



Committee on Subsidies and Countervailing Measures

UNOFFICIAL ROOM DOCUMENT**

**REGULAR MEETING OF THE COMMITTEE ON SUBSIDIES AND
COUNTERVAILING MEASURES**

REGULAR MEETING TO BE HELD ON 30 APRIL 2019

Annotated Draft Agenda

Comité des subventions et des mesures compensatoires

DOCUMENT DE SÉANCE NON OFFICIEL**

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* In Original language only/En langue originale seulement/En el idioma original solamente.
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Note: The Committee on Subsidies and Countervailing Measures will hold a **regular meeting** on **Tuesday, 30 April 2019, immediately after the special meeting of the Committee**, which will take place at 10:00 a.m.

Annotated Draft Agenda

1 NATIONAL LEGISLATION

1.1 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)

In accordance with the procedures agreed upon by the Committee (G/SCM/W/293/Rev.1), the following new or amended notifications of national legislation or regulations, which were circulated in all three working languages no later than 18 March 2019, will be open for discussion. Some of these notifications are double or triple-symbolled, relating to anti-dumping, countervailing and safeguards measures. It is proposed that the primary review of such legislation be held in the Committee on Anti-Dumping Practices (scheduled to be held on 1 May 2019). To the extent that issues or questions relate only to countervailing measures, the notifications will be taken up in this Committee.

1.1.1 Angola

(G/SCM/N/1/AGO/1)

1.1.2 Brazil

(G/ADP/N/1/BRA/3/Suppl.10-G/SCM/N/1/BRA/2/Suppl.13-G/SG/N/1/BRA/3/Suppl.4)

- G/ADP/Q1/BRA/39 - G/SCM/Q1/BRA/39 – G/SG/Q1/BRA/8 – Questions from Ukraine

(G/ADP/N/1/BRA/3/Suppl.11-G/SCM/N/1/BRA/2/Suppl.14-G/SG/N/1/BRA/3/Suppl.5)

1.1.3 Madagascar

(G/ADP/N/1/MDG/2-G/SCM/N/1/MDG/1-G/SG/N/1/MDG/2)

1.1.4 United Arab Emirates

(G/ADP/N/1/ARE/2/Suppl.1-G/SCM/N/1/ARE/2/Suppl.1-G/SG/N/1/ARE/2/Suppl.1)

1.1.5 Uruguay

(G/SCM/N/1/URY/2)

1.1.6 Viet Nam

(G/ADP/N/1/VNM/2-G/SCM/N/1/VNM/1-G/SG/N/1/VNM/2) & Corr.1

Written questions regarding these notifications should be submitted to the notifying Member and to the Secretariat, no later than 8 April 2019.

1.2 Review of Notifications of New or Amended Legislation or Regulations with Outstanding Written Questions

In accordance with paragraph 8 of the procedures in (G/SCM/W/293/Rev.1), the following legislations with outstanding written questions shall be on the agenda for discussion:

1.2.1 Cambodia

(G/ADP/N/1/KHM/2-G/SCM/N/1/KHM/2-G/SG/N/1/KHM/2)

- G/ADP/Q1/KHM/1-G/SCM/Q1/KHM/1-G/SG/Q1/KHM/1 – Questions from the United States

1.2.2 Cameroon

(G/ADP/N/1/CMR/1/Suppl.1-G/SCM/N/1/CMR/1/Suppl.1-G/SG/N/1/CMR/1/Suppl.1)

- G/ADP/Q1/CMR/3-G/SCM/Q1/CMR/3-G/SG/Q1/CMR/3 – Questions from the United States

1.2.3 El Salvador

(G/ADP/N/1/SLV/3/Suppl.1-G/SCM/N/1/SLV/3/Suppl.1-G/SG/N/1/SLV/3/Suppl.1)

- G/ADP/Q1/SLV/8-G/SCM/Q1/SLV/8-G/SG/Q1/SLV/7 – Questions from the United States
- G/ADP/Q1/SLV/9-G/SCM/Q1/SLV/9-G/SG/Q1/SLV/8 – Questions from Mexico

1.2.4 Liberia

(G/SCM/N/1/LBR/1 and G/SCM/N/1/LBR/1/Corr.1)

- G/SCM/Q1/LBR/1 – Questions from the United States

Members that have not yet submitted written answers to outstanding written questions are urged to do so without delay.

