



Ref No. 335/DAGLU.6/SD/05/2022

Jakarta, 03 May 2022

The Director, Investigations 2 Anti-Dumping Commission
GPO Box 2013 Canberra ACT 2601

Subject The Government of Indonesia Initial Comment on the Initiation of a Continuation Inquiry Anti-dumping Measure against Import of Steel Reinforcing Bar originating in inter alia Indonesia – PUBLIC DOCUMENT

The Government of Indonesia (the GOI) sends its compliments and regards to the Australian Anti-Dumping Commission (the Commission). With reference to the notification to initiate the above mention inquiry, we would like to submit our initial comments as follows:

1. We refer to Article 11.2 WTO Anti-Dumping Agreement (the Agreement) where the authorities shall review the need for the continued imposition of the duty, where warranted, on their own initiative or, provided that a reasonable period of time has elapsed since the imposition of the definitive anti-dumping duty, upon request by any interested party which submits positive information substantiating the need for a review. Interested parties shall have the right to request the authorities to examine whether the continued imposition of the duty is necessary to offset dumping, whether the injury would be likely to continue or recur if the duty were removed or varied, or both. If, as a result of the review under this paragraph, the authorities determine that the anti-dumping duty is no longer warranted, it shall be terminated immediately (emphasize added).
2. We also notice that the objective of the inquiry as stated in the Recital 4, 6 and 9 of the notification is in conformity with the article 11.2 of the Agreement where which is to find grounds so that the continuation of the anti-dumping measure is justified.
3. We recall the Termination Report No 418 published on 22 January 2018 (the original investigation) where the Commissioner is satisfied that in relation to the goods that are subject to the application, there has been dumping by Indonesian exporters PT Ispat Panca Putera (Ispat) and PT Putra Baja Deli (Putra Baja Deli) but the dumping margin for each exporter is less than 2 per cent. In accordance with subsection 269TDA (1), the Commissioner therefore decided to terminate Investigation 418 so far as it relates to exporters Ispat and Putra Baja Deli (emphasize added).
4. In the light of the foregoing, we are of the view that Putra Baja Deli and Ispat are not the companies subject to this inquiry, and the decision that may be resulted from this inquiry shall not alter the original decision pertaining to those companies.

We trust that the Commission will conduct the inquiry in a fair and transparent manner. The GOI takes this opportunity to renew the Commission the assurance of its highest consideration.

Sincerely yours,



Natan Kambuno

Director of Trade Defense

Cc:

1. Acting DG of Foreign Trade, Ministry of Trade;
2. H.E. Ambassador Extraordinary and Plenipotentiary of Indonesia for Australia accredited to the Republic of Vanuatu in Canberra.

