

PREPARATIONS FOR THE 1999 MINISTERIAL CONFERENCE

Agreement on Anti-Dumping

Communication from Egypt

The following communication, dated 17 September 1999, has been received from the Permanent Mission of Egypt.

Background

1. The misuse of the trade remedy measures in the field of anti-dumping by some developed countries against exports originating from developing countries, without due consideration to the provisions under Article 15 of the Anti-Dumping Agreement, has become a significant barrier to the exports of developing countries.
2. Egypt - as a developing country that suffered from the application of anti-dumping measures without making use of the special regard which should be given by developed countries as stipulated in Article 15 - would like to submit recommendations and proposals aiming at re-examining certain provisions of the Anti-Dumping Agreement in order to evaluate the adequacy of these provisions and whether they can be amended in the light of the experience of implementation.

Proposal

Article 2.4.1

3. This Article should include further details on how the investigating authority can effectively solve the problems arising during the process of investigation with regard to foreign exchange rates, as exchange rate fluctuations could affect the dumping margin calculations and this causes difficulties for the investigating authority and limits its ability to easily determine the dumping action.

Article 3

4. This Article should contain a detailed provision dealing with the determination of the material retardation of the establishment of a domestic industry as stipulated in footnote 9.

Article 15

5. Article 15 of the Agreement on Anti-Dumping should be modified in order to be more comprehensive, operational and mandatory; constructive remedies should be more specific and reasonable for developing countries.

6. The lesser duty rules should be applied with regard to imports from developing countries. It should be noted that the repeated anti-dumping investigations which have been conducted by certain trade partners on the same product lines, notwithstanding Article 15 as previously mentioned, have resulted in trade harassment to developing countries' exporters.

Anti-Circumvention

7. Egypt believes that there is a need to add a new detailed provision concerning anti-circumvention in order to set guidelines for all Members in conducting anti-circumvention investigations.
