

**Trade Policy Review Body**

**REPORT OF THE TPRB FROM THE DIRECTOR-GENERAL ON  
TRADE-RELATED DEVELOPMENTS**

(MID-OCTOBER 2018 TO MID-MAY 2019)

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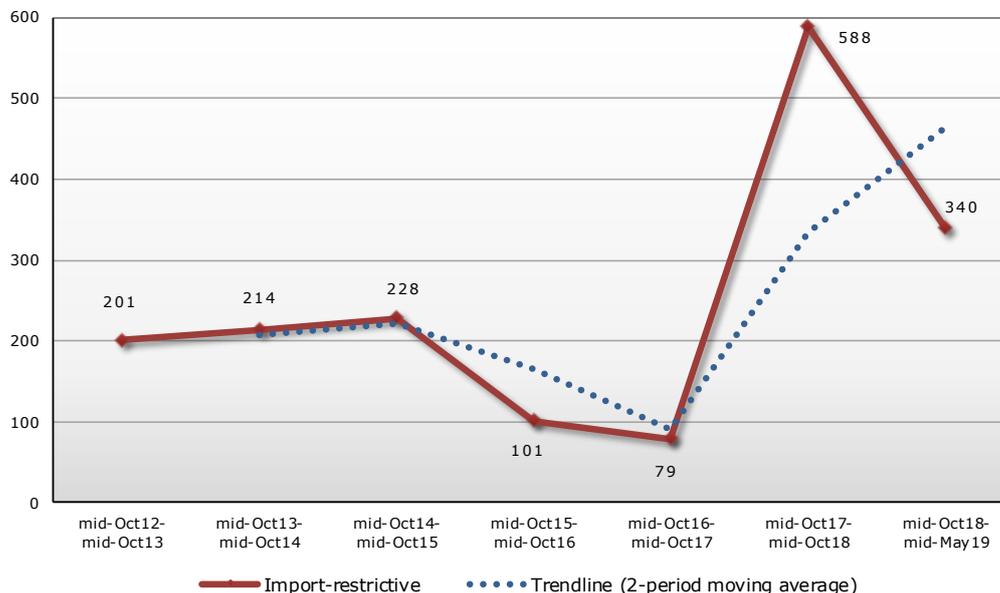
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**KEY FINDINGS**

- This Report covers new trade and trade-related measures implemented by WTO Members between 16 October 2018 and 15 May 2019. During this period trade tensions continued to dominate the headlines and added to the uncertainty surrounding international trade and the world economy.
- The Report provides evidence that this turbulence is continuing. The previous period saw a record level of new restrictive measures introduced. Most of these measures remain in place and have now been added to by a series of new measures in the current period which are also of a historically high level.
- The trade coverage of import-restrictive measures during the period is estimated at USD 339.5 billion. This is the second-highest figure on record, after the USD 588.3 billion reported in the previous period. Together these two periods represent a dramatic spike in the trade coverage of import-restrictive measures. The downward trend identified between mid-October 2014 and mid-October 2017 has been replaced with a steep increase in the trade coverage of import-restrictive measures.
- The Report also notes that several significant trade-restrictive measures, which fall outside of the review period, remain under consultation for potential later implementation. This further compounds the challenges faced by governments, businesses and consumers in the current global economic environment.
- In terms of the number of measures introduced, WTO Members implemented 38 new trade-restrictive measures during the review period including tariff increases, import bans, special safeguards, import taxes and export duties. While fewer measures were introduced during this review period than in previous periods, the scale of those measures is much increased in terms of their trade coverage and the level of tariffs imposed. Trade measures implemented by G20 economies account for the overwhelming share of the trade coverage of import-restrictive measures recorded in this Report.
- WTO Members also implemented 47 new measures aimed at facilitating trade during the review period, including eliminating or reducing import tariffs, eliminating or simplifying customs procedures for exports and reducing import taxes. The trade coverage of the import-facilitating measures implemented during the review period was estimated at USD 398.2 billion.
- The monthly average of 14 initiations of trade remedy actions during the review period is the lowest registered since 2012. The trade coverage of trade remedy initiations (USD 20.2 billion) has fallen significantly compared to the previous period. The trade coverage of trade remedy terminations recorded in the review period (USD 16.4 billion) has also fallen compared to the previous Report.
- This Report highlights the continuing challenges in global trade. Collectively, WTO Members must follow through on their commitment to trade and to the rules-based international trading system and work together urgently to ease trade tensions and to improve and strengthen the WTO.

### Trade coverage of new import-restrictive measures in each reporting period (not cumulative)

(USD billion)

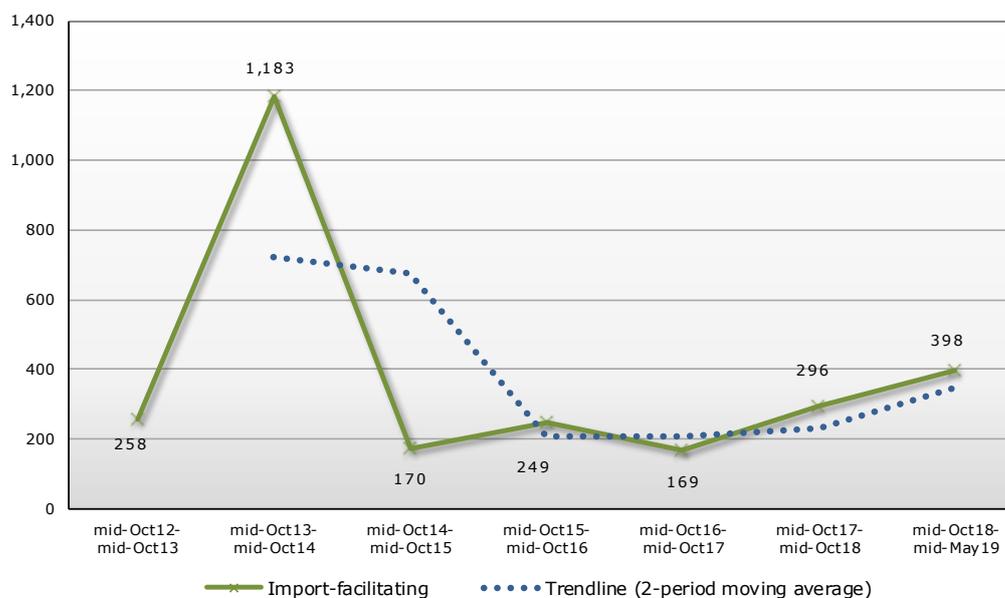


Note: These figures are estimates and represent the trade coverage of the measures (i.e. annual imports of the products concerned from economies affected by the measures) introduced during each reporting period and not the impact of the trade measures. The chart provides a snapshot of the new measures introduced in each period, not the cumulative impact of the measures introduced over time.

Source: WTO Secretariat.

### Trade coverage of new import-facilitating measures in each reporting period (not cumulative)

(USD billion)

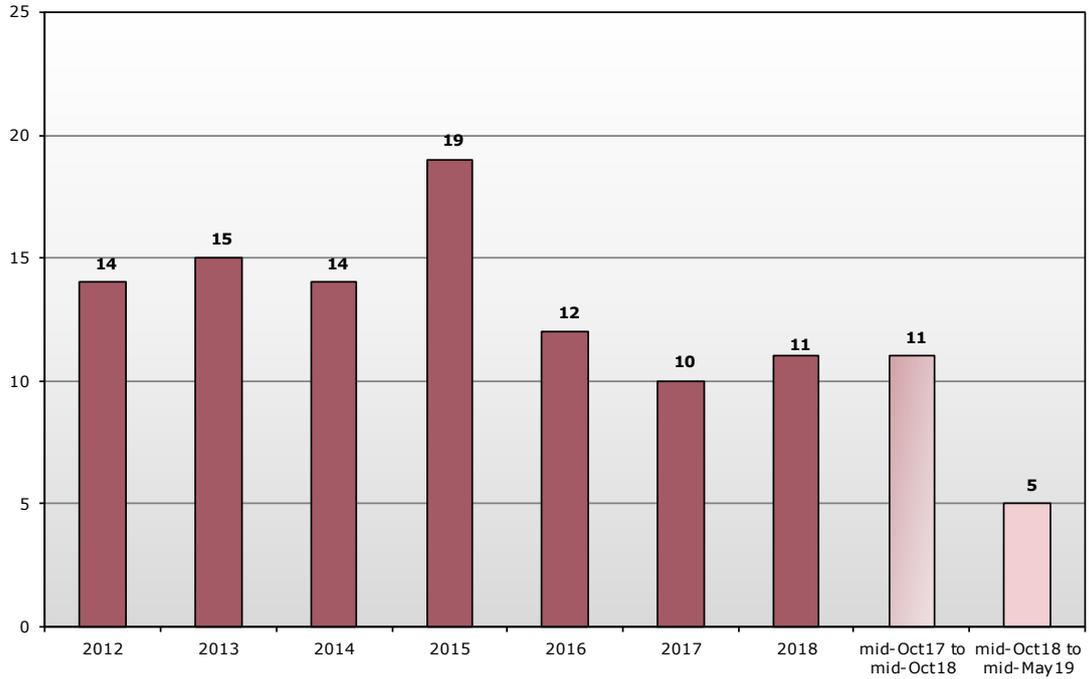


Note: These figures are estimates and represent the trade coverage of the measures (i.e. annual imports of the products concerned from economies affected by the measures) and not the impact of the trade measures. Liberalization associated with the 2015 Expansion of the WTO's Information Technology Agreement is not included in the figures.

Source: WTO Secretariat.

**Trade-restrictive measures**

(Average per month)

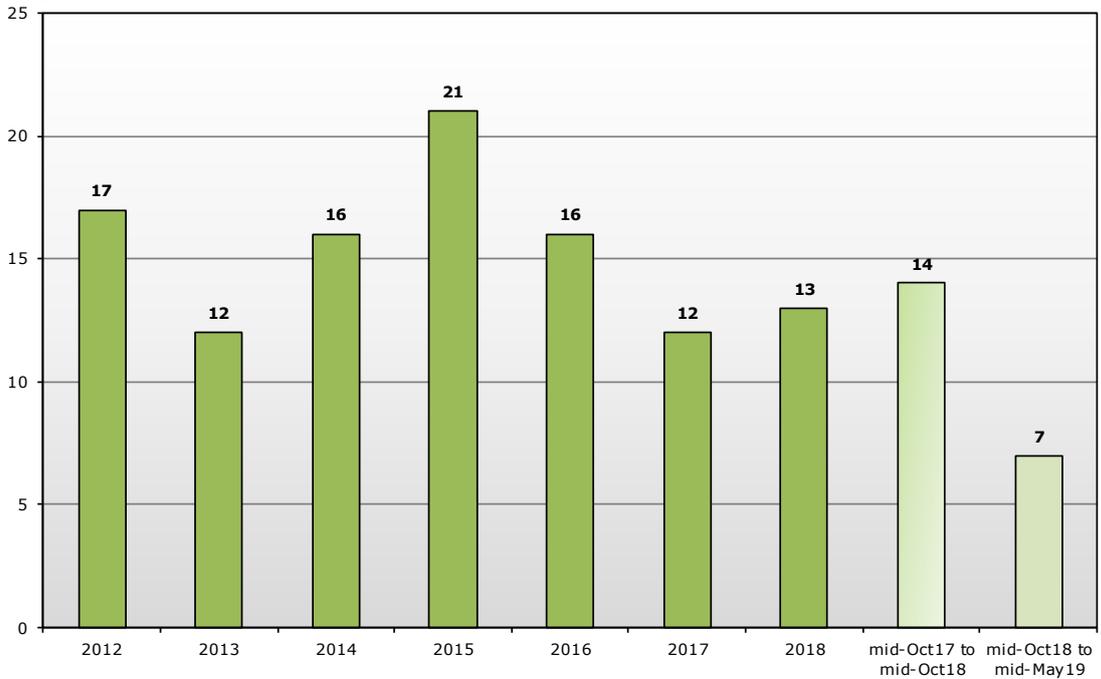


Note: Values are rounded. Changes to averages of previous years reflect continuing fine-tuning of, and updates to, the TMDB.

Source: WTO Secretariat.

**Trade-facilitating measures**

(Average per month)

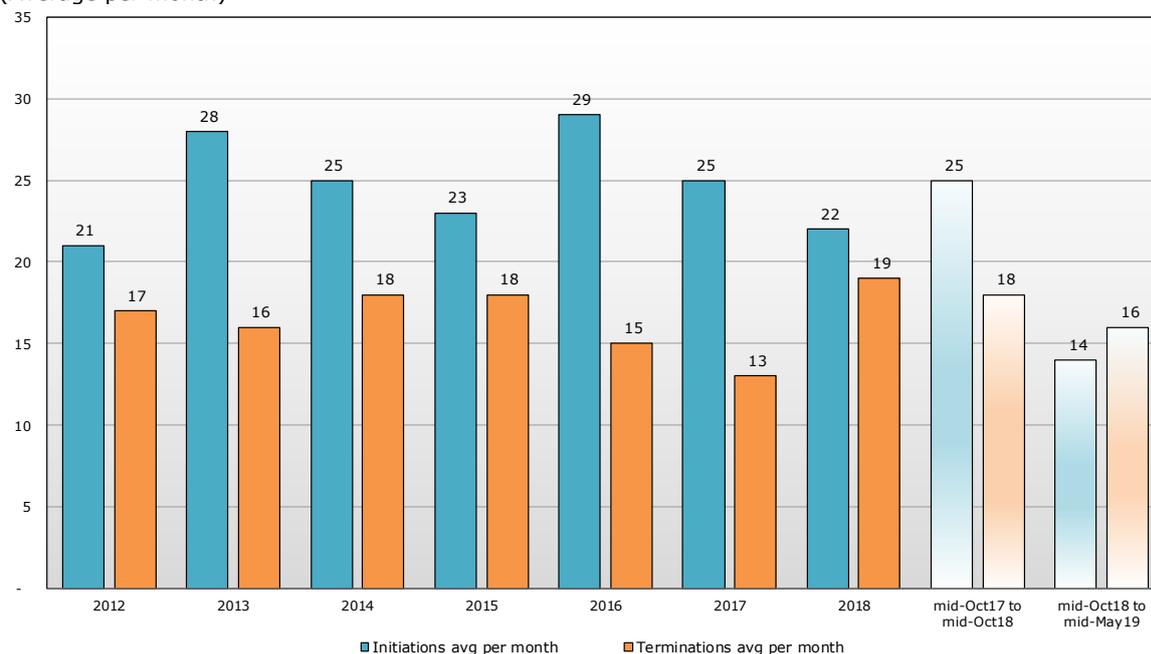


Note: Values are rounded. Changes to averages of previous years reflect continuing fine-tuning of, and updates to, the TMDB.

Source: WTO Secretariat.

### WTO trade remedies initiations and terminations

(Average per month)

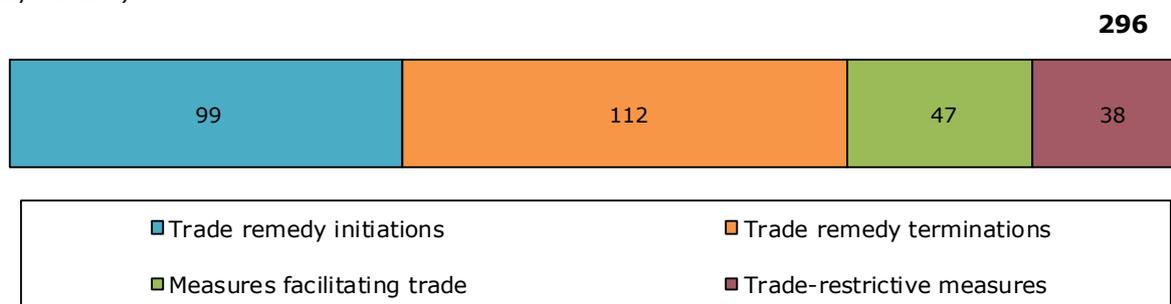


Note: Values are rounded.

Source: WTO Secretariat.

### Trade measures, mid-October 2018 to mid-May 2019

(By number)



Source: WTO Secretariat.

### Trade coverage of import measures, mid-October 2018 to mid-May 2019

(USD billion)



Note: 2017 figures. ITA expansion measures are not included.

Source: WTO Secretariat.

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## EXECUTIVE SUMMARY

This WTO Trade Monitoring Report covers new trade and trade-related measures implemented by WTO Members between 16 October 2018 and 15 May 2019.<sup>1</sup>

World trade growth slowed in the second half of 2018, particularly toward the end of the year as trade tensions remained high and GDP growth weakened in major economies. Leading trade-related indicators suggested that trade would continue to lose momentum in the first half of 2019. In its most recent trade forecast of 2 April 2019, the WTO Secretariat estimated that merchandise trade volume growth would slow from 3.0% in 2018 to 2.6% in 2019 before rebounding to 3.0% in 2020. Risks to the forecast were considered to be mostly on the downside, with rising trade tensions foremost among them. The uncertainty about trade policy is likely to reduce investment and weigh negatively on world trade and output.

This Report shows that WTO Members applied 38 new trade-restrictive measures during the review period mainly through tariff increases, import bans, special safeguards, import taxes and export duties. This equates to an average of just above five restrictive measures per month, which is the lowest average since 2012. While fewer measures were introduced during this review period than previous periods, the scale of those measures in terms of tariff coverage and tariffs imposed is much increased. The trade coverage for the new import-restrictive measures is estimated at USD 339.5 billion. This is the second highest figure on record, after the USD 588.3 billion reported in the previous period. Together these two periods represent a dramatic spike in the trade coverage of import-restrictive measures.

During the review period covered by this Report trade tensions continued to dominate the headlines and added to the uncertainty surrounding international trade and the world economy. The Report provides evidence that this turbulence is continuing, with trade flows being hit by new trade restrictions on a historically high level. The trade coverage of new import-restrictive measures introduced by WTO Members during this period was 44% above the average since October 2012 when the Report started including trade coverage figures. The Report also notes that several significant trade-restrictive measures either will be implemented shortly after the period covered by this Report or remain under consultation for potential later implementation, suggesting that the precarious situation in global trade will persist.

WTO Members also implemented 47 new measures aimed at facilitating trade during the review period, including eliminating or reducing import tariffs, eliminating or simplifying customs procedures for exports and reducing import taxes. At almost seven new trade-facilitating measures per month, this is the lowest monthly average registered since 2012. The trade coverage of the import-facilitating measures implemented during the review period was estimated at USD 398.2 billion. This is almost 3% above the average since October 2012.

During the review period, and for the first time since 2012, the number of terminations of trade remedy investigations by WTO Members outpaced the number of initiations of trade remedy actions. The current Report recorded 16 trade remedy terminations per month and 14 trade remedy initiations, with the latter being the lowest monthly average registered since 2012. Initiations of anti-dumping investigations continue to be the most frequent trade remedy action, accounting for three-quarters of all initiations. The trade coverage of trade remedy initiations recorded in this Report is estimated at USD 20.2 billion and that of trade remedy terminations at USD 16.4 billion.

With respect to general economic support measures, the Secretariat received limited information by fewer WTO Members compared to the previous review period. High-profile international infrastructure programs which specifically have a trade component were not reported as part of the trade monitoring exercise and neither were large-scale subsidies to boost the exports of specific economic sectors. From the scarce information received from Members, and from the research undertaken by the Secretariat, the current review period has confirmed that the strategic application of trade policy measures in the shape of, for example, financial support or economic guarantees remains an important feature of international trade. Discussions at the TPRB in December 2018 reinforced the need for clearer guidance as to how the Secretariat should cover the general economic support measures in the Trade Monitoring Reports.

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<sup>1</sup> Unless otherwise indicated in the relevant Section.

A range of other subjects are also covered by this Report. WTO Members continued to notify Sanitary and Phytosanitary (SPS) and Technical Barriers to Trade (TBT) measures at a pace similar to the previous period, with most new notifications submitted by developing Members. The SPS and TBT notification obligations are meant to promote enhanced predictability and transparency regarding measures taken to address legitimate policy objectives. As in previous Reports, the majority of regular SPS notifications related to food safety, whereas the bulk of emergency SPS measures related to animal health. The majority of TBT measures indicated the protection of human health or safety as their main objective. In both the SPS and TBT Committees, WTO Members have dedicated considerable time to discussing Specific Trade Concerns (STCs), suggesting an increasing use of the Committees as forums in which trade concerns may be resolved non-litigiously.