Please note that no Member submitted by the 18 March 2019 deadline any written questions pertaining to notifications of legislation or regulations previously reviewed by the Committee. Thus, the item entitled "National Legislation – Continuing Review of Legislative Notifications Previously Reviewed by the Committee" will not be on the agenda of the Committee's spring meeting.

2 SEMI-ANNUAL REPORTS OF COUNTERVAILING DUTY ACTIONS (ARTICLE 25.11)

A request for semi-annual reports for the period 1 July – 31 December 2018, to be submitted not later than 15 February 2019, was circulated to Members in G/SCM/N/342 on 14 December 2018 and a reminder in this respect was circulated to Members in G/SCM/N/342/Suppl.1 on 15 January 2019. A document indicating the status of these notifications is attached ([see](#) Annex).

It will be difficult for the Secretariat to translate and circulate in time for the meeting reports which are not received promptly. **Accordingly, Members that have not yet submitted a semi-annual report are urged to do so without delay.**

The Chairperson also will open the floor for comments or questions with respect to any other semi-annual reports which have not previously been reviewed by the Committee because they arrived after the meeting at which the reports for a given period were reviewed.

3 PRELIMINARY AND FINAL COUNTERVAILING DUTY ACTIONS: NOTIFICATIONS

Lists of the notifications of preliminary and final countervailing duty actions received by the Committee since its last regular meeting have been circulated in documents G/SCM/N/340, G/SCM/N/341, G/SCM/N/344, G/SCM/N/345 and G/SCM/N/346. Since the Committee's October 2018 meeting, **Australia, Brazil, Canada, China, Mexico, Peru, Turkey, Ukraine, and the United States** have notified preliminary and/or final actions taken.

4 PROCEDURES FOR REVIEW OF 2019 NEW AND FULL NOTIFICATIONS

As indicated in document G/SCM/N/343, the deadline for 2019 new and full notifications of subsidies is 30 June 2019. It is proposed that, for the review of the 2019 new and full notifications, which will commence at the Committee's fall 2019 special meeting, the Committee adopt the same procedures that have been used in the reviews of all new and full notifications since 2005. Members will recall that those procedures are set forth in G/SCM/117, and were first adopted by the Committee for its review of the 2005 new and full notifications.

5 ARTICLE 27.4 EXTENSIONS OF THE TRANSITION PERIOD FOR THE ELIMINATION OF EXPORT SUBSIDIES – 31 DECEMBER 2015 END OF FINAL PHASE-OUT PERIOD AND FINAL NOTIFICATION DUE 30 JUNE 2016

Members with extensions under Article 27.4 on the basis of the procedures in WT/L/691 were to have completed the **elimination of their export subsidies** no later than **31 December 2015**. Pursuant to paragraph 2(c) of the procedures in WT/L/691, those Members were also required to provide a final transparency notification in respect of calendar year 2015 by 30 June 2016. The final notifications (G/SCM/N/299/... series) received in time to be placed on the agenda will be before the Committee for review.

To date, Antigua and Barbuda, Belize, Costa Rica, Dominica, Dominican Republic, El Salvador, Grenada, Guatemala, Jamaica, Jordan, Mauritius, Papua New Guinea, Saint Kitts and Nevis, and Saint Vincent and the Grenadines have submitted their final transparency notifications.

6 IMPROVING THE TIMELINESS AND COMPLETENESS OF NOTIFICATIONS AND OTHER INFORMATION FLOWS ON TRADE MEASURES UNDER THE SCM AGREEMENT

At the meeting, Members will have an opportunity to continue their exchanges of views on ways to improve the timeliness and completeness of notifications and other information flows on trade measures, which the Committee has been discussing in its regular meetings since March 2009.

