

**1 ARTICLE 14 OF THE AGREEMENT ON IMPLEMENTATION OF ARTICLE VI OF THE
GENERAL AGREEMENT ON TARIFFS AND TRADE 1994.....1**

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1.1 Text of Article 14

Article 14

Anti-Dumping Action on Behalf of a Third Country

14.1 An application for anti-dumping action on behalf of a third country shall be made by the authorities of the third country requesting action.

14.2 Such an application shall be supported by price information to show that the imports are being dumped and by detailed information to show that the alleged dumping is causing injury to the domestic industry concerned in the third country. The government of the third country shall afford all assistance to the authorities of the importing country to obtain any further information which the latter may require.

14.3 In considering such an application, the authorities of the importing country shall consider the effects of the alleged dumping on the industry concerned as a whole in the third country; that is to say, the injury shall not be assessed in relation only to the effect of the alleged dumping on the industry's exports to the importing country or even on the industry's total exports.

14.4 The decision whether or not to proceed with a case shall rest with the importing country. If the importing country decides that it is prepared to take action, the initiation of the approach to the Council for Trade in Goods seeking its approval for such action shall rest with the importing country.

1.2 General

1. The reference in Article 14.4 of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-Dumping Agreement) to "the initiation of the approach to the Council for Trade in Goods" refers to the Article VI:6(b) of the General Agreement on Tariffs and Trade 1994 (GATT 1994), which permits levying of anti-dumping duties on behalf of a third country if a waiver has been obtained.

2. The provisions of Article VI:6(b) and (c) of the GATT 1994 on anti-dumping action on behalf of a third country have never been invoked since 1957, when they entered into force, and no waiver for this purpose has ever been requested. The provisions of Article 14 (and its predecessor provisions in the Tokyo Round and Kennedy Round Anti-Dumping Codes) of the Anti-Dumping Agreement have also never been invoked.

3. For background on anti-dumping actions on behalf of a third country, see the document on Article VI of the General Agreement on Tariffs and Trade 1947 (GATT 1947) (GATT Analytical Index, pages 247-248).