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**1 ARTICLE 18 OF THE AGREEMENT ON IMPLEMENTATION OF ARTICLE VI OF THE GENERAL  
AGREEMENT ON TARIFFS AND TRADE 1994**

**1.1 Text of Article 18**

**Article 18**

*Final Provisions*

18.1 No specific action against dumping of exports from another Member can be taken except in accordance with the provisions of GATT 1994, as interpreted by this Agreement.<sup>24</sup>

*(footnote original)* <sup>24</sup> This is not intended to preclude action under other relevant provisions of GATT 1994, as appropriate.

18.2 Reservations may not be entered in respect of any of the provisions of this Agreement without the consent of the other Members.

18.3 Subject to subparagraphs 3.1 and 3.2, the provisions of this Agreement shall apply to investigations, and reviews of existing measures, initiated pursuant to applications which have been made on or after the date of entry into force for a Member of the WTO Agreement.

18.3.1 With respect to the calculation of margins of dumping in refund procedures under paragraph 3 of Article 9, the rules used in the most recent determination or review of dumping shall apply.

18.3.2 For the purposes of paragraph 3 of Article 11, existing anti-dumping measures shall be deemed to be imposed on a date not later than the date of entry into force for a Member of the WTO Agreement, except in cases in which the domestic legislation of a Member in force on that date already included a clause of the type provided for in that paragraph.

18.4 Each Member shall take all necessary steps, of a general or particular character, to ensure, not later than the date of entry into force of the WTO Agreement for it, the conformity of its laws, regulations and administrative procedures with the provisions of this Agreement as they may apply for the Member in question.

18.5 Each Member shall inform the Committee of any changes in its laws and regulations relevant to this Agreement and in the administration of such laws and regulations.

18.6 The Committee shall review annually the implementation and operation of this Agreement taking into account the objectives thereof. The Committee shall inform annually the Council for Trade in Goods of developments during the period covered by such reviews.

18.7 The Annexes to this Agreement constitute an integral part thereof.

**1.2 Article 18.5: Anti-dumping legislation notifications**

1. Article 18.5 of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-Dumping Agreement) provides that "Each Member shall inform the Committee of any changes in its laws and regulations relevant to this Agreement and in the administration of such laws and regulations". Pursuant to a decision of the Committee in February 1995, all Members having new or existing legislation and/or regulations that apply, in

whole or in part, to anti-dumping duty investigations or reviews covered by the Anti-Dumping Agreement are requested to notify the full and integrated text of such legislation and/or regulations to the Committee. Changes in a Member's legislation and/or regulations are to be notified to the Committee as well. Pursuant to that same decision of the Committee, if a Member has no such legislation or regulations, the Member is to inform the Committee of this fact. The Committee also decided that Observer governments should comply with these notification obligations.<sup>1</sup>

2. As of 27 October 2021, 121 Members had notified the Committee regarding their domestic anti-dumping legislation. Of these 121 Members, 34 had notified the Committee that they had no anti-dumping legislation. Members' communications in this regard can be found in document series [G/ADP/N/1/\\*](#). 16 Members have not, as yet, made any notification of anti-dumping legislation and/or regulations. Annex A of the Committee's annual reports sets out the status of notifications concerning legislation under Article 18.5 of the Anti-Dumping Agreement, and sets out the reference symbol of the document(s) containing each Member's current notification in this regard.<sup>2</sup> Notifications on anti-dumping legislation are circulated as unrestricted documents.

### **1.3 Article 18.6: Annual reviews of the implementation of the Anti-Dumping Agreement**

3. Paragraph 7.4 of the Doha Ministerial Decision of 14 November 2001 on Implementation-Related Issues and Concerns states that the Ministerial Conference:

"[t]akes note that Article 18.6 of the Agreement on the Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 requires the Committee on Anti-Dumping Practices to review annually the implementation and operation of the Agreement taking into account the objectives thereof. The Committee on Anti-Dumping Practices is instructed to draw up guidelines for the improvement of annual reviews and to report its views and recommendations to the General Council for subsequent decision within 12 months."<sup>3</sup>

4. Further to the Doha mandate, the Committee adopted, on 27 November 2002, the "Recommendation regarding Annual Reviews of the Anti-Dumping Agreement".<sup>4</sup> In the Recommendation, the Committee considers that "improvements in the reporting of anti-dumping activity under the Agreement and in the Committee's annual reviews are important to promoting transparency". Accordingly, the Recommendation includes the following improvements aimed at providing useful information to Members and the public, and enhancing transparency under the Anti-Dumping Agreement:

"1. The Committee's annual report under Article 18.6 should include in the Summary of Anti-Dumping Actions<sup>1</sup>, in addition to the column currently included that lists the initiations reported by each Member, a comparable column listing the number of anti-dumping revocations reported by each Member during the reporting period. Where a Member has not provided such information, the report should note this omission. Members are already requested to report the number of revocations in a separate table as an annex to their semi-annual reports of anti-dumping activity. Consequently, such information should be included in the Article 18.6 annual report.

*(footnote original)* <sup>1</sup> See Report (2001) of the Committee on Anti-Dumping Practices, Annex C, [G/L/495](#) (31 October 2001).

2. The Committee's Article 18.6 annual report should also include a chart comparing for each Member the number of preliminary and final measures reported in its semi-annual reports with the number of notices of preliminary and final measures the Member submitted to the Secretariat for the comparable period.

3. Developed country Members should include, when reporting anti-dumping actions in the semi-annual report that Members are required to submit under Article 16.4, the

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<sup>1</sup> [G/ADP/N/1/Suppl.1](#).

<sup>2</sup> See, for 2021, [G/L/1415](#), Annex A.

<sup>3</sup> [WT/MIN\(01\)/17](#), para. 7.4.

<sup>4</sup> [G/ADP/9](#).

manner in which the obligations of Article 15 have been fulfilled. Without prejudice to the scope and application of Article 15, price undertakings and lesser duty rules are examples of constructive remedies that could be included in such Members' semi-annual reports. The Committee's annual report under Article 18.6 should include, in a separate table, a compilation of the information reported by each Member in this respect during the reporting period. Where a Member has not provided such information, the report should note this omission.

This recommendation does not prejudice the ability of Members to submit other proposals and to agree in the future on other recommendations aimed at improving annual reviews in the Committee on Anti-Dumping Practices."<sup>5</sup>

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Current as of: December 2021

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<sup>5</sup> [G/ADP/9](#).