

20 June 2017

The Director  
Operation 5  
Anti-Dumping Commission  
SAP House, Level 4  
224 Bunda Street,  
Canberra ACT 2601  
Australia

Dear Sir,

*Subject: Alleged dumping and/or subsidization of Zinc Coated (Galvanized) Steel  
exported from India, Malaysia and Vietnam*

This is in reference to the Statement of Essential Facts No. 370 (“SEF”) and the Preliminary Affirmative Determination No. 370 (“PAD”) issued by the Anti-Dumping Commission (“Commission”) in the above investigation. In this letter, JSW Steel Limited and JSW Steel Coated Products Limited (“JSW Group”) brings to the Commission’s attention certain issues in the SEF and the PAD.

**A. Dumping margin computed for JSW Group**

1. The Commission has computed a preliminary dumping margin of 9% for the JSW Group. JSW Group submits that the normal value computed by the Commission is inconsistent
2. The Commission has computed the normal value for the JSW Group based on domestic sales for certain models and based on the constructed normal value for certain models. JSW Group notes that there are certain issues with the normal value calculations in both the methodologies as under:

**a. Issues with the normal value based on construction**

3. The Commission has determined the normal value for [ ] out of [ ] models for JSWC and for [ ] out of [ ] models for JSWSL based on the respective companies’ quarterly weighted average domestic invoice prices for like goods by model. However, for [ ] models of JSWC and JSWSL each, the Commission has constructed the normal value in terms of subsection 269TAC(2)(c) of the Customs Act 1901 (“Customs Act”). In particular, the normal value has been constructed based on the CTM for Australian export sales, plus SG&A applicable to goods sold domestically, plus

profit of domestic OCOT sales. JSW Group underscores that rather than constructing the normal value for these 6 models, the Commission should undertake a model-matching criterion.

4. The Dumping and Subsidy Manual issued by the Commission for normal value computation explicitly provides as under:

*For normal value to be ascertained under s. 269TAC(1), the Commission first examines whether there are suitable sales of like goods for home consumption in the country of export by the exporter, made in the ordinary course of trade and at arms-length over the investigation period. **Model matching criteria will be followed in order to identify identical goods sold on the exporter's domestic market; or absent identical goods which goods most closely resemble the goods under consideration.** The sales at a loss tests are applied separately for each grade or model.*

5. Therefore, the Manual makes it explicitly clear that if identical goods are not present, models most closely resembling the goods under consideration should be considered. JSW Group underscores that there are no reasons for the Commission not to undertake a model-matching exercise for the models where there were insufficient OCOT domestic sales. It is noted that in certain recent investigations conducted by the Commission, as set out below, the model-matching criteria was followed:

- a. Investigation No. 379 relating to the inquiry on the continuation of anti-dumping and countervailing measures applying to hollow structural sections from the People's Republic of China, Republic of Korea, Malaysia and Taiwan concluded in April 2017. For the normal value computed for Kukje Steel Company Limited, for models where there were insufficient sales, the Commission used surrogate models based on a model matching hierarchy and thereafter made the necessary adjustments.<sup>1</sup>
- b. Investigation No. 349 and 354 relating to the review of anti-dumping measures on prepared or preserved tomatoes exported from Italy by certain exporters concluded in April 2017. For the normal value determined for Conserve Italia Soc. Coop. Agricola, for models where there were insufficient volume of domestic sales during the review period, the Commission used a surrogate model. In particular, the Commission proceeded to determine an appropriate surrogate model with reference

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<sup>1</sup> Page 25 of SEF 379 – Hollow Structural Sections exported from China, Korea, Malaysia and Taiwan.

to a model with identical size and brand with the most comparable processing method.<sup>2</sup>

- c. Investigation No. 341 relating to the alleged dumping of A4 copy paper exported from Brazil, the People's Republic of China, Republic of Indonesia and the Kingdom of Thailand concluded in March 2017. For the normal value computed for Double A (1991) Public Company Limited, for models where there were insufficient domestic sales, the Commission identified similar models based on certain criterion.<sup>3</sup>
- d. Investigation No. 284 relating to the alleged dumping of hot-rolled plate steel exported from Korea and Taiwan concluded in November 2015. For the normal value computed for Hyundai Steel Company and POSCO Steel, where there were insufficient OCOT domestic sales for exact matching models, the Commission determined whether there were sufficient domestic sales for similar models where necessary adjustments could be made to take into account the differences.<sup>4</sup>
- e. Investigation No. 320 relating to the alleged dumping of hollow structural section exported from India and the United Arab Emirates concluded in July 2016. For the normal value computed for the cooperating exporters, the normal value was constructed only for models where there were insufficient sales in OCOT and it was not possible to use an alternative model.<sup>5</sup>

6. Further, it is noted that in the previous investigation conducted in 2014 against the same goods originating from India, the Commission had undertaken a model matching exercise. Therefore, for the models sold by JSWC and JSWSL where the computation based on domestic sales has not been found to be suitable, it is submitted that the basis of the computation of the normal value based on model matching criteria should be as under:

[REDACTED]	
[REDACTED]	
[REDACTED]	
[REDACTED]	
[REDACTED]	
[REDACTED]	
[REDACTED]	
[REDACTED]	

<sup>2</sup> Page 20 and 24 of Report 394 and 354 – Review of Measures – Tomatoes – Italy.

<sup>3</sup> Page 65 of Report 341 – A4 Copy Paper – Brazil, China, Indonesia and Thailand.

<sup>4</sup> Page 56 of Export Visit Report 284 – Hyundai Steel Company; Page 52 of Export Visit Report 284 – POSCO Steel.

<sup>5</sup> Pages 24 to 41 of TER 320 – HSS from India and the UAE.


7. We are hereby providing revised normal value calculations for these [ ] models as **Exhibit 1**. While calculating the normal value for these [ ] models, appropriate adjustment has been made for the cost differences between these [ ] models and the closely resembling model sold in the domestic market. It is noted again that during the last investigation on the same product against India in 2014, the Commission had done a similar model matching exercise for the JSW Group for calculating the normal value in respect of those models where there were no domestic sales. Further, the Commission has followed the above practice of using surrogate or alternate models with appropriate adjustments for computing the normal value for models where there have been insufficient domestic OCOT sales.

8. JSW Group therefore urges the Commission to compute the normal value for the remaining 6 models using surrogate models. It is noted that JSW Group had requested for such an exercise to be undertaken in its comments to the visit report as well but however the same has not been considered by the Commission.

#### **B. Australian industry not suffering material injury**

9. As per the Commissioner's assessment, it has been noted that the Australian industry has suffered injury in the form of:

- a. Price depression
- b. Price suppression
- c. Reduced profit and profitability
- d. Reduced capital expenditure
- e. Reduced employment

10. JSW Group submits that the Commission's injury assessment has failed to give due consideration to the significant improvement of the performance of the Australian industry in the form of:

- a. No volume injury as noted by the Commission in Section 9.3.3 of the SEF.
- b. Production increased by 37% over the injury analysis period.
- c. Domestic sales volumes increased by 34% and similarly the sales revenue increased by 27% over the injury analysis period.
- d. Market share increased from 59% in the FY2013 to 75% in the FY2016.
- e. Capacity utilization increased overall during the injury analysis period.

- f. Improvement in the return on investment during the injury analysis period.
  - g. Revenue increased in every year of the injury analysis period, exhibiting an overall increase of 30%.
  - h. Productivity increased from 6,197 tonnes per shift in the FY2013 to 11,300 tonnes per shift in the FY2016.
  - i. Capital investment for galvanized steel decreased from \$3.10 million in the FY2013 to \$2.52 million in the FY2016.
11. The detailed submissions relating to the significant improvement of the Australian industry on the above parameters have been provided in the submissions on injury filed by the JSW Group. The Commission is requested to take into account these submissions and the same have been summarized above. JSW Group submits that when the key performance indicators of the company have been improving over the course of the injury analysis period, it cannot be concluded that the company is suffering material injury in terms of the relevant legal provisions. Further, it is submitted that a decline in certain factors in isolation cannot be a basis for concluding that the Australian industry is suffering injury.
12. The findings of the WTO Panel in *Thailand – H-Beams*<sup>6</sup>, provide clarity on the manner in which the examination under Article 3.4 of the WTO Anti-dumping Agreement is to be undertaken. The relevant paragraph in the Panel Report is extracted below:

*7.236 We are of the view that the "evaluation of all relevant factors" required under Article 3.4 must be read in conjunction with the overarching requirements imposed by Article 3.1 of "positive evidence" and "objective examination" in determining the existence of injury. Therefore, in determining that Article 3.4 contains a mandatory list of fifteen factors to be looked at, we do not mean to establish a mere "checklist approach" that would consist of a mechanical exercise of merely ensuring that each listed factor is in some way referred to by the investigating authority. **It may well be in the circumstances of a particular case that certain factors enumerated in Article 3.4 are not relevant, that their relative importance or weight can vary significantly from case to case, or that some other non-listed factors could be deemed relevant.** Rather, we are of the view that Article 3.4 requires the authorities properly to establish whether a factual basis exists to support a well-reasoned and meaningful analysis of the state of the industry and a finding of injury. This analysis does not derive from a mere characterization of the degree of "relevance or irrelevance" of each and every individual factor, but rather **must be based on a thorough***

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<sup>6</sup> Panel Report, *Thailand – Anti-dumping Duties on Angles, Shapes and Sections of Iron or Non-Alloy Steel and H-Beams from Poland* (WT/DS122/R), 28 September 2000.

*evaluation of the state of the industry and, in light of the last sentence of Article 3.4, must contain a persuasive explanation as to how the evaluation of relevant factors led to the determination of injury.*

*(Footnotes removed and emphasis supplied)*

13. In the backdrop of the above Panel findings, it is submitted that the examination undertaken by the Authority should be based on the overall state of the industry and should not be focused on an improvement or decline in certain parameters.

14. In the present facts, as is apparent from the above, BlueScope's performance has improved steadily. Further, in the paragraphs below, JSW Group establishes that the decline in any of the injury parameters is not caused by imports from the countries the subject of the present application but rather for other reasons.

**a. Basis for cumulation of effect of imports from the countries the subject of the application not based on evidence**

15. At the outset however, JSW Group submits that cumulation of the effect of imports from India with imports from the other countries the subject of the application is not appropriate based on the facts and circumstances. In particular, the Commission notes in Section 10.6 of the SEF that cumulation of the effects of exports from the countries the subject of the application is appropriate under Section 269TAE(2C). Among other factors, the Commission has concluded that imports from the countries the subject of the application have similar specifications, have similar end-uses and compete in the same primary market sectors.