The Report provides further evidence of the increase of trade concerns raised in various other WTO bodies during the review period. Compared to the last Report, the number of trade concerns raised per meeting has increased on average by almost 30% in the current period. A large number of these were raised in successive meetings of the same Committee/Council and also in more than one WTO body, suggesting that these concerns address persistent problems and involve technically complex and cross-cutting issues.

In the area of agriculture, WTO Members continued to make use of the Committee on Agriculture (CoA) as a forum to discuss agricultural policies and issues related to the implementation of commitments. WTO Members continued asking questions on individual notifications and under Article 18.6 of the Agreement on Agriculture (AoA). The majority of these questions addressed domestic support notifications and domestic support policies. The average number of questions raised under Article 18.6 per meeting has been increasing since 2011 reaching an average of more than 40 questions per meeting in 2018, an all-time high. In the first CoA meeting of 2019, Members raised a total of 39 questions. WTO Members continue to take steps towards the implementation of the December 2015 Nairobi Ministerial Decision on Export Competition. Several Members with scheduled export subsidy reduction commitments have taken steps to modify their schedules pursuant to this Decision.

The WTO dispute settlement system continued to receive considerable attention during the review period, primarily related to the impasse over the appointment of new Appellate Body members. The Report shows that although the dispute settlement system remains under pressure, WTO Members continue to resort to it as a means of resolving their trade disputes. During the review period, the level of dispute settlement activity remained high and the number of WTO Members requesting consultations in new disputes increased.

Work on the implementation of the WTO's Trade Facilitation Agreement continues to advance. Many Members concluded their domestic ratification processes, raising the total number of acceptances to about 87% of the entire WTO Membership.

On trade in services, many new measures were introduced by WTO Members and Observers. Most of these were trade-facilitating, although a number of the new policies appeared to be trade-restricting, including measures affecting communication and network-enabled services and policies pertaining to the review of foreign investment in certain areas considered strategic.

The Report also draws attention to developments in Trade-Related Aspects of Intellectual Property Rights (TRIPS), including the strengthening link between intellectual property (IP) and trade and the development and diversification of national policies to streamline IP into the economy. During the review period, WTO Members continued to modernise and fine-tune their IP legislation and administration.

Following MC11, work continued throughout the first half of 2019 to advance negotiations on fisheries subsidies, building on the decision taken by Members in Buenos Aires. Groups of Members also continued to pursue their discussions on other issues, including electronic commerce, investment facilitation and micro, small and medium enterprises (MSMEs).

## 1 INTRODUCTION

1.1. This Monitoring Report<sup>1</sup> reviews trade and trade-related developments during the period 16 October 2018 to 15 May 2019.<sup>2</sup> It is a mid-year preparatory contribution to the annual report by the Director-General provided for in paragraph (g) of the Trade Policies Review Mechanism (TPRM) mandate which aims to assist the TPRB in undertaking an annual overview of developments in the international trading environment that are having an impact on the multilateral trading system.

1.2. This Report is intended to be purely factual and is issued under the sole responsibility of the Director-General. It has no legal effect on the rights and obligations of Members, nor does it have any legal implication with respect to the conformity of any measure noted in the Report with any WTO Agreement or any provision thereof (see Box 1.2 below).

1.3. Section 2 of the Report provides an overview of recent economic and trade trends. Section 3 presents an account of selected trade and trade-related policy developments during the review period. Policy developments in trade in services and trade in intellectual property are included in Sections 4 and 5, respectively. Annexes to the Report list specific trade policy measures of individual Members implemented during the period under review in four categories: trade-facilitating measures (Annex 1); trade remedy actions (Annex 2); other trade and trade-related measures (Annex 3); and services measures (Annex 4). The country-specific measures listed in the four annexes are new measures implemented by Members and Observers during the period under review.<sup>3</sup> Measures implemented outside this period are not included in these annexes. The compilation of all measures recorded by the trade-monitoring reports since October 2008 is available in the Trade Monitoring Database.<sup>4</sup>

1.4. Specific developments related to Sanitary and Phytosanitary (SPS) measures and Technical Barriers to Trade (TBT) are covered separately under Section 3.

1.5. Information on the measures included in this Report has been collected from inputs submitted by Members and Observers, as well as from other official and public sources. Replies to the Director-General's request for information on measures taken during the period under review were received from 69 Members<sup>5</sup>, which represents 42% of the membership and covers 90.5% of world imports.<sup>6</sup> One Observer also replied to the request for information. The WTO Secretariat has drawn on these replies, as well as on a variety of other sources, to prepare this Report. Country-specific information was sent for verification to 100 delegations. Participation in the verification process remained uneven, and in several instances the Secretariat received only partial responses.<sup>7</sup> Where it has not been possible to confirm the information, this is noted in the Annexes.

1.6. The Organisation for Economic Cooperation and Development (OECD) has contributed two topical boxes to this Report. The first focuses on non-tariff measures and trade. The second deals with fisheries subsidies. The International Monetary Fund (IMF) has contributed a box on the drivers of bilateral trade balances and spill-overs from tariffs. The International Trade Centre (ITC) has provided a box on the importance of trade finance.

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<sup>1</sup> The previous WTO Trade Monitoring Report presented to the TPRB (WTO document WT/TPR/OV/21, 27 November 2018) covered measures taken over the period from mid-October 2017 to mid-October 2018. The WTO trade monitoring reports have been prepared by the WTO Secretariat since 2009. On 24 June 2019, the WTO Secretariat, together with the Secretariats of the OECD and UNCTAD, issued a report on trade and investment measures implemented by G20 economies during the period mid-October 2018 to mid-May 2019 (available on the WTO website).

<sup>2</sup> Unless otherwise indicated in the relevant section. In addition to the trade policy measures implemented during the period under review and captured by this Report, other actions which impact trade flows may have been taken by WTO Members.

<sup>3</sup> The inclusion of any measure in this Report or in its annexes implies no judgement by the WTO Secretariat on whether such measure, or its intent, is protectionist in nature. Moreover, nothing in this Report implies any judgement, either direct or indirect, as to the consistency of any measure referred to in the Report with the provisions of any WTO Agreement.

<sup>4</sup> Measures listed in Annexes 1, 2 and 3 to this Report will feature in the TMDB after the informal meeting of the TPRB on 22 July 2019. Information available at: <http://tmdb.wto.org>.

<sup>5</sup> The European Union and its member States counted separately.

<sup>6</sup> This figure includes intra-EU trade.

<sup>7</sup> The information contained in the annexes reflects the overall participation in the exercise and responses to the verification request and should therefore not be considered exhaustive.

**Box 1.1 Participation in the preparation of this Report**

Afghanistan	Guatemala	Russian Federation
Albania	Hong Kong, China	Saudi Arabia, Kingdom of
Argentina	India	Seychelles
Australia	Indonesia	Singapore
Brazil	Iraq, Rep. of <sup>a</sup>	South Africa
Canada	Japan	Switzerland
Chile	Korea, Republic of	Chinese Taipei
China	Mauritius	Thailand
Colombia	Mexico	Turkey
Costa Rica	Montenegro	Ukraine
Dominican Republic	Myanmar	United States of America
Egypt	New Zealand	Uruguay
European Union (28)	Norway	
The Gambia	Peru	
Georgia	Philippines	

a Observer.

Source: WTO Secretariat.

**Box 1.2 About the WTO trade monitoring report**

The Trade Monitoring Report is first and foremost a transparency exercise. It is intended to be purely factual and has no legal effect on the rights and obligations of WTO Members. It is without prejudice to Members' negotiating positions and has no legal implication with respect to the conformity of any measure noted in the Report with any WTO Agreement or any provision thereof.

The Report aims to shed light on the latest trends in the implementation of a broad range of policy measures that facilitate as well as restrict the flow of trade and provide an update on the state of global trade. The Report neither seeks to pronounce itself on whether a trade measure is protectionist, nor does it question the right of Members to take certain trade measures. The Reports continue to evolve in terms of the coverage and analysis of trade-related issues and take into account discussions among WTO Members in the Trade Policy Review Body (TPRB).

Regarding trade remedy actions, it has been highlighted in discussions among WTO Members that some of these measures are taken to address what is perceived by some as a market distortion resulting from trade practices of entities in another trading partner. The WTO Anti-dumping and Subsidies Agreements permit WTO Members to impose anti-dumping (AD) or countervailing (CVD) duties to offset what is perceived to be injurious dumping or subsidization of products exported from one Member to another. The Reports are not in a position to establish if, where or when such perceived distortive practices have taken place. The Reports have never categorized the use of trade remedies as protectionist, or WTO-inconsistent, or criticized governments for utilizing them. The main objective of monitoring these measures is to provide additional transparency and to identify emerging trends in the application of trade policy measures.

With respect to Sanitary and Phytosanitary (SPS) and Technical Barriers to Trade (TBT) measures covered in the Report, it is important to emphasize that they are neither classified nor counted as trade-restrictive or trade-facilitating, and the increasing trend with respect to the number of notifications of such measures is carefully linked to the transparency provisions of the Agreements only. The Reports have consistently underlined the basic premise that an increased number of SPS and TBT notifications does not automatically imply greater use of protectionist or unnecessarily trade-restrictive measures, but rather enhanced transparency regarding these measures. Finally, the Reports clearly emphasize that the SPS and TBT Agreements specifically allow Members to take measures in the pursuit of a number of legitimate policy objectives.

The WTO Secretariat strives to ensure that the Trade Monitoring Reports are factual and objective. Since 2009, the Reports have sought to provide a nuanced perspective to developments in the area of international trade. For example, the Reports have consistently emphasized that although the number of specific and often long-term restrictive trade measures remains a source of serious concern, other key factors may influence trade developments. During discussions of the Trade Monitoring Reports at the TPRB, Members have also drawn attention to this point and to the fact that, with respect to both, vigilance remains imperative.

Source: WTO Secretariat.

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## 2 RECENT ECONOMIC AND TRADE DEVELOPMENTS

### 2.1 Overview

2.1. World trade growth continued to face strong headwinds during the review period, as trade tensions and economic uncertainty remained high. Year-on-year growth in the volume of world merchandise trade fell from 3.9% in the first half of 2018 to 2.7% in the second half. The slowdown became more pronounced towards the end of the year, as relatively strong quarterly growth in Q3 was followed by a decline in Q4. Recent monthly trade statistics also point to slow trade growth persisting into the first quarter of 2019.

2.2. The loss of momentum in trade in the first half of 2018 can be attributed to a number of factors, including weaker global economic activity, tighter monetary policy, increased financial volatility, and higher tariffs on widely-traded goods in major economies. Increasing trade tensions cannot alone explain the trade slowdown, but they have contributed significantly to it. The uncertainty associated with the current trade tensions has the potential to continue to weigh negatively on any forecasts on global GDP growth and on world trade.

2.3. In 2018, world merchandise trade in value (i.e. USD) terms grew faster than trade in volume terms, due to rising export and import prices. Merchandise exports increased 6.5% year-on-year in the second half of the year after growing 13.7% in the first half. Exports for the whole year were up 10%, to USD 19.48 trillion. Merchandise trade values are strongly influenced by exchange rates and prices of primary commodities, particularly energy products. This was the case in 2018, as fuel prices rose and fell over the course of the year.

2.4. Commercial services exports (also measured in USD) were up less sharply than merchandise trade in the second half of 2018, around 3.5%. For the year as a whole, services exports increased by 7.7% to USD 5.80 trillion. The category of "Other commercial services", including financial and other business services, made the largest contribution to growth for the year, accounting for more than half of the total increase.

2.5. There are no quarterly statistics for gross domestic product (GDP) at the world level, but OECD estimates of G20 economies provide a close approximation. Taken together, these economies saw their output increase at an average annualized rate of 3.2% in the second half of 2018, down from 3.6% in the first half. The slowdown was broad-based, affecting the European Union, the United States, Japan, and China to varying degrees.

2.6. Weaker economic growth prompted central banks and governments to adopt more expansionary fiscal and monetary policies in order to avoid a sharper downturn. Looser policy from the Federal Reserve may have helped the United States achieve a healthy 3.2% rate of GDP growth in Q1, up from 2.2% in the previous quarter. GDP growth in the European Union also picked up, from an annualized rate of 1.2% in Q4 to 1.9% in Q1. While China's GDP continued to moderate in Q1, the country remains on track to achieve growth of around 6% for the whole of 2019.

2.7. The pace of global trade growth is expected to slow further in 2019 before possibly picking up in 2020. According to the Secretariat's trade forecast of 2 April 2019, world merchandise trade volume will increase by 2.6% in 2019, accompanied by GDP growth of 2.6% at market exchange rates. If first quarter results are weak, as expected, trade may need to grow faster in the remainder of the year to reach the forecast value. Trade growth should pick up to 3.0% in 2020, accompanied by steady GDP growth of 2.6%.

2.8. Risks to the forecast are considerable, and are predominantly on the downside. More expansionary monetary policy could stoke inflation and lead to unexpected interest rate hikes. Unresolved Brexit issues could increase uncertainty. Most importantly, escalating trade tensions and associated cycles of retaliation would reduce the outlook for both world trade and output.

2.9. The uncertainty generated by current trade disputes is likely to discourage investment, as producers revise production plans and consumers postpone major purchases. Reduced investment tends to weigh on world trade growth due to the high import content of this category of spending. Changes in the trade environment could also lead to greater financial volatility, as markets react to new circumstances.

## 2.2 Economic developments

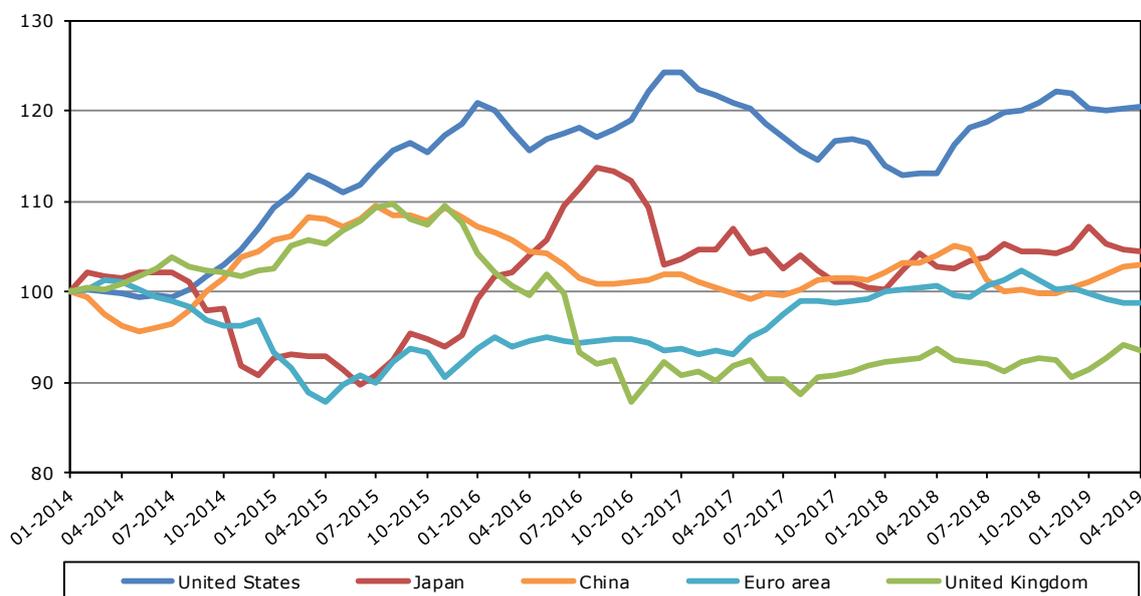
2.10. After several years of lacklustre expansion, the volume of world merchandise trade grew 4.6% in 2017. The strength of the increase suggested that trade might be regaining some of its earlier momentum, but in 2018 trade growth fell back to 3.0%, once again in line with GDP. The recent weakness of trade may be partly explained by slowing economic growth in the European Union, which has a higher share in world trade than in world output due to the counting of intra-EU trade in world totals, and by Asia, which has a high share of intra-regional trade in its exports and imports as a result of regional supply chains.

2.11. Trade and output may have also been influenced by temporary shocks in the review period, including the Federal Government shutdown in the United States and production issues in the automotive sector in Germany. The effects of these shocks are likely to be transitory, causing consumers and businesses to postpone purchases and production decisions rather than cancelling them outright. The impact of a wider trade conflict would likely be more serious and long-lasting, although some third countries might gain from supplying goods that are subject to higher tariffs.

2.12. Commodity prices and exchange rates strongly influence nominal trade statistics, which are usually priced in USD. Recent exchange rate developments are illustrated by Chart 2.1, which shows effective exchange rate indices for selected economies through April 2019. The US dollar was up 6.5% year-on-year in April, partly as a result of monetary tightening that has since been put on hold. Other major currencies were quite stable over the last year, with the euro, pound Sterling, Japanese yen, and Chinese yuan each rising or falling less than 2% on average. In contrast, some developing countries suffered sharp depreciations in their currencies in the last year, including Argentina (-49.3%) and Turkey (-24.2%).

**Chart 2.1 Nominal effective exchange rate indices for selected economies, January 2014-April 2019<sup>a</sup>**

(Index, January 2014 = 100)



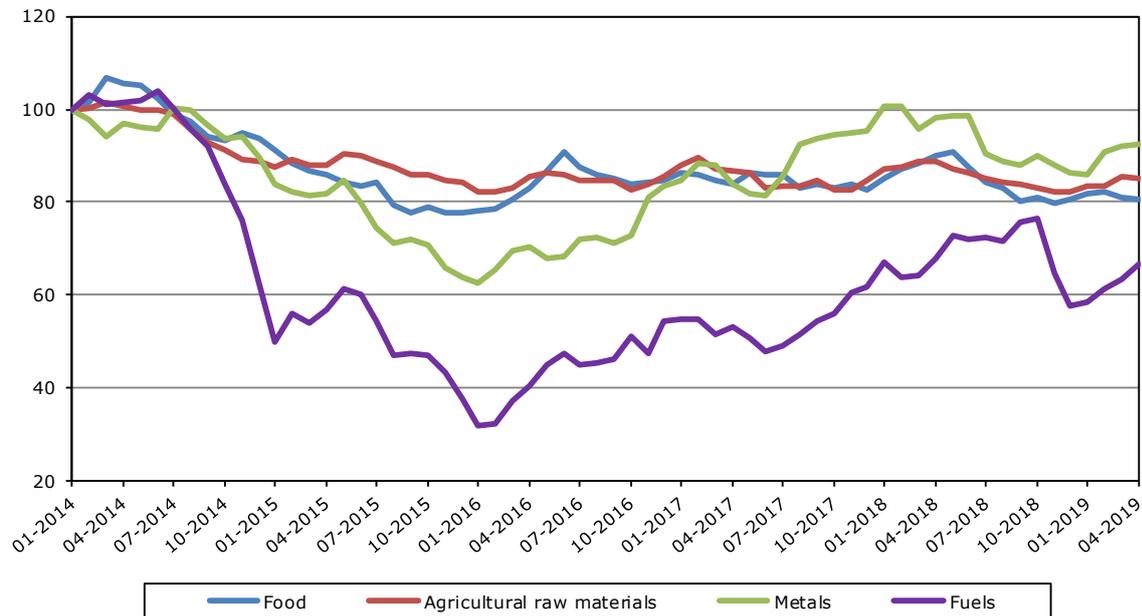
a Nominal effective exchange rate indices against a broad basket of currencies.

Source: Bank for International Settlements.

2.13. Chart 2.2 shows developments in primary commodity prices through April 2019. Fuel prices showed the most variation, rising and falling in 2018 and 2019 in line with global economic growth. Fuel prices increased by 14.5% between January and October of last year, as growth appeared to be strengthening. Prices then dropped 25% between October and December, as negative economic news and political shocks damaged expectations of demand for energy products in the future. Prices gradually recovered between December 2018 and April 2019, rising 16%, but they remain 33% below the level of April 2014.

**Chart 2.2 Prices of primary commodities, January 2014–April 2019**

(Index, January 2014 = 100)



Source: World Bank Commodity Prices.

