

8. Trade

Commitment [#96]:

“We therefore reaffirm the extension of our standstill commitments until the end of 2013 as agreed in Toronto.”

Seoul Summit Document

Assessment:

Country	Lack of Compliance	Work in Progress	Full Compliance
Argentina	-1		
Australia			+1
Brazil	-1		
Canada		0	
China	-1		
France		0	
Germany		0	
India		0	
Indonesia		0	
Italy		0	
Japan			+1
Korea		0	
Mexico			+1
Russia	-1		
Saudi Arabia			+1
South Africa	-1		
Turkey		0	
United Kingdom		0	
United States		0	
European Union		0	
Average Score		-0.05	

Background:

Since the beginning of the General Agreement on Tariffs and Trade (GATT), and especially since the formation of the World Trade Organization (WTO), G20 members have made significant progress in reducing barriers to global trade in goods and services as well as other trade-distorting mechanisms. However, states have historically tended to resort to protectionism in times of economic uncertainty, and the recent global financial crisis raised concerns that major economic actors would raise barriers to trade and investment.¹⁰⁵⁹ Commitments pledging to “refrain from raising new barriers to investment or to trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate trade” have been made at each G20 leaders’ summit since the initial summit in Washington in 2008.¹⁰⁶⁰

At the Toronto Summit, G20 leaders requested that “the WTO, OECD and UNCTAD ... continue to monitor the situation within their respective mandates, reporting publicly on these

¹⁰⁵⁹ G20 governments refrain from extensive use of restrictive measures, but some slippage evident, World Trade Organization (Geneva) 14 September 2009. Date of Access: 1 November 2009.

www.wto.org/english/news_e/news09_e/trdev_14sep09_e.htm

¹⁰⁶⁰ Declaration: Summit on Financial Markets and the World Economy, G20 Summit (Washington) 15 November 2008. Date of Access: 1 November 2009.

<http://www.g20.utoronto.ca/2008/2008declaration1115.html>

commitments on a quarterly basis.” The WTO has accordingly assessed G20 members’ trade and trade-related activities in quarterly reports, with the most recent report, covering May to October 2010, being released in November 2010.¹⁰⁶¹ The OECD and UNCTAD have also been active in tracking protectionism among G20 members, having released their most recent report on G20 investment measures, covering the same period, in early November 2010.¹⁰⁶² In a joint statement drafted by the heads of the WTO, OECD, and UNCTAD, all three organizations declared that they were optimistic about G20 members’ success in avoiding undue protectionism, though they warned that several factors, including persistent unemployment and restrictive measures taken in the wake of the global financial crisis, enhanced the risk that G20 members might turn to protectionism in coming months.¹⁰⁶³

Commitment Features:

This commitment refers to protectionist policies enacted after the Seoul Summit in the form of barriers to investment or trade in goods and services, export restrictions, or WTO-inconsistent measures to stimulate exports. To achieve full compliance, a G20 member is required to refrain from imposing any new measures that fall under any of these categories. To differentiate partial compliance from non-compliance, a per-country average is calculated using the number of protectionist measures recorded by analysts (see Table 9). For a score of 0 for partial compliance, a member must not have exceeded the per-country average level of protectionist measures. A member that has exceeded the per-country average level of protectionist measures is awarded a score of -1 for non-compliance.

The methodology reflects an emphasis on determining compliance based on policy actions, rather than the outcomes of those actions. For this reason, compliance to this commitment is determined by the number of protectionist policies imposed by an individual member relative to an average of the number imposed by all G20 members. The measure is internally valid and can be used to determine relative compliance across G20 summits. The measure also allows for a clear distinction between partial compliance and non-compliance that is not based on an arbitrary threshold, but is instead based on the average rate of non-compliance among G20 members.

This methodology is distinct from that employed by the World Trade Organization (WTO), the Organisation of Economic Co-operation and Development (OECD) and the United Nations Convention on Trade and Development (UNCTAD). The WTO assesses changing levels of aggregate protectionism among G20 members by calculating G20 import restrictions as a share of total G20 imports. It creates an internally valid statistic that can be measured over time in order to determine broad trends, but it implicitly measures the outcome of G20 members’ protectionist policies rather than the policies themselves. The OECD/UNCTAD report does not directly measure aggregate investment measures across the G20. Instead, it reports on changes in flows of foreign direct investment (FDI) to G20 members as one indicator of global investment activity, which is influenced in part by the extent of barriers to investment among G20 members. The WTO, OECD, and UNCTAD reports also list the number and nature of new trade and investment

¹⁰⁶¹ Report on G20 Trade Measures (May 2010 to October 2010), World Trade Organization (Geneva) 4 November 2010. Date of Access: 6 March 2011.

http://www.wto.org/english/news_e/news10_e/g20_wto_report_nov_e.docdeclaration.pdf

¹⁰⁶² Fourth Report on G20 Investment Measures, OECD and UNCTAD (Geneva) 3 November 2010. Date of Access: 6 March 2011. http://www.wto.org/english/news_e/news10_e/g20_oecd_unctad_report_e.doc

¹⁰⁶³ Joint Summary on G20 Trade and Investment Measures, OECD, WTO, and UNCTAD (Geneva) 2 November 2010. Date of Access: 6 March 2011.

http://www.wto.org/english/news_e/news10_e/g20_joint_summary_nov10_e.doc

measures in their respective annexes, which this report considers when analyzing the number of protectionist policies imposed by G20 members since the Seoul Summit.

This report considers all tariffs, export restrictions, investment restrictions, and WTO-inconsistent subsidies, anti-dumping measures and investigations, and countervailing measures initiated after the Toronto Summit as instances of protectionism, which is consistent with the methodology employed by the WTO.

Table 9: Barriers to Trade in G20 Members

Country	New Barriers Imposed	Compliance Score
Argentina	21	-1
Australia	0	+1
Brazil	3	-1
Canada	1	0
China	4	-1
France	1	0
Germany	1	0
India	1	0
Indonesia	1	0
Italy	1	0
Japan	0	+1
Korea	0	+1
Mexico	0	+1
Russia	4	-1
South Africa	3	-1
Saudi Arabia	0	+1
Turkey	1	0
United Kingdom	1	0
United States	1	0
European Union	1	0
Average	2	-.05

Definitions

The following definitions apply to the terms used for this commitment.

Barriers to investment or trade in goods and services: “Tariffs, non-tariff measures, subsidies and burdensome administrative procedures regarding imports.”¹⁰⁶⁴

Export restrictions: Voluntary or imposed restrictions on a country’s exports, often intended to prevent goods being exported in the face of a domestic shortage or in order to manipulate current-account balances.

WTO-inconsistent measures to stimulate exports: The WTO Agreement on Subsidies and Countervailing Measures outlines five broad measures that unfairly stimulate exports: 1) Domestic subsidies that require recipients to meet certain export targets; 2) Subsidies that require recipients to use domestic goods instead of imported goods; 3) Domestic subsidies that hurt an

¹⁰⁶⁴ G20 governments refrain from extensive use of restrictive measures, but some slippage evident, World Trade Organization (Geneva) 14 September 2009. Date of Access: 1 November 2009. www.wto.org/english/news_e/news09_e/trdev_14sep09_e.htm

industry in an importing country; 4) Domestic subsidies in one country that hurt exporters trying to compete in the subsidizing country's domestic market; 5) Domestic subsidies that hurt rival exporters from another country when the two compete in third markets.¹⁰⁶⁵

Scoring Guidelines:

-1	G20 member imposes new protectionist measures AND the number of instances exceeds the average number of protectionist measures imposed by G20 members.
0	G20 member imposes new protectionist measures BUT the number of instances does not exceed the average number of protectionist measures imposed by G20 members.
+1	G20 member does not impose any new protectionist measures.

Lead Analyst: Hermonie Xie

Argentina: -1

Argentina has failed to comply with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

Argentina has imposed eight non-tariff barriers to trade by reference pricing. Such products subject to this reference pricing are as follows: (1) certain glass fibres imported from various Asian countries, as of 28 March 2011;¹⁰⁶⁶ (2) imports of apples and pears from various countries as of 28 March 2011;¹⁰⁶⁷ (3) imports of water and other juice dispensing machines from various Asian countries as of 11 March 2011;¹⁰⁶⁸ (4) imports of natural honey from various countries as of 3 March 2011;¹⁰⁶⁹ (5) imports of certain electrical machines from various Asian countries on 3 March 2011;¹⁰⁷⁰ (6) imports of certain 'long pile' fabrics from various Asian countries on 14 December 2010;¹⁰⁷¹ (7) imports on certain woven fabrics of artificial fibres from various Asian

¹⁰⁶⁵ Understanding the WTO – Anti-dumping, subsidies, safeguards: contingencies, etc, World Trade Organization (Geneva) 1 January 2005. Date of Access: 1 November 2009.

www.wto.org/english/thewto_e/whatis_e/tif_e/agrm8_e.htm#subsidies.