16. It is questioned whether the basis for the conclusions of the Commission regarding the conditions of competition between the imported products conducted with respect to imports from India is reliable. The Commission has noted that the importers that participated in the investigation collectively accounted for 70% of imports from Vietnam, 98% from Malaysia and merely 15% from India. It is underscored that the submissions made by 15% cannot be the basis for a conclusion that the imports from India can be compared with the imports from Vietnam and Malaysia. In particular, additional evidence or data should have been relied upon prior to concluding that that conditions of competition between the imported products are such that it is appropriate to cumulatively assess the impact of imports of countries the subject of the application. The same becomes particularly important in light of the facts below.

17. The volume of imports from India as against the other countries the subject of the application have steadily decreased over the last three years, whereas imports from Malaysia and Vietnam have increased, as exhibited in the table below:

Country	2012/13	2013/14	2014/15	2015/16	% of 2015/16 in total imports
India (Tonnes)	7,863	52,573	19,934	9,404	4.9%

Malaysia (Tonnes)	0	2,481	8,553	15,375	8.0%
Vietnam (Tonnes)	2,949	10,780	2,923	18,560	9.7%

*Source: Page 42 of BlueScope's Application*

18. While imports from Malaysia and Vietnam increased significantly from negligible volumes during the injury analysis period, the imports from India increased only marginally over the same period. More importantly, while imports from India declined significantly from the FY 2014 onwards, imports from Malaysia and Vietnam were on upward trends. Particularly, imports from India decreased by 82% in FY2016 as against FY2014, whereas imports from Vietnam increased by 72% and from Malaysia by 520% in the same period.

19. In addition to the dissimilarities in the trends of imports volumes of the three countries, the import volumes from India are half the import volumes from Malaysia or Vietnam. As a result, even the market share of imports from India would be insignificant as compared to the market share of imports from other countries, as computed in the table below:

<b>Country</b>	<b>2015/16</b>	<b>% of 2015/16 in imports from countries the subject of the application in investigation period</b>	<b>Weighted Average FOB Export Price in FY2016</b>
India (Tonnes)	9,404	22%	AUD 840 per tonne
Malaysia (Tonnes)	15,375	35%	AUD 799 per tonne
Vietnam (Tonnes)	18,560	43%	AUD 776 per tonne

*Source: Page 42 of BlueScope's Application and pages 17 and 50 of the Consideration Report*

20. The market share of imports from the countries the subject of the application during the investigation period was merely 6% and added to this the imports from India is one/fifth of the total volume of imports from the countries the subject of the application. Therefore, India's market share in the total Australian demand during the investigation period was merely 1%.

21. Further, as noted above, the price of imports from India are higher than the import prices from other countries the subject of the application in the investigation period. Therefore, in addition to the negligible volume of imports from India, the import prices from India are also significantly higher and therefore it is submitted that there are dissimilarities in the trends of imports from India as against the imports from Malaysia and Vietnam.

22. Therefore, JSW Group submits that it is not appropriate to cumulatively assess the effect of imports from India and other countries the subject of the application particularly as the Commission's conclusions are not based on strong or reliable evidence. In addition, it is underscored that the Commission has the discretion on whether or not to undertake a cumulation of the effects



of imports from countries that are simultaneously subject to anti-dumping investigations and that in the case in hand, such a cumulation exercise should not be undertaken. In particular, Article 3.3 of the WTO Anti-dumping Agreement uses the phrase “only if they determine” and mandates that the same be “appropriate”, which implies that cumulation must not be presumed but rather must be established based on the facts and circumstances of the case.

23. Further, Article 3.3 of the WTO Anti-dumping Agreement uses the word “may” rather than “shall” and similarly Section 269TAE(2C) of the Act uses the word “should” rather than “shall”. Therefore, it is clear that the Commission has the discretion on the decision on whether or not to cumulate. It is not merely a dogmatic approach but rather requires the Commission to determine the same based on the surrounding facts and circumstances.

**b. No negative price effect with respect to exports of the goods from India**

24. The Commission has noted that imports from the countries the subject of the application have caused price depression and price suppression. As per Section 9.4 and 9.5.2 of the SEF, the Commission has noted that over the investigation period:

- a. The weighted average selling price to two out of 5 market sectors, that is automotive and building, was above the weighted average cost.
- b. The weighted average selling price to two out of two of 5 market sectors, that is distribution and manufacturing, was below the weighted average cost.
- c. One of the sectors, namely pipe and tube, had a particular pricing method.
- d. The building and distribution sector dominated the Australian market.

25. The Commission has noted in Section 10.10.5 of the SEF that the tube and pipe sector has a different pricing model and therefore any injury in relation to the pipe and tube sector could not be attributed to the imports from the countries the subject of the present application. Therefore, based on the above, out of the 4 relevant sectors, two sectors were profitable and two sectors were not profitable.

26. In respect to the two sectors that have been found not to be profitable, it is noted that the Commission has accepted in Section 10.10 of the SEF that the factors below also played a role in respect to BlueScope’s prices:

- a. Undumped imports were found to be lower than BlueScope’s selling price.
- b. For some months during the investigation period, the prices that formed the basis of BlueScope’s pricing model was imports from other sources, namely Korea, Taiwan and undumped imports from Vietnam.
- c. Undumped imports from Vietnam were found to be undercutting BlueScope’s prices.



27. In conclusion, the Commission categorically stated that undumped imports and imports from countries not subject to the application are also a cause of injury to the Australian industry. JSW Group submits that imports from the countries the subject of the application cannot be found to be responsible based on the fact that imports from the countries the subject of the application are negligible. However, imports from countries that are currently subject to measures, that is Taiwan, China PR and Korea, is substantial as noted in the table below:

Country	% of FY2016 in total imports	Volume of imports in FY2016 (Tonnes)
India	4.9%	9,404
Malaysia	8.0%	15,375
Vietnam	9.7%	18,560
Japan	16.3%	31,169
Korea	10.3%	19,762
Taiwan	16.0%	30,638
China	0.4%	859
Other countries	34.2%	65,278

*Source: Page 42 of BlueScope Application*

28. It is submitted that imports from countries already subject to measures are still coming in substantial quantities, with the exception of China PR. BlueScope's consistent submission has been that the imposition of measures on imports from China PR, Korea and Taiwan in 2013 were effective in BlueScope improving its performance. It is agreed that the measure imposed in 2013 was effective in curtailing unfair imports from the aforesaid countries which in turn had resulted in the Australian industry's improved performance. However, the initiation of the circumvention investigation was due to the fact that the measures had become ineffective. The table below sets out the timeline in regard to imposition of measures on galvanized steel:

Investigation Number	Subject Countries	Product	Date when duties were imposed
REP 190a (Anti-dumping investigation)	China, Korea and Taiwan (with the exception of certain exporters)	Flat rolled products of iron and non-alloy steel of specified width, plated or coated with zinc.	5 August 2013
REP 193a (Countervailing investigation)	China (with the exception of certain exporters)	Flat rolled products of iron or non-alloy steel of specified width, plated or coated with zinc.	5 August 2013
REP 290 and 298 (Anti-circumvention investigation)	China, Korea and Taiwan (with the exception of certain exporters)	Flat rolled iron or steel products (whether or not containing alloys) of specified width, plated or coated with zinc.	18 March 2016

29. JSW Group submits that the imports from the above countries are responsible for any alleged material injury. It is only in March 2016 that measures were imposed on imports that were circumventing the anti-dumping measures in force. The measures imposed pursuant to investigations 190a and 193a were only on flat rolled products of iron and non-alloy steel and did not include alloyed steel. However, pursuant to the circumvention investigation, measures were also imposed on alloyed steel that is plated or coated with zinc.

30. Therefore, during the investigation period in the instant investigation, no anti-circumvention duties were in force. It was only for the last three months of the investigation period, from March 2016 to June 2016, that the anti-circumvention duties were in force. As a result, the imports from China PR, Korea and Taiwan were still having an impact on the Australian industry during the investigation period in the instant investigation.

31. In light of the same, the conclusions of the Commission that imports from other countries are also a cause of injury to the Australian industry must be seen in the above facts.

**c. Total profit and profitability has improved over the course of the injury period**

32. The Commission has noted in Section 9.6.1 of the SEF that the profit and profitability of the Australian industry has improved and the only injury is based on the fact that it could have improved further if not for the imports from the countries the subject of the application. Further, it has been noted that the improved profitability during the injury period was based on a decrease in the costs of input material prices and reduction in import volumes of galvanized steel from China, Korea and Taiwan.

33. At the outset, it is noted that the profitability of the Australian industry improved significantly in the FY2015 as against the FY2014 and declined slightly in the FY2016. Nonetheless, BlueScope's profitability improved by leaps and bounds in FY2016 if compared to FY2013. Further, as noted above, the imports from the countries the subject of the application are not substantial enough to have a negative impact on the performance of the Australian industry.

**d. Decrease in employment based on conscious decision of BlueScope and has led to increased productivity**

34. The decrease in the employment of the domestic industry has been pursuant to a conscious effort on the part of the Australian industry to decrease its CTMS. In particular, the company has noted on page 28 and 37 of the Application that it has reduced its CTMS through reductions in its overhead and selling expenses, particularly through reductions in its employment levels. Moreover, the fact that the productivity of the company nearly doubled in the same period from 6,197 tonnes per shift to 11,300 tonnes per shift indicates that the company was previously overstaffed and that the loss of employees has been beneficial for the company rather than having a negative impact. BlueScope has also noted this as a positive aspect of its operations on page 37 of its Application where it notes that it has improved its productivity as it has reduced costs and

increased production. If in fact the loss of employees was injurious to the performance of the company, the productivity of the company would not have increased and to such a large extent.

**e. Return on investment steadily increasing and decrease in capital investment is to be more cost-competitive**

35. The Commission has noted that the return on investment has remained negative in the end of the FY2016 and the same is an indication of injury being suffered by BlueScope. It should be noted that the return on investment has been steadily increasing each year of the injury analysis period. Further, as shall be established above, imports from the countries the subject of the investigation are not significant enough to be capable of impacting the performance of the Australian industry.

36. More importantly, as the return on investment has been increasing over the course of the injury analysis period, it is fairly clear that imports from the countries subject of the application have had no negative impact on BlueScope's profitability. The table below exhibits the lack of a link between imports from the countries the subject of the application and BlueScope's profitability:

<b>Particulars</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
Index of profit variations	100	189.50	1357.64	1988.22
Index of profitability variations	100	199.08	1436.30	1892.17
Index of revenue variations	100	133.48	133.08	129.74
Imports from countries the subject of the application (Tonnes)	10,812	65,834	31,410	43,339

*Source: Page 29 of BlueScope's Application*

37. If in fact the imports from countries the subject of the application were impacting BlueScope's profitability in any manner, the return on investment would not have consistently improved from the FY2013 onwards. The profitability has increased by 1888% in the FY2015 since FY2013.

38. It is noted that there has been a reduction in capital expenditure costs during the course of the injury analysis period. The reduction in the same cannot be considered as a reason for concluding that the company is suffering injury as, similar to the reduction in employees, the company had reduced capital expenditure with the aim of being more cost-competitive. The same has been explicitly stated on page 37 of BlueScope's application where it mentions that the company has reduced its manufacturing costs by reducing capital expenditure with the overall intention of being cost competitive.