### 2.3 Merchandise trade

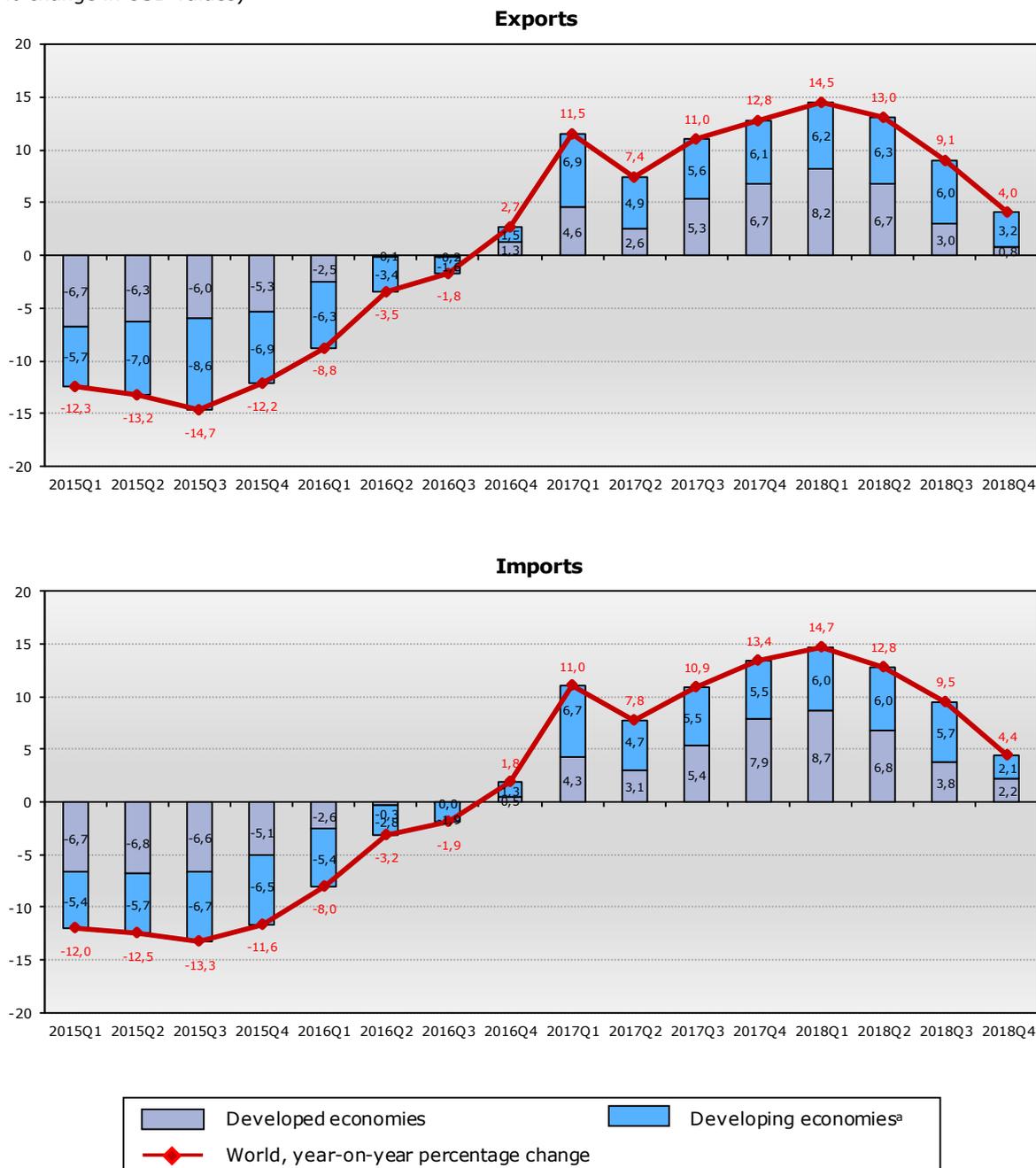
2.14. Chart 2.3 shows growth in the USD value of world merchandise trade (red line), as well as contributions to trade growth from developed and developing economies (stacked bars). Year-on-year growth in world exports has declined from 14.5% in the first quarter of 2018 to 4.0% in the fourth quarter. The slowdown was broad-based, affecting developed and developing economies alike. Developed economies accounted for about 20% of export growth and about 50% of import growth in Q4.

2.15. Chart 2.4 illustrates quarterly merchandise trade volumes by selected exporters and importers. Growth since the last Report has been mixed. Developing Asia and Brazil each recorded sharp declines in import demand in Q4 following strong performances in Q3. In both cases, the volume of imports in Q3 was a record high. Imports of Developing Asia declined by 2.8% quarter-on-quarter in Q4, equivalent to an annual rate of 11.0%. On the export side, shipments from the United States and EU-extra declined slightly (-0.6% and -1.2%, respectively), while shipments from Developing Asia were flat.

2.16. Monthly merchandise trade statistics in current USD terms are more timely than quarterly statistics in volume terms. These are shown in Chart 2.5 for selected economies through March, depending on data availability. Year-on-year trade growth slumped in the first quarter of 2019 in most countries. Exports of the United States were only down slightly in March, -1%, and imports were stable. Meanwhile, Japan's exports were down 7%, while the country's imports dropped 4%. China recorded a 14% rise in its exports in March, while its imports declined by 8%. Data for the European Union in March are not available yet, but figures for Germany show exports falling 7% and imports dropping 4%.

**Chart 2.3 Contributions to year-on-year growth in world merchandise exports and imports, 2015Q1-2018Q4**

(% change in USD values)



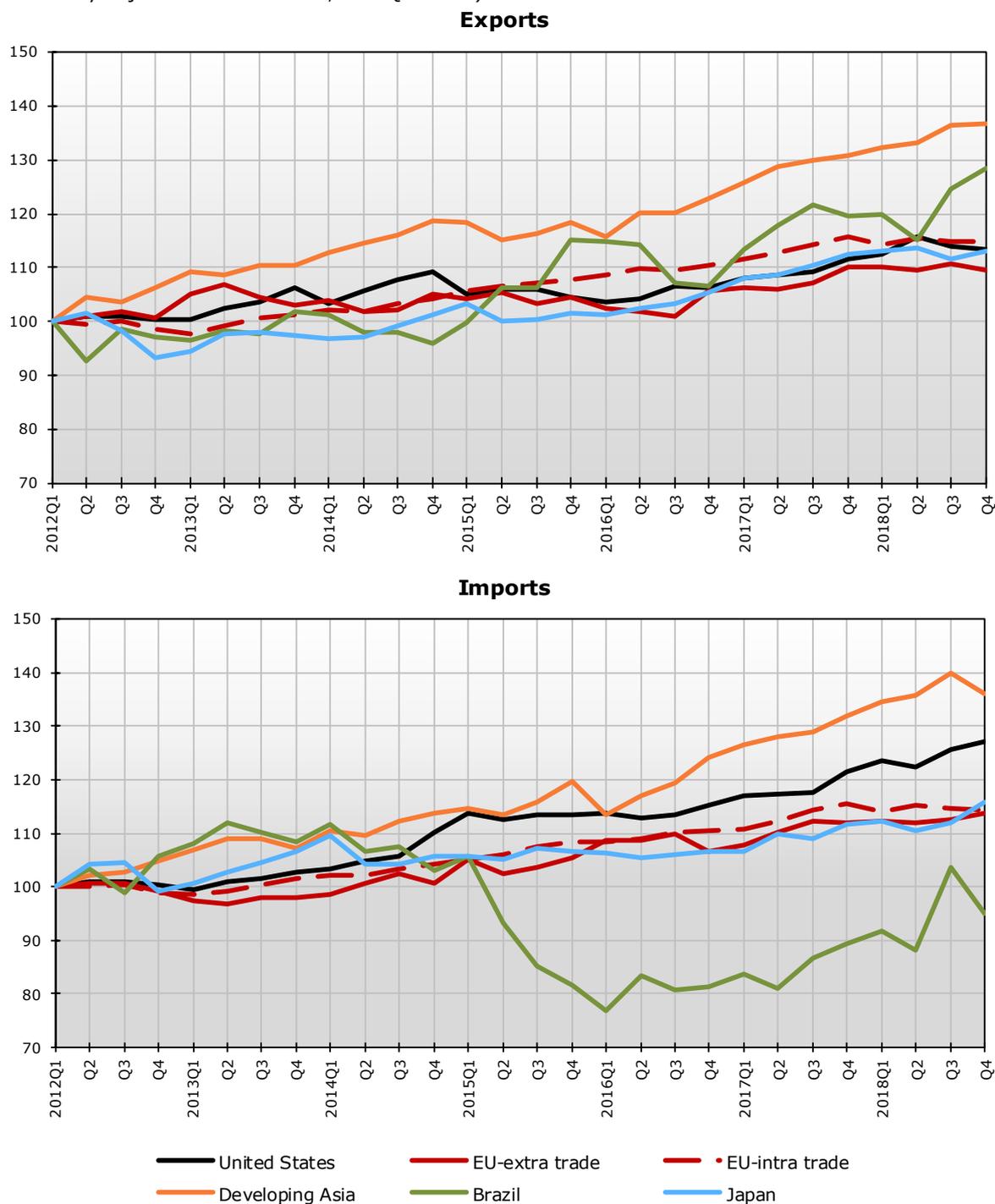
a Includes significant re-exports. Also includes the Commonwealth of Independent States (CIS).

Note: Due to scarce data availability, Africa and the Middle East are under-represented in world totals.

Source: WTO Secretariat estimates, based on data compiled from IMF International Financial Statistics; the Eurostat Comext Database; the Global Trade Atlas database; and national statistics.

**Chart 2.4 Volume of exports and imports of selected economies, 2012Q1-2018Q4**

(Seasonally-adjusted volume indices, 2012Q1 = 100)

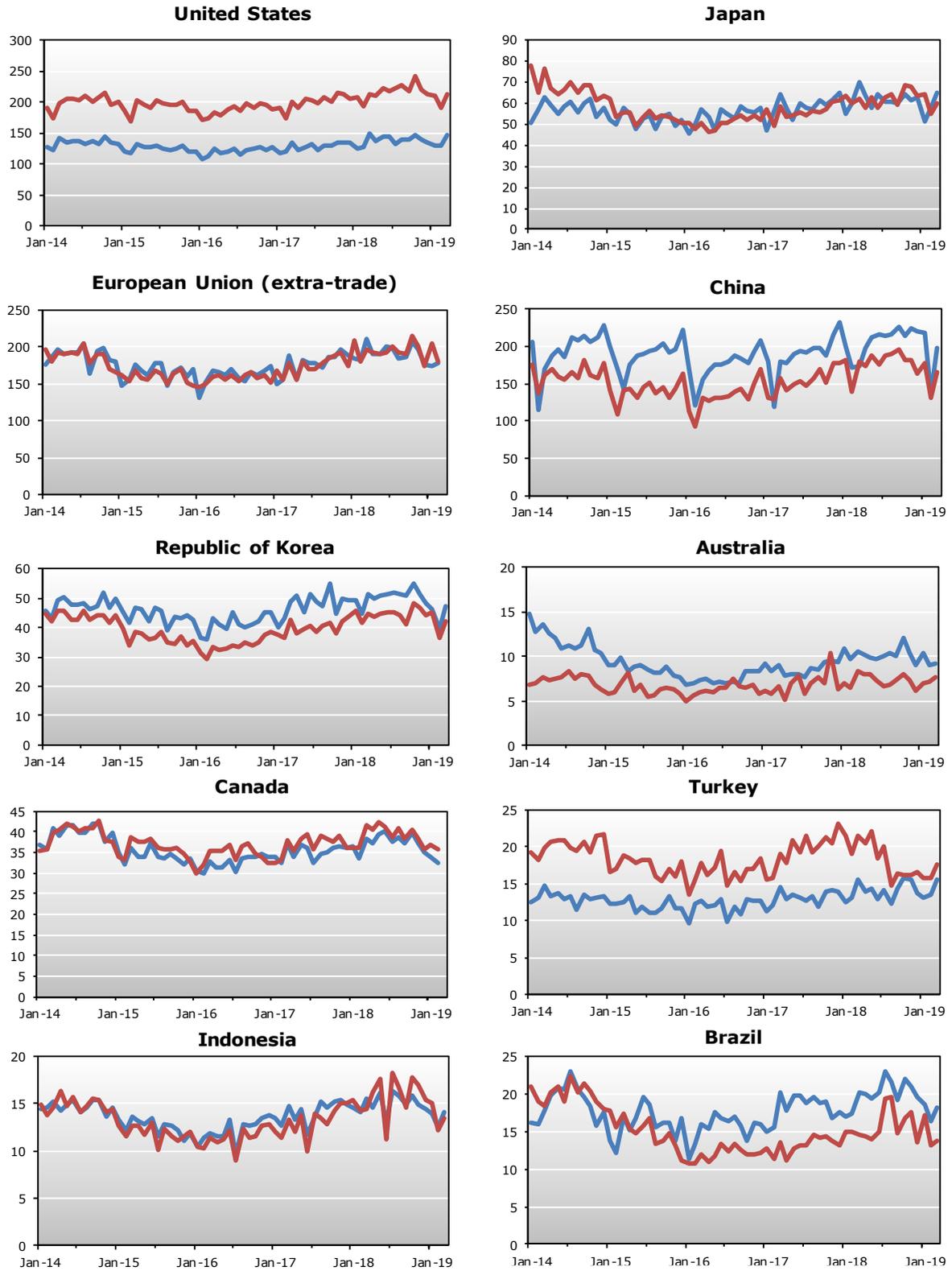


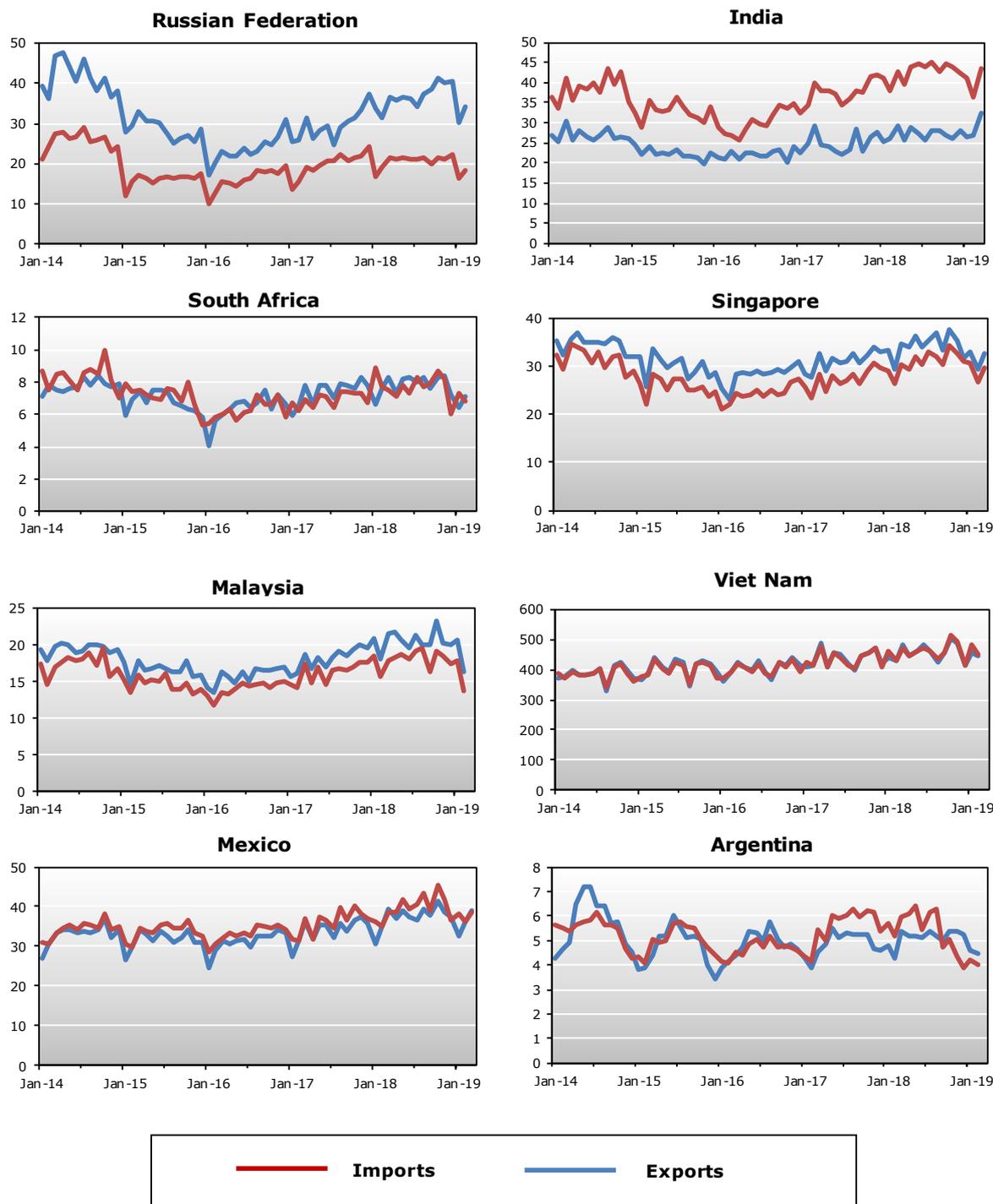
Note: Data for the United States, Japan and the European Union were obtained from national statistical sources, while figures for Brazil and Developing Asia are seasonally-adjusted Secretariat estimates.

Source: WTO Secretariat and UNCTAD.

**Chart 2.5 Merchandise exports and imports of selected economies, January 2014-March 2019**

(USD billion)





Source: IMF International Financial Statistics, Global Trade Information Services, the Global Trade Atlas database, and national statistics.

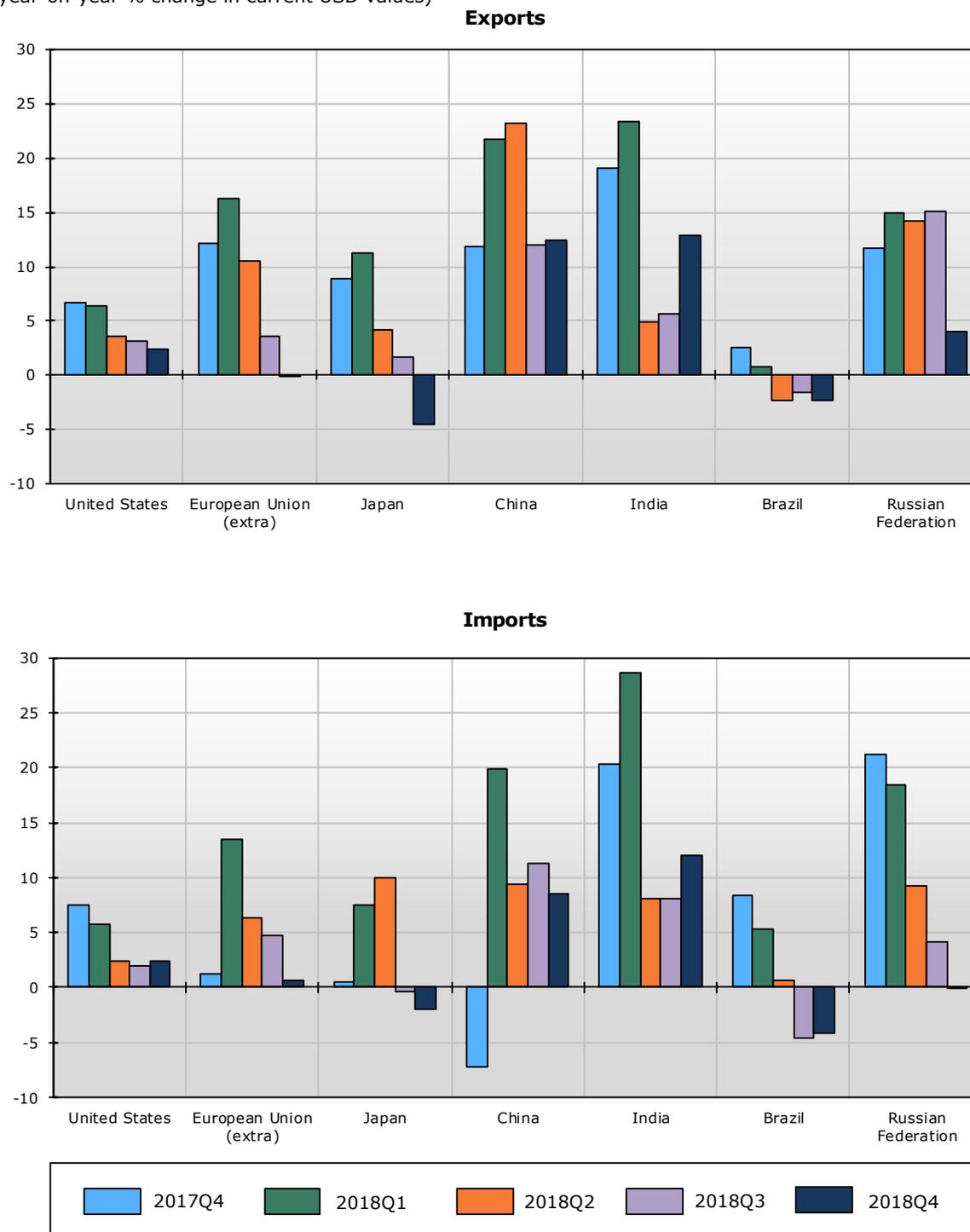
## 2.4 Trade in commercial services

2.17. Commercial services trade has become increasingly unbalanced, with divergent trends appearing across countries in the second half of 2018. This is illustrated by Chart 2.6, which shows services exports and imports of selected economies from 2017Q4 to 2018Q4. In the fourth quarter of 2018, China and India continued to record strong year-on-year growth in export values (+12.9% and +12.5%, respectively), while other selected economies saw exports stagnate (e.g. growth of 0% for EU-extra trade) or decline (e.g. -4.5% for Japan, and -2.4% for Brazil). A similar pattern emerges on the import side, with China and India expanding and others weakening. The fact that

currencies such as the USD, the euro and the yen were relatively stable during this period suggests that some of the declines reflect real changes in activity rather than changes in prices.