¹⁰⁶⁶ BOLETIN OFICIAL N° 32.117, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3024, AFIP (Buenos Aires) 28 March 2011. Date of Access: April 8 2011.

http://www.iqom.com.mx/documents/0311/BO%20ARG_28%20mar_1.pdf

¹⁰⁶⁷ BOLETIN OFICIAL N° 32.109, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3058, AFIP (Buenos Aires) 14 March 2011. Date of Access: April 8 2011.

<http://www.iqom.com.mx/documents/0311/DOF%2014%20mar.pdf>

¹⁰⁶⁸ BOLETIN OFICIAL N° 32.108, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3057, AFIP (Buenos Aires) 11 March 2011. Date of Access: April 8 2011.

<http://www.iqom.com.mx/documents/0311/DOF%2011%20mar-surtidoras%20de%20agua.pdf>

¹⁰⁶⁹ BOLETIN OFICIAL N° 32.104, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3052, AFIP (Buenos Aires) 3 March 2011. Date of Access: April 8 2011.

<http://www.iqom.com.mx/documents/0311/DOF%203mar11.pdf>

¹⁰⁷⁰ BOLETIN OFICIAL N° 32.104, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3051, AFIP (Buenos Aires) 3 March 2011. Date of Access: April 8 2011.

<http://www.iqom.com.mx/documents/0311/DOF%203mar11.pdf>

¹⁰⁷¹ BOLETIN OFICIAL N° 32.047, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 2993, AFIP (Buenos Aires) 14 December 2010. Date of Access: April 8 2011.

<http://www.iqom.com.mx/documents/1210/DOF%2014%20dic-val.%20criterio.pdf>

countries on 25 November 2010;¹⁰⁷² and (8) imports of electric irons from various Asian and Latin American countries on 11 November 2010.¹⁰⁷³

On 15 March 2011, the government of Argentina imposed anti-dumping duties of 17.67% on the import of certain hypodermic needles from China, following an investigation which started on 20 January 2011.¹⁰⁷⁴ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has not yet called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

Argentina continues to impose thirteen additional non-tariff barriers by reference pricing. Products subject to this reference pricing are as follows: (1) certain types of yerba mate originating in a series of countries, as of 24 June 2011;¹⁰⁷⁵ (2) imports of certain types of frames and mountings for spectacles, corrective spectacles, and sunglasses from China, Taiwan, and other Asian countries;¹⁰⁷⁶ (3) imports of certain types of electric apparatus for burglar protection from Canada, China, Mexico, and other countries;¹⁰⁷⁷ (4) imports of certain types of cotton yarn and woven fabrics from India, Indonesia, Peru, Brazil, and other countries;¹⁰⁷⁸ (5) imports of certain types of transmission belts or belting, of vulcanized rubber reinforced only with textile materials from China, Taiwan, and other Asian countries;¹⁰⁷⁹ (6) imports of dyed woven fabrics of synthetic filament yarn from China, South Korea, Indonesia and other Asian countries;¹⁰⁸⁰ (7) imports of certain types of toys, games, playing cards, Christmas Trees, and balloons from China and other Asian countries;¹⁰⁸¹ (8) imports of plates, sheets, film, foil, and strips of polymers of

¹⁰⁷² BOLETIN OFICIAL N° 32.036, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 2970, AFIP (Buenos Aires) 26 November 2010. Date of Access: April 8 2011.

<http://www.iqom.com.mx/documents/1110/DOF%20Argentina%2026nov2010.pdf>

¹⁰⁷³ BOLETIN OFICIAL N° 32.026, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 2956, AFIP (Buenos Aires) 11 November 2010. Date of Access: April 8 2011.

<http://www.iqom.com.mx/documents/1110/DOF%2011%20de%20nov%20p%2026.pdf>

¹⁰⁷⁴ BOLETIN OFICIAL N° 32.110. Resolución 89/2011, Ministerio de Industria Comercio Exterior (Buenos Aires) 15 March 2011. Date of Access: April 8 2011.

<http://www.iqom.com.mx/documents/0311/DOF%2015%20mar%201.pdf>

¹⁰⁷⁵ Resolución 3144, AFIP (Buenos Aires) 24 June 2011. Date of Access: 9 October 2011.

<http://www.infoleg.gov.ar/infolegInternet/anexos/180000-184999/184030/norma.htm>

¹⁰⁷⁶ BOLETIN OFICIAL N° 32.183, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3142, AFIP (Buenos Aires) 4 July 2011. Date of Access: 9 October 2011.

<http://www.iqom.com.mx/documents/0611/val%20crit-%204%20jul-%202.pdf>

¹⁰⁷⁷ BOLETIN OFICIAL N° 32.183, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3143, AFIP (Buenos Aires) 4 July 2011. Date of Access: 9 October 2011.

<http://www.iqom.com.mx/documents/0611/DOF%204%20jul-%20equipos.pdf>

¹⁰⁷⁸ BOLETIN OFICIAL N° 32.183, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3141, AFIP (Buenos Aires) 4 July 2011. Date of Access: 9 October 2011.

<http://www.iqom.com.mx/documents/0611/val%20crit-4%20jul-%201.pdf>

¹⁰⁷⁹ BOLETIN OFICIAL N° 32.201, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3157, AFIP (Buenos Aires) 28 July 2011. Date of Access: 9 October 2011.

<http://www.iqom.com.mx/documents/0711/DOF%2028%20jul-3.pdf>

¹⁰⁸⁰ BOLETIN OFICIAL N° 32.201, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3156, AFIP (Buenos Aires) 28 July 2011. Date of Access: 9 October 2011.

<http://www.iqom.com.mx/documents/0711/DOF%2028%20jul-2.pdf>

¹⁰⁸¹ BOLETIN OFICIAL N° 32.202, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3155, AFIP (Buenos Aires) 29 July 2011. Date of Access: 9 October 2011.

<http://www.iqom.com.mx/documents/0711/DOF%2029%20jul-2.pdf>

styrene and polyurethanes, from Brazil, China, and other Latin American and Asian countries;¹⁰⁸² (9) imports of certain types of parts and accessories of motor vehicles from China, Thailand, and other countries;¹⁰⁸³ (10) imports of certain articles of iron or steel from China, Thailand, and other countries;¹⁰⁸⁴ (11) imports of poly (ethylene terephthalate) from China, South Korea, Thailand, and other countries;¹⁰⁸⁵ (12) imports of certain types of cone tapered roller bearings from China, and other Asian countries;¹⁰⁸⁶ (13) imports of certain types of textured yarn of nylon from Brazil, Italy, Israel, South Korea, China, and other countries.¹⁰⁸⁷

On 22 June 2011, the Government of Argentina introduced definitive anti-dumping duties, ranging from 23% (tires for travel cars) to 10% (tires for farming or forestation machines or vehicles), on imports of new rubber tires used in travel cars (including racing and family cars), buses or trucks and new rubber tires used in farming or forestation machines or vehicles, originating from China.¹⁰⁸⁸ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

Argentina has introduced more than the G20 average number of barriers to trade and has therefore been awarded a score of -1.

Analyst: Geoffrey Wylde and Antonia Tsapralis

Australia: +1

No information was found indicating the imposition of new protectionist measures by Australia in this compliance cycle.¹⁰⁸⁹ Therefore, Australia has fully complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions or implementing WTO inconsistent measures to stimulate exports.

Analyst: Geoffrey Wylde and Hermonie Xie

¹⁰⁸² BOLETIN OFICIAL N° 32.202, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3154, AFIP (Buenos Aires) 29 July 2011. Date of Access: 9 October 2011.

<http://www.iqom.com.mx/documents/0711/DOF%2029%20jul-1.pdf>

¹⁰⁸³ BOLETIN OFICIAL N° 32.224, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3170, AFIP (Buenos Aires) 31 August 2011. Date of Access: 9 October 2011.

<http://www.iqom.com.mx/documents/0811/DOF%2031%20ago.pdf>

¹⁰⁸⁴ BOLETIN OFICIAL N° 32.226, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3174, AFIP (Buenos Aires) 2 September 2011. Date of Access: 9 October 2011.

<http://www.iqom.com.mx/documents/0811/DOF%201%20sept-%202.pdf>

¹⁰⁸⁵ BOLETIN OFICIAL N° 32.232, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3178, AFIP (Buenos Aires) 12 September 2011. Date of Access: 9 October 2011.

