position which reflects the agreement found in trilogues. It considered that the Council supported and further refines the Commission proposal, *inter alia* through a **pre-disclosure period of three weeks** subject to safeguards against stockpiling.

The Commission noted the following:

- as regards the **lesser duty rule**, countervailing measures normally apply at the level of the subsidy margin and in anti-dumping cases a **17% threshold** for distorted raw materials is introduced. Both are subject to a Union interest test and a general review of this practice in five years' time;
- the duration of an **anti-dumping investigation** is shortened;
- the **improved target price calculation for the European industry** includes the full cost, investment, R&D and innovation and a minimum target profit of 6%.

Following the Council's adoption of its first reading position, the **European Parliament is expected to formally endorse the agreement** found in trilogues. In its position at first reading, Parliament suggested several amendments to the Commission proposal, including the following:

- the recognition of trade unions and of social and environmental standards in the trade defence investigations;
- the extension of trade defence measures to the continental shelf and exclusive economic zone of a Member State;
- additional support for small and medium-sized enterprise.