39. JSW Group also underscores that BlueScope's performance has improved significantly over the injury analysis period on all the key parameters as exhibited in the table below:

Particulars	2012/13	2013/14	2014/15	2015/16
Index of production variations	100	125.61	124.78	136.45
Index of domestic sales volume of the goods	100	127.68	124.76	134.16
Index of domestic sales value of the goods	100	134.14	131.99	127.68
Market Share	59%	No data	No data	75%
Index of profit variations	100	189.50	1357.64	1988.22
Index of profitability variations	100	199.08	1436.30	1892.17
Index of revenue variations	100	133.48	133.08	129.74

*Source: Pages 28 and 29 of BlueScope's Application*

40. Therefore, the exports from the countries the subject of the application cannot be found responsible for the injury alleged to be caused to the Australian industry. Further, it is noted that the previous investigation against exports of the same goods from India and Vietnam was terminated for reasons of negligible exports and negligible injury. JSW Group submits that the situation in the instant investigation is no different. As a matter of fact, the situation since the previous investigation has improved significantly.

### C. Duty should be imposed based on lesser duty rule

41. If it is found by the Commission that the Australian industry is suffering injury, then JSW Group submits that the lesser duty rule must be followed. The Commission has noted in Section 12.2 that pursuant to Section 8(5BAAA) of the Dumping Duty Act, the Commission recommends that regard should not be had to the desirability of fixing a lesser rate of duty and the full margin of the assessed dumping and countervailable subsidization should be applied. The same is based on the points below:

- a. The normal value of the goods has not been established in accordance with Section 269TAC(1).
- b. The country in relation to which the subsidy has been provided has not complied with Article 25 of the Subsidies and Countervailing Measures Agreement ("ASCM") for the compliance period.

42. JSW Group clarifies that the above conclusions of the Commission are erroneous and the Commission is urged to take into consideration the submissions below:

- a. Subsection (a) of Section 8(5BAAA) of the Dumping Duty Act when read in totality states that "the normal value of the goods was not ascertained under subsection 269TAC(1) of that Act **because of operation of subparagraph 269TAC(2)(a)(ii) of that Act**". In the instant facts, the only country which was being examined under Section 269TAC(2)(a)(ii) was Vietnam. However, as the

Commission concluded in Attachment 2 of the SEF, the Commission found no evidence that a particular market situation existed with regards to the galvanized steel market in Vietnam. Therefore, in Section 6.8.4 the Commission had computed the normal value for Vietnam in terms of Section 269TAC(1) and Section 269TAC(2)(c) for the cooperating exporter and Section 269TAC(6) for the non-cooperating exporters. It is therefore underscored that subsection (a) of Section 8(5BAAA) of the Dumping Duty Act is not applicable in the present facts.

- b. The only country with respect to which compliance obligations under Article 25 of the ASCM arise is India. In this regard, the Dumping and Subsidy Manual notes as under:

***The Minister is not required to consider the desirability of applying a lesser duty if a countervailable subsidy has been received in respect of the goods and the country in relation to which the subsidy has been provided has not complied with Article 25 of the SCM Agreement for the compliance period.***

*Article 25.1 of the SCM Agreement requires WTO Members to provide notifications of subsidies no later than 30 June of each year (in respect of the previous calendar year). The WTO Committee on Subsidies and Countervailing Measures agreed, in 2005, to extend for an indefinite period its prior (2001 and 2003) decisions that 'new and full notifications' should be submitted every two years. As a consequence, the annual updating notifications have been de-emphasised. For example, notifications for 2013 were due on 30 June 2013 and this relates to subsidies maintained during the 2011 and 2012 calendar years.*

*Annual Report of the Committee on Subsidies and Countervailing Measures: This report is adopted at the October session of the Committee. Annexures to the report show the status of notifications by Members for relevant reporting periods on a biennial basis (reflecting, as noted above, that new and full notifications should be submitted every two years). In the annexes, three notations are used: "None" if the country did not submit the notification; "X" if the country notified subsidies; "N" where the country stated that it maintains no notifiable subsidies.*

The most recent Report of the Committee on Subsidies and Countervailing Measures was adopted on 25 October 2016 in G/L/1157 and G/SCM/148. In the Annexes in the Report, with respect to the status of notifications by India for the period 2015, 2013 and 2011, the notation used is 'X'. Therefore, it is fairly clear that India has notified subsidies as per the obligation under Article 25 of the ASCM for the last three reporting periods. The relevant report is attached as **Exhibit 2** and the Commission is requested to refer to pages 7 to 9 of the document. It is therefore

underscored that subsection (c) of Section 8(5BAAA) of the Dumping Duty Act is not applicable in the present facts.

43. In light of the submissions above, JSW Group underscores that none of the factors set out under Section 8(5BAAA) of the Dumping Duty Act are applicable. As a result, the Commission is mandated to determine the duty under Section 8(5BA) of the Dumping Duty Act. As a result, it is submitted that the Commission must determine the lesser amount of duty than the full dumping or subsidy margin where the imposition of that lesser amount is adequate to remove injury, in respect of imports from the countries the subject of the application.

44. JSW Group requests the Commission to take into consideration the submissions above prior to issuing the report. Should the Commission require any clarification in reference to the above submissions, the Commission is requested to contact the undersigned.

With regards,

(Dhruv Gupta)

Authorised Representative

**EXHIBIT 1**

**BUSINESS PROPRIETARY INFORMATION NOT  
AMENABLE TO SUMMARIZATION**





31 October 2016

(16-5970)

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## REPORT (2016) OF THE COMMITTEE ON SUBSIDIES AND COUNTERVAILING MEASURES

(ADOPTED 25 OCTOBER 2016)

### 1 ORGANIZATION OF THE WORK OF THE COMMITTEE

1. The Agreement on Subsidies and Countervailing Measures ("the Agreement") entered into force on 1 January 1995. All Members of the WTO are *ipso facto* members of the Committee on Subsidies and Countervailing Measures ("the Committee") established under the Agreement.

2. Observer governments in the General Council of the WTO have Observer status in the Committee. The IMF, World Bank, UNCTAD, and FAO have regular Observer status in the Committee. Pursuant to decisions made by the Committee in April and November 1998, respectively, the OECD and the ACP Group are invited to attend meetings on an *ad hoc* basis. Requests for Observer status from the Common Market for Eastern and Southern Africa and the Gulf Organization for Industrial Consulting are under consideration by Members.

3. This Report covers the period 27 October 2015 – 25 October 2016 ("review period"). During the review period, the Committee held two regular and two special meetings, on 26 April<sup>1</sup> and 25 October 2016.<sup>2</sup>

4. As of the beginning of the review period, Mr Mitsuhiro Fukuyama (Japan) was Chairperson and Ms Katia Angeles Vargas (Peru) was Vice Chairperson. The Committee elected Mr Jin-dong Kim (Korea) as Chairperson and Mr Bruno Raphaël Hässig (Switzerland) as Vice Chairperson.

### 2 PERMANENT GROUP OF EXPERTS

5. The Committee is required by Article 24.3 of the Agreement to establish a Permanent Group of Experts ("PGE"). The tasks assigned to the PGE by the Agreement are: to provide assistance to a Panel, on request, with regard to whether a measure is a prohibited subsidy; to provide a Member with confidential advisory opinions on the nature of any subsidy proposed to be introduced or currently maintained by that Member; and to provide the Committee with advisory opinions on the existence and nature of any subsidy.

6. As of the beginning of the review period, the PGE's five members were: Mr Ichiro Araki; Mr Zhang Yuqing; Mr Welber Barral; Mr Chris Parlin; and Mr Subash Pillai. Since the term of office of Mr Zhang Yuqing expired, the Committee elected Ms Luz Elena Reyes de la Torre as the new member of the PGE to replace him.

7. As of the end of the review period, the five members of the PGE are: Mr Welber Barral (until spring 2017); Mr Chris Parlin (until spring 2018); Mr Subash Pillai (until spring 2019); Mr Ichiro Araki (until spring 2020); and Ms Luz Elena Reyes de la Torre (until spring 2021).

<sup>1</sup> The minutes of the April 2016 special and regular meetings can be found in G/SCM/M/96 and G/SCM/M/97, respectively.

<sup>2</sup> The minutes of the October 2016 special and regular meetings will be circulated in G/SCM/M/98 and G/SCM/M/99, respectively.

### 3 NOTIFICATION OF SUBSIDIES

8. 2015 new and full notifications: In accordance with Article 25.1 of the Agreement and Article XVI of GATT 1994, all Members were required to submit new and full notifications of subsidies by 30 June 2015.<sup>3</sup> As of 25 October 2016, pursuant to these provisions, 33<sup>4</sup> Members had notified measures, and 15 Members had notified that they did not maintain any notifiable subsidies. These notifications can be found in document series G/SCM/N/284/... . A table indicating the status of 2015 notifications is provided in Annex A to this Report.

9. At its regular meeting of 28 April 2015, the Committee decided that the procedures adopted in April 2005 for the review of the 2005 new and full notifications (G/SCM/117) also would apply to the review of the 2015 new and full notifications<sup>5</sup>. Pursuant to this decision, at its special meeting held on 26 April 2016, the Committee reviewed the 2015 notifications of Canada; China<sup>6</sup>; Costa Rica<sup>6</sup>; Dominica<sup>6</sup>; Ecuador; El Salvador<sup>6</sup>; European Union<sup>7</sup>; Hong Kong, China; Japan; Korea, Republic of; Lesotho<sup>6</sup>; Liechtenstein; Macao, China; Mauritius<sup>6</sup>; Mexico; Montenegro; New Zealand; Norway; Peru; Qatar<sup>6</sup>; Saint Vincent and the Grenadines<sup>6</sup>; Switzerland; Thailand; Chinese Taipei; Turkey; and Ukraine. In addition, at its special meeting held on 25 October 2016, the Committee reviewed the 2015 notifications of Australia; Belize<sup>6</sup>; Chile; Congo; Dominican Republic<sup>6</sup>; European Union<sup>8</sup>; Jamaica<sup>6</sup>; Mexico; United Arab Emirates; and United States.

10. 2013 new and full notifications: In accordance with Article 25.1 of the Agreement and Article XVI of GATT 1994, all Members were required to submit new and full notifications of subsidies by 30 June 2013<sup>3</sup>. As of 25 October 2016, pursuant to these provisions, 43<sup>4</sup> Members had notified measures, and 27 Members had notified that they did not maintain any notifiable subsidies, pursuant to these provisions. These notifications can be found in document series G/SCM/N/253/... . A table indicating the status of 2013 notifications is provided in Annex B to this Report.

11. At its special meeting held on 26 April 2016, the Committee reviewed the 2013 notifications of China, Lesotho, Qatar, and Viet Nam. In addition, at its special meeting held on 25 October 2016, the Committee reviewed the 2013 notification of India.

