

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

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Limited Distribution

## REPORT (1982) OF THE COMMITTEE ON ANTI-DUMPING PRACTICES

### I. Organization of the work of the Committee

1. The Agreement on Implementation of Article VI of the General Agreement entered into force on 1 January 1980. On 25 October 1982 the following were the Parties to the Agreement: Australia, Austria, Brazil, Canada, Czechoslovakia, Egypt, Finland, Hungary, India, Japan, Norway, Pakistan, Poland, Romania, Spain, Sweden, Switzerland, United Kingdom on behalf of Hong Kong, United States, Yugoslavia and the European Communities. Egypt is still in the process of ratifying the Agreement.

2. The Parties to the Agreement are ipso facto members of the Committee on Anti-Dumping Practices established under the Agreement. During the period under review the Committee has held three meetings:

26-27 April 1982	-	ADP/M/7 and L/5322
14 June 1982	-	ADP/M/8 and ADP/12
25 October 1982	-	ADP/M/9 and L/5398

Twenty-seven contracting parties and five non-contracting parties have observer status. Furthermore two international organizations (IMF and UNCTAD) have attended meetings of the Committee in an observer capacity.

### II. National legislation and implementing regulations (Article 16:6)

3. During the period under review the delegation of Spain has submitted its national legislation ADP/1/Add.17/Rev.1). As of 15 October 1982 the following Parties submitted their legislation or made communications with this respect to the Committee:

European Communities	-	ADP/1/Add.1 and ADP/1/Add.1/Suppl.1
Sweden	-	ADP/1/Add.2
United States	-	ADP/1/Add.3
Norway	-	ADP/1/Add.4
Finland	-	ADP/1/Add.5
Canada	-	ADP/1/Add.6
Switzerland	-	ADP/1/Add.7
Japan	-	ADP/1/Add.8
Romania	-	ADP/1/Add.9
Austria	-	ADP/1/Add.10
Czechoslovakia	-	ADP/1/Add.11
Hong Kong	-	ADP/1/Add.12
Hungary	-	ADP/1/Add.14
Spain	-	ADP/1/Add.17/Rev.1

4. The delegation of Canada has submitted its draft legislation to the Committee for discussion and comments (ADP/M/3, paragraphs 36-61). A number of comments were made on this draft and it was the expectation of the Committee that these comments will be duly taken into account.

5. The following Parties<sup>1</sup> have not, as yet, made formal notifications to the Committee of their actions under Article 16:6 of the Agreement: Australia, India, Pakistan, Poland and Yugoslavia. Some of these Parties informed the Committee that their legislation did not envisage application of anti-dumping duties and consequently such duties had never been applied.

6. At its October 1980 meeting the Committee took a decision with respect to the action by Brazil under Article 16:6 of the Agreement (ADP/M/3, Annex I). This decision recognized, inter alia, that Brazil would require a further period of three years to establish an administrative structure and to set up administrative procedures in order to implement its domestic legislation in conformity with the provisions of the Agreement.

7. Some Parties raised concrete implementation problems which, they considered, were of a general nature and deserved to be discussed in the Committee with a view to resolving them in accordance with the letter and spirit of the Agreement. Some Parties drew the Committee's attention to certain inconsistencies with the Agreement which existed in domestic legislations of some other Parties and urged those Parties to take appropriate steps in order to assure the full conformity of their legislations with the Agreement.

8. It was agreed that the Parties to which comments concerning their legislation were addressed would consider them. Some Parties reserved their rights to revert to particular aspects of the national legislations at a later stage or in the light of their practical implications. The Committee agreed to maintain on its agenda the examination of national legislations already submitted and those which will be submitted in future.

### III. Semi-annual reports on anti-dumping actions

9. Article 14:4 of the Agreement provides that the Parties shall submit, on a semi-annual basis, reports of any anti-dumping action taken within the preceding six months. In this relation a standard form for such reports has been worked out (ADP/3). During the period under review the following reports have been submitted and circulated to the Committee:

- (a) reports for the period 1 July 1981-31 December 1981 have been circulated in addenda to ADP/11. The following Parties had notified the Committee that they had not taken any anti-dumping action during that period: Austria, Brazil, Czechoslovakia, Hungary, India, Japan, Norway, Pakistan,

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<sup>1</sup> Egypt which has not completed its ratification procedures is not included in this enumeration.

Poland, Romania, Spain, Switzerland, United Kingdom on behalf of Hong Kong and Yugoslavia. Anti-dumping actions had been notified by Finland (Add.1); the EEC (Add.2), Canada (Add.3) the United States (Add.4) and Sweden (Add.5).

- (b) reports for the period 1 January 1981-30 June 1982 have been circulated in addenda to ADP/13. The following Parties had notified the Committee that they had not taken any anti-dumping action during that period: Austria, Brazil, Czechoslovakia, Egypt, Finland, Hungary, India, Japan, Norway, Poland, Romania, Spain, Sweden, Switzerland, the United Kingdom on behalf of Hong Kong and Yugoslavia. Anti-dumping actions have been notified by Canada (ADP/13/Add.1), the EEC (ADP/13/Add.2) and the United States (ADP/13/Add.3).

The Committee has examined these reports. A number of comments on particular cases were made and explanations given. A table summarizing the cases where investigations have been opened and provisional or final actions taken during the period 1 July 1980-30 June 1982 is reproduced in the Annex.

