



A Handbook on Anti-Dumping Investigations

Judith Craiko, Ashamm Humam and Roger Miranda



WORLD TRADE ORGANIZATION

A Handbook On Anti Dumping Investigations

Abdulkadir Yilmazcan



A Handbook On Anti Dumping Investigations:

A Handbook on Anti-Dumping Investigations Judith Czako, Johann Human, Jorge Miranda, 2003-09-04 The subject of anti dumping procedures has received growing attention in international trade policy and has become a source of tension between countries This handbook covers the major areas arising in anti dumping investigations as embodied in the relevant WTO provisions providing an exposition of well sourced information explanations and guidance for grasping the intricacies of anti dumping proceedings Beginning with a chronicle of an anti dumping investigation the book proceeds to consider the crucial issues involved calculation of dumping margins and determinations of injury and causation Well structured and easy to follow the handbook is designed to assist in a practical way investigators delegated the authority to conduct the required investigation Clearly presented and informative this book will also interest government officials involved in international trade policy importing and exporting enterprises affected by anti dumping investigations and their representatives including private legal practitioners and consultants and academic readers concerned with international trade issues *A Handbook on Anti-Dumping Investigations* Judith Czako, 2003 A key guide to the intricacies of anti dumping proceedings

Improving Procedural Justice in Anti-Dumping Investigations Abdulkadir Yilmazcan, 2024-05-16 By synthesizing both theoretical and empirical insights this book offers a distinctive perspective on procedural justice within the context of anti dumping investigations The book highlights the disjunction between the provisions outlined in the World Trade Organization s Anti Dumping Agreement ADA and the practical encounters faced by stakeholders such as exporters regulatory bodies and legal experts affiliated with the WTO Employing a mixed method approach the research encompasses a comprehensive doctrinal analysis of procedural complexities alongside empirical investigations involving key stakeholders such as WTO legal experts Chinese exporters and investigating authorities Furthermore this book underscores the potential for enhancing procedural justice through either a comprehensive reform of the ADA or concrete measures such as a standardized anti dumping questionnaire Such improvements offered in the book have the potential to curtail the misuse of anti dumping investigations consequently mitigating a substantial number of disputes that might be brought before the WTO s Dispute Settlement Mechanism

World Trade Organization Agreement on Anti-dumping K. D. Raju, 2008-01-01 The WTO Secretariat reports that during the period from 1995 to June 30 2007 WTO members initiated 3097 anti dumping investigations Of these 474 were put forward by India which made it the largest user of this measure among WTO Members The traditional argument of developing countries was that loopholes or absence of clear definitions in the anti dumping rules have increased the possibility of abuses and discretionary practices against them Now many developing countries like India have become frequent users of this measure For a better understanding of the various provisions of the WTO s Anti dumping Agreement ADA a critical investigation of the resulting jurisprudence is a necessity To that end this timely work has a fivefold aim and To explore the jurisprudence that has emerged around the anti dumping regime and how it affected developing countries and

To assess how effectively and to what extent the WTO's Dispute Settlement Body (DSB) is able to analyze the violations of ADA provisions and To examine domestic compliance with DSB decisions and To study the Indian cases which come before the nation's Customs Excise and Sales Tax Appellate Tribunal various High Courts and the Supreme Court of India and To offer recommendations for the improvement of the anti-dumping regime from a developing country perspective

A Handbook of World Trade Jonathan Reuvid, 2004 This second edition of *A Handbook of World Trade* is a reliable reference source on the framework and mechanics of world trade The guide examines the origins and nature of the WTO regulatory issues and disputes in international trade the management of foreign currencies in international trade international trade finance and documentation and international trade development issues This authoritative analysis is supported by a directory of essential contacts and useful information including membership of regional trading groups banking groups with trade finance capacity export credit agencies and reading lists