12. 2011 new and full notifications: In accordance with Article 25.1 of the Agreement and Article XVI of GATT 1994, all Members were required to submit new and full notifications of subsidies by 30 June 2011<sup>3</sup>. As of 25 October 2016, pursuant to these provisions, 42<sup>4</sup> Members had notified measures and 28 Members had notified that they did not maintain any notifiable subsidies. These notifications can be found in document series G/SCM/N/220/... . A table indicating the status of 2011 notifications is provided in Annex C to this Report.

13. At its special meeting held on 26 April 2016, the Committee reviewed the 2011 notifications of China and Lesotho.

14. At its special meetings held on 26 April and 25 October 2016, the Committee continued its reviews that had not been completed at previous meetings of 2015, 2013, 2011, and 2009 new and full notifications.

15. Annex D to this report indicates the period covered by the most recent new and full subsidy notification made by each Member.

<sup>3</sup> In 2005, the Committee extended for an indefinite period its prior (2001 and 2003) provisional decisions that new and full notifications should be submitted every two years, and that annual updating notifications should be de-emphasized.

<sup>4</sup> The European Union is counted as one Member.

<sup>5</sup> The procedures provide that questions on a subsidy notification and answers to such questions should be submitted in writing in advance of the special meeting held to review the notification. Such written questions and answers can be found in the G/SCM/Q2/... document series.

<sup>6</sup> Multi-symbolled document reviewed only once, as a 2015 new and full notification.

<sup>7</sup> Addenda to the European Union's notification pertaining to Bulgaria, Croatia, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, and Sweden.

<sup>8</sup> Addenda to the European Union's notification pertaining to Belgium, Cyprus, and Spain.

16. Article 25.8 of the Agreement provides: "Any Member may, at any time, make a written request for information on the nature and extent of any subsidy granted or maintained by another Member (including any subsidy referred to in Part IV), or for an explanation of the reasons for which a specific measure has been considered as not subject to the requirement of notification". Information requests made under this provision are circulated in document series G/SCM/Q2/... . Some of the questions presented to date pursuant to this provision remain unanswered.

#### **4 WORKING PARTY ON SUBSIDY NOTIFICATIONS**

17. The Working Party on Subsidy Notifications did not meet during the review period.

#### **5 ARTICLE 27.4 EXTENSIONS OF THE TRANSITION PERIOD FOR THE ELIMINATION OF EXPORT SUBSIDIES**

18. Transparency notifications covering calendar year 2014 submitted pursuant to the procedures in WT/L/691, regarding extensions under Article 27.4 of the Agreement: At its special meetings held on 26 April and 25 October 2016, the Committee considered transparency notifications covering calendar year 2014 (the first of the two final phase-out years for the covered export subsidies) submitted by Belize; Costa Rica; Dominica; Dominican Republic; El Salvador; Guatemala; Jamaica; Jordan; Mauritius; and Saint Vincent and the Grenadines in the context of Article 27.4 extensions. These notifications, which were due by 30 June 2015, can be found in document series G/SCM/N/290/... .

19. Final transparency notifications covering calendar year 2015 submitted pursuant to the procedures in WT/L/691, regarding Article 27.4 extensions: As of the Committee's regular meeting held on 25 October 2016, Belize, Dominican Republic, El Salvador, Guatemala, Jamaica, and Jordan had submitted the final transparency notifications required by paragraph 2(c) of the procedures in WT/L/691. These notifications were due by 30 June 2016 in respect of calendar year 2015, the final year of the two final phase-out years for the covered export subsidies.<sup>9</sup> They can be found in document series G/SCM/N/299/... . The Committee considered these notifications at its 25 October 2016 regular meeting. As discussed at that meeting, this issue – including reporting by the Chair on the status of the notifications – will be on the agenda of the spring 2017 meeting

#### **6 NOTIFICATION AND REVIEW OF COUNTERVAILING DUTY LAWS AND/OR REGULATIONS**

##### **6.1 National Legislation - Review of notifications of new or amended legislation or regulations not previously reviewed by the Committee (including supplemental notifications of existing provisions not previously reviewed)**

20. As of 25 October 2016, pursuant to Article 32.6 of the Agreement and in accordance with a decision by the Committee, 110<sup>10</sup> Members had notified the Committee of their domestic countervailing duty legislation or made communications in this respect to the Committee (document series G/SCM/N/1/...). Twenty-six Members had not yet made notifications under Article 32.6 of the Agreement. A table indicating the status of these notifications is provided in Annex E to this Report.

21. At its regular meetings held on 26 April and 25 October 2016, the Committee reviewed notifications regarding countervailing duty legislation of Australia; Bahrain, Kingdom of; Cameroon; Canada; Dominican Republic; India, Kazakhstan; Kuwait, the State of; Kyrgyz Republic; Lesotho; Oman; Pakistan; Qatar; Russian Federation; Saudi Arabia, Kingdom of; Seychelles; United Arab Emirates; United States; and Vanuatu.

<sup>9</sup> A Reminder was circulated in G/SCM/N/299.

<sup>10</sup> The European Union is counted as one Member. These notifications do not include the notifications that were submitted by Bulgaria, Croatia, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, the Slovak Republic, and Slovenia before they joined the European Communities.

## 6.2 National Legislation - Continuing review of legislative notifications previously reviewed by the Committee

22. At its regular meeting held on 25 October 2016, the Committee continued its review of the previously-reviewed legislative notification of Bahrain, Kingdom of; Colombia; Dominican Republic; Oman; Pakistan; and Saudi Arabia, Kingdom of.

## 7 SEMI-ANNUAL REPORTS ON COUNTERVAILING ACTIONS<sup>11</sup>

23. Notifications for 1 July - 31 December 2015: As of 25 October 2016, 14<sup>12</sup> Members had notified countervailing actions taken during the period 1 July - 31 December 2015. Seventy-five Members (including those that submitted one-time notifications) had notified the Committee that they had not taken any countervailing action during this period. Forty-five Members had not submitted a notification. These semi-annual reports were circulated in document series G/SCM/N/298/... and were reviewed at the Committee's regular meeting held on 26 April 2016. The status of semi-annual reports due during the review period is set out in Annex F to this Report.

24. Notifications for 1 January - 30 June 2016: As of 25 October 2016, 15<sup>13</sup> Members had notified countervailing actions taken during the period 1 January-30 June 2016. Seventy-eight Members (including those that submitted one-time notifications) had notified the Committee that they had not taken any countervailing action during this period. 41 Members had not submitted a notification. These semi-annual reports were circulated in document series G/SCM/N/305/... and were reviewed at the Committee's regular meeting held on 25 October 2016. The status of semi-annual reports due during the review period is set out in Annex F to this Report.

25. As of 25 October 2016, the following 37 Members had submitted one-time notifications of having no authority competent to conduct countervailing investigations, of having never taken countervailing actions, and of not anticipating taking any such actions for the foreseeable future: Barbados; Belize; Burkina Faso; Burundi; Cameroon; Congo; Côte d'Ivoire; Cuba; Dominica; The Gambia; Georgia; Ghana; Guinea; Guyana; Haiti; Hong Kong, China; Kenya; Lao People's Democratic Republic; Liechtenstein; Macao, China; Madagascar; Malawi; Mali; Mauritius; Mongolia; Mozambique; Nepal; Papua New Guinea; Saint Kitts and Nevis; Saint Lucia; Senegal; Sierra Leone; Sri Lanka; Suriname; Switzerland; Uganda; and Vanuatu.<sup>13</sup>

26. A table summarizing notifications of new countervailing duty actions taken by Members during the period 1 July 2015 to 30 June 2016, and measures in force as of 30 June 2016, is provided in Annex G to this Report.

## 8 REPORTS ON ALL PRELIMINARY OR FINAL COUNTERVAILING DUTY ACTIONS<sup>14</sup>

27. Pursuant to Article 25.11 of the Agreement, Members are to report to the Committee without delay all preliminary and final countervailing actions taken. During the review period, the Committee received reports of preliminary and final countervailing actions from Australia, Brazil, Canada, China, the European Union, India, Pakistan, Peru, Ukraine, and the United States (G/SCM/N/296, 297, 300, 301, 302, 303, 304, 306, 307, 308, 309, and 310). The Committee reviewed these reports of preliminary and final actions at its regular meetings held on 26 April and 25 October 2016.

## 9 TIMELINESS AND COMPLETENESS OF NOTIFICATIONS

28. As part of the Committee's efforts, pursuant to the 2009 request from the Chairperson of the Trade Policy Review Body, on "ways to improve the timeliness and completeness of notifications and other information flows on trade measures", at the request of the Committee Chairperson the Secretariat circulated document G/SCM/W/546/Rev.7 + Corr.1 + 2, dated 31 March 2016, 13 April 2016 and 19 May 2016, respectively. The documents provide updated information on the state of compliance with various notification obligations under the SCM Agreement. The Committee

<sup>11</sup> The format for these reports is contained in document G/SCM/2/Rev.1.

<sup>12</sup> The European Union is counted as one Member.

<sup>13</sup> These notifications can be found in the G/SCM/N/202 ... series.

<sup>14</sup> Guidelines regarding the information to be provided in these reports are set forth in G/SCM/3/Rev.1.

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continued its discussions on this matter at its regular meetings on 26 April and 25 October 2016. At those meetings, the Committee also continued to discuss a "Proposed Procedure for Submission of Questions and Answers under Articles 25.8 and 25.9 of the SCM Agreement," submitted by the United States<sup>15</sup>, as well as proposals by Australia for a new annex in future versions of the W/546 document, and for adding a new column in existing Annex C of that document.

### **10 CONSTANT DOLLAR METHODOLOGY FOR GRADUATION FROM SCM AGREEMENT ANNEX VII(B)**

29. Pursuant to the Doha Ministerial Decision on Implementation-Related Issues and Concerns<sup>16</sup> Annex VII (b) to the SCM Agreement lists Members until their GNP per capita reaches US\$1,000 in constant 1990 dollars for three consecutive years, calculated using the methodology set forth in G/SCM/38, Appendix 2. Updated calculations were circulated by the Secretariat in G/SCM/110/Add.13, dated 19 May 2016.

### **11 ELIMINATION OF EXPORT SUBSIDIES FOR TEXTILES AND APPAREL BY INDIA PURSUANT TO ARTICLE 27.5 OF THE SCM AGREEMENT – ITEM REQUESTED BY THE UNITED STATES**

30. Article 27.5 of the Agreement provides: "A developing country Member which has reached export competitiveness in any given product shall phase out its export subsidies for such product(s) over a period of two years. However, for a developing country Member which is referred to in Annex VII and which has reached export competitiveness in one or more products, export subsidies on such products shall be gradually phased out over a period of eight years." At its regular meetings held on 26 April and 25 October 2016, the Committee continued to discuss the issue raised by the United States of the elimination of export subsidies for textiles and apparel by India, pursuant to Article 27.5 of the Agreement.