<http://www.iqom.com.mx/documents/0911/DOF%2012%20sept.pdf>

¹⁰⁸⁶ BOLETIN OFICIAL N° 32.246, ADMINISTRACION FEDERAL DE INGRESOS PUBLICOS Resolución General 3191, Government of Brazil (Brasilia) 30 September 2011. Date of Access: 9 October 2011. <http://www.iqom.com.mx/documents/0911/DOF%2030%20sep-2.pdf>

¹⁰⁸⁷ Resolución General 3190, Government of Brazil (Brasilia) 30 September 2011. Date of Access: 9 October 2011.

http://www.iqom.com.mx/index.php?option=com_content&task=view&id=5249&Itemid=317

¹⁰⁸⁸ Ministerio de Industria, Resolución 221/2011, Ministry of Development, Industry and Foreign Trade (Brasilia) 22 June 2011. Date of Access 9 October 2011.

<http://www.infoleg.gov.ar/infolegInternet/anexos/180000-184999/184098/norma.htm>

¹⁰⁸⁹ Report to the TPRB from the Director-General on trade-related developments, WTO (Geneva) 21 June 2011. Date of Access: 10 October 2011. http://wto.org/english/news_e/sppl_e/sppl196_e.htm

Brazil: -1

Brazil has failed to comply with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

On 6 October 2011, the Government of Brazil passed resolution 75/2011, adopting antidumping duties against glassine and other glazed transparent or translucent papers from France, Italy, and Hungary, the product subject to these duties is classified under tariff code of MERCOSUR harmonized System: 4806.40.00 and include material such as Veg Parchment, Greaseproof Papers etc. This resolution involved a minimum import price of USD401.03 per ton for France, USD363.19 per ton for Italy, and USD235.54 per ton for Hungary. Such duties were imposed subsequent to an investigation on April 6, 2010, upon the request of the Brazilian enterprise MD Papeis Ltda.¹⁰⁹⁰ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

Likewise, on 6 October 2011, the Government of Brazil implemented resolution 76/2011 on antidumping duties, ranging from USD102.67 per ton and USD272.12 per ton against u-Butyl alcohol from the U.S.¹⁰⁹¹ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 1 March 2011, the Brazilian Government passed Resolution 8/2011 imposing anti-dumping duties against certain glassware products from Argentina, China and Indonesia of USD0.15 per kilogram, USD1.70 per kilogram and USD0.15 per kilogram for those respective countries. The duties were imposed following an investigation which was initiated on 28 October 2009.¹⁰⁹² Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 9 December 2010, the Brazilian Government passed Resolution 86/2010 imposing anti-dumping duties against polypropylene resin, copolymer and homopolymer from the United States of USD82.77 per tonne. The duties were imposed following an investigation which was initiated on 23 June 2009.¹⁰⁹³ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the Body to explore the above

¹⁰⁹⁰ Diário Oficial da União- Secao 1. No 193 quinta-feira, Reolucao 75/2011, Ministry of Development, Industry and Foreign Trade (Brasilia) 6 October 2011. Date of Access 9 October 2011.
<http://www.iqom.com.mx/documents/1011/DO%20Bra%206oct11.pdf>

¹⁰⁹¹ Diário Oficial da União- Secao 1. No 193 quinta-feira, Reolucao 76/2011, Ministry of Development, Industry and Foreign Trade (Brasilia) 6 October 2011. Date of Access 9 October 2011.
<http://www.iqom.com.mx/documents/1011/Resolucin%20No%2076.pdf>

¹⁰⁹² Diário Oficial da União – Secao 1. No 42, terça-feira. Reolucao 8/2011, Ministry of Development, Industry and Foreign Trade (Brasília) 1 March 2011. Date of Access: 8 April 2011.
<http://www.iqom.com.mx/documents/0211/DOU%201%20marzo.pdf>

¹⁰⁹³ Reolucao No 86, De 8 De Dezembro de 2010, MINISTROS DA CÂMARA DE COMÉRCIO EXTERIOR (Brasília) 8 December 2010. Date of Access: 8 April 2011.
<http://www.iqom.com.mx/documents/1210/Res.%2086-2010.pdf>

measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 27 December 2010, the Brazilian Government passed Resolution 92/2010 increasing ad valorem tariff to 35% for certain toys originating from China, Denmark, Hong Kong, Indonesia, Malaysia and the United States.¹⁰⁹⁴ The tariff is to remain in effect for 12 months.

On 27 December 2010, the Brazilian Government passed Resolution 91/2010 removing tariff exemptions for pigments and dyes relating to the manufacture of titanium dioxide. Such products are subject to a tariff of 12%. Affected countries include China, Finland, Mexico, the United Kingdom and the United States.¹⁰⁹⁵ The tariff is to remain in effect for twelve months.

On 14 December 2010, the Brazilian Government increased ad valorem tariffs for the import of tools for pressing, stamping and punching to 25% and tools for injection moulding or compression to 30%.¹⁰⁹⁶

Brazil has introduced more than the G20 average number of barriers to trade and has therefore been awarded a score of -1.

Analyst: Geoffrey Wylde and Antonia Tsapralis

Canada: 0

Canada has partially complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

On 5 October 2011, a US federal agency launched an inquiry “into whether Canadian ports on the West Coast are luring lucrative cargo business away from their American counterparts.”¹⁰⁹⁷ American ports have complained, “Canada is unfairly subsidizing the diversion of cargo ships away from its US competitors.”¹⁰⁹⁸ While competition between Canada, US and Mexico is welcomed, officials say that this must be done on a level playing field. Instituting measures that divert business away from competitors is a form of protectionism.

It is worth noting that Canada’s Industry Minister exercised a provision in the Investment Canada Act to refuse a bid by BHP Billiton (a mining company headquartered in Australia) to acquire Potash Corporation of Saskatchewan Inc. (a Canadian mining company) because the Minister

¹⁰⁹⁴ Resolucao No 92, de 27 De Dezembro de 2010, MINISTROS DA CÂMARA DE COMÉRCIO EXTERIOR (Brasília) 27 December 2010. Date of Access: 8 April 2011. http://www.mdic.gov.br/arquivos/dwnl_1293629707.pdf

¹⁰⁹⁵ Resolucao No 91, de 27 De Dezembro de 2010, MINISTROS DA CÂMARA DE COMÉRCIO EXTERIOR (Brasília) 27 December 2010. Date of Access: 8 April 2011. http://www.mdic.gov.br/arquivos/dwnl_1293629736.pdf

¹⁰⁹⁶ CAMEX – Resolucao no 87/2010, Legislacao (Brasília) 16 December 2010. Date of Access: 8 April 2011. <http://legislacaoemgeral.blogspot.com/2010/12/camex-resolucao-n-872010.html>

¹⁰⁹⁷ New Canada-US trade tensions loom over West Coast ports as inquiry launched, The Globe and Mail (Washington) 5 October 2011. Date of Access: 9 October 2011. <http://www.theglobeandmail.com/news/national/new-canada-us-trade-tensions-loom-over-west-coast-ports-as-inquiry-launched/article2192606/>.

¹⁰⁹⁸ New Canada-US trade tensions loom over West Coast ports as inquiry launched, The Globe and Mail (Washington) 5 October 2011. Date of Access: 9 October 2011. <http://www.theglobeandmail.com/news/national/new-canada-us-trade-tensions-loom-over-west-coast-ports-as-inquiry-launched/article2192606/>.

deemed the transaction unlikely to be of a ‘net benefit’ to Canada.¹⁰⁹⁹ Without further clarification and transparency regarding how a transaction is deemed to create a ‘net benefit’ for the country, this clause in the Investment Canada Act can be exercised by the government to deny foreign direct investment in the country.

Canada has introduced fewer barriers to trade than the G20 average has therefore been awarded a score of 0.