#### IV. Reports on all preliminary or final anti-dumping actions

10. Notifications under these procedures have been received from Australia, Canada, the European Communities and the United States and circulated in documents ADP/W/33, 34, 38, 39, and 40.

#### V. Questionnaire used in anti-dumping investigations

11. The following Parties have submitted their questionnaire to the secretariat: Australia, Canada, United States, the European Communities. These questionnaires are available in the secretariat for inspection by interested delegations. Questions were raised and comments and proposals made with respect to the questionnaires and on how they should be completed. Some delegations explained of the difficulties they had with regard to certain points of the questionnaires.

#### VI. Conciliation and dispute settlement

12. No action has been initiated with respect to conciliation and dispute settlement procedures.

#### VII. Contribution to the Ministerial Meeting

13. The Committee held a special meeting on 14 June 1982 to discuss possible contribution to the Ministerial Meeting (ADP/M/8). In this relation the Chairman submitted to the Chairman of the Preparatory Committee a factual note, under his own responsibility, based on the points which emerged during the discussion (ADP/12).

#### VIII. Ad Hoc Working Party

14. The Committee established an Ad Hoc Working Party to examine technical problems related to the implementation of the Agreement.

ANNEX  
Summary of Anti-Dumping Actions

Reporting country	Reporting period	Initiation		Provisional measures		Definitive duties		Price undertaking	Outstanding anti-dumping actions	
		No.	Countries involved	No.	Countries involved	No.	Countries involved			No.
US	1 July 1980- 30 June 1981	15	CA DD DE(5) IN TW CH DE(5) IN TW CN GB IT	9	CN FR IT KR TW DD GB JP TW DE	4	DE FR IT JP	1	JP	85
	1 July 1981- 30 June 1982	51	BE(5) FR(7) KR TW(2) CA(3) GB(5) LU(5) VE CL IT(4) NL(4) DE(7) JP(4) RO	11	CA FR(2) JP(3) TW(2) DE HU KR	47	AR CA(7) FI(2) JP(16) AT(2) CS FR(4) SU AU DD(2) GB TW BE DE(3) IT(2) YU BR	1	TW	n.a.
CG2	1 July 1980- 30 June 1981	22	BR ES(2) PL CA(2) HU(2) SE CS JP(2) US(9)	8	CA US(7)	5	US(5)	8	BR PL RO(2) ES JP SE US	n.a.
	1 July 1981- 30 June 1982	39	AT CS(8) PL(4) AV ES(2) RO(5) BR(2) HU(5) US(7)	7	BR(1) PL(1) US(1) CS(1) RO(3)	5	CA(1) US(4)	17	CS(5) PL(3) YU HU(3) RO(3) JP US	n.a.
Canada	1 July 1980- 30 June 1981	29	BE FI LU SU BR GB(3) MY US(7) CN FR NL(2) YU DE(3) HK PL ES JP SG	20	BE ES IT PL BR FR LU SU DE(2) GB(2) NL US(7)	15	BE ES NL DE GB PL SU US(8)	-	-	123
	1 July 1981- 30 June 1982	64	BE(3) FI(2) JP(5) RO BR(2) FR(8) KR(3) SK CH GB(3) LU SG CN HK MY TW DE(8) IN NL US(5) ES(3) IT(8) PT(2) YU	23	CH GB(2) JP(4) SG(2) CN HK MY US(4) DE IN NL YU FI IT PT	8	IN KR SG JP PL SU US(2)	-	-	159
Finland	1 July 1980- 30 June 1981	2	CH DE	2	CH DE	2	CH DE	2	CH DE	
	1 July 1980- 30 June 1981	1	IT							
Sweden	1 July 1981- 30 June 1982	2	KR YU							

<sup>1</sup>Calculated for each exporting country and each product (country x product). Calculated on a basis of products only, irrespective of the number of exporting countries, these numbers would be considerably lower. The actions taken into account are only those reported in accordance with the footnote to the standard form (ADP/3).

<sup>2</sup>Actions taken with respect to the Parties only.

<sup>3</sup>Countries or customs territories. The abbreviations used are those adopted by the ISO. AT=Austria, AU=Australia, BE=Belgium, BR=Brazil, CA=Canada, CH=Switzerland, CL=Chile, CN=China, CS=Czechoslovakia, DD=German, Dem. Rep., DE=Germany, ES=Spain, FI=Finland, FR=France, GB=United Kingdom, HK=Hong Kong, HU=Hungary, IN=India, IT=Italy, JP=Japan, KR=Korea, LU=Luxembourg, MY=Malaysia, NL=Netherlands, PL=Poland, PT=Portugal, RO=Romania, SE=Sweden, SG=Singapore, SU=USSR, TW=Taiwan, US=United States, YU=Yugoslavia.

<sup>4</sup>No action has been reported for the period 1 July 1981-30 June 1982.

<sup>5</sup>No action has been reported for the period 1 July 1980-30 June 1981.

**Note:** The difference in the number of cases between this table and the table attached to L/5229 result mainly from the methods used in each calculation. The table in L/5229 includes all cases reported in semi-annual reports for a given period, irrespective of whether the reported action has indeed taken place within such a period. The above table includes only those actions which were reported and effectively have taken place within the reporting period.

Numbers in brackets indicate the number of products subject to anti-dumping actions.