States and Non-Participatory Memberships in the WTO

Felicia A. Grey, 2019-02-25 This book examines non-participatory memberships or why states choose not to use the benefits of international institutions to which they belong To investigate this question the author explores why states choose not to litigate within the World Trade Organization's Dispute Settlement Body (DSB) The research contributes to the literature on global governance and institutions generally and of the WTO specifically Additionally the project includes comparative case analysis of WTO agreements and international disputes China and Jamaica Guatemala and Mexico the United States and Mexico This volume will interest policy makers trade professionals academics and everyone who is interested in development studies

A Concise Guide to the EU Anti-dumping/anti-subsidies Procedures Themistoklis K. Giannakopoulos, 2006-01-01 Unfair trading practices such as dumping and the granting of subsidies have long been identified as threats to open markets Yet despite decades of international trading rules global markets are still jeopardized by practices which can cause material injury to industries and put employment at risk The European Union has been a leader in its determination to ensure that its industries are not disadvantaged by such practices that Community interests are defended and that fair competition is restored where needed The basic texts which form the legal basis of anti-dumping and anti-subsidy investigations in the Community entered into force in 1996 and 1997 The procedures developed in these texts as amended and in their corresponding regulations are the subject of this extremely helpful guide Practitioners who must follow these often complex procedures will find precise guidelines for the substantive determinations that must be made such as calculating the material injury determining the cause of injury and applying the Community interest test and then be able to move confidently through every procedural step including the following Initial complaint Questionnaires Confrontation meetings and oral hearings Investigations by Commission official Offer and acceptance rejection of undertaking Commenting on the Commission's provisional decision Requesting review of measures and refunds and Judicial review Throughout the presentation the author describes relevant cases and actual measures taken Tables of cases and measures as well as a bibliography are included

Business people and their counsel whether engaged in trade within the EU or between any country and an EU Member State will benefit enormously from the detailed guidance offered in this incomparable volume The book will also be invaluable to academics and policymakers as an unclouded analysis of anti dumping anti subsidies procedures under EC law WTO Rüdiger Wolfrum, Peter-Tobias Stoll, Michael Köbele, 2008 In the decade since the establishment of the WTO the great majority of disputes between member states resolved and decided through the dispute settlement system of the WTO arose in the field of trade remedies law a fact which clearly shows the high demand by the trade community for the rule of law in this area Responsive to such needs the fourth volume encompasses the whole range of trade remedies regulation under the auspices of the WTO in the respective articles of the General Agreement on Tariffs and Trade GATT and the related multilateral agreements on trade in goods i e Articles VI XII XIX GATT 1994 the Understanding on the Balance of Payments the Agreement on Implementation of Article VI GATT 1994 Anti Dumping Agreement the Agreement on Subsidies and Countervailing Duties and the Agreement on Safeguards Leading practitioners and scholars have gathered to provide an invaluable insight and easy access to the law on trade remedies in an article by article commentary approach As such it will be an essential work not only for trade remedies practitioners but to persons interested in trade remedies be they scholars academics international and domestic lawyers political scientists and economists or NGO representatives **Anti-dumping Laws and Practices of the New Users** Junji Nakagawa, 2007 More and more members of the WTO are using anti dumping AD measures as an effective tool for protecting domestic industries facing competition with foreign products In contrast to the big four US EC Canada and Australia which have been using AD measures frequently since the GATT era many of the new users established their AD regimes and began to use them after the establishment of the WTO Why are there more and more new users How are they applying AD measures Do they comply with the rules of the WTO Anti Dumping Agreement What are their specific characteristics in the handling of AD cases What should exporters and practitioners do to prepare for AD investigations by the new users Based on extensive analyses of primary materials and hearings from practitioners and AD authorities this book provides detailed and updated information to answer these questions on the following new users China Chinese Taipei Korea Thailand India South Africa Mexico Argentina and Brazil *The Legal and Economic Analysis of the WTO/FTA System* Dukgeun Ahn, 2016-02-29 The Legal and Economic Analysis of the WTO FTA System presents a collation of interdisciplinary studies covering a wide range of issues from WTO dispute settlement issues to trade remedy systems and FTA negotiations The author applies legal as well as economic rationales and methods to analyze core issues in the world trading system and in doing so sheds an interesting light on various trade issues The interdisciplinary analysis on WTO and FTA issues provides a unique opportunity to reconsider many conventional trade topics For instance the author shows that third country dumping rarely used in the GATT WTO system may have a new role with economic incentives in the context of FTAs Contents Dispute Settlement in the WTO System Understanding Non litigated Disputes in the WTO Dispute Settlement