### **12 2016 REQUEST TO CANADA FROM BRAZIL PURSUANT TO ARTICLE 25.8 OF THE SCM AGREEMENT**

31. At its regular meeting on 25 October 2016, the Committee discussed the 2016<sup>17</sup> request to Canada from Brazil pursuant to Article 25.8.

### **13 2011, 2014, 2015, AND 2016 REQUESTS TO CHINA FROM THE UNITED STATES PURSUANT TO ARTICLE 25.10 OF THE SCM AGREEMENT**

32. Article 25.10 of the Agreement provides: "Any Member which considers that any measure of another Member having the effects of a subsidy has not been notified in accordance with the provisions of paragraph 1 of Article XVI of GATT 1994 and this Article may bring the matter to the attention of such other Member. If the alleged subsidy is not thereafter notified promptly, such Member may itself bring the alleged subsidy in question to the notice of the Committee". At its regular meetings held on 26 April and 25 October 2016, the Committee continued its discussion of the non-notification by China of alleged subsidies, as contained in the 2011<sup>18</sup>, 2014<sup>19</sup>, 2015<sup>20</sup>, and 2016<sup>21</sup> requests to China from the United States pursuant to Article 25.10 of the Agreement.

### **14 CREATION OF A WORKING GROUP ON IMPLEMENTATION – ITEM REQUESTED BY BRAZIL**

33. At its regular meetings held on 26 April and 25 October 2016, the Committee discussed a proposal from Brazil<sup>22</sup> regarding the establishment of a Working Group on Implementation.

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<sup>15</sup> G/SCM/W/557/Rev.1 dated 22 September 2014.

<sup>16</sup> WT/MIN(01)/17, paragraph 10.1

<sup>17</sup> G/SCM/Q2/CAN/67.

<sup>18</sup> G/SCM/Q2/CHN/42.

<sup>19</sup> G/SCM/Q2/CHN/51 and G/SCM/Q2/CHN/51/Corr.1.

<sup>20</sup> G/SCM/Q2/CHN/53.

<sup>21</sup> G/SCM/Q2/CHN/59.

<sup>22</sup> G/SCM/W/567-G/SG/W/236 and G/SCM/W/568-G/SG/W/237.

**15 GOVERNMENT SUPPORT FOR THE CANADIAN AIRCRAFT INDUSTRY – ITEM REQUESTED BY THE UNITED STATES**

34. At its regular meeting on 26 April 2016, the Committee discussed this item requested by the United States regarding government support for the Canadian aircraft industry.

**16 ENHANCING FISHERIES SUBSIDIES TRANSPARENCY – ITEM REQUESTED BY THE UNITED STATES**

35. Upon the request by the United States, the Committee discussed the issue of enhancing transparency on fisheries subsidies at its regular meetings held on 26 April and 25 October 2016.

**17 SUBSIDIES AND OVERCAPACITY: FOLLOW UP FROM THE G20 PROCESS – ITEM REQUESTED BY THE EUROPEAN UNION, JAPAN, MEXICO, AND THE UNITED STATES**

36. At its regular meeting on 25 October 2016, the Committee discussed a proposal by the European Union, Japan, Mexico, and the United States<sup>23</sup> regarding the contribution of the WTO to the G20 call for action to address certain measures contributing to overcapacity in a number of industrial sectors.

**18 OTHER ISSUES DISCUSSED DURING THE REVIEW PERIOD**

37. At the Committee's regular meetings held on 26 April and 25 October 2016, under "Other Business", the following issues were raised:

- Countervailing measures by the EU on ductile cast iron tubes and pipes from India – Item requested by India
- Japanese government support for the development of regional aircraft – Item requested by Brazil;
- Countervailing duty investigations by the US on hot-rolled and cold-rolled steel products from Brazil– Item requested by Brazil.
- Request from the EU to China pursuant to Article 25.8.<sup>24</sup>

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<sup>23</sup> G/SCM/W/569.

<sup>24</sup> G/SCM/Q2/CHN/67.

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### ANNEX A

#### 2015 NEW AND FULL SUBSIDY NOTIFICATIONS (G/SCM/N/284/...)

Member		Member		Member		Member	
Afghanistan <sup>1</sup>	N	Czech Republic	X	Indonesia	None	Philippines	None
Albania	N	Denmark	X	Israel	None	Qatar	N
Angola	None	Estonia	X	Jamaica	X	Russian Federation	X
Antigua & Barbuda	None	Finland	X	Japan	X	Rwanda	None
Argentina	None	France	X	Jordan	X	St. Kitts & Nevis	None
Armenia	N	Germany	X	Kazakhstan <sup>2</sup>	X	St. Lucia	None
Australia	X	Greece	X	Kenya	None	St. Vincent & Grenadines	X
Bahrain, Kingdom of	None	Hungary	X	Korea, Rep. of	X	Samoa	None
Bangladesh	None	Ireland	X	Kuwait, State of	None	Saudi Arabia, Kingdom of	None
Barbados	None	Italy	X	Kyrgyz Republic	None	Senegal	None
Belize	X	Latvia	X	Lao, People's Democratic Rep. of	None	Seychelles <sup>3</sup>	X
Benin	None	Lithuania	X	Lesotho	N	Sierra Leone	None
Bolivia, Plurinational State of	None	Luxembourg	X	Liechtenstein	N	Singapore	N
Botswana	None	Malta	X	Macao, China	X	Solomon Islands	None
Brazil	None	Netherlands	X	Madagascar	None	South Africa	None
Brunei Darussalam	None	Poland	X	Malawi	None	Sri Lanka	None
Burkina Faso	None	Portugal	X	Malaysia	None	Suriname	None
Burundi	None	Romania	X	Maldives	None	Swaziland	None
Cabo Verde	None	Slovak Republic	X	Mali	N	Switzerland	X
Cambodia	None	Slovenia	X	Mauritania	None	Chinese Taipei	X
Cameroon	None	Spain	X	Mauritius	X	Tajikistan	None
Canada	X	Sweden	X	Mexico	X	Tanzania	None
Central African Rep.	None	United Kingdom	X	Moldova, Rep. of	None	Thailand	X
Chad	None	Ecuador	N	Mongolia	None	The FYR of Macedonia	None
Chile	X	Egypt	None	Montenegro	X	Togo	None
China	X	El Salvador	X	Morocco	None	Tonga	None
Colombia	None	Fiji	None	Mozambique	None	Trinidad & Tobago	None
Congo	N	Gabon	None	Myanmar	None	Tunisia	None
Costa Rica	X	The Gambia	None	Namibia	None	Turkey	X
Côte d'Ivoire	None	Georgia	None	Nepal	None	Uganda	None
Cuba	N	Ghana	None	New Zealand	X	Ukraine	X
Dem. Rep. of Congo	None	Grenada	None	Nicaragua	None	United Arab Emirates	N
Djibouti	None	Guatemala	None	Niger	None	United States	X
Dominica	X	Guinea	None	Nigeria	None	Uruguay	None
Dominican Rep.	N	Guinea-Bissau	None	Norway	X	Vanuatu	None
EU	X	Guyana	N	Oman	None	Venezuela, Bolivarian Republic of	None
Austria	X	Haiti	None	Pakistan	None	Viet Nam	None
Belgium	X	Honduras	X	Panama	None	Yemen	None
Bulgaria	X	Hong Kong, China	X	Papua New Guinea	None	Zambia	None
Croatia	X	Iceland	None	Paraguay	None	Zimbabwe	N
Cyprus	X	India	X	Peru	X		

"N" - the Member has indicated that it maintains no notifiable subsidies.

"X" - the Member has notified subsidies.

"None" - no notification has been submitted.

<sup>1</sup> Became a Member on 29 July 2016.

<sup>2</sup> Became a Member on 30 November 2015.

<sup>3</sup> Became a Member on 26 April 2015.



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### ANNEX B

#### 2013 NEW AND FULL SUBSIDY NOTIFICATIONS (G/SCM/N/253/...)

Member		Member		Member		Member	
Albania	N	Denmark	X	Israel	X	Russian Federation	X
Angola	None	Estonia	X	Jamaica	X	Rwanda	None
Antigua & Barbuda	X	Finland	X	Japan	X	St. Kitts & Nevis	X
Argentina	None	France	X	Jordan	X	St. Lucia	X
Armenia	N	Germany	X	Kenya	None	St. Vincent & Grenadines	X
Australia	X	Greece	X	Korea, Rep. of	X	Samoa	None
Bahrain, Kingdom of	N	Hungary	X	Kuwait, the State of	N	Saudi Arabia, Kingdom of	N
Bangladesh	None	Ireland	X	Kyrgyz Republic	None	Senegal	N
Barbados	X	Italy	X	Lao, People's Democratic Rep. <sup>1</sup>	X	Sierra Leone	None
Belize	None	Latvia	X	Lesotho	N	Singapore	N
Benin	None	Lithuania	X	Liechtenstein	N	Solomon Islands	None
Bolivia, Plurinational State of	None	Luxembourg	X	Macao, China	X	South Africa	None
Botswana	N	Malta	X	Madagascar	N	Sri Lanka	None
Brazil	X	Netherlands	X	Malawi	None	Suriname	None
Brunei Darussalam	None	Poland	X	Malaysia	X	Swaziland	None
Burkina Faso	N	Portugal	X	Maldives	None	Switzerland	X
Burundi	N	Romania	X	Mali	N	Chinese Taipei	X
Cambodia	None	Slovak Republic	X	Mauritania	None	Tajikistan <sup>2</sup>	None
Cameroon	N	Slovenia	X	Mauritius	None	Tanzania	None
Canada	X	Spain	X	Mexico	X	Thailand	X
Cabo Verde	None	Sweden	X	Moldova, Rep. of	N	The FYR of Macedonia	None
Central African Rep.	None	United Kingdom	X	Mongolia	None	Togo	N
Chad	None	Ecuador	N	Montenegro	None	Tonga	None
Chile	X	Egypt	None	Morocco	None	Trinidad & Tobago	None
China	X	El Salvador	X	Mozambique	None	Tunisia	None
Colombia	None	Fiji	None	Myanmar	None	Turkey	X
Congo	N	Gabon	N	Namibia	None	Uganda	None
Costa Rica	X	The Gambia	None	Nepal	None	Ukraine	X
Côte d'Ivoire	None	Georgia	N	New Zealand	X	United Arab Emirates	None
Cuba	N	Ghana	None	Nicaragua	None	United States	X
Dem. Rep. of Congo	None	Grenada	X	Niger	None	Uruguay	X
Djibouti	None	Guatemala	X	Nigeria	None	Vanuatu	None
Dominica	X	Guinea	None	Norway	X	Venezuela, Bolivarian Republic of	None
Dominican Rep.	X	Guinea-Bissau	None	Oman	N	Viet Nam	X
EU	X	Guyana	N	Pakistan	None	Yemen <sup>3</sup>	None
Austria	X	Haiti	N	Panama	X	Zambia	None
Belgium	X	Honduras	X	Papua New Guinea	X	Zimbabwe	N
Bulgaria	X	Hong Kong, China	X	Paraguay	None		
Croatia <sup>4</sup>	X	Iceland	None	Peru	X		
Cyprus	X	India	X	Philippines	None		
Czech Republic	X	Indonesia	None	Qatar	N		

"N" - the Member has indicated that it maintains no notifiable subsidies.