### Chart 2.6 Commercial services' exports and imports of selected economies, 2017Q4-2018Q4

(year-on-year % change in current USD values)



Source: WTO and UNCTAD Secretariats.

2.18. The category of other commercial services, which includes financial services and other business services, contributes disproportionately to services trade, due to its large weight in country and world totals. Year-on-year growth in extra-EU exports of other commercial services slowed to

0% in Q4, after recording double-digit growth earlier in the year (15% in Q1 and 10% in Q2). Exports of other commercial services from the United States slowed less dramatically, from 7% in Q1 to 3% in Q4. Japan's exports of other commercial services contracted by 4% in Q4, while China's increased by 19%.

## 2.5 Trade forecast and economic outlook

2.19. The Secretariat issued its most recent trade forecast on 2 April 2019 (Table 2.1). If current GDP forecasts are realized, the volume of world merchandise trade should grow by 2.6% in 2019, with stronger growth in developing countries (3.4% for exports, 3.6% for imports) than in developed ones (2.1% for exports, 1.9% for imports). Trade growth should pick up slightly in 2020 to 3%, with growth in developing countries (3.7% for exports, 3.9% for imports) outpacing developed economies (2.5% for exports, 1.9% for imports). Box 2.1 below contains the latest WTO World Trade Outlook Indicator of 20 May 2019.

2.20. In recognition of the high degree of uncertainty associated with trade forecasts under current conditions, the forecast for 2019 is placed within a range of likely values from 1.3% to 4%. It should be noted that trade growth could be below this range if trade tensions continue to build, or above it if they start to ease.

2.21. A number of leading economic indicators also provide evidence on the short-term trajectory of the world economy. Purchasing Managers Indices (PMIs) based on business surveys are one such indicator. The Global Manufacturing PMI compiled by IHS-Market and JPMorgan dipped to 50.3 in April, just above the threshold value of 50 separating expansion from contraction. This suggests that economic growth will remain weak into Q2.

2.22. Among national PMIs, the reading for the United States was relatively strong (52.6), signalling expansion, while values for the euro area (47.9) and Germany (44.4) were weak, indicating contraction. China was an intermediate case, with a PMI of 50.2, suggesting steady if somewhat sluggish growth. Overall, these indicators paint a mixed picture of the global economy, with some regions growing faster than others.

2.23. The New Export Orders component of the Global PMI is a strong leading indicator of trade. This index continued to signal contraction in April (49) but at a slower pace than in March (48.9). Air freight statistics from the International Air Transport Association (IATA) are another useful early gauge of world trade. Industry-wide freight-tonne kilometres (FTKs) rebounded in March from their depressed level in February, leaving the index in the latest month almost unchanged compared to the previous year. These results could indicate that trade may be starting to turn a corner, but any firm conclusion would be premature.

2.24. Finally, an index of economic policy uncertainty currently stands at 318.1, the second highest level ever recorded.<sup>1</sup> The index's baseline value of 100 indicates "average" level of uncertainty from 1997 to 2015. This index has tracked recent trade tensions closely. Uncertainty discourages investment spending, which tends to be the most trade-intensive type of spending due to its high import content.

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<sup>1</sup> Viewed at: [www.policyuncertainty.com](http://www.policyuncertainty.com).

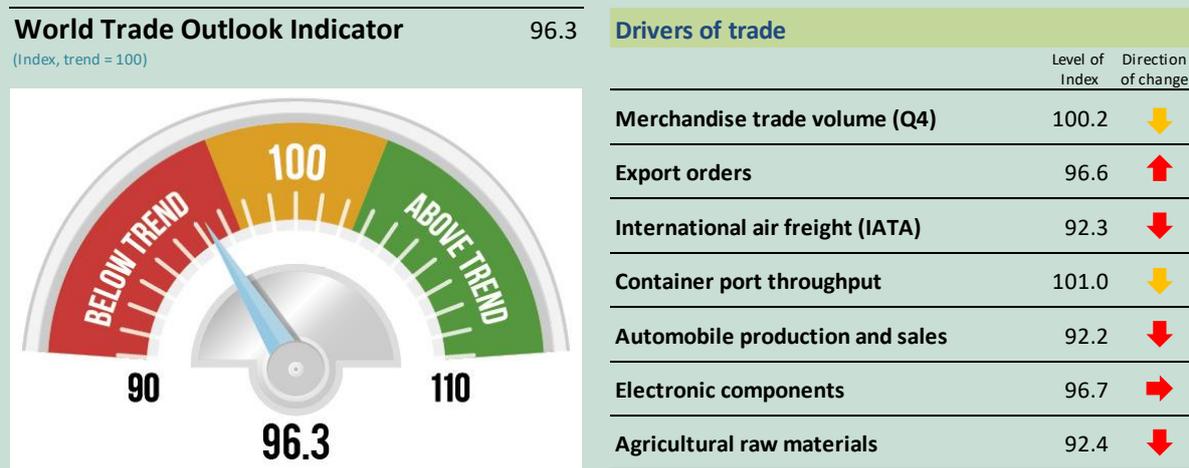
### Box 2.1 The WTO World Trade Outlook Indicator

The WTO's World Trade Outlook Indicator (WTOI) is a composite leading indicator for world trade that provides "real time" information on the trajectory of merchandise trade relative to recent trends. It combines information on several key trade-related variables, including export orders, air freight shipments, container port throughput, automobile production/sales, shipments of electronic components and shipments of agricultural raw materials. An index reading of 100 denotes growth in line with medium-term trends. Values greater than 100 indicate above-trend growth, while those less than 100 suggest the opposite.

The overall WTOI dipped below its baseline value of 100 in November of 2018 and remained firmly below trend in February and May 2019, signalling weak trade growth toward the end of last year and into the first half of this year. Available trade statistics suggest that actual trade volumes did indeed decline during this period.

In the latest WTOI release of 20 May 2019, five out of six component indices were below trend, and all but two were declining. Indices for international air freight (92.3), automobile production and sales (92.2), and agricultural raw materials (92.4) fell further below trend. The index for container port throughput (101.0) also declined but remained above 100, suggesting growth in line with recent trends. Export orders (96.6) and electronic components (96.7) showed signs of bottoming out, even as both remained firmly below trend.

These results are broadly in line with the latest WTO trade forecast of 2 April 2019, which showed merchandise trade volume growth slowing to 2.6% in 2019 from 3% in 2018 amid substantial downside risks. It should be noted that the trade forecast and the WTOI do not reflect recent major trade measures imposed by major economies. The outlook for world trade could deteriorate further if trade tensions are not reduced or if macroeconomic policy fails to adjust to changing circumstances.



Source: WTO Secretariat.

**Table 2.1 Merchandise trade volume and real GDP growth, 2015-20**

(Annual % change)

	2015	2016	2017	2018	2019 <sup>a</sup>	2020 <sup>a</sup>
<b>Volume of world merchandise trade<sup>b</sup></b>	2.3	1.6	4.6	3.0	2.6	3.0
<b>Exports</b>						
Developed economies	2.4	1.0	3.6	2.1	2.1	2.5
Developing economies <sup>c</sup>	1.7	2.3	5.6	3.5	3.4	3.7
North America	1.1	0.3	4.2	4.3	2.7	3.7
South and Central America and the Caribbean	-0.4	0.7	3.0	0.6	0.7	1.0
Europe	2.9	1.2	3.7	1.6	1.8	2.0
Asia	1.4	2.3	6.8	3.8	3.7	4.1
Other regions <sup>d</sup>	3.2	2.9	1.6	2.7	3.4	3.1
<b>Imports</b>						
Developed economies	4.2	2.0	3.3	2.5	1.9	1.9
Developing economies <sup>c</sup>	0.6	1.3	6.8	4.1	3.6	3.9
North America	5.4	0.1	4.0	5.0	3.6	2.5

	2015	2016	2017	2018	2019 <sup>a</sup>	2020 <sup>a</sup>
South and Central America and the Caribbean	-8.4	-8.8	4.6	5.2	2.6	5.8
Europe	3.5	3.1	2.9	1.1	1.0	2.1
Asia	3.9	3.6	8.3	5.0	4.6	3.7
Other regions <sup>d</sup>	-4.3	-1.9	2.5	0.5	0.5	1.9
<b>Real GDP at market exchange rates</b>	<b>2.8</b>	<b>2.4</b>	<b>3.0</b>	<b>2.9</b>	<b>2.6</b>	<b>2.6</b>
Developed economies	2.3	1.7	2.3	2.2	1.8	1.7
Developing economies <sup>c</sup>	3.7	3.7	4.3	4.1	4.0	4.3
North America	2.8	1.6	2.3	2.8	2.5	2.2
South and Central America and the Caribbean	-0.8	-2.1	0.8	0.6	1.8	2.7
Europe	2.4	2.0	2.7	2.0	1.1	1.5
Asia	4.3	4.1	4.5	4.3	4.2	4.0
Other regions <sup>d</sup>	1.2	2.2	1.9	2.2	2.4	2.6

a Figures for 2019 and 2020 are projections.

b Average of exports and imports.

c Includes the CIS, including associate and former member States.

d Other regions comprise Africa, Middle East and CIS.

Sources: WTO Secretariat for trade, consensus estimates for GDP.

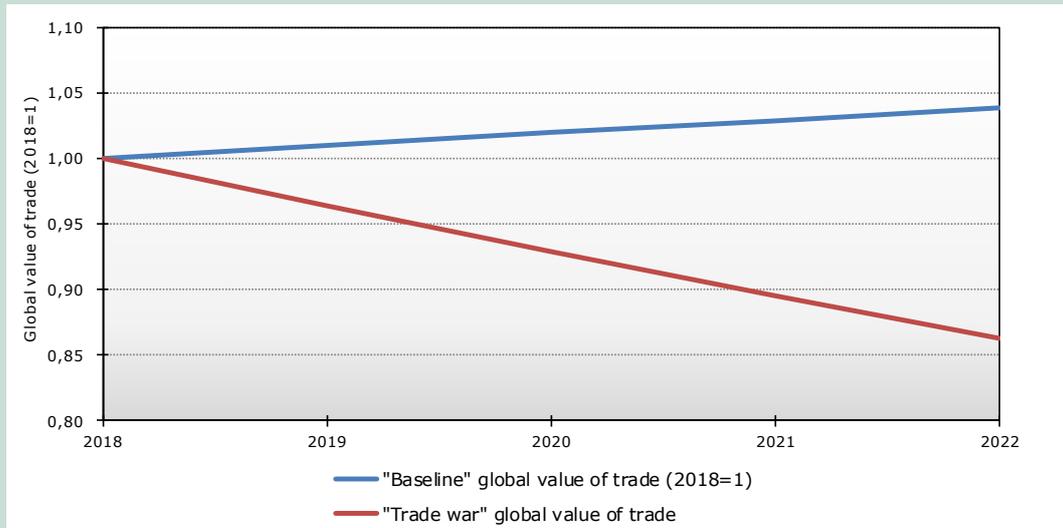
2.25. The following Box takes a look at the potential costs associated with a global trade war scenario.

### Box 2.2 A global trade war – potential costs

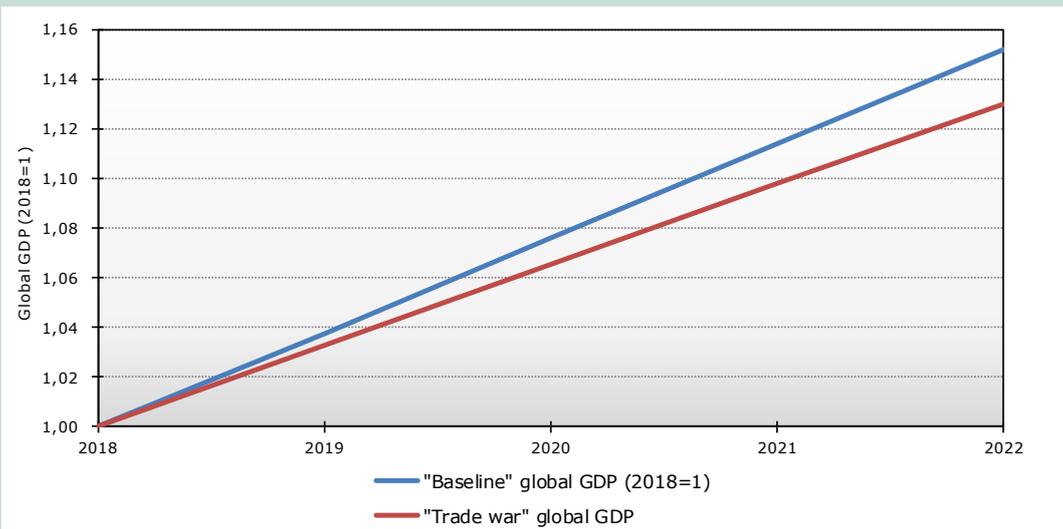
The series of trade actions triggered by US tariffs on steel and aluminium products and on China's exports to the United States, and the responses by US trade partners to those actions, contributed to a significant increase in the value of trade affected by trade-restrictive measures as reported in the November 2018 WTO Trade Monitoring Report. These tariff increases roiled financial markets but have yet to lead to significant trade and GDP impacts. The danger, though, is that current trade tensions could escalate further, entangling more WTO Members and covering more sectors.

Some recent research points to the potentially high economic cost of a full-blown trade war (Bekkers and Teh, 2019). Trade war is described in the study as a worst case scenario where international trade cooperation breaks down and countries set tariffs non-cooperatively. For WTO Members, this would mean not honouring their tariff commitments and setting tariffs that, in most cases, would exceed WTO bindings. It uses the estimates from Nicita et al (2018)<sup>9</sup>, who calculated that a trade war would result in a 32-percentage point increase in the tariff protection faced by the average world exporter.

Using this estimated increase in world-wide tariffs in a dynamic computable general equilibrium (CGE) model, the study projects that a global trade war which begins in 2019 could, by 2022, lead to a reduction in global GDP of about 1.96%, and a reduction in global trade of about 17% compared to the baseline scenario of no trade war. Figures 1 and 2 below show how much trade and GDP would be affected in 2022 by a trade war relative to the baseline. To provide some context for these figures, global GDP fell about 2.1% and global trade 12.4% at the time of the global financial crisis of 2009.

**Figure 1: Value of global trade in trade conflict, 2018-22**

Source: WTO Global Trade Model simulation results.

**Figure 2: Global GDP in trade conflict, 2018-22**

Source: WTO Global Trade Model simulation results.

Going beyond these reductions in global trade and GDP, the study finds much larger, double-digit sectoral production effects in many countries. The increase in barriers to trade compel a reallocation of resources away from their most efficient use based on comparative advantage. Further, these sectoral production changes inflict painful adjustments on workers, as they cause substantial labour displacement. Across the world, an average 1.15% and 1.74% of high-skilled and low-skilled workers, respectively, would have to leave their initial sector of employment to find jobs elsewhere. In total, this would affect about 69 million workers globally who would have to find employment elsewhere in the economy.

Note:

- a Nicita, A., Olarreaga, M. and Silva, P. (2018). "Cooperation in WTO's Tariff Waters?", *Journal of Political Economy*, 126:3, pp. 1302-1338.

Source: Bekkers, E. and Teh, R. (2019). "Potential economic effects of a Global Trade Conflict – Projecting the medium-run effects with the WTO Global Trade Model", WTO Staff Working Paper, ERSD-2019-04.

### 3 TRADE AND TRADE-RELATED POLICY DEVELOPMENTS

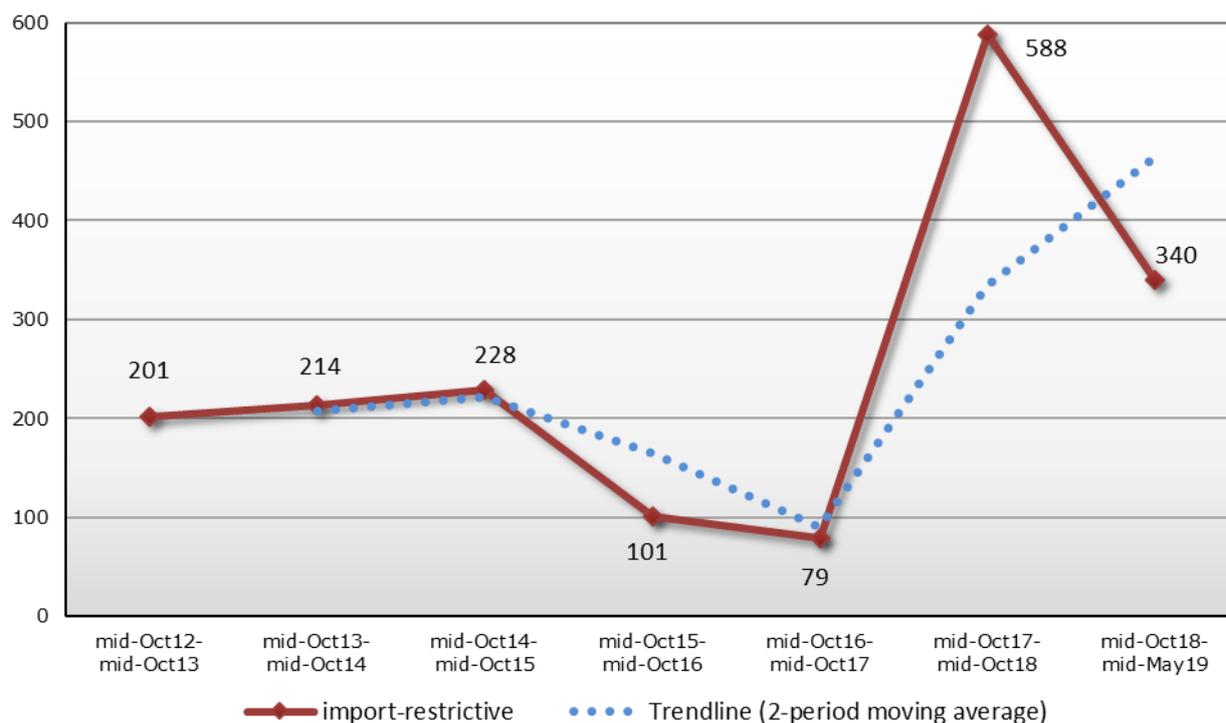
#### 3.1 Overview of trends identified during the period under review

3.1. The following Section provides analysis of selected trade and trade-related policy developments during the review period from 16 October 2018 to 15 May 2019. Several of the measures referred to in this Section were raised in various WTO Councils and Committees during that period. This is covered in Section 3.5.