System Korea in the GATT WTO Dispute Settlement System Legal Battle for Economic Development Practices and Theoretical Foundations of the Trade Remedy System Alternative Approach to Causation Analysis in Trade Remedy Investigations Cost of Production Test Third Country Dumping Origin Evolution and Prospect Restructuring the WTO Safeguard Mechanism in The WTO Trade Remedy System Foe or Friend of GATT Article XXIV Diversity in Trade Remedy Rules Countervailing Duty against China Opening a Pandora's Box in the WTO System United States Anti Dumping Measures on Certain Shrimp and Diamond Sawblades from China Never Ending Zeroing in the WTO International Decisions United States Definitive Anti Dumping and Countervailing Duties on Certain Products from China Interrelation between Trade and Finance Linkages between International Trade and Financial Institutions IMF World Bank and WTO WTO Disciplines Under the IMF Program Congruence or Conflict Is the Chinese Exchange rate Regime WTO legal Book Review International Law in Financial Regulation and Monetary Affairs Legal and Economic Analysis of Free Trade Agreements Dispute Settlement Systems in Asian FTAs Issues and Problems Analysis of Anti dumping Use in Free Trade Agreements Legal Issues for Korea's Internal Trade in the WTO System Readership Researchers students and members of the public who are interested in international trade or economic law international economics and international political economy

Evidence, Proof, and Fact-Finding in WTO Dispute Settlement Michelle T. Grando, 2009-12-24 This book examines how a World Trade Organization WTO dispute settlement panel formulates its conclusions with respect to the facts of a dispute brought before it It does so by discussing the legal concepts which shape the process of fact finding analysing the approach taken by panels thus far and offering suggestions for improvement

Anti-dumping in the WTO, the EU, and China Dr. Yan Luo, 2010-01-01 Country Driving illuminates the vast shifting landscape of a traditionally rural nation that having once built walls against outsiders is building the roads and factory towns that will shape the twenty first century Book Jacket

WTO - World Economic Order, World Trade Law Peter-Tobias Stoll, Frank Schorkopf, 2006-03-01 Since its foundation in 1995 the World Trade Organization with its extensive legal provisions has been defining the world trade relations and also had an enormous impact on both European and national economic law At the same time the WTO is perceived within the political discussion as a symbol for the world trade relations as a whole the challenges of globalization and justice of the world trade order Due to the expansion consolidation and the increased enforcement of its rules the relevance of the World Trade Organization will continue to increase This book describes the institutional system the basic principles and the vast variety of rules of the World Trade Organization It aims at clarifying the structures and the general concepts in order to enable the reader to get a better understanding of the issues at stake in many of the discussions and controversies on world trade

Dispute Settlement in the World Trade Organization David Palmeter, Petros C. Mavroidis, Niall Meagher, 2022-02-17 Provides a comprehensive step by step explanation of the rules and procedures of the WTO dispute settlement process

Injury and Causation in Trade Remedy Law James J. Nedumpara, 2016-11-25 This book addresses injury and causation issues in the

context of antidumping countervailing duty CVD and safeguard investigations that are covered under the WTO The book traces the origin and the negotiating history of injury and causation in trade remedy instruments and examines how this requirement evolved in the United States and more specifically in the GATT as part of the Kennedy Code the Tokyo Codes and later the Uruguay Round negotiating texts The book demonstrates that terms such as principal cause substantial cause and a cause in and of itself are not necessarily warranted in such instruments In the light of the experiences of key users of trade remedy instruments and the WTO Doha Round Rules negotiations the book argues that causation determination does not require mathematical precision Econometric or quantitative tools may be suggested but such tools need not undermine the policy laden nature of trade remedy instruments Accordingly the book suggests the use of weak necessity and strong sufficiency test as a potentially viable causative framework with regard to injury and causation in trade remedies