Analyst: Geoffrey Wylde and Ava-Dayna Sefa

China: -1

China has failed to comply with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

On 25 January 2011, the Chinese Ministry of Commerce imposed anti-dumping duties against Caprolactam, a type of synthetic polymer, originating from the EU and the US. The duties were imposed following an investigation which was initiated on 22 April 2010.¹¹⁰⁰ The duties are levied against specific companies and range from 6.6% to 25.5%. Upon referring to the WTO Dispute Settlement Body’s list of publications it appears that none of the affected countries have called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 18 February 2011, the Chinese Ministry of Commerce imposed anti-dumping duties against certain optical fibres originating from the EU and the US. The duties were imposed following an investigation initiated on 22 April 2010.¹¹⁰¹ The duties are levied against specific companies and range from 6.8% to 29.1%. Upon referring to the WTO Dispute Settlement Body’s list of publications it appears that none of the affected countries have called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 14 December 2010, The Chinese Ministry of Finance released the Notice of the Customs Tariff Commission of the State Council on Implementation of Customs Tariff 2011. In accordance with the notice, export taxes on neodymium rose from 15% to 25%, lanthanum chloride from 20% to 25%, and taxes on ferroalloy containing rare earth elements increased by more than 10%.¹¹⁰²

¹⁰⁹⁹ Minister of Industry Confirms Notice Sent to BHP Billiton Regarding Proposed Acquisition of Potash Corporation, Industry Canada News Releases (Ottawa) 3 November 2010. Date of Access: 8 April 2010. <http://www.ic.gc.ca/eic/site/ic1.nsf/eng/06031.html>

¹¹⁰⁰ Announcement No.3, 2011 of the Ministry of Commerce of the People’s Republic of China on Releasing the Preliminary Ruling on Anti-dumping Investigation on CPL, Ministry of Commerce of the People’s Republic of China (Beijing) 25 January 2011. Date of Access: 8 April 2011. <http://english.mofcom.gov.cn/aarticle/policyrelease/domesticpolicy/201102/20110207402277.html>

¹¹⁰¹ Announcement No.4, 2011 of the Ministry of Commerce of the People’s Republic of China on Releasing the Preliminary Ruling on Anti-dumping Investigation on Dispersion Unshifted Single-Mode Optical Fiber, Ministry of Commerce of the People’s Republic of China (Beijing) 6 January 2011. Date of Access: 8 April 2011. <http://english.mofcom.gov.cn/aarticle/policyrelease/domesticpolicy/201102/20110207402287.html>

¹¹⁰² Report to the TPRB from the Director-General on trade-related developments, WTO (Geneva) 21 June 2011. Date of Access: 10 October 2011. http://wto.org/english/news_e/sppl_e/sppl196_e.htm

The Chinese Ministry of Finance cut the permitted export quota of rare earths by approximately 35% on 28 December 2010. Rare earths are used in the manufacture of many electronic goods. China is the world's leading supplier of rare earths and the quota change will impact global prices of the minerals.¹¹⁰³ In response to Chinese export limits the United States filed a WTO challenge on 31 August 2011¹¹⁰⁴ and on 5 July 2011, the WTO ruled that China broke international law when it curbed exports of rare earths.¹¹⁰⁵

The Chinese Ministry of Finance raised the export tax on certain fertilizers by approximately to between 110% on 2 December 2010. The export tariffs are meant to limit the amount of export, ensure sufficient domestic supplies for the growing season and combat rising food prices. The tariff hikes could impact global fertilizer and food prices.¹¹⁰⁶

On 13 May 2011, the National Development and Reform Commission (NDRC) released the Notice NO.132, announcing to halt diesel exports to all countries except to Hong Kong and Macao. The measure was implemented in the face of a domestic shortage of oil products and rapidly expanding power demands. The measure has no effective date or expiry date.¹¹⁰⁷

On 16 September 2011, the Chinese Ministry of Commerce released the Notice NO. 54, announcing the final determination of countervailing duty on potato starch from the EU. In accordance with the notice, potato starch imported from the EU will be levied with a countervailing duty of 7.5% to 12.4% for five years.¹¹⁰⁸ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that the EU has not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

China has introduced more than the G20 average number of barriers to trade and has therefore been awarded a score of -1.

Analyst: Geoffrey Wylde and Hermonie Xie

France: 0

France has partially complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

¹¹⁰³ China Cuts Export Quotas for Rare Earths by 35%, Bloomberg News (London) 29 December 2010. Date of Access 8 April 2011. <http://www.bloomberg.com/news/2010-12-28/china-cuts-first-round-rare-earth-export-quotas-by-11-correct-.html>

¹¹⁰⁴ China – Measures Related to the Exportation of Various Raw Materials, WTO (Geneva) 31 August 2011. Date of Access: 10 October 2011. http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds394_e.htm

¹¹⁰⁵ Ruling on 'rare earth' goes against China, The Washington Times (Washington D.C.) 5 July 2011. Date of Access: 10 October 2011. <http://www.washingtontimes.com/news/2011/jul/5/ruling-on-rare-earth-goes-against-china/>

¹¹⁰⁶ Fertilizer Export Levy Imposed, China Daily (Beijing) 2 December 2010. Date of Access: 8 April 2011. http://www.chinadaily.com.cn/bizchina/2010-12/02/content_11641906.htm

¹¹⁰⁷ China: Export restriction on Diesel, Global Trade Alert (London) 26 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/china-export-restriction-diesel>

¹¹⁰⁸ China: Final countervailing duty on potato starch from the EU, Global Trade Alert (London) 26 February 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/china-final-countervailing-duty-potato-starch-eu>

On 29 January 2011, the European Commission announced additional import duties on certain types of refined sugar, raw sugar and syrups. These additional duties come on top of those duties first enacted as through regulation 951/2006 on 30 June 2006.¹¹⁰⁹

On 9 March 2011, the European Commission extended countervailing duties on imports of polyethylene terephthalate (PET) film from India.¹¹¹⁰ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that India has called on the Body to explore the above measures.¹¹¹¹ However, until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 19 April 2011, the European Commission imposed a definitive countervailing duty and a definitive provisional duties on imports of stainless steel bars from India. The amount of countervailable subsidies in accordance with the measure ranges from 3.3% to 4.3%.¹¹¹² Upon referring to the WTO Dispute Settlement Body's list of publications it appears that India has not yet called on the Body to explore the above measures.¹¹¹³ Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 3 May 2011, the European Commission imposed a definitive antidumping duty on imports of certain plastic sacks and bags from China.¹¹¹⁴ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has not yet called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 4 May 2011, the European Commission extended for four years the EUR352/tonne antidumping duty on imports of furfuraldehyde originating in China.¹¹¹⁵ The chemical is used as a solvent in petroleum refining for lubricating oils and for processing into furfuryl alcohol. Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

¹¹⁰⁹ EC: Additional import duties for certain products in the sugar sector, Global Trade Alert (London) 24 February 2011. Date of Access: 8 April 2011. <http://globaltradealert.org/measure/ec-additional-import-duties-certain-products-sugar-sector>

¹¹¹⁰ EC: Definitive countervailing duty on imports of PET film originating in India, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-countervailing-duty-imports-pet-film-originating-india>

¹¹¹¹ European Communities – Expiry Reviews of Antidumping and Countervailing Duties Imposed on Imports of PET from India, WTO (Geneva) 24 February 2010. Date of Access: 10 October 2011. http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds385_e.htm

¹¹¹² EC: Imposition of antidumping duties on stainless steel bars originating from India, Global Trade Alert (London) 19 April 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-imposition-antidumping-duties-stainless-steel-bars-originating-india>

¹¹¹³ European Communities – Expiry Reviews of Antidumping and Countervailing Duties Imposed on Imports of PET from India, WTO (Geneva) 24 February 2010. Date of Access: 10 October 2011. http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds385_e.htm

¹¹¹⁴ EC: Definitive antidumping duty on imports of certain plastic sacks and bags originating in China, Global Trade Alert (London) 19 May 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-antidumping-duty-imports-certain-plastic-sacks-and-bags-originating-china>

¹¹¹⁵ EC: Definitive antidumping duty on imports of furfuraldehyde originating in China, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-antidumping-duty-imports-furfuraldehyde-originating-china>

On 5 May 2011, the European Commission declared an extension of definitive antidumping duty on imports of biodiesel original in the US and to imports of biodiesel consigned from Canada.¹¹¹⁶ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 10 May 2011, the European Commission imposed a definitive antidumping duty and began collecting provisional duty on imports of melamine from China. The dumping margins range from 44.9% to 49%.¹¹¹⁷ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 27 June 2011, the European Commission imposed provisional antidumping duties on imports of certain seamless pipes and stainless steel tubes from China.¹¹¹⁸ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 5 August 2011, the European Commission announced that it will impose definitive antidumping duties on the imports of certain ring binder mechanisms from Thailand. Upon referring to the WTO Dispute Settlement Body's list of publications it appears that Thailand has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 16 August 2011, the European Commission announced provisional antidumping duties on vinyl acetate originating from the United States.¹¹¹⁹ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that the United States has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

The European Commission imposed anti-dumping duties against Chinese-made tiles on 15 September 2011. The EU claims that this measure will protect EU producers from significant price undercutting by exporters in China. The tariffs will remain in effect for five years, with the

¹¹¹⁶ EC: Extension of definitive antidumping duty on imports of biodiesel originating in the US, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-extension-definitive-antidumping-duty-imports-biodiesel-originating-us>

¹¹¹⁷ EC: Definitive antidumping duties concerning imports melamine originating from China, Global Trade Alert (London) 18 March 2010. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ecdefinitive-antidumping-duties-concerning-imports-melamine-originating-china>

¹¹¹⁸ EC: Provisional antidumping duties on imports of certain seamless pipes and tubes of stainless steel from China, Global Trade Alert (London) 29 October 2010. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-provisional-antidumping-duties-imports-certain-seamless-pipes-and-tubes-stainless-steel-c>

¹¹¹⁹ EC: Antidumping duties on vinyl acetate originating from USA, Global Trade Alert (London) 22 March 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-antidumping-duties-vinyl-acetate-originating-usa>

possibility of an extension of the measures beyond 2016.¹¹²⁰ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has not yet called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

France has introduced fewer barriers to trade than the G20 average has therefore been awarded a score of 0.