3.2. During the review period, trade tensions continued to dominate the headlines, further adding to the uncertainty surrounding international trade and the world economy. This mid-year Report provides evidence that this turbulence is continuing, with trade flows being hit by new trade restrictions on a historically high level. The trade coverage<sup>1</sup> of new import-restrictive measures introduced by WTO Members during this period was USD 339.5 billion, i.e. 44% above the average since October 2012 when the Report started including trade coverage figures. This is the second highest figure on record, after the USD 588.3 billion reported in the previous period. The downward trend identified between mid-October 2014 and mid-October 2017 has been replaced with a steep increase in the trade coverage of import-restrictive measures, as can be seen in Chart 3.1.

**Chart 3.1 Trade coverage of new import-restrictive measures in each reporting period (not cumulative)**

(USD billion)



Note: These figures are estimates and represent the trade coverage of the measures (i.e. annual imports of the products concerned from economies affected by the measures) introduced during each reporting period and not the cumulative impact of the trade measures.

Source: WTO Secretariat.

3.3. The Report also notes that several significant trade-restrictive measures either will be implemented shortly after the period covered by this Report or remain under consultation for potential later implementation, suggesting that the precarious situation in global trade will persist. Measures which have been announced, but have not yet been implemented, are not included in this

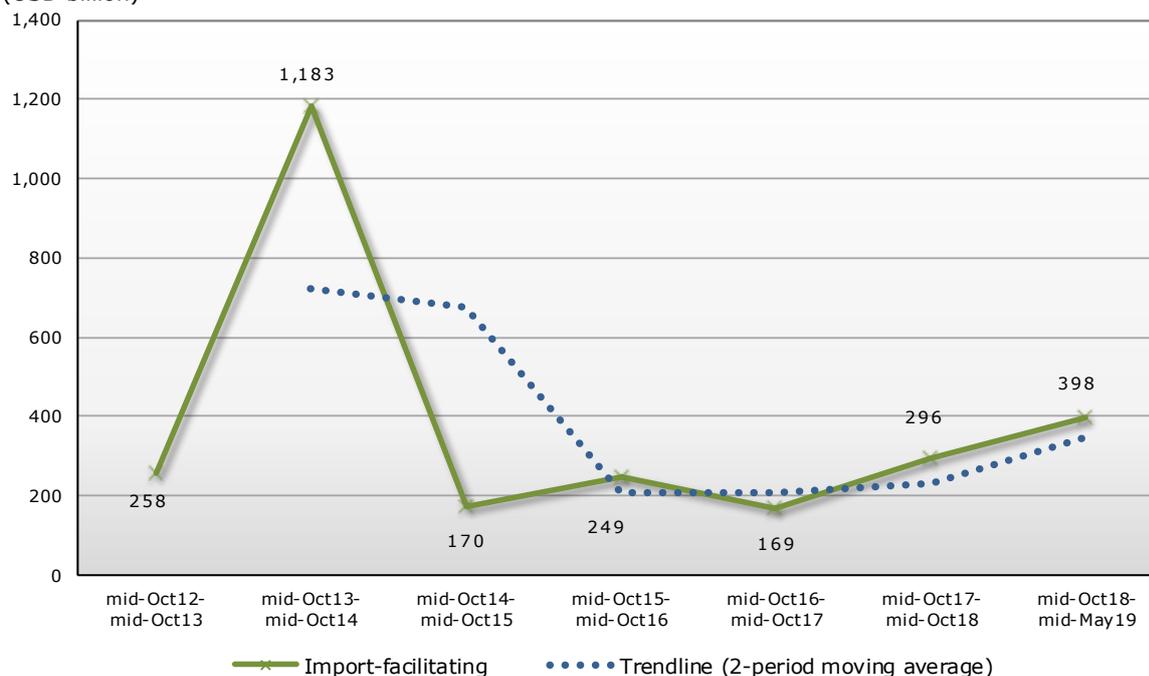
<sup>1</sup> The trade coverage of a measure is calculated to be the value of annual imports of the specific product concerned from countries affected by the measure. Highly-traded goods may significantly influence the estimation of the trade coverage.

Report. The WTO Secretariat will continue to monitor this situation and seek further information on these measures, including implementation dates and products covered. Measures implemented after 15 May 2019 will be covered by the end of the year Report.

3.4. The trade coverage of the import-facilitating measures implemented during the review period was estimated at USD 398.2 billion, which is almost 3% above the average since October 2012 (Chart 3.2).

**Chart 3.2 Trade coverage of new import-facilitating measures in each reporting period (not cumulative)**

(USD billion)



Note: These figures are estimates and represent the trade coverage of the measures (i.e. annual imports of the products concerned from economies affected by the measures) and not the cumulative impact of the trade measures. Liberalization associated with the 2015 Expansion of the WTO's Information Technology Agreement is not included in the figures.

Source: WTO Secretariat.

3.5. A total of 296 trade measures were recorded during the period from mid-October 2018 to mid-May 2019 (Chart 3.3).<sup>2</sup> This figure includes measures facilitating trade, trade remedy measures and other trade and trade-related measures (restrictive measures) (Chart 3.3).

### 3.1.1 Measures facilitating trade

3.6. Annex 1 to this Report lists measures which are clearly trade-facilitating.

3.7. During the review period, 47 measures aimed at facilitating trade were recorded for WTO Members (Table 3.1), including 17 of a temporary nature. This represents 16% of the total number of measures recorded. The monthly average of 6.7 trade-facilitating measures recorded for the period is the lowest registered since 2012.

<sup>2</sup> See Annexes 1-3. These Annexes do not include SPS and TBT measures which are covered in Sections 3.3 and 3.4. Services measures are analysed in Section 4 and are listed in Annex 4.

**Table 3.1 Measures facilitating trade (Annex 1)**

Type of measure	2012	2013	2014	2015	2016	2017	2018	Mid-Oct 17 to mid-Oct 18 (WT/TPR/OV/21)	Mid-Oct 18 to mi-May 19
<b>Import</b>	<b>176</b>	<b>140</b>	<b>176</b>	<b>208</b>	<b>151</b>	<b>115</b>	<b>135</b>	<b>140</b>	<b>40</b>
- Tariff	154	109	147	165	116	94	111	110	34
- Customs procedures	12	26	17	32	28	18	14	19	2
- Tax	2	4	2	6	4	3	7	8	3
- QRs	7	1	10	5	1	0	3	3	1
- Other	1	0	0	0	2	0	0	0	0
<b>Export</b>	<b>17</b>	<b>8</b>	<b>9</b>	<b>40</b>	<b>33</b>	<b>25</b>	<b>18</b>	<b>22</b>	<b>7</b>
- Duties	7	3	3	18	5	1	6	5	3
- QRs	8	4	3	3	2	2	0	1	0
- Other	2	1	3	19	26	22	12	16	4
<b>Other</b>	<b>6</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total</b>	<b>199</b>	<b>149</b>	<b>186</b>	<b>252</b>	<b>187</b>	<b>140</b>	<b>153</b>	<b>162</b>	<b>47</b>
<i>Average per month</i>	<i>16.6</i>	<i>12.4</i>	<i>15.5</i>	<i>21.0</i>	<i>15.6</i>	<i>11.7</i>	<i>12.8</i>	<i>13.5</i>	<i>6.7</i>

Note: Revisions of the data reflect changes undertaken in the TMDB to fine-tune and update the available information.

Source: WTO Secretariat.

3.8. Table 3.1 shows that the reduction or elimination of import tariffs continues to make up most of the trade-facilitating measures, followed by the reduction of import taxes<sup>3</sup> and the simplification of customs procedures.<sup>4</sup> On the export side, the elimination or simplification of customs procedures<sup>5</sup> and the reduction of export duties are the most frequent measures recorded.<sup>6</sup>

3.9. The trade coverage of the import-facilitating measures introduced during the review period was USD 398.2 billion, i.e. 2.28% of the value of world merchandise imports.<sup>7</sup> This is almost 3% above the average since October 2012. The HS Chapters within which most of the trade-facilitating measures were taken include machinery and mechanical appliances (HS 84) 15.6%, electrical machinery and parts thereof (HS 85) 13.9%, copper and articles thereof (HS 74) 8.9%, and plastic and articles thereof (HS 39) 7.5%.

3.10. Contrary to the previous Reports which reported on the very significant trade coverage of measures resulting from the implementation of the ITA Expansion Agreement, the present review period includes only one such measure.<sup>8</sup>

<sup>3</sup> For example, reduction of VAT on pharmaceutical products, reduction of customs processing fees, and elimination of the development board levy.

<sup>4</sup> For example, simplification of administrative customs procedures on electronic processing applications for sanitary goods in transit, and the enlargement of operations covered by the single window system for foreign trade.

<sup>5</sup> For example, simplification of administrative customs procedures on exports of raw hides, electronic processing applications for sanitary goods in transit, and the enlargement of operations covered by the single window system for foreign trade.

<sup>6</sup> For example, reduction of export duties on fish; bones; ores, slag and ash; organic and inorganic chemicals; and base metals and articles of base metals.

<sup>7</sup> The trade coverage calculation includes two measures by China (reduction of import tariffs on 1,585 tariff lines and interim tariffs) accounting for 87.6% of the total, and two measures by Brazil (reduction of import tariffs on capital goods) accounting for 4%.

<sup>8</sup> Only one import-facilitating measure implemented in the context of the ITA Expansion Agreement by the Philippines was recorded. The trade coverage amounted to USD 3.1 billion.

### 3.1.2 Trade remedy actions<sup>9</sup>

3.11. During the review period, 211 trade remedy actions were recorded (Table 3.2), i.e. 71% of the total of all trade measures captured in this Report.<sup>10</sup> An overview of these trade remedy measures can be found in Annex 2. As can be seen from Table 3.2 below, and for the first time since the beginning of the trade monitoring exercise, the number of initiations of new trade remedy investigations is lower than the number of trade remedy actions terminated.<sup>11</sup> Furthermore, the monthly average of initiations of trade remedy actions during the review period is the lowest registered since 2012.

3.12. Initiations of anti-dumping (AD) investigations continue to be the most frequent trade remedy action, accounting for three-quarters of all initiations during the review period. For the first time since 2012, anti-dumping terminations outpaced anti-dumping initiations.

3.13. Trade remedy actions taken during the review period covered a wide range of products, including initiations of investigations on prefabricated buildings and certain furniture (HS 94) accounting for 29.2%, products of iron and steel (HS 73) 21.4%, iron and steel (HS 72) 11.3%, machinery and mechanical appliances (HS 84) 9.7%, and cereals (HS 10) 6.4%.

3.14. The trade coverage of trade-remedy initiations introduced during the review period by WTO Members was USD 20.2 billion (0.12% of world merchandise imports). For terminations, the trade coverage was at USD 16.4 billion (0.09% of world merchandise imports) (Chart 3.4).

**Table 3.2 Trade remedy actions (Annex 2)**

Type of measure	2012	2013	2014	2015	2016	2017	2018	Mid-Oct 17 to mid-Oct 18 (WT/TPR/OV/21)	Mid-Oct 18 to mid-May 19 (7 months)
<b>Initiations</b>	<b>255</b>	<b>338</b>	<b>304</b>	<b>277</b>	<b>343</b>	<b>298</b>	<b>266</b>	<b>296</b>	<b>99</b>
- AD	208	287	236	229	298	249	194	229	74
- CVD	23	33	45	31	34	41	55	53	15
- SG	24	18	23	17	11	8	17	14	10
<i>Average per month</i>	<i>21.3</i>	<i>28.2</i>	<i>25.3</i>	<i>23.1</i>	<i>28.6</i>	<i>24.8</i>	<i>22.2</i>	<i>24.7</i>	<i>14.1</i>
<b>Terminations</b>	<b>208</b>	<b>186</b>	<b>221</b>	<b>214</b>	<b>174</b>	<b>159</b>	<b>222</b>	<b>212</b>	<b>112</b>
- AD	177	160	186	167	143	129	197	182	95
- CVD	21	17	23	25	15	13	24	26	11
- SG <sup>a</sup>	10	9	12	22	16	17	1	4	6
<i>Average per month</i>	<i>17.3</i>	<i>15.5</i>	<i>18.4</i>	<i>17.8</i>	<i>14.5</i>	<i>13.3</i>	<i>18.5</i>	<i>17.7</i>	<i>16.0</i>

a The figure for a specific year is the sum of the following: (i) investigations terminated during the course of that specific year without a final measure; and (ii) all imposed measures expired during the course of that specific year.

Note: The information on trade remedy actions for 2012 to 2018 is based on the semi-annual notifications. For the present review period, the information is also based on the responses and the verification received directly from Members. Anti-circumvention measures are not included in the above numbers.

Source: WTO Secretariat.

<sup>9</sup> The coverage of trade remedy actions in this Report does not prejudice the right of WTO Members to take trade remedy actions. See also Box 1.2.

<sup>10</sup> A single methodology for the counting of AD and CVD investigations is being applied across the Report, i.e. on the basis of the number of exporting countries or customs territories affected by an investigation or by a termination. Thus, one AD or CVD investigation involving imports from  $n$  countries/customs territories is counted as  $n$  investigations. Similarly, the termination of an AD or CVD action is counted as  $n$  terminations.

<sup>11</sup> Termination means either the termination of the investigation (without imposition of a measure) or the elimination of the imposed measure.

### 3.1.3 Other trade and trade-related measures

3.15. Annex 3 to this Report lists measures which may be considered to have a trade-restrictive effect.

3.16. During the review period, 38 new trade-restrictive measures were recorded, representing 13% of the total number contained in Annexes 1 to 3.

3.17. Out of the total number of the measures recorded in Annex 3, more than 80% were applied to imports. Tariff increases account for more than half of all import-restrictive measures, followed by a range of import bans<sup>12</sup>, special safeguards (volume based)<sup>13</sup>, and import taxes<sup>14</sup>. With respect to export, most of the measures taken were duties<sup>15</sup>, followed by bans<sup>16</sup> and stricter customs procedures (Table 3.3).

**Table 3.3 Other trade and trade-related measures (Annex 3)**

Type of measure	2012	2013	2014	2015	2016	2017	2018	Mid-Oct 17 to mid-Oct 18 (WT/TPR/OV/21)	Mid-Oct 18 to mid-May 19
<b>Import</b>	<b>129</b>	<b>139</b>	<b>130</b>	<b>172</b>	<b>105</b>	<b>89</b>	<b>108</b>	<b>118</b>	<b>31</b>
- Tariff	76	87	81	113	70	51	63	79	16
- Customs procedures	31	28	18	31	16	18	6	5	2
- Tax	6	5	8	10	6	10	13	13	3
- QRs	14	17	8	12	12	8	17	17	5
- Other	2	2	15	6	1	2	9	4	5
<b>Export</b>	<b>22</b>	<b>31</b>	<b>25</b>	<b>45</b>	<b>20</b>	<b>19</b>	<b>18</b>	<b>17</b>	<b>7</b>
- Duties	3	5	11	13	6	5	9	7	3
- QRs	12	10	8	7	10	8	4	5	2
- Other	7	16	6	25	4	6	5	5	2
<b>Other</b>	<b>13</b>	<b>7</b>	<b>12</b>	<b>15</b>	<b>13</b>	<b>14</b>	<b>1</b>	<b>2</b>	<b>0</b>
- Other <sup>a</sup>	8	1	1	0	4	2	1	1	0
- Local content	5	6	11	15	9	12	0	1	0
<b>Total</b>	<b>164</b>	<b>177</b>	<b>167</b>	<b>232</b>	<b>138</b>	<b>122</b>	<b>127</b>	<b>137</b>	<b>38</b>
<i>Average per month</i>	<i>13.7</i>	<i>14.8</i>	<i>13.9</i>	<i>19.3</i>	<i>11.5</i>	<i>10.2</i>	<i>10.6</i>	<i>11.4</i>	<i>5.4</i>

a Other than local content measures.

Note: Revisions of the data reflect changes undertaken in the TMDB to fine-tune and update the available information.

Source: WTO Secretariat.

3.18. The trade and trade-related measures recorded in Annex 3, and which may be considered trade-restrictive, cover a wide range of products. The main sectors were machinery and mechanical appliances (HS 84) 19.1%, electrical machinery and parts thereof (HS 85) 15.6%; precious metals (HS 71) 10.7%; and prefabricated buildings and certain furniture (HS 94) 8.1%. The trade coverage of the import-restrictive measures introduced during the review period was USD 339.5 billion, i.e. 1.95% of the value of world merchandise imports.<sup>17</sup> This is the second highest figure on record, after the USD 588.3 billion reported in the previous period. Together these two periods represent a dramatic spike in the trade coverage of import-restrictive measures.

<sup>12</sup> For example, QRs on gold, pulses, milk and milk products, and chicken meat.

<sup>13</sup> For example, on garlic, dried shiitake, peanuts, red beans and certain chicken cuts.

<sup>14</sup> For example, excise on vehicles and spirits, synthetic greenhouse gas levies, and statistical fees on all imports.

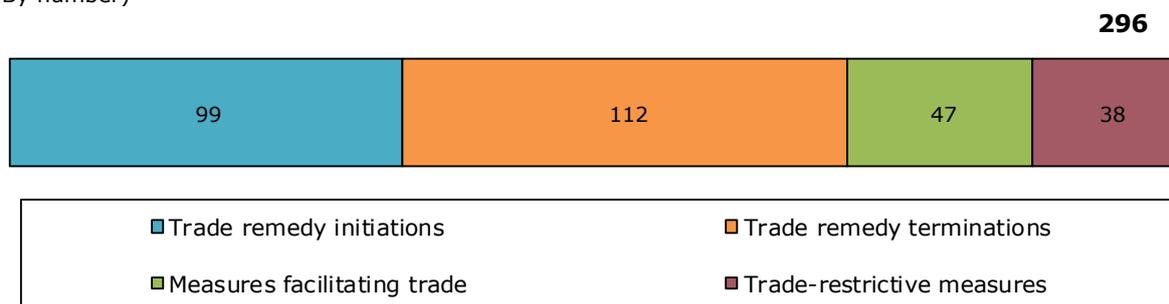
<sup>15</sup> For example, duties on oil-cake and other solid residues, and waste and scrap of ferrous metals.

<sup>16</sup> For example, QRs on iron and steel ferrous waste and scrap, and metal scrap.

<sup>17</sup> These figures include one measure by the United States (extension of the imposition of additional rates on products from China), accounting for 59.2% of the total; one measure by Argentina (statistical fees on all imports), accounting for 19.7%; and one measure by India (amendments on import policy of gold ore), accounting for 10.6%.

**Chart 3.3 Overview of measures, mid-October 2018 to mid-May 2019**

(By number)



Source: WTO Secretariat.

**Chart 3.4 Trade coverage of import measures, mid-October 2018 to mid-May 2019**

(USD billion)



Note: 2017 figures. ITA expansion measures are not included.

Source: WTO Secretariat.

3.19. The above Section has provided detailed factual information on the latest trends among WTO Members and Observers in trade policy-making and the implementation of trade measures. The coverage of import-restrictive measures during the period is estimated at USD 339.5 billion. This Section provides evidence that trade flows have been hit by new trade restrictions on a historically high level. The trade coverage of new import-restrictive measures introduced by WTO Members during this period was 44% above the average since October 2012 when the Report started including trade coverage figures. The previous period saw a record level of new restrictive measures introduced. Most of these measures remain in place and have now been added to by a series of new measures in the current period which are also of a historically high level.

3.20. A small number of trade measures account for an overwhelming share of the trade coverage for both import-facilitating and import-restrictive measures. Other measures, trade-restrictive as well as trade-facilitating, were announced for implementation after the current review period. By the time of publication of this Report, some of those measures will have likely entered into force. They will be included in the end of the year Report. Other trade measures with a potentially large impact on global trade remain under consideration. Although the implementation of these measures is currently on hold, the fact that they remain a possibility continue to cast a shadow over the outlook for international trade.

3.21. As noted in Section 2 of this Report, there are many factors, including weaker global economic activity, tighter monetary policies, and increased financial volatility which may contribute to the current trade slow-down. This Section has provided additional perspective on the specific trade measures which contribute to this slow-down.

3.22. The following Box looks at selected studies on the implications of the escalation of trade tensions between the United States and China.

