



Government of India
Ministry of Commerce and Industry
DEPARTMENT OF COMMERCE



**REGIONAL TRADE REMEDIES WORKSHOP
FOR ASIAN INVESTIGATING AUTHORITIES:**

5-7 March 2018

**Sponsored by the World Trade Organization
and the Centre for WTO Studies, Indian Institute of Foreign Trade**

Venue: Royal Ball Room 3, Eros Hotel, Nehru Place, New Delhi

Day 1 Monday, 5 March 2018		
0930-10:00 hrs	<i>Registration</i>	
	Topics	Speakers
10:00-10:45 hrs	<i>Inauguration</i>	
	Welcome Remarks	Mr. Abhijit Das Head and Professor, CWS
	Welcome Address by Host Country	Mr. Anup Wadhawan Additional Secretary, DoC
	Address by Rules Division, WTO	Mr. Jesse Kreier, Senior Counsellor, Rules Division, WTO
	Address by Director IIFT	Prof. Manoj Pant Director, IIFT
	Inaugural Address	Ms. Rita Teatota, Commerce Secretary, Government of India
	Vote of Thanks	Mr. Mukesh Bhatnagar, Professor, CWS
10:45-11:15 hrs	<i>Group Photograph & Tea/ Coffee</i>	
	Countervailing Measures	
11:15-12:45 hrs	<i>Session 1</i>	
	Challenges for new users of CV measures. This session will address practical issues that arise in establishing a national system for countervailing measures, including: drafting of legislation, regulations	Moderator: Mr. Seref Coskun, WTO Rules Division Presenters:

	and rules; practical steps needed to take account of the procedural and substantive differences between AD and CVD; staffing – common staffing with other areas versus specialized staffing needs; creation of standard documents such as application form and questionnaires; public outreach and awareness building.	Mr. Adriano Ramos, Brazil MS. Noriko Teranishi, Japan Commentators: Mr. Justin Wickes, Australia, Mr. Liyu Zhou, China
12:45-14:00 hrs	<i>Lunch</i>	
14:00-15:30 hrs	<i>Session 2</i> Financial contribution, including state attribution, and duty and tax exemptions. This session will explore a number of issues relating to determining whether a financial contribution in the sense of SCM Article 1.1(a)(i) exists: state attribution, including how to determine whether an entity is a public body (in the cases, for example, of SOEs, policy or state-owned banks or other finance institutions); and situations where the issue of entrustment or direction has arisen (e.g., government-led financial interventions, export restrictions). This session also will consider the treatment of duty and tax exemptions in the light of footnote 1 to the ASCM and Annexes I to III of that Agreement, pursuant to which certain duty and tax exemptions upon exportation shall not be deemed to be a subsidy. The discussion will explore the circumstances under which such duty and tax exemptions are, or are not, countervailable.	Moderator: Mr. Justin Wickes, Australia Presenters: Ms. Clarisse Morgan, WTO Secretariat Mr. Wolfgang Mueller, EU Mr. Rajiv Arora, India Commentators: Mr. Liyu Zhou, China Mr. Tim Hruby, USA
15:30-15:45 hrs	<i>Tea/ Coffee</i>	
15:45-17:00 hrs	<i>Session 3</i> Benchmarks. In determining whether financial contributions such as loans, equity infusions and provision of a good or service confer a benefit, an authority must compare their terms to those of market benchmarks. This session will examine benchmark issues, such how to identify comparable transactions, how to proceed where beneficiaries are "unequityworthy" or "uncreditworthy", and the circumstances under which authorities may resort to proxy or external benchmarks.	Moderator: Mr. Mukesh Bhatnagar, CWS, India Presenters: Mr. Justin Wickes, Australia Mr. Wolfgang Mueller, EU Commentators: Mr. Ming Bai, China Ms. Clarisse Morgan, WTO Secretariat
Day 2 Tuesday, 6 March 2018		
0930-1100 hrs	<i>Session 4</i> Specificity. This session will consider issues related to determining whether a given subsidy is specific, including practice on distinguishing specific from non-specific subsidies; "explicit limitation" of access to a subsidy (<i>de jure</i> specificity); determinations of automaticity of eligibility, and application of and adherence to objective criteria and conditions (non-specificity); methods for assessing <i>de facto</i> specificity in terms of: use by a limited number of certain enterprises,	Moderator: Mr. Adriano Ramos, Brazil Presenters: Mr. Scott McBride, USA Mr. Justin Wickes, Australia Commentators: Mr. Agneshwar Sen, India Mr. Seref Coskun, WTO Secretariat