Analyst: Geoffrey Wylde and Antonia Tsapralis

Germany: 0

Germany has partially complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

On 29 January 2011, the European Commission announced additional import duties on certain types of refined sugar, raw sugar and syrups. These additional duties come on top of those duties first enacted as through regulation 951/2006 on 30 June 2006.¹¹²¹

On 9 March 2011, the European Commission extended countervailing duties on imports of polyethylene terephthalate (PET) film from India.¹¹²² Upon referring to the WTO Dispute Settlement Body's list of publications it appears that India has called on the Body to explore the above measures.¹¹²³ However, until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

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¹¹²⁰ EU slaps duties on Chinese tiles to end price war, Reuters (New York) 15 September 2011. Date of Access: 10 October 2011. <http://www.reuters.com/article/2011/09/15/eu-trade-china-idUSLDE78E01J20110915>

¹¹²¹ EC: Additional import duties for certain products in the sugar sector, Global Trade Alert (London) 24 February 2011. Date of Access: 8 April 2011. <http://globaltradealert.org/measure/ec-additional-import-duties-certain-products-sugar-sector>

¹¹²² EC: Definitive countervailing duty on imports of PET film originating in India, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-countervailing-duty-imports-pet-film-originating-india>

¹¹²³ European Communities – Expiry Reviews of Antidumping and Countervailing Duties Imposed on Imports of PET from India, WTO (Geneva) 24 February 2010. Date of Access: 10 October 2011. http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds385_e.htm

¹¹²⁴ EC: Imposition of antidumping duties on stainless steel bars originating from India, Global Trade Alert (London) 19 April 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-imposition-antidumping-duties-stainless-steel-bars-originating-india>

¹¹²⁵ European Communities – Expiry Reviews of Antidumping and Countervailing Duties Imposed on Imports of PET from India, WTO (Geneva) 24 February 2010. Date of Access: 10 October 2011. http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds385_e.htm

On 3 May 2011, the European Commission imposed a definitive antidumping duty on imports of certain plastic sacks and bags from China.¹¹²⁶ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has not yet called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 4 May 2011, the European Commission extended for four years the EUR352/tonne antidumping duty on imports of furfuraldehyde originating in China.¹¹²⁷ The chemical is used as a solvent in petroleum refining for lubricating oils and for processing into furfuryl alcohol. Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 5 May 2011, the European Commission declared an extension of definitive antidumping duty on imports of biodiesel original in the US and to imports of biodiesel consigned from Canada.¹¹²⁸ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 10 May 2011, the European Commission imposed a definitive antidumping duty and began collecting provisional duty on imports of melamine from China. The dumping margins range from 44.9% to 49%.¹¹²⁹ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 27 June 2011, the European Commission imposed provisional antidumping duties on imports of certain seamless pipes and stainless steel tubes from China.¹¹³⁰ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 5 August 2011, the European Commission announced that it will impose definitive antidumping duties on the imports of certain ring binder mechanisms from Thailand. Upon

¹¹²⁶ EC: Definitive antidumping duty on imports of certain plastic sacks and bags originating in China, Global Trade Alert (London) 19 May 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-antidumping-duty-imports-certain-plastic-sacks-and-bags-originating-china>

¹¹²⁷ EC: Definitive antidumping duty on imports of furfuraldehyde originating in China, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-antidumping-duty-imports-furfuraldehyde-originating-china>

¹¹²⁸ EC: Extension of definitive antidumping duty on imports of biodiesel originating in the US, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-extension-definitive-antidumping-duty-imports-biodiesel-originating-us>

¹¹²⁹ EC: Definitive antidumping duties concerning imports melamine originating from China, Global Trade Alert (London) 18 March 2010. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ecdefinitive-antidumping-duties-concerning-imports-melamine-originating-china>

¹¹³⁰ EC: Provisional antidumping duties on imports of certain seamless pipes and tubes of stainless steel from China, Global Trade Alert (London) 29 October 2010. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-provisional-antidumping-duties-imports-certain-seamless-pipes-and-tubes-stainless-steel-c>

referring to the WTO Dispute Settlement Body's list of publications it appears that Thailand has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 16 August 2011, the European Commission announced provisional antidumping duties on vinyl acetate originating from the United States.¹¹³¹ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that the United States has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

The European Commission imposed anti-dumping duties against Chinese-made tiles on 15 September 2011. The EU claims that this measure will protect EU producers from significant price undercutting by exporters in China. The tariffs will remain in effect for five years, with the possibility of an extension of the measures beyond 2016.¹¹³² Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has not yet called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

Germany has introduced fewer barriers to trade than the G20 average and has therefore been awarded a score of 0.

Analyst: Geoffrey Wylde and Hermonie Xie

India: 0

India has partially complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

On 16 August 2011, the Ministry of Finance and Industry raised the minimum import prices of worked monumental or building stone from \$50 (cif) to \$60 (cif). Goods falling under this classification may be imported freely only if their value exceeds \$60 (cif).¹¹³³

With regard to investment policy, "the Bank of India decided to further liberalize the number of regulations relating to overseas direct investment which include i) the performance guarantees issued by the Indian party, ii) restructuring of the balance sheet of the overseas entity involving write-off of capital and receivables, iii) disinvestment by the Indian parties of their stake in an overseas joint venture or wholly owned subsidiaries involving write-off and iv) issue of guarantee by an Indian party to a direct subsidiary of joint ventures or wholly owned subsidiaries under general permission."¹¹³⁴

¹¹³¹ EC: Antidumping duties on vinyl acetate originating from USA, Global Trade Alert (London) 22 March 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-antidumping-duties-vinyl-acetate-originating-usa>

¹¹³² EU slaps duties on Chinese tiles to end price war, Reuters (New York) 15 September 2011. Date of Access: 10 October 2011. <http://www.reuters.com/article/2011/09/15/eu-trade-china-idUSLDE78E01J20110915>

¹¹³³ India: Increased import price for worked monumental or building stone, Global Trade Alert (London) 16 August 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/india-increased-import-price-worked-monumental-or-building-stone>

¹¹³⁴ Investment Policy Monitor (Geneva) 11 October 2011. Date of Access: 31 October 31, 2011. http://www.unctad.org/en/docs/webdiaeia2011d12_en.pdf

India has introduced fewer barriers to trade than the G20 average and has therefore been awarded a score of 0.

Analyst: Geoffrey Wylde and Hermonie Xie

Indonesia: 0

Indonesia has partially complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

On 23 December 2011, the Government of Indonesia imposed an import ban on certain shrimp species.¹¹³⁵ Affected countries include China, India, Malaysia, Netherlands, Singapore, and the US.¹¹³⁶ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

In January 2011, the Indonesian agricultural ministry set an import quota of 500,000 head of cattle.¹¹³⁷ The restrictions will impact cattle exporting countries, particularly its neighbour Australia, and to a lesser extent New Zealand and Canada.¹¹³⁸ The Ministry has stated that the restrictions are part of an effort to build self-sufficiency in food supplies.

Indonesia has introduced fewer barriers to trade than the G20 average and has therefore been awarded a score of 0.

Analyst: Geoffrey Wylde and Hermonie Xie

Italy: 0

Italy has partially complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, impose new export restrictions, or implement WTO inconsistent measures to stimulate exports.

On 29 January 2011, the European Commission announced additional import duties on certain types of refined sugar, raw sugar and syrups. These additional duties come on top of those duties first enacted as through regulation 951/2006 on 30 June 2006.¹¹³⁹

On 9 March 2011, the European Commission extended countervailing duties on imports of polyethylene terphthalate (PET) film from India.¹¹⁴⁰ Upon referring to the WTO Dispute

¹¹³⁵ Report to the TPRB from the Director-General on trade-related developments, WTO (Geneva) 21 June 2011. Date of Access: 10 October 2011. http://wto.org/english/news_e/sppl_e/sppl196_e.htm

¹¹³⁶ Indonesia: Import ban on shrimp, Global Trade Alert (London) 27 June 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/indonesia-import-ban-shrimp>

¹¹³⁷ A Row Over Cows: Indonesia Curbs Beef Imports, The Economist (London) 17 February 2011. Date of Access: 8 April 2011. http://www.economist.com/node/18185742?story_id=18185742

¹¹³⁸ Indonesia Plans Import Quota on Beef, Live Cattle, AFX News (London) 24 June 2010. Date of Access: 8 April 2011. <http://www.finanznachrichten.de/nachrichten-2010-06/17241523-indonesia-plans-import-quota-on-beef-live-cattle-020.htm>