As discussed at the Committee's October 2018 regular meeting, the Committee also will have the opportunity to continue its discussion of the revised US proposal which was circulated in document G/SCM/W/557/Rev.3.

7 CONSTANT DOLLAR METHODOLOGY FOR GRADUATION FROM SCM ANNEX VII(B)

The Chairman intends to remind Members that, pursuant to the Doha Ministerial Decision on Implementation-Related Issues and Concerns (document WT/MIN(01)/17, para. 10.1), as of

1 January 2003, the methodology set forth in G/SCM/38, Appendix 2 applies. As established in paragraph 10.1 of the Decision, Ministers agreed that Annex VII(b) to the SCM Agreement includes the Members that are listed therein until their GNP per capita reaches US\$1,000 in constant 1990 dollars for three consecutive years. In accordance with the Decision, each year, when the necessary World Bank data become available (normally during the summer), the Secretariat circulates a note updating the GNP per capita figures for the Members listed in Annex VII(b). The Secretariat will circulate the next update of the calculations when it receives the new World Bank data.

8 PERMANENT GROUP OF EXPERTS

Pursuant to Article 24.3 of the Agreement on Subsidies and Countervailing Measures, experts serving on the Permanent Group of Experts ("PGE") "will be elected by the Committee and one of them will be replaced every year".

With respect to the vacancies created by the expiry of the terms of Mr Welber Barral and Mr Chris Parlin in April 2017 and April 2018, respectively, the Chair proposed that the Committee elect (i) Mr Rabih Nasser to fill the vacancy on the PGE created by the expiry of the term of office of Mr Chris Parlin; and (ii) Mr Jaemin Lee to fill the vacancy on the PGE created by the expiry of the term of office of Mr Welber Barral. The Chair also informed the Members that the deadline to express any objection to his proposal was close of business on 1 March 2019.¹ Passed this deadline, no Member has raised an objection, and therefore the Chair's proposal has been deemed to be accepted by the Membership.²

Accordingly, the members of the PGE are: Mr Subash Pillai (Malaysia); Mr Ichiro Araki (Japan); Ms Luz Elena Reyes de la Torre (Mexico); Mr Jaemin Lee (Korea); and Mr Rabih Nasser (Brazil). The term of Mr Subash Pillai expires this spring and therefore the Committee should elect a new expert at this meeting.

To this end, the Chair invited Members to nominate individuals to replace Mr Pillai, not later than 18 March 2019.² On 19 March 2019, the Chair informed delegations about the only nomination received by the deadline indicating that he would conduct informal consultations with interested Members with a view to making a recommendation to the Committee for decision at this meeting.³ He expects to provide Members with a status report on his consultations before the Committee meeting.

9 OTHER BUSINESS

This item will be used for any additional issues raised by any Member at the beginning of the meeting. Members' attention is drawn to Rule 6 of the Rules of Procedures for the Committee meetings which reads as follows:

¹ See the Chair's email to Members, dated 18 February 2019 and document G/SCM/153.

² See the Chair's email to Members, dated 11 March 2019 and document G/SCM/154.

³ See the Chair's email to Members, dated 19 March 2019.

"The first item of business at each meeting shall be the consideration and approval of the agenda. Representatives may suggest amendments to the proposed agenda, or additions to the agenda under "Other Business". Representatives shall provide the Chairperson or the Secretariat, and the other Members directly concerned, whenever possible, advance notice of items intended to be raised under 'Other Business'."

10 DATE OF NEXT REGULAR MEETING

It is proposed that the next regular meeting of the Committee be held in the week of 21 October 2019, with the exact date to be confirmed in due course.

11 ELECTION OF OFFICERS

Pursuant to Rule 12 of the Committee's Rules of Procedure, the Committee shall elect a Chairperson and may elect a Vice-Chairperson at its first regular meeting of the year. It is proposed to elect a Chairperson and a Vice-Chairperson, with the results of the elections to take effect as of the end of the meeting.

* * *

In accordance with the Committee's decisions concerning the requests for observer status of the OECD and the ACP Group, it is proposed that observers from the OECD and the ACP Group be invited to this regular meeting of the Committee.