"X" - the Member has notified subsidies.

"None" - no notification has been submitted.

<sup>1</sup> Became a Member on 2 February 2013.

<sup>2</sup> Became a Member on 2 March 2013.

<sup>3</sup> Became a Member on 26 June 2014.

<sup>4</sup> Joined the EU on 1 July 2013.

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### ANNEX C

#### 2011 NEW AND FULL SUBSIDY NOTIFICATIONS (G/SCM/N/220/...)

Member		Member		Member		Member	
Albania	X	Cyprus	X	Hong Kong, China	X	Paraguay	None
Angola	None	Czech Republic	X	Iceland	None	Peru	X
Antigua & Barbuda	X	Denmark	X	India	X	Philippines	None
Argentina	X	Estonia	X	Indonesia	None	Qatar	N
Armenia	N	Finland	X	Israel	X	Rwanda	None
Australia	X	France	X	Jamaica	X	St. Kitts & Nevis	None
Bahrain, Kingdom of	N	Germany	X	Japan	X	St. Lucia	X
Bangladesh	None	Greece	X	Jordan	X	St. Vincent & Grenadines	None
Barbados	X	Hungary	X	Kenya	None	Saudi Arabia, Kingdom of	X
Belize	X	Ireland	X	Korea, Rep. of	X	Senegal	None
Benin	None	Italy	X	Kuwait, the State of	N	Sierra Leone	None
Bolivia, Plurinational State of	None	Latvia	X	Kyrgyz Republic	None	Singapore	N
Botswana	N	Lithuania	X	Lesotho	N	Solomon Islands	None
Brazil	X	Luxembourg	X	Liechtenstein	N	South Africa	None
Brunei Darussalam	None	Malta	X	Macao, China	X	Sri Lanka	None
Burkina Faso	N	Netherlands	X	Madagascar	N	Suriname	None
Burundi	N	Poland	X	Malawi	None	Swaziland	N
Cambodia	None	Portugal	X	Malaysia	X	Switzerland	X
Cameroon	N	Romania	X	Maldives	None	Chinese Taipei	X
Canada	X	Slovak Republic	X	Mali	N	Tanzania	None
Cabo Verde	None	Slovenia	X	Mauritania	None	Thailand	X
Central African Rep.	None	Spain	X	Mauritius	X	The FYR of Macedonia	X
Chad	None	Sweden	X	Mexico	X	Togo	N
Chile	X	United Kingdom	X	Moldova, Rep. of	N	Tonga	N
China	X	Ecuador	N	Mongolia	None	Trinidad & Tobago	None
Colombia	N	Egypt	None	Morocco	None	Tunisia	None
Congo	N	El Salvador	X	Mozambique	None	Turkey	X
Costa Rica	X	Fiji	None	Myanmar	None	Uganda	None
Côte d'Ivoire	None	Gabon	N	Namibia	None	Ukraine	X
Croatia	X	The Gambia	None	Nepal	None	United Arab Emirates	None
Cuba	N	Georgia	N	New Zealand	X	United States	X
Dem. Rep. of Congo	None	Ghana	None	Nicaragua	N	Uruguay	X
Djibouti	None	Grenada	X	Niger	None	Venezuela, Bolivarian Republic of	None
Dominica	None	Guatemala	X	Nigeria	None	Viet Nam	None
Dominican Rep.	X	Guinea	None	Norway	X	Zambia	N
EU	X	Guinea-Bissau	None	Oman	N	Zimbabwe	None
Austria	X	Guyana	N	Pakistan	None		
Belgium	X	Haiti	N	Panama	None		
Bulgaria	X	Honduras	X	Papua New Guinea	None		

"N" - the Member has indicated that it maintains no notifiable subsidies.

"X" - the Member has notified subsidies.

"None" - no notification has been submitted.

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### ANNEX D

#### STATUS OF SUBSIDY NOTIFICATIONS BY WTO MEMBERS (1995-2015): PERIODS COVERED BY THE MOST RECENT NEW AND FULL SUBSIDY NOTIFICATIONS OF MEMBERS

Member		Member		Member	
Afghanistan <sup>1</sup>	2013-2014	Portugal	2013-2014	Niger	None
Albania	2013-2014	Romania	2013-2014	Nigeria	2007-2008
Angola	None	Slovak Republic	2013-2014	Norway	2012-2014
Antigua & Barbuda	07/11-06/12	Slovenia	2011-2012	Oman	2005-2013
Argentina	2008-2010	Spain	2013-2014	Pakistan	1991-1995
Armenia	2013-2014	Sweden	2013-2014	Panama	2012
Australia	07/13-06/15	United Kingdom	2013-2014	Papua New Guinea	2011-2012
Bahrain, Kingdom of	2013	Ecuador	2013-2014	Paraguay	2007-2008
Bangladesh	None	Egypt	1997	Peru	2013-2014
Barbados	2012	El Salvador	2014	Philippines	1996
Belize	07/13-06/15	Fiji	2003-2004	Qatar	2013-2014
Benin	1997	Gabon	2011-2012	Russian Federation	2013-2014
Bolivia, Plurinational		The Gambia	1998	Rwanda	None
State of	2000-2002	Georgia	2011-2012	St. Kitts and Nevis	07/12-06/13
Botswana	2003-2013	Ghana	2001-2002	St. Lucia	07/12-06/13
Brazil	2011-2012	Grenada	07/12-06/13	St. Vincent and Grenadines	01/14-12/14
Brunei Darussalam	1995	Guatemala	07/12-06/13	Saudi Arabia, Kingdom of	20012-2013
Burkina Faso	2011-2012	Guinea	2001-2002	Senegal	2013
Burundi	2000	Guinea-Bissau	None	Seychelles <sup>6</sup>	01/15-12/15
Cambodia	None	Guyana	2015	Sierra Leone	None
Cameroon	2003-2013	Haiti	None	Singapore	2013-2014
Canada	2012/13-2013/14	Honduras	2015	Solomon Islands	None
Cabo Verde	None	Hong Kong, China	04/14-03/15	South Africa	2001-2002
Central African Rep.	None	Iceland	2004	Sri Lanka	1995-1997
Chad	None	India	2010-2014	Suriname	2007-2008
Chile	2013-2015	Indonesia	1995	Swaziland	2009-2010
China	2009-2014	Israel	2010-2013	Switzerland	2013-2014
Colombia	2009-2011	Jamaica	2014	Chinese Taipei	2011-2014
Congo	2013-2014	Japan	04/12-03/14	Tajikistan <sup>7</sup>	None
Costa Rica	2014	Jordan	2014	Tanzania	None
Côte d'Ivoire	1996	Kazakhstan <sup>3</sup>	2015	Thailand	2013-2014
Cuba	2013-2014	Kenya	None	The FYR of Macedonia	2010
Dem. Rep. of Congo	None	Korea, Rep. of	2013-2014	Togo	2009-2013
Djibouti	None	Kuwait, the State of	None	Tonga	2009-2010
Dominica	06/14-06/15	Kyrgyz Republic	2009	Trinidad & Tobago	2007-2008
Dominican Rep.	2014	Lao, People's Dem. Republic <sup>4</sup>	2010-2013	Tunisia	2001-2003
European Union	2013-2014	Lesotho	2010-2015	Turkey	2013-2015
Austria	2011-2012	Liechtenstein	2013-2014	Uganda	2003-2004
Belgium	2013-2014	Macao, China	2014	Ukraine	2013-2014
Bulgaria	2013-2014	Madagascar	2009-2012	United Arab Emirates	2013-2014
Croatia <sup>2</sup>	2013	Malawi	2007-2008	United States	10/12-09/14
Cyprus	2013-2014	Malaysia	2011-2013	Uruguay	07/11-06/12
Czech Republic	2013-2014	Maldives	None	Venezuela, Bolivarian Rep. of	1995-1996
Denmark	2012-2014	Mali	2013-2014	Viet Nam	2011-2013
Estonia	2013-2014	Mauritania	None	Yemen <sup>8</sup>	None
Finland	2013-2014	Mauritius	2014	Zambia	2010-2011
France	2013-2014	Mexico	2013-2014	Zimbabwe	2013-2014
Germany	2013-2014	Moldova, Rep. of	None		
Greece	2013-2014	Mongolia	2001-2002		
Hungary	2013-2014	Montenegro <sup>5</sup>	2013-2014		
Ireland	2013-2014	Morocco	2001-2002		
Italy	2011-2014	Mozambique	None		
Latvia	2013-2014	Myanmar	2001-2002		
Lithuania	2013-2014	Namibia	2002-2009		
Luxembourg	2013-2014	Nepal	None		
Malta	2013-2014	New Zealand	FY 2012/13-2013/14		
Netherlands	2013-2014	Nicaragua	2009-2010		
Poland	2013-2014				

<sup>1</sup> Became a Member on 29.07.2016

<sup>2</sup> Joined the EU on 01.07.2013.

<sup>3</sup> Became a Member on 30.11.2015.

<sup>4</sup> Became a Member on 02.02.2013.

<sup>5</sup> Became a Member on 29.04.2012.

<sup>6</sup> Became a Member on 26.04.2015.

<sup>7</sup> Became a Member on 02.03.2013

<sup>8</sup> Became a Member on 26.06.2014.