¹¹³⁹ EC: Additional import duties for certain products in the sugar sector, Global Trade Alert (London) 24 February 2011. Date of Access: 8 April 2011. <http://globaltradealert.org/measure/ec-additional-import-duties-certain-products-sugar-sector>

¹¹⁴⁰ EC: Definitive countervailing duty on imports of PET film originating in India, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-countervailing-duty-imports-pet-film-originating-india>

Settlement Body's list of publications it appears that India has called on the Body to explore the above measures.¹¹⁴¹ However, until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 19 April 2011, the European Commission imposed a definitive countervailing duty and a definitive provisional duties on imports of stainless steel bars from India. The amount of countervailable subsidies in accordance with the measure ranges from 3.3% to 4.3%.¹¹⁴² Upon referring to the WTO Dispute Settlement Body's list of publications it appears that India has not yet called on the Body to explore the above measures.¹¹⁴³ Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 3 May 2011, the European Commission imposed a definitive antidumping duty on imports of certain plastic sacks and bags from China.¹¹⁴⁴ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has not yet called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 4 May 2011, the European Commission extended for four years the EUR352/tonne antidumping duty on imports of furfuraldehyde originating in China.¹¹⁴⁵ The chemical is used as a solvent in petroleum refining for lubricating oils and for processing into furfuryl alcohol. Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 5 May 2011, the European Commission declared an extension of definitive antidumping duty on imports of biodiesel original in the US and to imports of biodiesel consigned from Canada.¹¹⁴⁶ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

¹¹⁴¹ European Communities – Expiry Reviews of Antidumping and Countervailing Duties Imposed on Imports of PET from India, WTO (Geneva) 24 February 2010. Date of Access: 10 October 2011. http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds385_e.htm

¹¹⁴² EC: Imposition of antidumping duties on stainless steel bars originating from India, Global Trade Alert (London) 19 April 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-imposition-antidumping-duties-stainless-steel-bars-originating-india>

¹¹⁴³ European Communities – Expiry Reviews of Antidumping and Countervailing Duties Imposed on Imports of PET from India, WTO (Geneva) 24 February 2010. Date of Access: 10 October 2011. http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds385_e.htm

¹¹⁴⁴ EC: Definitive antidumping duty on imports of certain plastic sacks and bags originating in China, Global Trade Alert (London) 19 May 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-antidumping-duty-imports-certain-plastic-sacks-and-bags-originating-china>

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¹¹⁴⁶ EC: Extension of definitive antidumping duty on imports of biodiesel originating in the US, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-extension-definitive-antidumping-duty-imports-biodiesel-originating-us>

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On 27 June 2011, the European Commission imposed provisional antidumping duties on imports of certain seamless pipes and stainless steel tubes from China.¹¹⁴⁸ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 5 August 2011, the European Commission announced that it will impose definitive antidumping duties on the imports of certain ring binder mechanisms from Thailand. Upon referring to the WTO Dispute Settlement Body's list of publications it appears that Thailand has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 16 August 2011, the European Commission announced provisional antidumping duties on vinyl acetate originating from the United States.¹¹⁴⁹ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that the United States has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

The European Commission imposed anti-dumping duties against Chinese-made tiles on 15 September 2011. The EU claims that this measure will protect EU producers from significant price undercutting by exporters in China. The tariffs will remain in effect for five years, with the possibility of an extension of the measures beyond 2016.¹¹⁵⁰ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has not yet called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

Italy has introduced fewer barriers to trade than the G20 average and has therefore been awarded a score of 0.

¹¹⁴⁷ EC: Definitive antidumping duties concerning imports melamine originating from China, Global Trade Alert (London) 18 March 2010. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ecdefinitive-antidumping-duties-concerning-imports-melamine-originating-china>

¹¹⁴⁸ EC: Provisional antidumping duties on imports of certain seamless pipes and tubes of stainless steel from China, Global Trade Alert (London) 29 October 2010. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-provisional-antidumping-duties-imports-certain-seamless-pipes-and-tubes-stainless-steel-c>

¹¹⁴⁹ EC: Antidumping duties on vinyl acetate originating from USA, Global Trade Alert (London) 22 March 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-antidumping-duties-vinyl-acetate-originating-usa>

¹¹⁵⁰ EU slaps duties on Chinese tiles to end price war, Reuters (New York) 15 September 2011. Date of Access: 10 October 2011. <http://www.reuters.com/article/2011/09/15/eu-trade-china-idUSLDE78E01J20110915>

It should be noted that Italy has recently launched a new law delaying the renewal of board members in corporate governance.¹¹⁵¹ This new law was passed in response to a number of takeovers bids by French companies for Italian companies. For example, the new law will impact the change of control of the Italian dairy company Parmalat.¹¹⁵² This law creates an administrative barrier to investment and could be used to protect Italian companies from foreign takeovers and competition.

Analyst: Geoffrey Wylde and Atifa Hasham

Japan: + 1

No information was found indicating the imposition of new protectionist measures by Japan in this compliance cycle. Therefore, Japan has fully complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions or implementing WTO inconsistent measures to stimulate exports.

Analyst: Geoffrey Wylde and Atifa Hasham

Korea: 0

Korea has partially complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, impose new export restrictions, or implement WTO inconsistent measures to stimulate exports.

On 12 May 2011, in a press release describing a seminar organized by the Export-Import Bank of Korea (Eximbank) for ‘domestic green companies’, it was revealed that the Eximbank planned to provide a total of KRW40 trillion to the green growth industry by 2015 to “assist 50 Korean green companies become leading exporters.”¹¹⁵³ This measure will disadvantage foreign exporters of green products that compete with subsidized Korean firms.¹¹⁵⁴

Korea has introduced fewer barriers to trade than the G20 average and has therefore been awarded a score of 0.

Analyst: Geoffrey Wylde and Hermonie Xie

Mexico: +1

No information was found indicating the imposition of new protectionist measures by Mexico in this compliance cycle. Therefore, Mexico has fully complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions or implementing WTO inconsistent measures to stimulate exports.

It should be noted that on 24 February 2011, the Mexican Ministry of Economy adopted anti-dumping duties on imports of seamless steel pipe originating from the People’s Republic of China. The duties are calculated by reference pricing of USD1,772 per metric tonne up to a maximum of 56% of the ad valorem price declared at customs. The duties are levied following an

¹¹⁵¹ Consiglio dei Ministri n.133 del 23/03/2011, Governo italiano (Rome) 23 March 2011. Date of Access: 8 April 2011. <http://www.governo.it/Governo/ConsiglioMinistri/dettaglio.asp?d=62916>

¹¹⁵² Italy increases drive against foreign takeovers, Financial Times (London) 23 March 2011. Date of Access: 8 April 2011. <http://www.ft.com/cms/s/0/2219810a-557f-11e0-a2b1-00144feab49a.html#axzz1JJRN61Ze>

¹¹⁵³ Republic of Korea: Trade finance measures to promote exports of “green” products, Global Trade Alert (London) 5 July 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/republic-korea-trade-finance-measures-promote-exports-green-products>

¹¹⁵⁴ Republic of Korea: Trade finance measures to promote exports of “green” products, Global Trade Alert (London) 5 July 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/republic-korea-trade-finance-measures-promote-exports-green-products>

investigation which began on 25 June 2009. Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

Analyst: Geoffrey Wylde and Hermonie Xie

Russia: -1

Russia has failed to comply with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

On 14 October 2011 the Customs Union of Russia, Belarus and Kazakhstan introduced a 5% tariff on certain agricultural equipment. The tariff was introduced following an investigation started 27 November 2009.¹¹⁵⁵

On 19 December 2010, the Customs Union of Russia, Belarus and Kazakhstan increased export tariff on copper cathode from 0% to 10%.¹¹⁵⁶

On 24 February 2011, the Customs Union of Russia, Belarus and Kazakhstan increased import tariffs on certain types of nonwoven fabric from 0% to 10%.¹¹⁵⁷

On 16 August 2011, the Customs Union of Russia, Belarus and Kazakhstan increase of import tariffs from 0% to 5% was expanded to other types of agricultural machineries.¹¹⁵⁸

Russia has introduced more barriers to trade than the G20 average and has therefore been awarded a score of -1.

Analyst: Mark Rakhmangulov

Saudi Arabia: +1

No information was found indicating the imposition of new protectionist measures by Saudi Arabia in this compliance cycle. Therefore, Saudi Arabia has fully complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions or implementing WTO inconsistent measures to stimulate exports.

Analyst: Geoffrey Wylde and Hermonie Xie

South Africa: -1

South Africa has failed to comply with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

¹¹⁵⁵ Resolution 507. Custom Union of Russia, Belarus and Kazakhstan. 14 October 2010. Date of Access 8 April 2011. http://www.tsouz.ru/KTS/KTS22/Pages/R_507.aspx

¹¹⁵⁶ Report to the TPRB from the Director-General on Trade-Related Developments, WTO 9 June 2011. Date of Access: 22 July 2011. http://www.wto.org/english/news_e/sppl_e/sppl196_e.htm.