### Box 3.1 Implications of the current trade tensions – Studies

The previous G20 Trade Monitoring Report at the end of 2018 reported on the implementation of several important tariff increases by the United States and China. Several studies have endeavoured to provide further perspective on how these higher tariffs have impacted bilateral trade between the United States and China as well as international trade overall. Below is a non-exhaustive overview of some of these studies.

Research conducted by the [Institute of International Finance](#) (IIF) in February 2019 studied the impact of US tariffs on Chinese imports. The research suggests that, although half of US imports from China are subject to substantial tariffs, total imports from China and the bilateral trade deficit continue to grow. According to the study, imports of goods subject to a 25% tariff since July/August 2018 which are levied on USD 50 billion worth of goods are sharply declining based on data for both price and volume of 7,000 products subject to new tariffs. According to the analysis, US importers are using fewer Chinese goods, while Chinese exporters have partially absorbed tariffs into profit margins to retain market share. However, total US imports from China appear resilient to tariffs; and an increase of imports of goods not subject to new tariffs indicate that developments in goods on the USD 50 billion list are not a reflection of a broad-based decrease in imports from China. The study further assessed the list of Chinese goods worth USD 200 billion which are subject to a 10% tariff since September 2018. It finds that strong exports to the United States of Chinese goods have been recorded due to "front-loading" shipments in anticipation of the United States raising tariff rates on this list of goods to 25% from the current 10%, if no agreement is reached between the United States and China by early 2019.<sup>a</sup>

Another study by the [European Network for Economic and Fiscal Policy Research](#) finds that the greatest share of the US tariff burden on Chinese imports does not fall on American consumers or firms, but rather on Chinese exporters. Based on the analysis, a 25% increase in tariffs raises US consumer prices on all affected Chinese products by only 4.5% on average, while the producer price of Chinese firms declines by 20.5%. The import duties levied on Chinese goods have high import elasticities, thus a large share of the tariff burden is transferred on to Chinese exporters. Chinese firms pay approximately 75% of the tariff burden, and the tariffs decrease Chinese exports of affected goods to the United States by around 37%. This implies that the bilateral trade deficit between the United States and China drops by 17%.<sup>b</sup>

A recent paper published by [Princeton University](#) exploring the impacts of US trade policy on prices and welfare states that, over the course of 2018, the United States experienced substantial increases in the prices of intermediates and final goods, dramatic changes to their supply-chain network, reductions in availability of imported varieties, and a complete pass-through of the tariffs into domestic prices of imported goods. The paper concludes that the full incidence of the tariff falls on domestic consumers, with a reduction in US real income of USD 1.4 billion per month by the end of 2018. It states that similar patterns have been also observed in foreign countries who have retaliated against the United States, suggesting that the trade war has also reduced real income for other countries.<sup>c</sup>

Another paper, published by the [National Bureau of Economic Research](#) in March 2019<sup>d</sup>, analyses the impacts of the 2018 trade war on the US economy and finds that US imports from targeted countries declined by 31.5% within products, while targeted US exports fell by 11.0%. It affirms a complete pass-through of the US tariffs to a variety-level of import prices, and estimates the annual consumer and producer losses resulting from the higher cost of imports at USD 68.8 billion (0.37% of GDP). It estimates the aggregate welfare loss, after accounting for higher tariff revenues and gains to domestic producers from higher prices, at USD 7.8 billion (0.04% of GDP).

#### Notes:

- a The Institute of International Finance (2019), Economic Views. "Are Tariffs on China Working?", 5 February 2019.
- b European Network for Economic and Fiscal Policy Research (2018), "Who is Paying for the Trade War with China?", by Zoller-Rydek, B. and Felbermayr, G., November. Viewed at: [http://www.econpol.eu/sites/default/files/2018-11/EconPol\\_Policy\\_Brief\\_11\\_Zoller\\_Felbermayr\\_Tariffs.pdf](http://www.econpol.eu/sites/default/files/2018-11/EconPol_Policy_Brief_11_Zoller_Felbermayr_Tariffs.pdf).
- c Amiti, M. – Federal Reserve Bank of New York and CEPR, Redding, S.J. – Princeton University and CEPR and Weinstein, D. – Columbia University, The Impact of the 2018 Trade War on US Prices and Welfare (1 March 2019). Viewed at: <https://www.princeton.edu/~reddings/papers/CEPR-DP13564.pdf>.
- d National Bureau of Economic Research, Fajgelbaum, P.D., Goldberg, P.K., Kennedy, P.J. and Khandelwal, A.K., The Return to Protectionism, (March 2019). Viewed at: <https://www.nber.org/papers/w25638.pdf>.

Source: WTO Secretariat.

3.23. Box 3.2 below on the drivers of bilateral trade balances and spill-overs from tariffs was contributed by the IMF.

### Box 3.2 Drivers of bilateral trade balances and spill-overs from tariffs

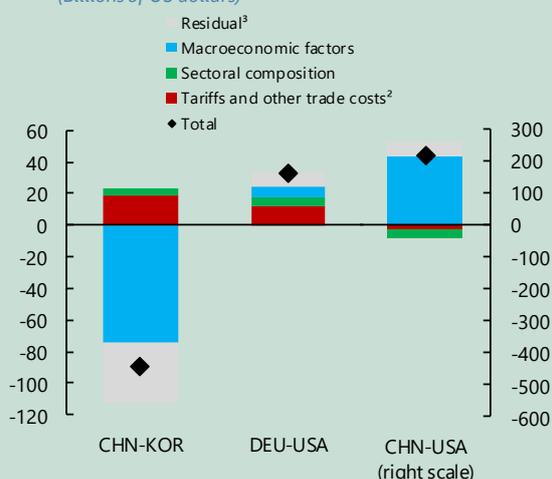
Bilateral trade balances (that is, the difference in the value of exports and imports between two countries) have come under scrutiny lately. Indeed, some policymakers are concerned that their large and growing size is the result of asymmetric obstacles to trade. In a recent study (IMF, 2019)<sup>a</sup>, we show that the focus on bilateral balances is not the right one. Over the past two decades, changes in bilateral trade balances have

mostly reflected the macroeconomic forces that are also known to determine aggregate trade balances, while the role of changes in tariffs has been very limited. Targeting a specific bilateral trade balance using tariffs would likely lead to trade diversion and offsetting changes in balances with other partners, with little or no impact on a country's aggregate trade balance. In addition to being ineffective to address external imbalances, tariffs are costly for economic activity, affecting negatively output, employment, and productivity for the countries directly involved, but also for other countries linked through global value chains.

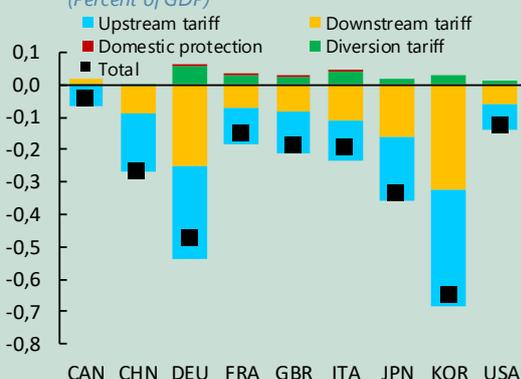
**Bilateral trade balances reflect macroeconomic forces, not tariffs**

In a recent analysis – based on a study of 63 countries over 20 years and across 34 sectors – we quantify the drivers of changes in bilateral trade balances by using the standard trade gravity model. The model distinguishes between the roles of: (i) macroeconomic factors (i.e., the overall demand and supply of each country); (ii) tariffs; and (iii) countries' sectoral specialization – which reflects the international organization of production. We find that over the past two decades, the evolution of bilateral balances has been driven to a significant extent by changes in macroeconomic conditions in both trading partners (Figure 1). Macroeconomic conditions can reflect a wide range of factors and policies, such as fiscal policy and credit cycles, but in some cases also exchange rate policies and domestic supply-side policies (e.g. widespread subsidies to state-owned enterprises or to export sectors). In contrast, the role of changes in bilateral tariffs was modest, reflecting their already low levels in many countries and the fact that reciprocal tariff reductions had offsetting effects on bilateral trade balances.

**Figure 1. Contributions to Changes in Bilateral Trade Balances, 1995-2015<sup>1</sup>**  
(Billions of US dollars)



**Figure 2. Illustration of the Effect of a 1 Percentage Point Generalized Tariff Increase on Real Value Added<sup>1</sup>**  
(Percent of GDP)



- 1 Average value 2010-15 minus average value 1995-99.
- 2 This includes tariffs and free or preferential trade agreements.
- 3 The residual is the sum of the model residuals plus the approximation error.

Note: Data labels use International Organization for Standardization (ISO) country codes.

Sources: Organisation for Economic Cooperation and Development, Trade in Value Added database; and IMF staff calculations.

- 1 Effects are partial equilibrium estimates based on a country-sector level analysis. The figure shows the change in the simulated tariff spill-overs between 1995 and 2011, the last year for which such an exercise is possible given data constraints. 2011 is a good approximation of current global value chain links because most of the growth in global value chain integration took place before 2011.

Note: Data labels use International Organisation for Standardization (ISO) country codes.

Source: IMF staff estimates.

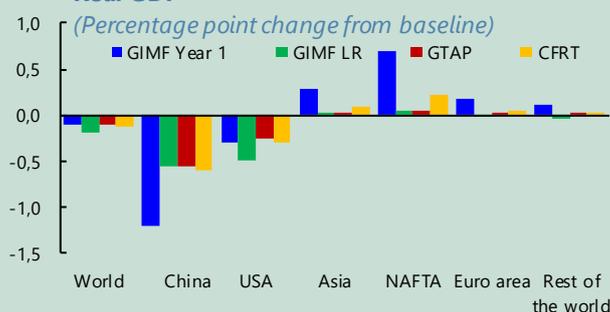
**Tariffs are costly for economic activity**

While tariffs had a limited direct effect on changes in bilateral trade balances, this does not mean that tariffs are innocuous. The significant decrease in both tariffs and other trade costs (for example transportation costs) since the mid-1990s has gone hand-in-hand with an intensification of participation in global value chains, facilitating specialization and productivity improvements. The flipside of this is that increases in tariffs would negatively affect productivity, employment and output, and that costs from tariff increases would be larger today given the greater interconnectedness of global production. A significant increase in tariffs would have ripple effects through global value chains, amplifying the detrimental impacts on output for the countries directly affected and for others up and down the global value chain. Simulations (based on country-sector estimations) illustrate that the output cost of a generalized 1 percentage point increase in manufacturing tariffs would be larger today than it would have been in the mid-1990s, particularly so for countries highly integrated in manufacturing supply chains (e.g. Germany and Korea, Republic of) (Figure 2).

### Bilateral tariffs are ineffective and disruptive for global trade and growth

To illustrate this point, we ran simulations using three general equilibrium models and involving a hypothetical increase in tariffs on all goods traded between the United States and China by 25 percentage points. Three main messages emerge. First, the United States and China would not gain and would instead be the most affected, with a decrease in external demand and output losses in both countries (Figure 3). These losses are likely an underestimation as they do not factor in the toll that trade tensions take on confidence and financial markets. In addition, negative aggregate effects on output would be compounded by sectoral reallocations as global value chains are repositioned, implying sizeable job losses in specific sectors in both countries. Second, the change in the aggregate trade balance of both countries would be negligible, as each country's demand is diverted to other trading partners which do not face increased tariffs, benefiting countries such as Mexico, Canada and to a lesser extent east Asia. Finally, while some countries may benefit slightly from trade diversion, the global economy is worse off, reflecting the higher trading costs and distortions introduced to the existing division of labour.

**Figure 3. Macro Effects from a 25 Percent Increase in Tariffs Affecting all US–China Trade: Real GDP<sup>1</sup>**



1 Effects are simulated from three general equilibrium models: GIMF, GTAP, and CFRT.

Note: CFRT = Caliendo and others (2017) model; GIMF = Global Integrated Monetary and Fiscal model; GTAP = Global Trade Analysis Project; LR = long run; NAFTA = North American Free Trade Agreement. In the figure, NAFTA is NAFTA countries excluding US, and Asia is Asian countries excluding China.

Source: IMF calculations.

### Policy conclusion

The overall findings suggest that the discussion of external imbalances is rightly focussed on aggregate trade balances and current accounts, and on the macroeconomic distortions that may underlie them. In addition, further multilateral reductions in tariff and non-tariff trade barriers would benefit economic outcomes. Finally, while the findings suggest that reducing barriers to trade would benefit the global economy, there are valid concerns about the distributional effects of trade. It is therefore important to put in place specific policies to ensure that the gains from trade are widely shared and that those affected are adequately protected.

a International Monetary Fund, 2019. "The Drivers of Bilateral Trade and the Spill-overs from Tariffs," World Economic Outlook, Chapter 4. April 2019. Authors: Johannes Eugster, Florence Jaumotte, Margaux MacDonald and Roberto Piazza. The views expressed herein are those of the authors and should not be attributed to the IMF, its Executive Board, or its management.

Source: IMF, World Economic Outlook 2019.

## 3.2 Trade-Remedies<sup>18</sup>

3.24. This Section provides an assessment of trends in trade-remedy actions in the periods from January-December 2016, January-December 2017 and January-December 2018.<sup>19</sup> Concerning anti-dumping, data indicate a decrease in the number of new investigations initiated in 2018. The number of countervailing investigations and those of safeguard initiations have both increased in 2018. The total number of initiations for the latter two types of trade-remedy investigations remained considerably lower than for anti-dumping.

<sup>18</sup> This Section is without prejudice to the right of Members to take trade remedy actions under the WTO.

<sup>19</sup> These periods coincide with the Member's semi-annual reporting periods.

## Anti-Dumping Measures<sup>20</sup>

3.25. Global anti-dumping initiations decreased by 16% from 298 in 2016 to 249 in 2017 and dropped, by 22%, to 194 in 2018 (Table 3.4). The Table provides information on which Members initiated anti-dumping investigations over the last three years.

**Table 3.4 Initiations of anti-dumping investigations, 2016-18**

Reporting Member	2016	2017	2018
Argentina	23	8	16
Australia	17	16	12
Bahrain, Kingdom of; Kuwait, State of; Oman; Qatar; Saudi Arabia, Kingdom of; United Arab Emirates <sup>a</sup>	0	4	0
Brazil	11	7	7
Canada	14	14	14
Chile	1	1	2
China	5	24	16
Colombia	1	8	3
Costa Rica	1	0	0
Dominican Republic	1	0	1
Egypt	14	0	1
El Salvador	1	1	0
European Union	14	9	8
India	69	49	31
Indonesia	7	1	0
Israel	1	3	0
Japan	1	2	0
Korea, Republic of	4	7	5
Malaysia	0	4	2
Mexico	6	8	3
Morocco	4	1	0
New Zealand	0	2	2
Pakistan	24	3	8
Paraguay	1	0	0
Peru	0	3	0
Philippines	1	0	0
Russian Federation <sup>b</sup>	1	1	6
South Africa <sup>c</sup>	0	0	2
Chinese Taipei	8	0	2
Thailand	10	3	1
Turkey	17	8	6
Ukraine	1	7	10
United States	37	55	34
Viet Nam	3	0	2
<b>Total</b>	<b>298</b>	<b>249</b>	<b>194</b>

a Notified by all GCC member States collectively as investigations are initiated by the GCC regional investigating authority on behalf of all GCC member States.

b Notified by the Russian Federation, but investigations are initiated by the Eurasian Economic Union on behalf of all of its members, i.e. Armenia, Kyrgyz Republic, Kazakhstan (which became a WTO Member on 30 November 2015), and Belarus (non-WTO Member) collectively.

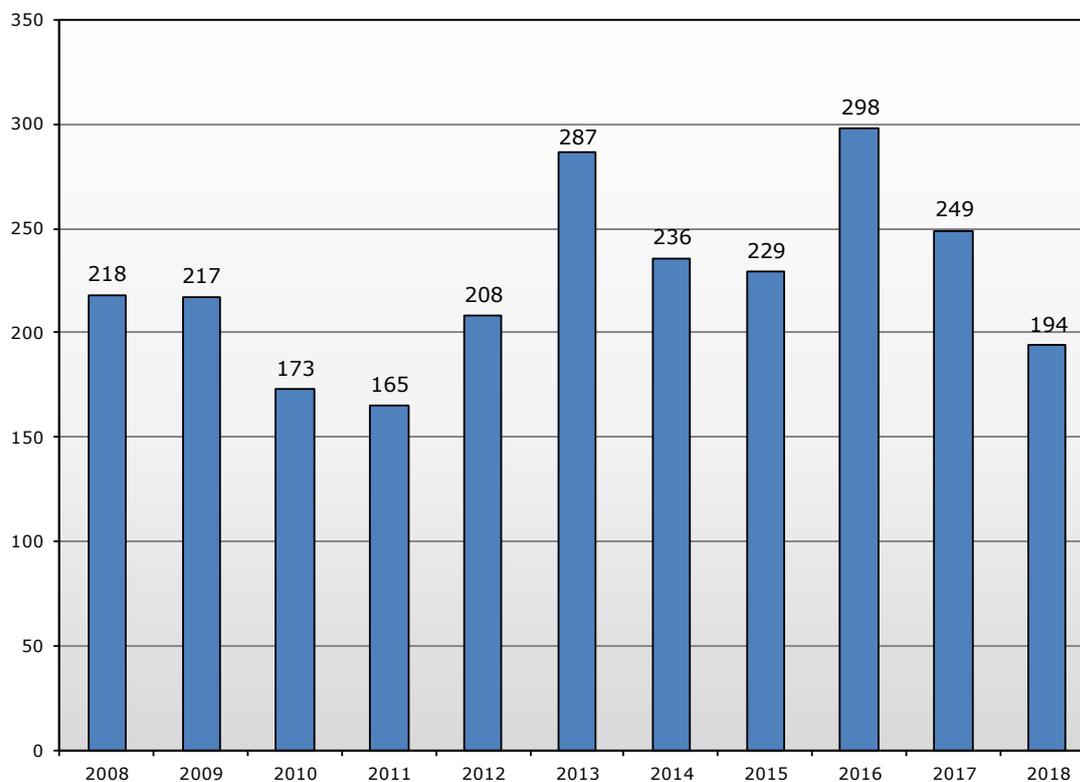
c Notified by South Africa, but investigations are initiated at the level of the Southern African Customs Union (Botswana, Eswatini, Lesotho, and Namibia).

Source: WTO Secretariat.

<sup>20</sup> Anti-dumping and countervailing investigations are counted on the basis of the number of exporting countries or customs territories affected by an investigation. Thus, one anti-dumping or countervailing investigation involving imports from  $n$  countries/customs territories is counted as  $n$  investigations.

3.26. Chart 3.5 shows that the number of initiations of anti-dumping investigations increased from 165 in 2011 to 287 in 2013, decreased to 236 and 229 initiations in 2014 and 2015, respectively, increased in 2016 to 298 investigations, which is the highest number of initiations since the 311 of 2002, but still off the all-time high of 372 in 2001. A downward trend was observed in 2017 (when the initiations decreased to 249) and 2018 (194).

**Chart 3.5 Total anti-dumping investigation initiations**



Source: WTO Secretariat.

3.27. While anti-dumping investigations do not necessarily lead to the imposition of measures, a decrease in the number of investigations initiated is an early indicator suggesting a likely decrease in the number of measures imposed.

3.28. Over the three periods, a total of 565 anti-dumping measures were imposed (as shown in Table 3.5). However, as it can take up to 18 months for an anti-dumping investigation to be concluded once initiated, these measures may not necessarily be the result of initiations in the same period.