	predominant use by certain enterprises, granting of disproportionately large amounts to certain enterprises, exercise of discretion by the granting authority; regional specificity determinations, including the designated geographical region, and the granting authority and its jurisdiction; positive evidence standard in specificity determinations.	
1100-1115 hrs	<i>Tea/ Coffee</i>	
1115-1245 hrs	<p style="text-align: center;"><i>Session 5</i></p> <p>Allocation. In order to calculate a rate of subsidization, subsidy benefits may need to be allocated over, time, over products, and over markets. This session will explore considerations relevant to whether to expense a benefit in the POI or allocate it over time and, where a subsidy is allocated, how to determine the time-period. It will also consider when subsidies may be allocated to an enterprise's sales to all markets, to its sales in particular markets, and/or to sales of particular products or product lines.</p>	<p>Moderator: Ms. Clarisse Morgan, WTO Secretariat</p> <p>Presenters: Mr. Andrew Medley, USA</p> <p>Commentators: Mr. Justin Wickes, Australia Mr. Adriano Ramos, Brazil</p>
1245-1415 hrs	<i>Lunch</i>	
	Safeguard Measures	
1415-1545 hrs	<p style="text-align: center;"><i>Session 6</i></p> <p>Overview: Investigation process. This session will examine the process and approaches taken by Members when conducting safeguards investigations, including the institutional framework, initiation process, timetable, information gathering (interested parties, questionnaires), hearings, decision-making, and the application of provisional measures.</p>	<p>Moderator: Mr. Rihan M. Fayez, GCC-TSAIP</p> <p>Presenters: Mr. Sumit Kumar Yadav, India Mr. Ming Bai, China Mr. Mahfoodh Al Raqqadi, GCC-TSAIP</p> <p>Commentators: Mr. Ahmet Cetinkayis, Turkey Ms. Phan Mai Quynh, Viet Nam Mr. Hiromi Yano, WTO Secretariat</p>
15:45-1600 hrs	<i>Tea/Coffee</i>	
1600-1730 hrs	<p style="text-align: center;"><i>Session 7</i></p> <p>Unforeseen developments, effect of WTO obligations. This session will examine the issue of "unforeseen developments", how and to what extent this condition is reflected in national legislation, and the circumstances that might or might not be sufficient to satisfy this requirement. It will also look at the requirement that the increased imports/serious injury be the effect of WTO obligations.</p>	<p>Moderator: Mr. Jesse Kreier, WTO Secretariat</p> <p>Presenters: Mr. Abdullah Yavuz Turker, Turkey Mr. R.K. Gupta, India</p> <p>Commentators: Ms. Rosazliza Bint Azman, Malaysia</p>
Day 3		
Wednesday, 7 March 2018		
0930-1100 hrs	<p style="text-align: center;"><i>Session 8</i></p> <p>Increased imports, serious injury and causation. This session will examine issues relating to the analysis of increased imports, including the distinction between</p>	Moderator: Ms. Noriko Teranishi, Japan

	absolute and relative increases, the period over which import trends should be analysed, and correlation analysis between increased imports and the condition of the domestic industry. It will also injury and causation issues, including factors relevant to the condition of the domestic industry, the analysis of volume and price effects of the imports, and other factors that may be causing injury.	Presenters: Mr. Sumit Kumar Yadav, India Mr. Bill Gearhart, USA Commentators: Ms. Ma. Bernadette S. Ertes, Philippines Mr. Seref Coskun, WTO Secretariat Mr. James Nedumpara, India
1100-1130 hrs	<i>Tea/ Coffee</i>	
1130-1300 hrs	<p style="text-align: center;">Session 9</p> <p>Measures. This session will examine issues relating to measures, including who decides whether or not to apply safeguard measures, and the nature of the public interest considerations taken into account in reaching that decision, the form, and level and duration of measures, the application of safeguards to RTA partners, the exclusion of small developing Members, and adjustment and progressive liberalization.</p>	<p>Moderator: Mr. Jesse Kreier, WTO Secretariat</p> <p>Presenters: Mr. Abdullah Yavuz Turker, Turkey Mr. Bill Gearhart, USA</p> <p>Commentators: Mr. Ming Bai, China Mr. Raditija Handrasto, Indonesia Mr. Sumit Kumar Yadav, India</p>
1300-1430 hrs	<i>Lunch</i>	
1430-1600 hrs	<p style="text-align: center;">Session 10</p> <p>Notifications, consultations, compensation & suspension. This session will consider the notification and transparency requirements of the Agreement on Safeguards, the procedures for requesting compensations, and the conditions for and process governing the possible suspension of equivalent concessions.</p>	<p>Moderator: Mr. Hiromi Yano, WTO Secretariat</p> <p>Presenters: Mr. Rakesh Kumar, India</p> <p>Commentators: Mr. Fahad Altoraiqu, GCC-TSAIP Mr. Nat Warong Thienpramuk, Thailand Mr. Abdullah Yavuz Turker, Turkey</p>
1600-1630 hrs	<p style="text-align: center;">Closing Session</p> <p style="text-align: center;">Summing up</p> <p style="text-align: center;">Comments</p> <p style="text-align: center;">Address</p> <p style="text-align: center;">Completion of evaluation forms</p>	<p>Mr. Mukesh Bhatnagar, India</p> <p>Mr. Jesse Kreier, WTO Secretariat</p> <p>Mr. Sunil Kumar, Additional Secretary & Designated Authority, DGAD India</p>