

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

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The Council discussed, in the light of a compromise proposed by the presidency, a draft regulation aimed at updating EU instruments for tackling unfair competition from dumped and subsidised imports.

The discussion confirmed that there were difficulties in the way of the Council reaching an agreement on the proposal. They also confirmed that delegations remain deeply divided on the proposal regarding the disapplication of the "Lesser Duty Rule" (LDR): 11 Member States are in favour, 3 others are also in favour but want more restricted definitions, whereas the remaining 14 are strongly against and want the status quo to be maintained.

The "Lesser Duty Rule" (LDR) ensures that the duties imposed are not higher than necessary to remove the injury inflicted on the EU industry. The duty amount is set at the lower level between the dumping margin and the injury level. The Presidency proposal foresees that the disapplication of the LDR would apply to antidumping cases only.

Other than the "Lesser Duty Rule", discussions continued on a cluster of technical issues (SME Helpdesk, Reimbursement, Duration and Shipping Clause/pre-disclosure) as well as on "Raw Materials" and "Energy".

The presidency therefore asked the Commission to reflect on the way forward.