**Table 3.5 Number of anti-dumping measures imposed, 2016-18**

Reporting Member	2016	2017	2018
Argentina	1	2	13
Australia	5	14	5
Bahrain, Kingdom of; Kuwait, State of; Oman; Qatar; Saudi Arabia, Kingdom of; United Arab Emirates <sup>a</sup>	0	1	0
Brazil	13	10	9
Canada	3	10	7
Chile	1	2	0
China	11	5	23
Colombia	1	1	8

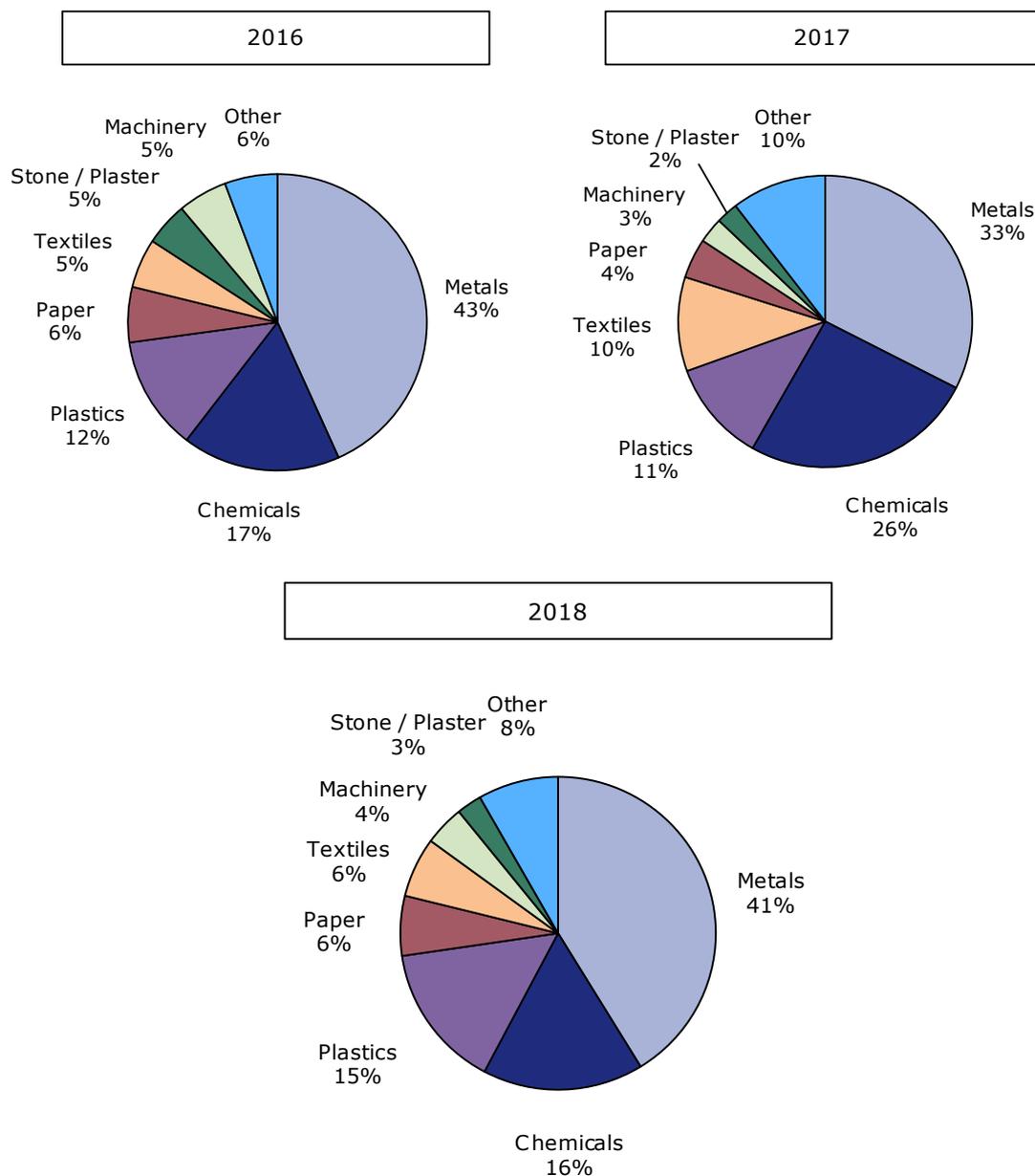
Reporting Member	2016	2017	2018
Costa Rica	0	1	0
Dominican Republic	0	1	0
Egypt	4	6	0
European Union	5	11	3
India	37	47	36
Indonesia	0	3	1
Israel	1	0	0
Japan	2	1	2
Korea, Republic of	3	4	7
Malaysia	5	0	4
Mexico	12	2	7
Morocco	0	2	4
Pakistan	2	12	19
Peru	1	0	1
Philippines	0	1	0
Russian Federation <sup>b</sup>	4	1	0
Chinese Taipei	8	0	0
Thailand	5	7	0
Trinidad and Tobago	1	0	0
Turkey	9	10	10
Ukraine	2	2	2
United States	35	33	41
Viet Nam	0	3	0
<b>Total</b>	<b>171</b>	<b>192</b>	<b>202</b>

- a Notified by all GCC member States collectively as investigations are initiated by the GCC regional investigating authority on behalf of all GCC member States.
- b Notified by the Russian Federation, but investigations are initiated by the Eurasian Economic Union on behalf of all of its members, i.e. Armenia, Kyrgyz Republic, Kazakhstan (which became a WTO Member on 30 November 2015), and Belarus (non-WTO Member) collectively.

Source: WTO Secretariat.

3.29. Chart 3.6 shows that there was little change in terms of the products affected by anti-dumping investigations initiated during the three periods examined, with the majority of initiations focussed on products in the metals, chemicals, and plastics and rubber sectors.

3.30. Metal products were subject to the most initiations in each period, accounting for 43% of all initiations in 2016, 33% in 2017 and 41% in 2018. In each period, at least 80 initiations targeted metals, of which 81-91% focussed on steel products (goods classified under chapters 72 and 73 of the HS classification). Over the 3 periods combined, the United States (65), Canada (26), Australia (25), the European Union (21) and India (17) accounted for more than half of the 290 initiations on metals. A decrease in the number of initiations against metal products was seen in the last period with 15 investigations initiated by the United States, 11 by Canada, 8 by Pakistan, 5 by Argentina, 4 by Ukraine, 4 by Brazil, 4 by the European Union and 4 by China. Initiations against metals across the 3 periods affected mostly products from China (86, of which 72 involved steel products), the Republic of Korea (25, of which 24 involved steel), India (15, of which 13 involved steel), Viet Nam (14, of which 11 involved steel) and Turkey (12, of which 11 involved steel). In many instances, investigations were launched on the same product from several exporting countries. For instance, 5 steel products were the focus of 81 investigations.

**Chart 3.6 Initiations of anti-dumping investigations, by product**

Note: Values are rounded.

Source: WTO Secretariat.

3.31. Chemical products accounted for the second largest share of initiations over the three reporting periods, with a 17% share of initiations in 2016, a 26% share in 2017, and a 16% share in 2018. India accounted for 52 of the 147 new investigations on products in this sector over the 3 reporting periods, followed by China (26) and the United States (19). These initiations involved mostly chemical products from China (24), the Republic of Korea (15), Thailand and Japan (9), the United States (8) and Chinese Taipei and the Russian Federation (7). Similarly, to metals sector investigations, investigations into chemicals frequently involved the same product from different countries – 15 products accounted for 79 of the investigations in this area.

3.32. Plastics and rubber ranked third over the three periods examined, accounting for 12% of all initiations in 2016, 11% in 2017, and 15% in 2018. India (28), the United States (20) and China (9) accounted for more than half of the 94 plastics and rubber investigations. China was once again the

main subject of investigations in this sector (21), followed by the Republic of Korea (13), Thailand (9) and Chinese Taipei and Brazil (5).

3.33. In terms of countries affected by new anti-dumping investigations, 43 exporting Members were affected in 2016, while 49 were affected in 2017 and 46 in 2018. China remained, by far, the Member most affected by anti-dumping initiations during the three reporting periods – investigations into Chinese products accounted for 28% of all investigations during these periods. The second most affected Member – the Republic of Korea – accounted for 8% of the total initiations during these periods, followed by Thailand, India, Brazil, Japan and Chinese Taipei at 4% each.

### Countervailing Measures

3.34. As shown in Table 3.6, global initiations of countervailing duty investigations increased significantly to 55 in 2018 compared to 34 in 2016 and 41 in 2017.

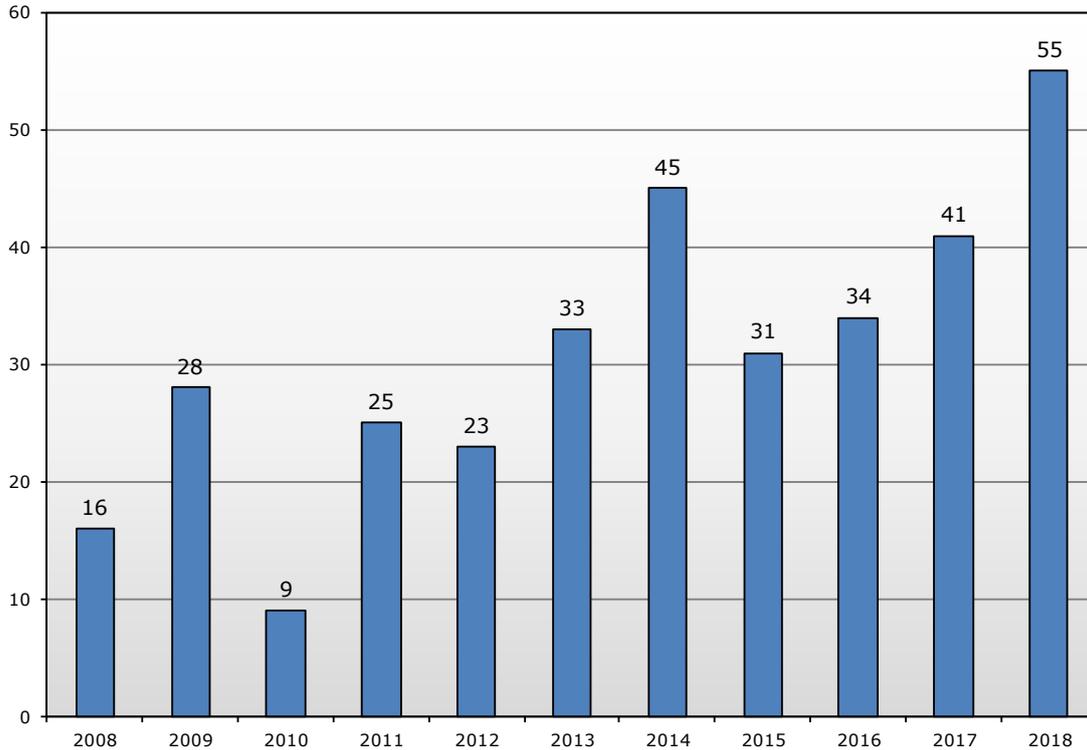
3.35. Among the 14 Members using countervailing measures during the 3 periods examined, the United States initiated the most new investigations (64), accounting for 49% of initiations. Canada, the second largest user, accounted for 13% of all initiations, followed by India and Australia for 8%. The remaining investigations were conducted by ten different countries.

**Table 3.6 Initiations of countervailing duty investigations, 2016-18**

Reporting Member	2016	2017	2018
Australia	8	0	3
Brazil	1	1	0
Canada	2	11	4
China	1	1	3
Egypt	2	0	0
European Union	1	2	2
India	1	0	10
New Zealand	1	1	1
Pakistan	1	0	0
Peru	0	1	1
Chinese Taipei	0	0	5
Turkey	0	0	1
Ukraine	0	0	1
United States	16	24	24
<b>Total</b>	<b>34</b>	<b>41</b>	<b>55</b>

Source: WTO Secretariat.

3.36. Chart 3.7, reflecting annual figures, shows an upward trend in countervailing initiations from 2010 to 2014, notwithstanding some fluctuation in 2012. Following a decrease in 2015, the number of countervailing initiations has steadily increased for the last four years. In fact, the number of initiations recorded in 2018 (55) is the peak of initiations observed since 1999.

**Chart 3.7 Initiations of countervailing investigations, 2008-18**

Source: WTO Secretariat

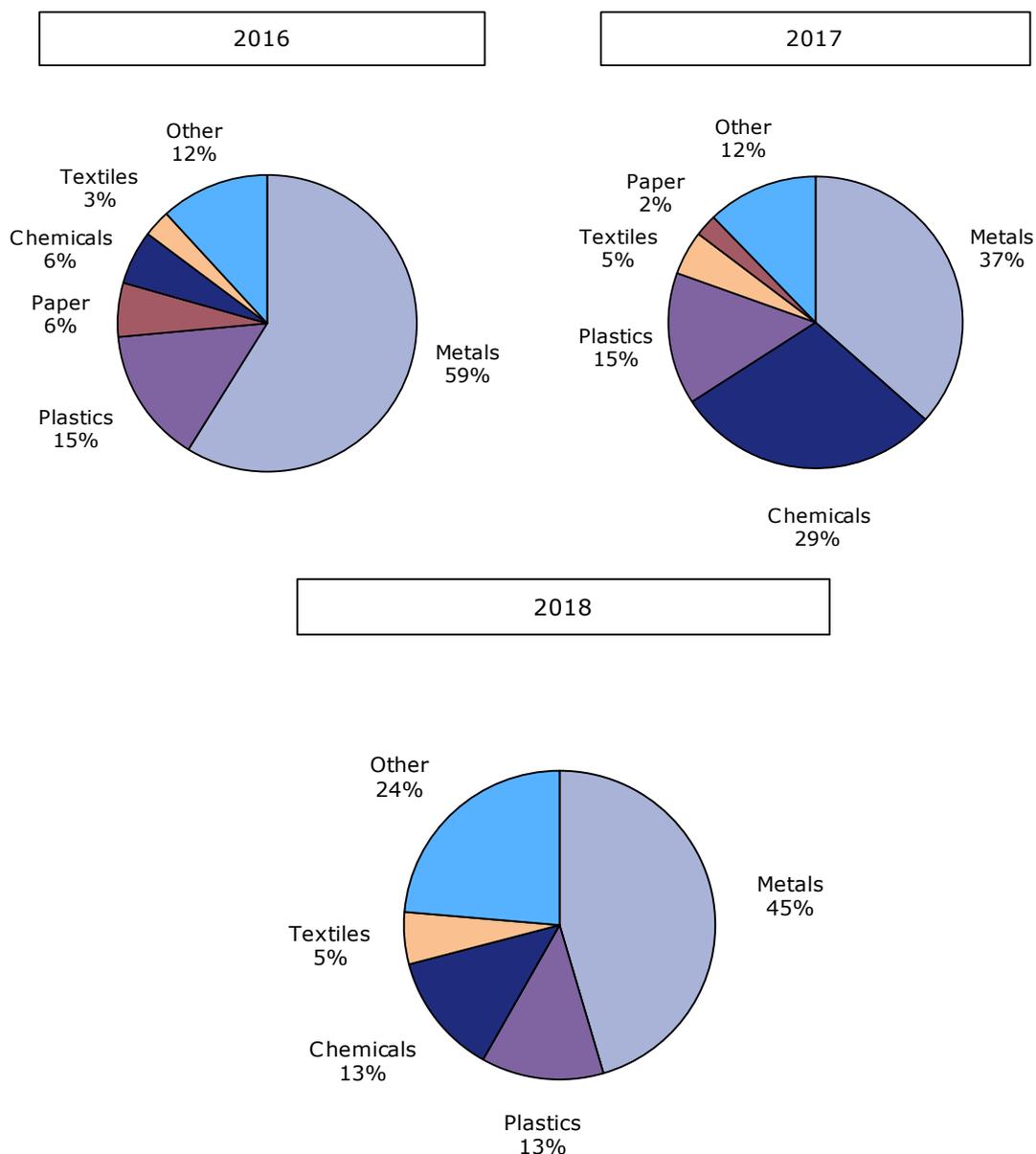
3.37. As with anti-dumping, countervailing duty investigations do not necessarily lead to the imposition of measures. However, a rise in the number of investigations initiated may be an early indicator of a likely rise in the number of measures imposed. Over the three periods, a total of 70 countervailing measures were imposed (Table 3.7). However, as it can take up to 18 months for an investigation to be concluded, these measures may not necessarily be the result of initiations in the same period.

**Table 3.7 Number of countervailing measures imposed, 2016-18**

Reporting Member	2016	2017	2018
Australia	1	3	0
Brazil	1	0	1
Canada	2	1	6
China	0	1	1
European Union	1	1	1
India	1	1	0
Peru	1	0	1
Ukraine	1	0	0
United States	16	11	18
<b>Total</b>	<b>24</b>	<b>18</b>	<b>28</b>

Source: WTO Secretariat.

3.38. Concerning the products affected by countervailing investigations, Chart 3.8 shows that metals accounted for most of the initiations reported over the three reporting periods, accounting for 59%, 37% and 45% of all initiations in 2016, 2017 and 2018, respectively. For the three periods combined, 60 of the 130 total initiations recorded covered metals and 48 of these targeted steel products. The United States initiated 23 of the 64 investigations on steel products. Thirteen of the 20 steel-related initiations in the current period involved products from China.

**Chart 3.8 Initiations of countervailing investigations, by product**

Note: Values are rounded.

Source: WTO Secretariat.

3.39. Over the three reporting periods, chemicals and plastics were the second and third most-investigated sectors with 21 and 18 initiations, respectively.

3.40. In terms of countries or customs territories affected by new countervailing investigations, 11 exporting Members were affected in 2016, 18 in 2017 and 14 in 2018. China was the most frequent target of investigations, accounting for 47% of all investigations during these three periods. India, the second most frequent target during the three reporting periods, accounted for 12% of all initiations, followed by Viet Nam which accounted for 5%.

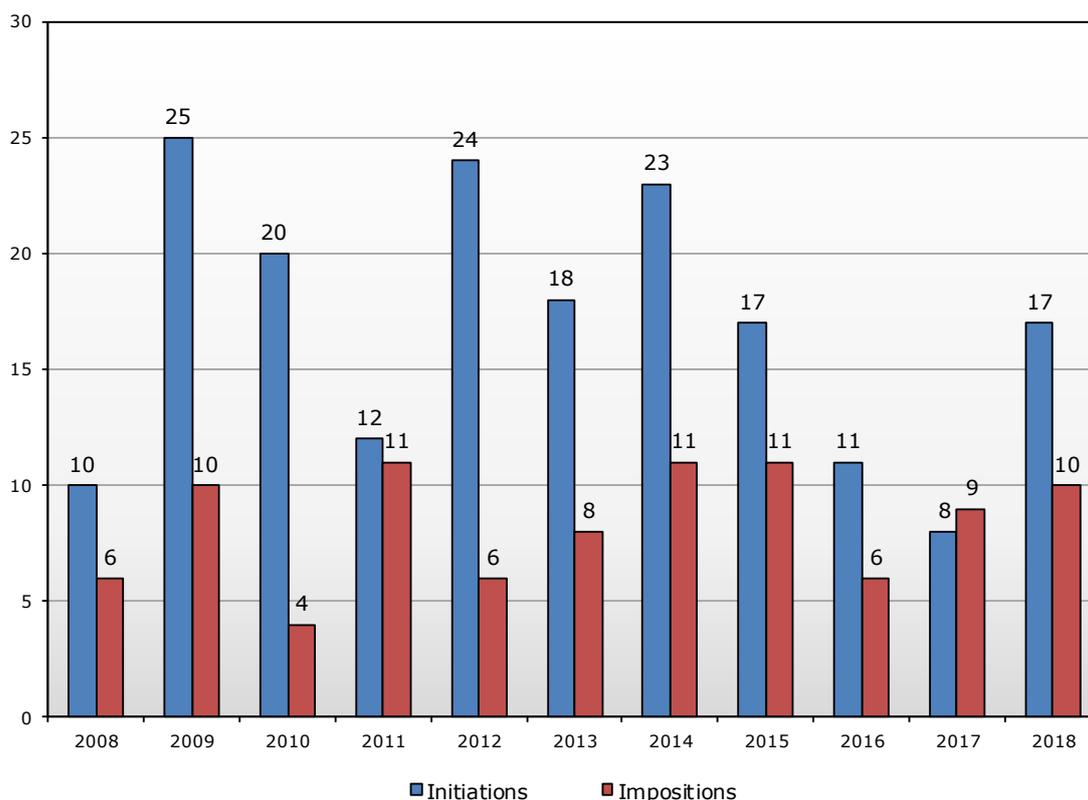
### Safeguard measures

3.41. Safeguard measures are temporary measures imposed in response to increased imports of goods that are causing serious injury and are imposed on products from all sources, i.e. all exporting

countries.<sup>21</sup> Thus, safeguards are subject to different rules and timelines than anti-dumping and countervailing measures and are, therefore, not directly comparable to these other types of trade remedies.

