

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

## Codification

2014/0309(COD) - 27/03/2019 - Follow-up document

The Commission presents a staff working document accompanying its 37th annual report on the EU's anti-dumping, anti-subsidy and safeguard activities and the use of trade defence instruments by third countries targeting the EU in 2018. The document gives details of all trade defence activities during this period,

It also gives details of EU legislation in force, and amendments made in order to modernise the trade defence regime in 2018. The Commission notes that the EU's legislation contains a number of provisions aimed at ensuring a balanced application of the EU's anti-dumping and anti-subsidy rules on all interested parties. These provisions include the "EU interest test" and the "lesser duty rule", which go beyond the Union's WTO obligations.

### *Overview of anti-dumping and anti-subsidy measures*

In 2018, the EU initiated 10 new investigations, of which four concerned imported steel products. There were 14 decisions taken regarding new measures. The EU also initiated 17 investigations to review existing measures, with seven decisions taken to keep measures in place. Furthermore, the Commission initiated three safeguard investigations, one in the steel sector and two bilateral ones on rice with Cambodia and Myanmar.

The Commission notes the following:

- at the end of 2018, the EU had in force 93 definitive anti-dumping measures (which were extended in 27 cases) and 12 countervailing measures in force (which were extended in one case). Of the 12 anti-subsidy measures and one extension in place, half concerned imports from China (6) whereas India was subject to four measures, USA to two measures and Turkey to one measure;

- in the five-year period from 2014 to 2018, 66 new investigations were initiated on imports from 22 countries. The sectors concerned by the investigations included 'iron and steel', 'chemical and allied industries', the 'mechanical engineering' sector and the 'wood and paper' sector;

- the breakdown of the countries concerned by initiations during the period from 2014 to 2018 include China (24 investigations), Russia (7), India and Turkey (5), Brazil, Korea (3 each), Taiwan, Ukraine and USA (2 each), Argentina, Belarus, Bosnia and Herzegovina, Egypt, Georgia, Indonesia, Iran, Japan, North Macedonia, Malaysia, Mexico, Serbia, Trinidad and Tobago (1 each);

- reviews continue to represent a major part of the work of the Commission's TDI services. In 2018, 24 reviews were initiated. These comprised 17 expiry reviews, three interim reviews, one anti-absorption investigation and three re-openings. 7 expiry reviews were concluded with confirmation of the duties for a further period of five years;

- in 2018, eight new anti-dumping and two new anti-subsidy investigations were initiated. The anti-dumping investigations involved four different products from seven different countries. No country stood out in terms of number of these initiations. The anti-subsidy investigations both concerned biodiesel-producing countries;

- during 2018, definitive duties were imposed in three anti-dumping investigations and in one anti-subsidy investigation. All involved cases from China, regarding cast iron articles, corrosion resistant steels, and new and retreaded tyres for buses or lorries.

### ***Activities by third countries targeting the EU***

In 2018, the main users of the trade defence instruments against EU exports were the US with 33 measures in force, India with 21, China with 18, Brazil with 16, Turkey with 14, and Australia with 10 measures in force.

### ***World Trade Organisation***

The document notes that anti-dumping, anti-subsidy and safeguards measures are among the most common subject matters in WTO dispute settlement. In 2018, the EU participated actively in a number of WTO dispute settlement proceedings as a third party.

### ***Enforcement of anti-dumping/countervailing measures***

The report notes that globalisation of trade led to greater possibilities for circumventing or otherwise reducing the effectiveness of anti-dumping and countervailing measures. To address this problem, throughout 2018 the TDI services continued their follow-up activities aimed at ensuring that measures were effectively enforced. In the framework of an integrated approach measures were considered in all their forms - duties and undertakings – and synergy was sought between the TDI services and enforcement-oriented services (OLAF, DG Taxud and customs authorities in Member States).