¹¹⁵⁷ Decision № 546, Customs Union Commission 28 January 2011. Date of Access: 22 July 2011. http://www.tsouz.ru/KTS/KTS23/Pages/R_546.aspx.

¹¹⁵⁸ Decision № 766, Customs Union Commission 16 August 2011. Date of Access: 10 October 2011. http://www.tsouz.ru/KTS/KTS30/Pages/R_766.aspx.

On 17 February 2011, the International Trade Administration Commission of South Africa recommended that anti-dumping duties on acetaminophen from the People's Republic of China and USA be extended. The duties are 2573c/kg for imports from China and 2371c/kg for imports from the USA. The duties were set to expire on 14 July 2010.¹¹⁵⁹ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 11 February 2011, the International Trade Administration Commission of South Africa recommended that anti-dumping duties on Unframed Mirrors from India be extended. The duties are 68.74%. The duties were set to expire on 13 December 2010.¹¹⁶⁰ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 17 February 2011, the International Trade Administration Commission of South Africa recommended that anti-dumping duties on polyethylene terephthalate from Chinese Taipei, Korea and India be extended. The duties are 75% for Chinese Taipei, 19.7% Korea and 54.1% for India. The duties were set to expire on 6 October 2010.¹¹⁶¹ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 11 March 2011, the Government of South Africa increased import tariffs on: (1) towers and lattice masts for telegraph lines or electric power lines from 0% to 15%, and (2) aluminum extrusions (bars, rods and profiles) from 0% to 5%.¹¹⁶² On 1 April 2011 the International Trade Administration Commission of South Africa increased the general rate on sewing threads of man-made filaments from 0% to 15% ad valorem.¹¹⁶³

The International Trade Administration Commission of South Africa recommended the continuation of 29% to 36% anti-dumping duty on hexagon bolts and nuts from China, effective 6 May 2011.¹¹⁶⁴ Upon referring to the WTO Dispute Settlement Body's list of publications it

¹¹⁵⁹ Report No. 364: Sunset review of the anti-dumping duties on Acetaminophenol originating in or Imported from The People's Republic of China (PRC) and the United States of America (USA): Final Determination, International Trade Administration Commission of South Africa 17 February 2011. Date of Access: 8 April 2011. <http://www.itac.org.za/docs/Report%20No.%20364.PDF>

¹¹⁶⁰ Report No. 360: Sunset review of the anti-dumping duties on Unframed Mirrors originating in or Imported from India: Final Determination, International Trade Administration Commission of South Africa 11 February 2011. Date of Access: 8 April 2011. <http://www.itac.org.za/docs/Report%20No.%20360.pdf>

¹¹⁶¹ Report No. 3641 Sunset review of the anti-dumping duties on Polyethylene Terephthalate originating in or Imported from Chinese Taipei, Korea, and India: Final Determination, International Trade Administration Commission of South Africa 17 February 2011. Date of Access: 8 April 2011. <http://www.itac.org.za/docs/Report%20No.%20361.PDF>

¹¹⁶² Report to the TPRB from the Director-General on trade-related developments, WTO (Geneva) 21 June 2011. Date of Access: 10 October 2011. http://wto.org/english/news_e/sppl_e/sppl196_e.htm

¹¹⁶³ South Africa: Increase in the general rate of duty on sewing threads of man-made filament to 15%, Global Trade Alert (London) 26 July 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/south-africa-increase-general-rate-duty-sewing-threads-man-made-filament-15>

¹¹⁶⁴ South Africa: Continuation of anti-dumping duty on hexagon bolts or nuts originating in or imported from China, Global Trade Alert (London) 17 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/south-africacontinuation-anti-dumping-duty-hexagon-bolts-and-nuts-originating-or-imported-ch>

appears that China has not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

South Africa has introduced more barriers to trade than the G20 average and has therefore been awarded a score of -1.

Analyst: Geoffrey Wylde and Hermonie Xie

Turkey: 0

Turkey has partially complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

On 19 March 2011, Turkey increased import tariffs from 30% to 45% on certain meat.¹¹⁶⁵

On 9 September 2011, the Turkish Council of Ministers announced the implementation of safeguard measures on imports of polyethylene terephthalate (PET). The safeguard measures will be in the form of custom duties of 8%, 7.5% and % of CIF prices. Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

Turkey has introduced fewer barriers to trade than the G20 average and has therefore been awarded a score of 0.

Analyst: Geoffrey Wylde and Ava-Dayna Sefa

United Kingdom: 0

The United Kingdom has partially complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

On 29 January 2011, the European Commission announced additional import duties on certain types of refined sugar, raw sugar and syrups. These additional duties come on top of those duties first enacted as through regulation 951/2006 on 30 June 2006.¹¹⁶⁶

On 9 March 2011 the European Commission extended countervailing duties on imports of polyethylene terphthalate (PET) film from India.¹¹⁶⁷ Upon referring to the WTO Dispute Settlement Mechanism' list of publications it appears that India has called on the Body to explore the above measures.¹¹⁶⁸ However, until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

¹¹⁶⁵ Report to the TPRB from the Director-General on trade-related developments, WTO (Geneva) 21 June 2011. Date of Access: 10 October 2011. http://wto.org/english/news_e/sppl_e/sppl196_e.htm

¹¹⁶⁶ EC: Additional import duties for certain products in the sugar sector, Global Trade Alert (London) 24 February 2011. Date of Access: 8 April 2011. <http://globaltradealert.org/measure/ec-additional-import-duties-certain-products-sugar-sector>

¹¹⁶⁷ EC: Definitive countervailing duty on imports of PET film originating in India, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-countervailing-duty-imports-pet-film-originating-india>

¹¹⁶⁸ European Communities – Expiry Reviews of Antidumping and Countervailing Duties Imposed on Imports of PET from India, WTO (Geneva) 24 February 2010. Date of Access: 10 October 2011. http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds385_e.htm

On 19 April 2011, the European Commission imposed a definitive countervailing duty and a definitive provisional duties on imports of stainless steel bars from India. The amount of countervailable subsidies in accordance with the measure ranges from 3.3% to 4.3%.¹¹⁶⁹ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that India has not yet called on the Body to explore the above measures.¹¹⁷⁰ Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 3 May 2011, the European Commission imposed a definitive antidumping duty on imports of certain plastic sacks and bags from China.¹¹⁷¹ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has not yet called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 4 May 2011, the European Commission extended for four years the EUR352/tonne antidumping duty on imports of furfuraldehyde originating in China.¹¹⁷² The chemical is used as a solvent in petroleum refining for lubricating oils and for processing into furfuryl alcohol. Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 5 May 2011, the European Commission declared an extension of definitive antidumping duty on imports of biodiesel original in the US and to imports of biodiesel consigned from Canada.¹¹⁷³ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 10 May 2011, the European Commission imposed a definitive antidumping duty and began collecting provisional duty on imports of melamine from China. The dumping margins range from 44.9% to 49%.¹¹⁷⁴ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the Body to explore the above measures.

¹¹⁶⁹ EC: Imposition of antidumping duties on stainless steel bars originating from India, Global Trade Alert (London) 19 April 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-imposition-antidumping-duties-stainless-steel-bars-originating-india>

¹¹⁷⁰ European Communities – Expiry Reviews of Antidumping and Countervailing Duties Imposed on Imports of PET from India, WTO (Geneva) 24 February 2010. Date of Access: 10 October 2011. http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds385_e.htm

¹¹⁷¹ EC: Definitive antidumping duty on imports of certain plastic sacks and bags originating in China, Global Trade Alert (London) 19 May 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-antidumping-duty-imports-certain-plastic-sacks-and-bags-originating-china>

¹¹⁷² EC: Definitive antidumping duty on imports of furfuraldehyde originating in China, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-antidumping-duty-imports-furfuraldehyde-originating-china>

¹¹⁷³ EC: Extension of definitive antidumping duty on imports of biodiesel originating in the US, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-extension-definitive-antidumping-duty-imports-biodiesel-originating-us>

¹¹⁷⁴ EC: Definitive antidumping duties concerning imports melamine originating from China, Global Trade Alert (London) 18 March 2010. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ecdefinitive-antidumping-duties-concerning-imports-melamine-originating-china>

Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 27 June 2011, the European Commission imposed provisional antidumping duties on imports of certain seamless pipes and stainless steel tubes from China.¹¹⁷⁵ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 5 August 2011, the European Commission announced that it will impose definitive antidumping duties on the imports of certain ring binder mechanisms from Thailand. Upon referring to the WTO Dispute Settlement Body's list of publications it appears that Thailand has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 16 August 2011, the European Commission announced provisional antidumping duties on vinyl acetate originating from the United States.¹¹⁷⁶ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that the United States has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

The European Commission imposed anti-dumping duties against Chinese-made tiles on 15 September 2011. The EU claims that this measure will protect EU producers from significant price undercutting by exporters in China. The tariffs will remain in effect for five years, with the possibility of an extension of the measures beyond 2016.¹¹⁷⁷ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has not yet called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

The United Kingdom has introduced fewer barriers to trade than the G20 average and has therefore been awarded a score of 0.