* * *

MEMBERS OF THE COMMITTEE ARE KINDLY REQUESTED TO SUBMIT ANY COMMENTS ON THE DRAFT AGENDA, INCLUDING THE PROPOSAL TO INVITE THE OECD AND THE ACP GROUP TO ATTEND THIS MEETING, AND ANY PROPOSALS FOR ITEMS TO BE ADDED TO THE AGENDA, IN WRITING, TO MR SEREF COSKUN, SECRETARY OF THE COMMITTEE (Email: seref.coskun@wto.org, TEL. 022 739 69 20) BY **NOON ON WEDNESDAY, 17 APRIL 2019**. THE AIRGRAM CONVENING THE MEETING IS EXPECTED TO BE ISSUED ON **THURSDAY, 18 APRIL 2019**.

ANNEX
SEMI-ANNUAL REPORTS UNDER ARTICLE 25.11
OF THE AGREEMENT

Addendum

1. Semi-annual reports of countervailing duty actions taken during the period **1 July-31 December 2018** have been received from the following Members: Australia; Brazil; Canada; China; European Union; India; Mexico; New Zealand; Peru; Chinese Taipei; Turkey; Ukraine; and the United States.

2. The following Members notified the Committee that they have not taken any countervailing duty actions during this period:

Argentina	Israel	Montenegro	Qatar ²
Bahrain, Kingdom of ²	Jamaica	Morocco	Russian Federation ¹
Botswana ³	Japan	Namibia ³	Saudi Arabia, Kingdom of ²
Colombia	Jordan	Nicaragua	South Africa ⁴
Dominican Republic	Kazakhstan ¹	North Macedonia	Thailand
Egypt	Kuwait, the State of ²	Norway	Trinidad and Tobago
El Salvador	Lesotho ³	Oman ²	United Arab Emirates ²
Eswatini ³	Madagascar	Pakistan	Uruguay
Iceland	Malaysia	Philippines	Zambia
Indonesia			

3. No reports have been received from the following Members who have notified competent authorities: Albania; Angola; Armenia¹; Bangladesh; Bolivia, Plurinational State of; Chile; Costa Rica; Ecuador; Fiji; Guatemala; Honduras; Korea, Republic of; Kyrgyz Republic¹; Moldova, Republic of; Nigeria; Panama; Paraguay; Saint Vincent and the Grenadines; Samoa; Singapore; Tunisia; Venezuela, Bolivarian Republic of; Viet Nam; and Zimbabwe.

4. No reports have been received from the following Members who have not notified competent authorities: Antigua and Barbuda; Brunei Darussalam; Cabo Verde; Cambodia; Central African Republic; Chad; Democratic Republic of the Congo; Djibouti; Grenada; Guinea-Bissau; Liberia; Maldives; Mauritania; Niger; Rwanda; Seychelles; Solomon Islands; Tajikistan; Tanzania; Togo; Tonga; and Yemen.

5. The following Members⁵ have submitted a one-time notification under Articles 25.11 and 25.12 of the Agreement: Afghanistan; Barbados; Belize; Benin; Burkina Faso; Burundi; Cameroon; Congo; Côte d'Ivoire; Cuba; Dominica; Gabon; The Gambia; Georgia; Ghana; Guinea; Guyana; Haiti; Hong Kong, China; Kenya; Lao People's Democratic Republic; Liechtenstein; Macao, China; Malawi; Mali; Mauritius; Mongolia; Mozambique; Myanmar; Nepal; Papua New Guinea; Saint Kitts and Nevis; Saint Lucia; Senegal; Sierra Leone; Sri Lanka; Suriname; Switzerland; Uganda; and Vanuatu.

¹ Member of the Eurasian Economic Union (EAEU). All countervailing actions are applied EAEU-wide.

² Member of the Gulf Cooperation Council (GCC).

³ Member of the SACU. All countervailing actions are applied SACU-wide. Members of SACU are in the process of establishing their own investigating authorities as required by the 2002 SACU Agreement.

⁴ Member of the SACU.

⁵ See document series G/SCM/N/202/..., notification format in G/SCM/129.