Common rules for imports. Codification

2014/0166(COD) - 03/08/2015 - Follow-up document

The Commission presents its 33rd Annual Report on the EU's anti-dumping, anti-subsidy and safeguard activities in 2014. These activities are governed by: (i) Council Regulation (EC) No 1225/2009 (‘basic anti-dumping Regulation’), (ii) Council Regulation (EC) No 597/2009 (‘basic anti-subsidy Regulation’) and (iii) Regulation (EU) 2015/478 of the European Parliament and of the Council on common rules for imports.

The **main facts regarding trade defence** in the EU during 2014 are the following :

Investigations and measures: in relation to 2013, 2014 was characterised by **an increase in the opening of new investigations and a reduction in the number of expiry reviews.**

It should be recalled that the anti-dumping and anti-subsidy Regulations provide for the expiry of measures after five years, unless an expiry review demonstrates that they should be maintained in their original form.

As in previous years this reflects the type of complaints which were lodged and which were supported by prima facie evidence.

At the end of 2014, **the EU had 81 antidumping measures and 13 anti-subsidy measures in force.** In 2014, 0.29% of total imports into the EU were affected by such measures.

Most of the cases concluded in 2014 had been initiated in 2013 while many of those initiated in 2014 will come up for decision in 2015.

Continuing the trend of previous years, **no safeguard action was taken** by the EU.

The follow-up activities concerning measures in force were centred on four main areas: (1) pre-empt fraud; (2) monitor trade flows and market developments; (3) improve the effectiveness with the appropriate instruments and (4) react to irregular practices.

Modernisation of trade defence instruments (TDI): work continued on the proposal for the modernisation of TDI. The Parliament voted a legislative resolution in April 2014 and thus closed its first reading. At that time, the Commission also took note of draft guidelines on four subjects with a view to their adoption once the legislative process was more advanced.

The aim of the modernisation exercise is to render the instruments more efficient and effective. By finding practical solutions to real problems encountered by stakeholders, the TDIs are intended to become more accessible and measures better-targeted responses to certain unfair trading practices exercised by the EU’s trading partners. Other important elements of the project include increased transparency and particular attention to SMEs.

Information and communication activities: the Commission TDI services also continued their information activities targeted at third country officials, the Union industry and importers:

- a Helpdesk for SMEs was set in December 2004 in order to help SMEs deal with the complexity involved in TDI investigations. In 2014, the Helpdesk continued to deal with requests for information;
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there were a number of bilateral contacts dedicated to discussing various trade defence topics with a number of third countries including China, Korea, Japan, Australia, Vietnam and Morocco;
- there was a seminar in February 2014 which brought together the various stakeholders to discuss aspects of the EU's trade defence policy and practice.

Judicial review: in 2014, the General Court and the Court of Justice rendered 28 judgments in total relating to the areas of anti-dumping or anti-subsidy. 5 of the judgments of the Court of Justice concerned appeals against the General Court decisions and 4 were preliminary rulings.