Economic Development Michael P. Todaro, Stephen C. Smith, 2020-03-09 Economic Development the leading textbook in this field provides your students with a complete and balanced introduction to the requisite theory driving policy issues and latest research Todaro and Smith take a policy oriented approach presenting economic theory in the context of critical policy debates and country specific case studies to show how theory relates to the problems and prospects of developing countries The full text downloaded to your computer With eBooks you can search for key concepts words and phrases make highlights and notes as you study share your notes with friends eBooks are downloaded to your computer and accessible either offline through the Bookshelf available as a free download available online and also via the iPad and Android apps Upon purchase you ll gain instant access to this eBook Time limit The eBooks products do not have an expiry date You will continue to access your digital ebook products whilst you have your Bookshelf installed EU Dumping Determinations and WTO Law Henrik Andersen, 2009-01-01 The application of the antidumping instrument by WTO members is often controversial because of the protectionist character of these measures where inefficient industries are protected from foreign competition The legal framework within the WTO has loopholes that leave wide discretion to the investigating authorities to determine that a product is dumped thereby emphasizing the protectionist nature of antidumping The use of antidumping becomes even more controversial when WTO members use the antidumping tool beyond the legal scope of WTO law The questions raised in this book concern the EU dumping determinations and their conformity with WTO law This thought provoking work examines whether European Union legislation on dumping the practices adopted by the European Commission and the Council as well as the decisions by the EC courts are in conformity with WTO law The author s findings are particularly relevant given the frequent use of antidumping measures by EU authorities especially as relates to Asian countries and he carefully documents areas where the EU infringes WTO law **The Oxford Handbook on The World Trade Organization** Amrita Narlikar, Martin Daunton, Robert M. Stern, 2012-05-31 This handbook provides a holistic understanding of what the World Trade Organization does how it goes about fulfilling its tasks its achievements and problems and how it might contend with

some critical challenges **Encyclopedia Of The Global Economy A Guide For Students And Researchers** David E. O'connor, 2006 Guide to International Anti-Dumping Practice Derk Bienen, Gustav Brink, 2013-09-01 This book is the first to bring together the actual practices and procedures in all the major users of anti dumping. The countries surveyed include all the so called traditional users: Australia, Canada, the EU, New Zealand, South Africa and the United States, as well as the leading new users: Argentina, Brazil, China, India, Korea, Mexico and Turkey. The book provides not only an overview of each of the systems considered but also a detailed reference to the way different jurisdictions have handled specific issues. In addition, the structure for each chapter is virtually identical, allowing for a ready comparative analysis of various topics. These topics include the following: applicable legislation, regulations, prescribed guidelines and procedures, decision making process and time line, the likelihood of an investigation leading to the imposition of measures, statistics 1995-2011, with details of actual investigations and duties imposed, threshold of injury and calculation of non-injurious price, establishment of causal link, verification reports, hearings, access to information and other procedural issues, reviews and refunds, and anti-circumvention measures. An introductory chapter provides a comparative statistical analysis of the use of anti dumping by the thirteen countries, highlighting key features of anti dumping systems in a comparative way. The introduction also assesses the important impacts of China's accession to the WTO in 2001 and of the economic and financial crisis of 2008-2009, discusses the treatment of non-market economies and notes emerging tendencies in anti dumping reform. This is an invaluable work on a key area in trade and competition law, written by a team of well-known experts. With its comprehensive and practical format, the book will be of great interest to practitioners dealing with anti dumping cases, including trade law practitioners who may have to defend anti dumping cases in different jurisdictions, attorneys in international trade law and competition law, government officials, academics and researchers.

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