

**COMMENTS FROM AUSTRALIA ON THE ARAB REPUBLIC OF
EGYPT'S POSITION PAPER CONCERNING THE NEGOTIATIONS
ON THE ANTI-DUMPING AGREEMENT (TN/RL/W/55)**

Submission from Australia

- Australia would like to make some comments and pose some follow-up questions on Egypt's position paper (document TN/RL/W/55 dated 10 February 2003) which was tabled at the February session of the Rules Group.
- We agree with Egypt that the recent increase in the number of anti-dumping actions taken by new Members is not a sign of over-use or misuse of the WTO Anti-Dumping Agreement. We also agree that all Members, including developing countries, have the right to take legitimate trade remedies against injurious dumped imports into their markets.
- Egypt recalls the importance of preserving the effectiveness of the Anti-Dumping Agreement, especially for developing countries. Egypt considers that any proposal or recommendation by a Member under paragraph 28 of the Doha Declaration should not create a new obligation in setting an unreasonable or unnecessary burden on an investigating authority when conducting an anti-dumping investigation.
- Australia recognizes that excessively complex rules are resource intensive for all WTO Members. It is in this context that Australia notes the Doha mandate and the benefits to all WTO Members of clarifying and improving the anti-dumping rules.
 - ? Such clarifications and improvements could ultimately mean less complex and time-consuming rules for investigating authorities and exporters/producers involved in anti-dumping investigations.
- Australia remains supportive of efforts to clarify and improve the AD Agreement and sees the papers submitted to date as useful in considering what issues should be on the table.
- The WTO Anti-Dumping Agreement allows considerable flexibility in the practice and conduct of investigations. Work within the Working Group on Implementation has been extremely useful in giving guidance on what are acceptable practices. However, to the extent that such practices can differ widely, the codification of guidelines could be useful to all Members and ultimately could mean a less complex and time-consuming rules for investigating authorities and exporters/producers involved in anti-dumping investigations.
- Australia would be interested in where and how Egypt considers the resource constraints could be reduced in the WTO Anti-Dumping Agreement.

- Could Egypt provide examples of where a proposal or recommendation is within the mandate but would set an unreasonable or unnecessary burden on an investigating authority? For example, could Egypt explain why mandating the lesser duty rule would be more resource intensive?
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