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### ANNEX E

#### COUNTERVAILING DUTY LEGISLATION NOTIFICATIONS UNDER ARTICLE 32.6 OF THE SCM AGREEMENT AS AT 25 OCTOBER 2016

**Key: "\*" - Nil notification (no CVD legislation)**  
**"None" - No notification submitted**

MEMBER/OBSERVER	NOTIFICATION PROVIDED
Afghanistan <sup>1</sup>	None
Albania	G/SCM/N/1/ALB/2 + Rev.1
Angola	None
Antigua and Barbuda	G/SCM/N/1/ATG/2
Argentina	G/SCM/N/1/ARG/1 + Suppl.1, 2, 3 & Suppl.3/Corr.1 + Suppl.4, 5, 6, 7 & 8
Armenia	G/SCM/N/1/ARM/2
Australia	G/SCM/N/1/AUS/2 + Suppl.1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 & 14
Bahrain, Kingdom of	G/SCM/N/1/BHR/2 + Corr.1 & Suppl. 1
Bangladesh	None
Barbados	G/SCM/N/1/BRB/1
Belize	None
Benin	G/SCM/N/1/BEN/1
Bolivia, Plurinational State of	G/SCM/N/1/BOL/1 + Suppl.1
Botswana	None
Brazil	G/SCM/N/1/BRA/2 + Suppl.1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & 11
Brunei Darussalam	G/SCM/N/1/BRN/1
Burkina Faso	G/SCM/N/1/BFA/1
Burundi	G/SCM/N/1/BDI/1
Cambodia	G/SCM/N/1/KHM/1
Cameroon	G/SCM/N/1/CMR/1+Corr.1 & Suppl.1
Canada	G/SCM/N/1/CAN/4 + Suppl.1
Cabo Verde	None
Central African Republic	None
Chad	G/SCM/N/1/TCD/1
Chile	G/SCM/N/1/CHL/2 + Suppl.1
China	G/SCM/N/1/CHN/1 + Suppl.1, 2, 3 & 4
Colombia	G/SCM/N/1/COL/1
Congo	G/SCM/N/1/COG/1
Costa Rica	G/SCM/N/1/CRI/4
Côte d'Ivoire	G/SCM/N/1/CIV/1
Croatia	G/SCM/N/1/HRV/2 + Corr.1
Cuba	G/SCM/N/1/CUB/1 + Suppl.1
Democratic Republic of the Congo	None
Djibouti	None
Dominica	G/SCM/N/1/DMA/1
Dominican Republic	G/SCM/N/1/DOM/2 + Corr.1 (Spanish only) + Suppl.1/Corr.1 + Suppl. 2
Ecuador	G/SCM/N/1/ECU/3
European Union	G/SCM/N/1/EU/2
Egypt	G/SCM/N/1/EGY/2/Rev.1 + Rev.1/Suppl.1
El Salvador	G/SCM/N/1/SLV/4
Fiji	G/SCM/N/1/FJI/2
Gabon	G/SCM/N/1/GAB/2
The Gambia	G/SCM/N/1/GMB/1
Georgia	G/SCM/N/1/GEO/1

<sup>1</sup> Became a Member on 30 November 2015

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MEMBER/OBSERVER	NOTIFICATION PROVIDED
Ghana	G/SCM/N/1/GHA/1
Grenada	G/SCM/N/1/GRD/2
Guatemala	G/SCM/N/1/GTM/3
Guinea	G/SCM/N/1/GIN/1
Guinea-Bissau	None
Guyana	G/SCM/N/1/GUY/1
Haiti	G/SCM/N/1/HTI/1
Honduras	G/SCM/N/1/HND/3
Hong Kong, China	G/SCM/N/1/HKG/1
Iceland	G/SCM/N/1/ISL/1
India	G/SCM/N/1/IND/2 + Corr.1 + Suppl.1, 2, 3, 4, 5, 6 & 7
Indonesia	G/SCM/N/1/IDN/3
Israel	G/SCM/N/1/ISR/3 + Corr.1
Jamaica	G/SCM/N/1/JAM/2
Japan	G/SCM/N/1/JPN/2 + Corr.1 & 2 + Suppl.1, 2, 3, 4 & Suppl.4/Corr.1, Suppl.5, 6, 7 & 8
Jordan	G/SCM/N/1/JOR/3
Kazakhstan	G/SCM/N/1/KAZ/1 + Rev.1 + Corr.1
Kenya	G/SCM/N/1/KEN/2
Korea, Rep. of	G/SCM/N/1/KOR/4
Kuwait, the State of	G/SCM/N/1/KWT/1 + Suppl.1 + Corr.1
Kyrgyz Rep.	G/SCM/N/1/KGZ/3
Lao, People's Democratic Republic	None
Lesotho	G/SCM/N/1/LSO/1
Liberia <sup>2</sup>	None
Liechtenstein	G/SCM/N/1/LIE/1
Macao, China	G/SCM/N/1/MAC/1
Madagascar	None
Malawi	G/SCM/N/1/MWI/1
Malaysia	G/SCM/N/1/MYS/1 + Add.1
Maldives	G/SCM/N/1/MDV/2
Mali	G/SCM/N/1/MLI/1
Mauritania	None
Mauritius	G/SCM/N/1/MUS/2
Mexico	G/SCM/N/1/MEX/1 + Corr.1 + Suppl.1, 2, Suppl.2/Corr.1, Suppl.3, & Suppl.4
Moldova, Rep. of	G/SCM/N/1/MDA/1
Mongolia	G/SCM/N/1/MNG/2
Montenegro	G/SCM/N/1/MNE/1 + Suppl.1
Morocco	G/SCM/N/1/MAR/3
Mozambique	None
Myanmar	G/SCM/N/1/MYN/1
Namibia	G/SCM/N/1/NAM/1
Nepal	G/SCM/N/1/NPL/1
New Zealand	G/SCM/N/1/NZL/2 + Suppl.1, 2, 3, 4 & 5
Nicaragua	G/SCM/N/1/NIC/2
Niger	None
Nigeria	G/SCM/N/1/NGA/1
Norway	G/SCM/N/1/NOR/4 + Corr.1
Oman	G/SCM/N/1/OMN/3 + Suppl.1
Pakistan	G/SCM/N/1/PAK/3
Panama	G/SCM/N/1/PAN/2 + Suppl.1
Papua New Guinea	G/SCM/N/1/PNG/1
Paraguay	G/SCM/N/1/PRY/2 + Corr.1
Peru	G/SCM/N/1/PER/2 + Suppl.1
Philippines	G/SCM/N/1/PHL/2
Qatar	G/SCM/N/1/QAT/3 + Suppl.1
Russian Federation	G/SCM/N/1/RUS/2

<sup>2</sup> Became a Member on 14 July 2016.

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MEMBER/OBSERVER	NOTIFICATION PROVIDED
Rwanda	None
Saint Kitts & Nevis	None
Saint Lucia	G/SCM/N/1/LCA/1
Saint Vincent & Grenadines	None
Samoa	None
Saudi Arabia, Kingdom of	G/SCM/N/1/SAU/2 + Suppl. 1
Senegal	G/SCM/N/1/SEN/1
Seychelles	G/SCM/N/1/SYC/1
Sierra Leone	None
Singapore	G/SCM/N/1/SGP/2 + Suppl.1
Solomon Islands	None
South Africa	G/SCM/N/1/ZAF/2 + Add.1
Sri Lanka	G/SCM/N/1/LKA/1
Suriname	G/SCM/N/1/SUR/1
Swaziland	None
Switzerland	G/SCM/N/1/CHE/1
Chinese Taipei	G/SCM/N/1/TPKM/1 + Corr.1 + Suppl.1
Tajikistan	None
Tanzania	None
Thailand	G/SCM/N/1/THA/4 + Corr.1
The Former Yugoslav Republic of Macedonia	G/SCM/N/1/MKD/1 + Corr.1 + Suppl.1
Togo	G/SCM/N/1/TGO/1
Tonga	G/SCM/N/1/TON/1
Trinidad and Tobago	G/SCM/N/1/TTO/1 + Suppl.1
Tunisia	G/SCM/N/1/TUN/2
Turkey	G/SCM/N/1/TUR/3 + Suppl.1, 2, 3 & Suppl.3/Corr.1
Uganda	G/SCM/N/1/UGA/2
Ukraine	G/SCM/N/1/UKR + Suppl.1 & Suppl.1/Corr.1
United Arab Emirates	G/SCM/N/1/ARE/2
United States	G/SCM/N/1/USA/1 + Corr.1 + Suppl.1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17,18, 19, 20, 21, 22, 23, 24 + Corr.1
Uruguay	G/SCM/N/1/URY/1 + Suppl.1
Vanuatu	G/SCM/N/1/VUT/1
Venezuela, Bolivarian Republic of	G/SCM/N/1/VEN/1 + Suppl.1 & 2
Viet Nam	None
Zambia	G/SCM/N/1/ZMB/1
Zimbabwe	G/SCM/N/1/ZWE/2 + Suppl.1

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### ANNEX F

#### SEMI-ANNUAL REPORTS OF COUNTERVAILING DUTY ACTIONS, 1 JULY 2014 - 30 JUNE 2015

MEMBER	1 July-31 December 2015 (G/SCM/N/298)	1 January-30 June 2016 (G/SCM/N/305)
Afghanistan <sup>1</sup>	NM	NM
Albania	None	None
Angola	None	None
Antigua and Barbuda	None	None
Argentina	N	N
Armenia	None	X
Australia	X	X
Bahrain, Kingdom of	None	N
Bangladesh	None	None
Barbados	OTN	
Belize	OTN	
Benin	None	None
Bolivia, Plurinational State of	None	None
Botswana	N	N
Brazil	X	X
Brunei Darussalam	None	None
Burkina Faso	OTN	
Burundi	OTN	
Cabo Verde	None	None
Cambodia	None	None
Cameroon	OTN	
Canada	X	X
Central African Republic	None	None
Chad	None	None
Chile	N	N
China	X	X
Colombia	N	N
Congo	OTN	
Costa Rica	N	N
Côte d'Ivoire	OTN	
Cuba	OTN	
Democratic Republic of the Congo	None	None
Djibouti	None	None
Dominica	OTN	
Dominican Republic	N	N
Ecuador	N	N
Egypt	X	N
El Salvador	N	N
European Union	X	X
Fiji	None	None
Gabon	None	None
The Gambia	OTN	
Georgia	OTN	
Ghana	OTN	
Grenada	None	None
Guatemala	None	N
Guinea	OTN	
Guinea-Bissau	None	None
Guyana	OTN	
Haiti	OTN	
Honduras	N	N
Hong Kong, China	OTN	
Iceland	None	None
India	X	X
Indonesia	N	N
Israel	N	N
Jamaica	N	N

<sup>1</sup> Became a Member on 29 July 2016.



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MEMBER	1 July-31 December 2015 (G/SCM/N/298)	1 January-30 June 2016 (G/SCM/N/305)
Japan	N	N
Jordan	N	N
Kazakhstan <sup>2</sup>	X	X
Kenya	OTN	
Korea, Republic of	N	N
Kuwait, the State of	N	N
Kyrgyz Republic	X	X
Lao, PDR	OTN	
Lesotho	N	N
Liberia <sup>3</sup>	NM	NM
Liechtenstein	OTN	
Macao, China	OTN	
Madagascar	OTN	
Malawi	OTN	
Malaysia	N	N
Maldives	None	None
Mali	OTN	
Mauritania	None	None
Mauritius	OTN	
Mexico	N	N
Moldova, Republic of	None	None
Mongolia	OTN	
Montenegro	None	None
Morocco	N	N
Mozambique	OTN	
Myanmar	None	None
Namibia	N	N
Nepal	OTN	
New Zealand	N	N
Nicaragua	N	None
Niger	None	None
Nigeria	None	None
Norway	N	N
Oman	N	N
Pakistan	N	X
Panama	None	None
Papua New Guinea <sup>4</sup>	OTN	
Paraguay	N	N
Peru	X	X
Philippines	N	N
Qatar	None	N
Russian Federation	X	X
Rwanda	None	None
Saint Kitts & Nevis	OTN	
Saint Lucia	OTN	
Saint Vincent & Grenadines	None	None
Samoa	None	None
Saudi Arabia, Kingdom of	None	N
Senegal	OTN	
Seychelles	N	N
Sierra Leone	OTN	
Singapore	N	N
Solomon Islands	None	None
South Africa	N	N
Sri Lanka	OTN	
Suriname	OTN	
Swaziland	N	N
Switzerland	OTN	
Chinese Taipei	N	N
Tajikistan	None	None
Tanzania	None	None
Thailand	N	N

<sup>2</sup> Became a Member on 30 November 2015.