Analyst: Geoffrey Wylde and Atifa Hasham

United States: 0

The United States has partially complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

On 1 February 2011, the United States imposed an anti-dumping duty of 3.08% on polyvinyl alcohol imported from Chinese Taipei. The duties were imposed following two much earlier

¹¹⁷⁵ EC: Provisional antidumping duties on imports of certain seamless pipes and tubes of stainless steel from China, Global Trade Alert (London) 29 October 2010. Date of Access: 14 October 2011.

<http://www.globaltradealert.org/measure/ec-provisional-antidumping-duties-imports-certain-seamless-pipes-and-tubes-stainless-steel-c>

¹¹⁷⁶ EC: Antidumping duties on vinyl acetate originating from USA, Global Trade Alert (London) 22 March 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-antidumping-duties-vinyl-acetate-originating-usa>

¹¹⁷⁷ EU slaps duties on Chinese tiles to end price war, Reuters (New York) 15 September 2011. Date of Access: 10 October 2011. <http://www.reuters.com/article/2011/09/15/eu-trade-china-idUSLDE78E01J20110915>

investigations starting on 1 July 2003.¹¹⁷⁸ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that Chinese Taipei has not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 2 January 2011, the Government of the United States ratified H.R. 847, the James Zadroga 9/11 Health and Compensation Act of 2010. This health plan for emergency workers impacted by the tragic events of 9/11 is funded by a new 2% tax on foreign procurement of goods and services by the Federal Government. The new tax 'shall be applied in a manner consistent with United States obligations under international agreements.'¹¹⁷⁹ Any countries not part of the WTO or other multi-lateral or bi-lateral trade agreements with the USA will be affected by the tax, which are mainly developing or least-developed nations.

The U.S. has introduced fewer barriers to trade than the G20 average and has therefore been awarded a score of 0.

Analyst: Geoffrey Wylde and Hermonie Xie

European Union: 0

The EU has partially complied with its commitment to refrain from raising barriers or imposing new barriers to investment or trade in goods and services, imposing new export restrictions, or implementing WTO inconsistent measures to stimulate exports.

On 29 January 2011, the European Commission announced additional import duties on certain types of refined sugar, raw sugar and syrups. These additional duties come on top of those duties first enacted as through regulation 951/2006 on 30 June 2006.¹¹⁸⁰

On 9 March 2011, the European Commission extended countervailing duties on imports of polyethylene terephthalate (PET) film from India.¹¹⁸¹ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that India has called on the Body to explore the above measures.¹¹⁸² However, until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 19 April 2011, the European Commission imposed a definitive countervailing duty and a definitive provisional duties on imports of stainless steel bars from India. The amount of

¹¹⁷⁸ Polyvinyl Alcohol From Taiwan: Final Determination of Sales at Less Than Fair Value, US Department of Commerce (Washington D.C.) 1 February 2011. Date of Access: 8 April 2011. <http://ia.ita.doc.gov/frn/2011/1102frn/2011-2194.txt>

¹¹⁷⁹ James Zadroga 9/11 Health and Compensation Act of 2010. H.R. 847, The Library of Congress (Washington D.C.) 5 January 2010. Date of Access: 8 April 2011. <http://www.gpo.gov/fdsys/pkg/BILLS-111hr847enr/pdf/BILLS-111hr847enr.pdf>

¹¹⁸⁰ EC: Additional import duties for certain products in the sugar sector, Global Trade Alert (London) 24 February 2011. Date of Access: 8 April 2011. <http://globaltradealert.org/measure/ec-additional-import-duties-certain-products-sugar-sector>

¹¹⁸¹ EC: Definitive countervailing duty on imports of PET film originating in India, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-countervailing-duty-imports-pet-film-originating-india>

¹¹⁸² European Communities – Expiry Reviews of Antidumping and Countervailing Duties Imposed on Imports of PET from India, WTO (Geneva) 24 February 2010. Date of Access: 10 October 2011. http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds385_e.htm

countervailable subsidies in accordance with the measure ranges from 3.3% to 4.3%.¹¹⁸³ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that India has not yet called on the Body to explore the above measures.¹¹⁸⁴ Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 3 May 2011, the European Commission imposed a definitive antidumping duty on imports of certain plastic sacks and bags from China.¹¹⁸⁵ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has not yet called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 4 May 2011, the European Commission extended for four years the EUR352/tonne antidumping duty on imports of furfuraldehyde originating in China.¹¹⁸⁶ The chemical is used as a solvent in petroleum refining for lubricating oils and for processing into furfuryl alcohol. Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 5 May 2011, the European Commission declared an extension of definitive antidumping duty on imports of biodiesel original in the US and to imports of biodiesel consigned from Canada.¹¹⁸⁷ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that none of the affected countries have called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 10 May 2011, the European Commission imposed a definitive antidumping duty and began collecting provisional duty on imports of melamine from China. The dumping margins range from 44.9% to 49%.¹¹⁸⁸ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

¹¹⁸³ EC: Imposition of antidumping duties on stainless steel bars originating from India, Global Trade Alert (London) 19 April 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-imposition-antidumping-duties-stainless-steel-bars-originating-india>

¹¹⁸⁴ European Communities – Expiry Reviews of Antidumping and Countervailing Duties Imposed on Imports of PET from India, WTO (Geneva) 24 February 2010. Date of Access: 10 October 2011. http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds385_e.htm

¹¹⁸⁵ EC: Definitive antidumping duty on imports of certain plastic sacks and bags originating in China, Global Trade Alert (London) 19 May 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-antidumping-duty-imports-certain-plastic-sacks-and-bags-originating-china>

¹¹⁸⁶ EC: Definitive antidumping duty on imports of furfuraldehyde originating in China, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-definitive-antidumping-duty-imports-furfuraldehyde-originating-china>

¹¹⁸⁷ EC: Extension of definitive antidumping duty on imports of biodiesel originating in the US, Global Trade Alert (London) 27 May 2011. Date of Access: 10 October 2011. <http://www.globaltradealert.org/measure/ec-extension-definitive-antidumping-duty-imports-biodiesel-originating-us>

¹¹⁸⁸ EC: Definitive antidumping duties concerning imports melamine originating from China, Global Trade Alert (London) 18 March 2010. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ecdefinitive-antidumping-duties-concerning-imports-melamine-originating-china>

On 27 June 2011, the European Commission imposed provisional antidumping duties on imports of certain seamless pipes and stainless steel tubes from China.¹¹⁸⁹ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 5 August 2011, the European Commission announced that it will impose definitive antidumping duties on the imports of certain ring binder mechanisms from Thailand. Upon referring to the WTO Dispute Settlement Body's list of publications it appears that Thailand has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

On 16 August 2011, the European Commission announced provisional antidumping duties on vinyl acetate originating from the United States.¹¹⁹⁰ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that the United States has yet not called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

The European Commission imposed anti-dumping duties against Chinese-made tiles on 15 September 2011. The EU claims that this measure will protect EU producers from significant price undercutting by exporters in China. The tariffs will remain in effect for five years, with the possibility of an extension of the measures beyond 2016.¹¹⁹¹ Upon referring to the WTO Dispute Settlement Body's list of publications it appears that China has not yet called on the Body to explore the above measures. Until such a panel is established and reaches a definite conclusion, this measure cannot be deemed to be in violation of WTO rules.

The EU has introduced fewer barriers to trade than the G20 average has therefore been awarded a score of 0.

Analyst: Geoffrey Wylde and Antonia Tsapralis

¹¹⁸⁹ EC: Provisional antidumping duties on imports of certain seamless pipes and tubes of stainless steel from China, Global Trade Alert (London) 29 October 2010. Date of Access: 14 October 2011.

<http://www.globaltradealert.org/measure/ec-provisional-antidumping-duties-imports-certain-seamless-pipes-and-tubes-stainless-steel-c>

¹¹⁹⁰ EC: Antidumping duties on vinyl acetate originating from USA, Global Trade Alert (London) 22 March 2011. Date of Access: 14 October 2011. <http://www.globaltradealert.org/measure/ec-antidumping-duties-vinyl-acetate-originating-usa>

¹¹⁹¹ EU slaps duties on Chinese tiles to end price war, Reuters (New York) 15 September 2011. Date of Access: 10 October 2011. <http://www.reuters.com/article/2011/09/15/eu-trade-china-idUSLDE78E01J20110915>