<sup>3</sup> Became a Member on 14 July 2016.

<sup>4</sup> The Member submitted one-time notification on 12 April 2016 in document G/SCM/N/202/PNG.

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<b>MEMBER</b>	<b>1 July-31 December 2015 (G/SCM/N/298)</b>	<b>1 January-30 June 2016 (G/SCM/N/305)</b>
The former Yugoslav Republic of Macedonia	None	None
Togo	None	None
Tonga	None	None
Trinidad and Tobago	N	N
Tunisia	None	None
Turkey	X	X
Uganda <sup>5</sup>	OTN	
Ukraine	X	X
United Arab Emirates	N	N
United States	X	X
Uruguay	None	None
Venezuela, Bolivarian Republic of	None	None
Vanuatu <sup>6</sup>	OTN	
Viet Nam	N	N
Yemen	None	None
Zambia	None	None
Zimbabwe	N	N

X = Semi-annual report of actions taken submitted.

N = Report of no actions taken submitted.

None = No report submitted.

OTN = One time notification.

-- = Became a Member during the reporting period, and no report submitted.

NM = Not a Member during the reporting period.

<sup>5</sup> The Member submitted one-time notification on 1 December 2015 in document G/SCM/N/202/UGA.

<sup>6</sup> The Member submitted one-time notification on 19 July 2016 in document G/SCM/N/202/VUT.

## Exhibit 2

### ANNEX G

SUMMARY OF COUNTERVAILING DUTY ACTIONS AND MEASURES AS REPORTED IN  
DOCUMENTS G/SCM/N/298/... AND G/SCM/N/305/...  
(1 JULY 2015 - 30 JUNE 2016)  
AS OF 25 OCTOBER 2016

Initiations				Provisional Measures (negative preliminary determinations and affirmative preliminary determinations where no measures imposed are not included)				Definitive Duties (negative determinations not included)				Price Undertakings		Revoca- tions notified <sup>1</sup>	Measures in force on 30 June 2015 (definitive duties and price undertakings) <sup>2</sup>
Total	Countries <sup>3</sup> involved			Total	Countries <sup>3</sup> involved			Total	Countries <sup>3</sup> involved			Total	Countries <sup>3</sup> involved		
	<b>AUSTRALIA</b>														
5	CHN (4)	IDN (1)		1	CHN (1)			0				0		1	8
	<b>BRAZIL</b>														
0				0				1	IND (1)			0		0	1
	<b>CANADA</b>														
2	CHN (2)			4	CHN (2)	IND (1)	RUS (1)	2	CHN (2)			0		0	20
	<b>CHINA</b>														
1	USA (1)			0				0						0	4
	<b>EUROPEAN UNION</b>														
2	CHN (1)	TUR (1)		0				3	IND (1)	MYS (1)		0		3	15
									TPKM (1)						
	<b>INDIA</b>														
1	CHN (1)			0				1	CHN (1)			0		0	1
	<b>MEXICO</b>														
0	0			0				0				0		0	3
	<b>PAKISTAN</b>														
1	IND (1)			0				0				0		0	0
	<b>PERU</b>														
0				0				1	ARG (1)			0		0	2

<sup>1</sup> Includes measures notified as having been fully or partially revoked, and as having lapsed.

<sup>2</sup> Certain of the measures in force were notified as having been fully or partially suspended.

<sup>3</sup> "Countries" refers in all cases to countries or customs territories. A list of the abbreviations used in this table can be found following this table.

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Initiations				Provisional Measures (negative preliminary determinations and affirmative preliminary determinations where no measures imposed are not included)				Definitive Duties (negative determinations not included)				Price Undertakings		Revoca- tions notified <sup>1</sup>	Measures in force on 30 June 2015 (definitive duties and price undertakings) <sup>2</sup>
Total	Countries <sup>3</sup> involved			Total	Countries <sup>3</sup> involved			Total	Countries <sup>3</sup> involved			Total	Countries <sup>3</sup> involved		
	<b>TURKEY</b>														
0				0				0				0		0	1
	<b>UKRAINE</b>														
0				0				1	RUS (1)			0		0	1
	<b>UNITED STATES</b>														
24	BRA (3)	CHN (10)	IND (3)	19	BRA (2)	CAN (1)	CHN (5)	10	CAN (1)	CHN (4)	IND (1)	0		0	70
	KOR (3)	PAK (1)	RUS (1)		IND (5)	ITA (1)	KOR (1)		IDN (1)	MEX (1)	TUR (1)				
	LKA (1)	TUR (2)			PAK (1)	RUS (1)	LKA (1)		VNM (1)						
					TUR (1)										

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### LIST OF ABBREVIATIONS USED IN ANNEXES

AFG	AFGHANISTAN	GAB	GABON	PAK	PAKISTAN
ALB	ALBANIA	GMB	THE GAMBIA	PAN	PANAMA
DZA	ALGERIA	GEO	GEORGIA	PNG	PAPUA NEW GUINEA
AND	ANDORRA	DEU	GERMANY	PRY	PARAGUAY
AGO	ANGOLA	GHA	GHANA	PER	PERU
ATG	ANTIGUA AND BARBUDA	GRC	GREECE	PHL	PHILIPPINES
ARG	ARGENTINA	GRD	GRENADA	POL	POLAND
ARM	ARMENIA	GTM	GUATEMALA	PRT	PORTUGAL
AUS	AUSTRALIA	GIN	GUINEA	QAT	QATAR
AUT	AUSTRIA	GNB	GUINEA BISSAU	ROU	ROMANIA
AZE	AZERBAIJAN	GUY	GUYANA	RWA	RWANDA
BHS	BAHAMAS	HTI	HAITI	RUS	RUSSIAN FEDERATION
BHR	BAHRAIN, KINGDOM OF	HND	HONDURAS	KNA	SAINT KITTS AND NEVIS
BGD	BANGLADESH	HKG	HONG KONG, CHINA	LCA	SAINT LUCIA
BRB	BARBADOS	HUN	HUNGARY	VCT	SAINT VINCENT AND THE GRENADINES
BLR	BELARUS	ISL	ICELAND	WSM	SAMOA
BEL	BELGIUM	IND	INDIA	STP	SAO TOME AND PRINCIPE
BLZ	BELIZE	IDN	INDONESIA	SAU	SAUDI ARABIA, KINGDOM OF
BEN	BENIN	IRN	IRAN	SEN	SENEGAL
BMU	BERMUDA	IRQ	IRAQ	SRB	SERBIA
BTN	BHUTAN	IRL	IRELAND	SYC	SEYCHELLES
BOL	BOLIVIA, PLURINATIONAL STATE OF	ISR	ISRAEL	SLE	SIERRA LEONE
BIH	BOSNIA AND HERZEGOVINA	ITA	ITALY	SGP	SINGAPORE
BWA	BOTSWANA	JAM	JAMAICA	SVK	SLOVAK REPUBLIC
BRA	BRAZIL	JPN	JAPAN	SVN	SLOVENIA
BRN	BRUNEI DARUSSALAM	JOR	JORDAN	SLB	SOLOMON ISLANDS
BGR	BULGARIA	KAZ	KAZAKHSTAN	ZAF	SOUTH AFRICA
BFA	BURKINA FASO	KEN	KENYA	ESP	SPAIN
BDI	BURUNDI	PRK	KOREA, D.R. OF	LKA	SRI LANKA
CPV	CABO VERDE	KOR	KOREA, REP. OF	SDN	SUDAN
KHM	CAMBODIA	KWT	KUWAIT, STATE OF	SUR	SURINAME
CMR	CAMEROON	KGZ	KYRGYZ REPUBLIC	SWZ	SWAZILAND
CAN	CANADA	LAO	LAO, P.D.R	SWE	SWEDEN
CAF	CENTRAL AFRICAN REPUBLIC	LVA	LATVIA	CHE	SWITZERLAND
TCO	CHAD	LBN	LEBANON	SYR	SYRIAN ARAB REPUBLIC
CHL	CHILE	LSO	LESOTHO	TPKM	CHINESE TAIPEI
CHN	CHINA	LIBY	LIBYA	TJK	TAJIKISTAN
COL	COLOMBIA	LIE	LIECHTENSTEIN	TZA	TANZANIA
COG	CONGO	LTU	LITHUANIA	THA	THAILAND
CRI	COSTA RICA	LUX	LUXEMBOURG	MKD	THE FORMER YUGOSLAV REP. OF MACEDONIA
CIV	COTE D'IVOIRE	MAC	MACAO, CHINA	TGO	TOGO
HRV	CROATIA	MDG	MADAGASCAR	TON	TONGA
CUB	CUBA	MWI	MALAWI	TTO	TRINIDAD AND TOBAGO
CYP	CYPRUS	MYS	MALAYSIA	TUN	TUNISIA
CZE	CZECH REPUBLIC	MDV	MALDIVES	TUR	TURKEY
COD	DEMOCRATIC REPUBLIC OF THE CONGO	MLI	MALI	TKM	TURKMENISTAN
DNK	DENMARK	MLT	MALTA	UGA	UGANDA
DJI	DJIBOUTI	MRT	MAURITANIA	UKR	UKRAINE
DMA	DOMINICA	MUS	MAURITIUS	ARE	UNITED ARAB EMIRATES
DOM	DOMINICAN REPUBLIC	MEX	MEXICO	GBR	UNITED KINGDOM
ECU	ECUADOR	MDA	MOLDOVA, REP. OF	USA	UNITED STATES OF AMERICA
EGY	EGYPT	MNG	MONGOLIA	URY	URUGUAY
SLV	EL SALVADOR	MAR	MOROCCO	UZB	UZBEKISTAN
GNQ	EQUATORIAL GUINEA	MNE	MONTENEGRO	VUT	VANUATU
EST	ESTONIA	MOZ	MOZAMBIQUE	VEN	VENEZUELA, BOLIVARIAN REPUBLIC OF
ETH	ETHIOPIA	MYN	MYANMAR	VNM	VIET NAM
EU	EUROPEAN UNION	NAM	NAMIBIA	YEM	YEMEN
FRO	FAROE ISLANDS	NPL	NEPAL	ZMB	ZAMBIA
FJI	FIJI	NLD	NETHERLANDS	ZWE	ZIMBABWE
FIN	FINLAND	NZL	NEW ZEALAND		
FRA	FRANCE	NIC	NICARAGUA		
		NER	NIGER		
		NGA	NIGERIA		
		NOR	NORWAY		
		OMN	OMAN		