3.42. Chart 3.9 shows the trend of initiations of safeguard investigations side by side with the trend of impositions on a calendar year basis. Setting aside the exceptionally large figure (34) recorded in 2002, the year 2009 saw the largest number of initiations since 1995 with 25 (the year 2000 was also 25), and the years 2012 and 2014 saw the second and third largest. From that high level, initiations of safeguard investigation have been declining until 2017. But the declining trend has now stopped. In 2018, the number of initiations more than doubled compared to 2017. The number of impositions, by contrast, has been already steadily rising since 2016.

**Chart 3.9 Initiation and imposition of safeguard measures**



Note: Some notifications are ambiguous about the timing when the measure takes effect. For those notifications, Members sometimes subsequently file an additional notification clarifying, *ex post*, the timing of the taking effect. For this reason, the number of impositions indicated in past reports can differ from the figures indicated in the most recent Report.

Source: WTO Secretariat.

**Table 3.8 Initiation of safeguard investigations, 2016-18**

(Number)

Reporting Member	2016	2017	2018
Bahrain, Kingdom of; Kuwait, State of; Oman; Qatar; Saudi Arabia, Kingdom of; United Arab Emirates <sup>a</sup>	2	1	0
Canada	0	0	1
Chile	0	0	1
China	1	0	0
Costa Rica	0	0	1

<sup>21</sup> With exception of special and differential treatment provide for developing countries in Article 9.1 of the Safeguards Agreement.

Reporting Member	2016	2017	2018
European Union	0	0	1
India	1	1	0
Indonesia	0	0	2
Jordan	1	0	0
Madagascar	0	0	3
Malaysia	2	0	0
Morocco	0	0	1
Philippines	0	0	2
Russian Federation <sup>b</sup>	0	0	1
South Africa <sup>c</sup>	2	0	1
Thailand	1	0	0
Turkey	0	2	3
Ukraine	0	1	0
United States	0	2	0
Viet Nam	1	1	0
<b>Total</b>	<b>11</b>	<b>8</b>	<b>17</b>

a Investigations are initiated at the level of the Gulf Cooperation Council.

b Notified by the Russian Federation, but investigations are initiated by the Eurasian Economic Union on behalf of all of its members, i.e. Armenia, Kyrgyz Republic, Kazakhstan (which became a WTO Member on 30 November 2015), and Belarus (non-WTO Member) collectively.

c Notified by South Africa, but investigations are initiated by the Southern African Customs Union on behalf of all of its members collectively.

Source: WTO Secretariat.

**Table 3.9 Imposition of safeguard measures, 2016-18**

(Number)

Reporting Member	2016	2017	2018
Bahrain, Kingdom of; Kuwait, State of; Oman; Qatar; Saudi Arabia, Kingdom of; United Arab Emirates <sup>a</sup>	0	0	1
Chile	1	0	0
China	0	1	0
India	2	0	1
Indonesia	0	0	1
Jordan	0	1	0
Madagascar	0	0	3
Malaysia	0	2	0
Morocco	0	1	0
South Africa <sup>b</sup>	0	1	0
Thailand	0	1	0
Turkey	0	1	0
Ukraine	1	0	1
United States	0	0	2
Viet Nam	2	1	1
<b>Total</b>	<b>6</b>	<b>9</b>	<b>10</b>

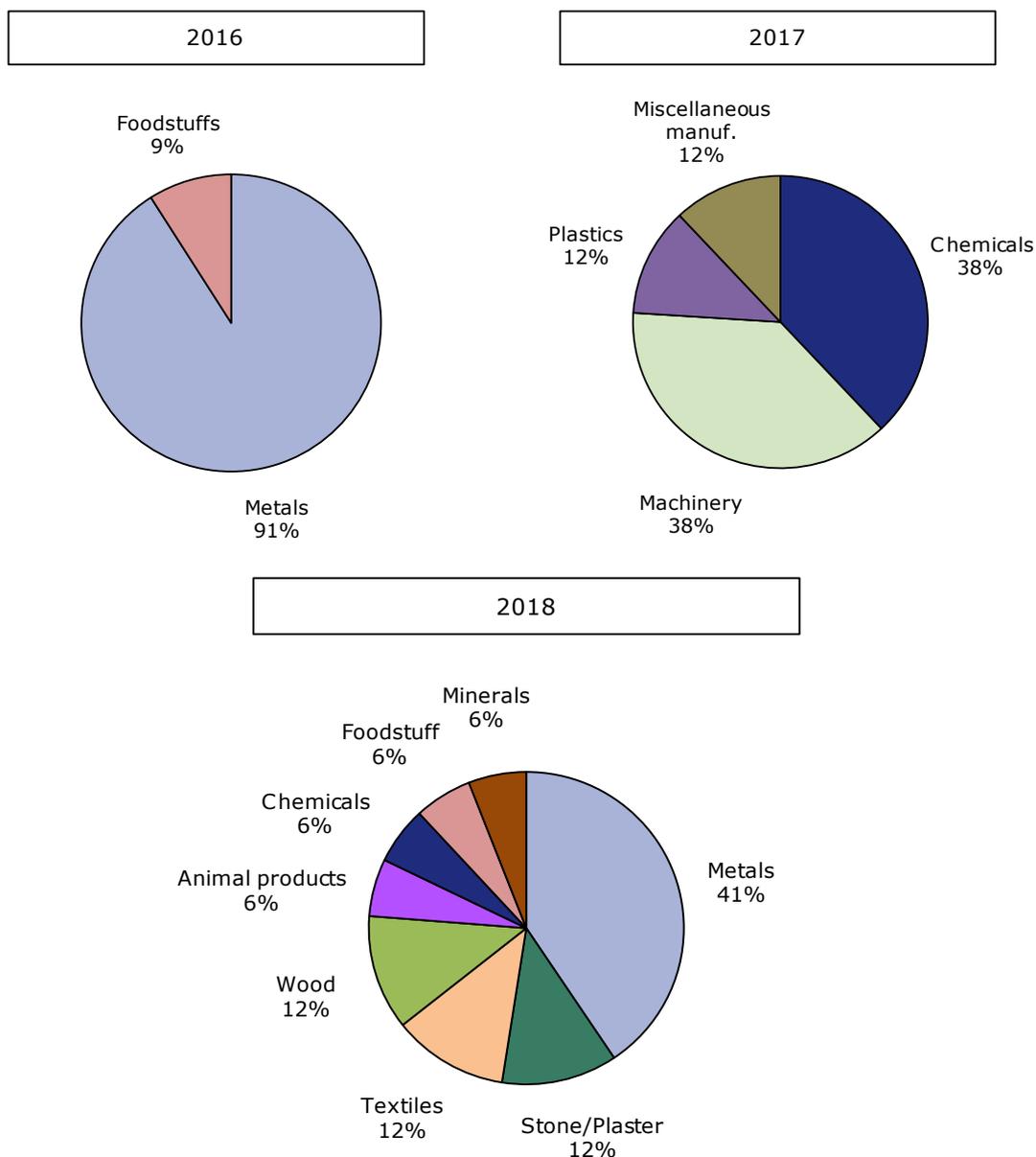
a Investigations are initiated at the level of the Gulf Cooperation Council.

b Notified by South Africa, but investigations are initiated by the Southern African Customs Union on behalf of all of its members collectively.

Source: WTO Secretariat.

3.43. Table 3.8 shows the number of initiations of safeguard investigations by WTO Members between 2016 and 2018 and Table 3.9 shows the impositions of safeguard measures during the same period. It is worth to note that the European Union and Canada initiated both safeguard investigations, on certain steel products. These initiations have resulted in imposition of measures, but these impositions do not feature in Table 3.9, since they fall outside the reporting period. The European Union imposed its final measure on 2 February 2019, and Canada on 13 May 2019. The last time the European Union (then the European Communities) imposed a safeguard measure was in 2005. For Canada, it is the very first imposition of a safeguard measure.

3.44. Chart 3.10 shows the products covered by safeguard investigations. While the number of investigations initiated in the metals sector (the vast majority of which involve steel products) dramatically decreased from 2016 to 2017, the sector covered 41% of safeguard initiations in 2018.

**Chart 3.10 Initiation of safeguard investigations, by product**

Note: Values are rounded.

Source: WTO Secretariat.

### 3.3 Sanitary and phytosanitary measures

3.45. Under the SPS Agreement, WTO Members are obliged to provide an advance notice of intention to introduce new or modified SPS measures<sup>22</sup>, or to notify immediately when emergency measures are imposed. The main objective of complying with the SPS notification obligations is to inform other Members about new or changed regulations that may significantly affect trade.

<sup>22</sup> Transparency obligations are contained in Article 7 and Annex B of the SPS Agreement. Annex B of the SPS Agreement requires that Members notify measures whose content is not substantially the same as that of an international standard, guideline or recommendation, and when the measure may have a significant effect on trade. However, the Recommended Procedures for Implementing the Transparency Provisions of the SPS Agreement, adopted by the SPS Committee in 2008, and updated in 2018 (WTO document G/SPS/7/Rev.4, 4 June 2018), recommend that Members also notify measures which are based on the relevant international standards, and provide a broad interpretation of effects on trade.

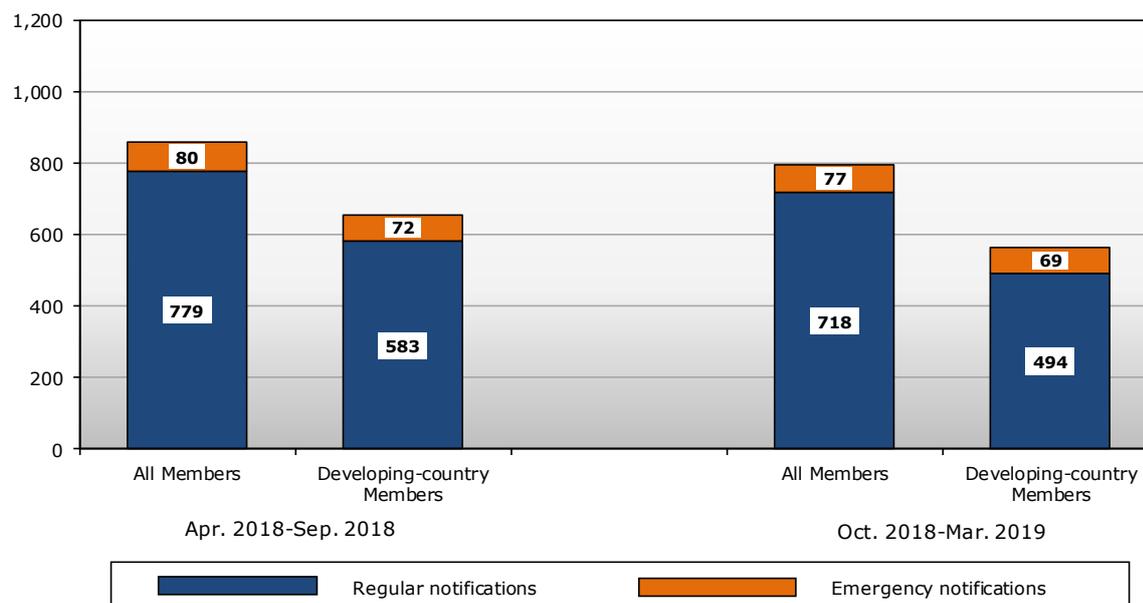
Therefore, an increase in the number of notifications does not automatically imply greater use of protectionist measures, but rather enhanced transparency regarding these measures.

3.46. From 1 October 2018 to 31 March 2019, 795 SPS notifications (regular and emergency, including addenda) were submitted to the WTO. Notifications from developing-country Members accounted for 71% of the total number. In the previous six-month period, from April through September 2018, a total of 859 notifications were submitted, of which 76% were by developing-country Members.

3.47. With respect to regular notifications (including addenda) during the period under review, WTO Members submitted 718 notifications; 69% of which were submitted by developing-country Members. In the previous six-month period, from April through September 2018, a total of 779 regular notifications were submitted, of which 75% were by developing-country Members. Overall, during the period under review, there was an 8% decrease in the total number of regular notifications.

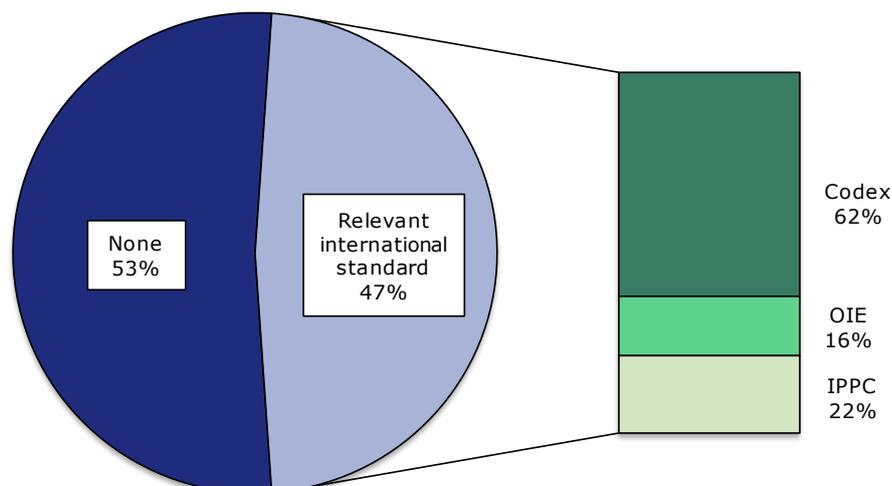
3.48. The total number of notifications of emergency measures as well as the share of emergency notifications submitted by developing-country Members remained similar to that of the previous period (Chart 3.11). In the review period, 90% of the 77 notifications of emergency measures were submitted by developing-country Members, a similar share as that recorded during the previous six-month period. This high proportion of emergency measures notified by developing-country Members might stem from the fact that they do not have as extensive SPS regulatory systems as developed-country Members. Consequently, when facing emergency challenges, they are relatively more likely to have to introduce new regulations or change existing ones.

**Chart 3.11 Number of SPS notifications, including regular, emergency and addenda**



Source: WTO Secretariat.

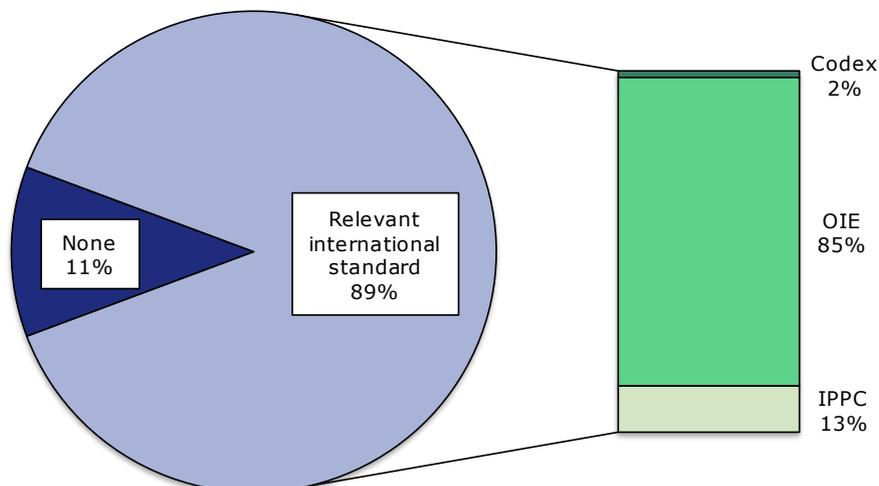
3.49. Many Members are following the recommendation to notify SPS measures even when these are based on a relevant international standard, as this increases transparency regarding SPS measures. Of the 564 regular notifications (excluding addenda) submitted during the review period, 267 (47% of the total) indicated that an international standard, guideline or recommendation was applicable to the notified measure. Of these, 62% referred to Codex, 22% to IPPC and 16% to OIE (Chart 3.12). Furthermore, the notification formats include an entry enquiring whether the proposed regulation conforms to the relevant international standard. Of the notifications that have identified a relevant international standard, 75% indicated that the measure was in conformity with, or substantially the same as, the existing international standard, guideline or recommendation.

**Chart 3.12 Regular SPS notifications (excluding addenda) and international standards**

Note: Codex Alimentarius (Codex), World Organisation for Animal Health (OIE) and International Plant Protection Convention (IPPC).

Source: WTO Secretariat.

3.50. International standards often provide useful guidance regarding measures to address disease outbreaks and other emergency situations. For example, 89% of the 70 emergency notifications (excluding addenda) submitted in the review period indicated that an international standard, guideline or recommendation was applicable to the notified measure (Chart 3.13). 94% of these indicated that the measure was in conformity with the existing international standard.

**Chart 3.13 Emergency SPS notifications (excluding addenda) and international standards**

Note: Codex Alimentarius (Codex), World Organisation for Animal Health (OIE) and International Plant Protection Convention (IPPC).

Source: WTO Secretariat.

3.51. Of the 564 regular notifications (excluding addenda) submitted during the review period, the majority were related to food safety.<sup>23</sup> The remaining notifications related to plant protection, animal health, the protection of humans from animal diseases or plant pests and the protection of the

<sup>23</sup> The objective of an SPS measure falls under one or more of the following categories: (i) food safety, (ii) animal health, (iii) plant protection, (iv) protect humans from animal/plant pest or disease, and (v) protect territory from other damages from pests. Members are required to identify the purpose of the measure in their notifications. It is not uncommon for more than one objective to be identified for a measure.

Member's territory from other damage from pests. Several of the regular notifications identified more than one objective per measure.

3.52. Of the 70 emergency measures (excluding addenda), the majority related to animal health, followed by food safety, measures related to the protection of humans from animal diseases or plant pests, plant protection and the protection of the Member's territory from other damage from pests. Similarly, most of the notified emergency measures identified more than one objective per measure.

3.53. While there is no formal provision for "counter notification", concerns regarding the failure to notify an SPS measure, or on a notified SPS measure, can be raised as a Specific Trade Concern (STCs) at any of the three regular meetings of the SPS Committee each year. In the two Committee meetings of 1-2 November 2018 and 21-22 March 2019, nine new STCs were raised. Five of these STCs related to food safety, two to animal health, and two to other types of concerns (Table 3.10).

**Table 3.10 New STCs raised in the November 2018 and March 2019 SPS Committee meetings**

STC	Document title	Members maintaining the measure	Members raising the concern	Members supporting the concern	Date raised	Primary objective
448	EU MRLs for buprofezin, diflubenzuron, ethoxysulfuron, ioxynil, molinate, picoxystrobin and tepraloxydim (G/SPS/N/EU/264)	European Union	Colombia; India	Argentina; Brazil; Canada; Chile; Costa Rica; Ecuador; Guatemala; Honduras; Nicaragua; Panama; Paraguay; Peru; Turkey; United States	01/11/2018	Food safety
449	The Russian Federation's bluetongue-related import restriction on ruminants	Russian Federation	European Union		01/11/2018	Animal Health
450	Viet Nam's import restrictions in the draft law of animal production	Viet Nam	United States	Canada; Paraguay	01/11/2018	Food safety
451	Thailand's import fees related to approval procedures for live animals and/or animal products (G/SPS/N/THA/243)	Thailand	United States		01/11/2018	Other concerns
452	European Court of Justice Opinion 528/16 on organisms obtained by mutagenesis	European Union	United States	Argentina; Paraguay	01/11/2018	Other concerns
453	EU restrictions on the use of chlorothalonil (pesticide active substance) (G/TBT/N/EU/625)	European Union	Colombia	Bolivia, Plurinational State of; Brazil; Chile; Costa Rica; Ecuador; Guatemala; Honduras; Panama; Paraguay; Turkey; United States	21/03/2019	Food Safety

STC	Document title	Members maintaining the measure	Members raising the concern	Members supporting the concern	Date raised	Primary objective
454	EU transitional periods for MRLs and international consultations	European Union	Colombia	Brazil; Chile; China; Costa Rica; Ecuador; Guatemala; Honduras; Panama; Paraguay; Peru; Turkey; United States	21/03/2019	Food Safety
455	Indonesia's undue delay in authorization procedures for beef	Indonesia	Brazil	Philippines	21/03/2019	Food Safety
456	Republic of Korea's import restrictions on poultry due to highly pathogenic avian influenza	Korea, Republic of	European Union	Russian Federation	21/03/2019	Animal Health

Source: WTO Secretariat.

3.54. 24 previously raised STCs were discussed at the November 2018 or March 2019 SPS Committee meetings.<sup>24</sup> Of these, 7 addressed persistent problems that have been discussed 7 times or more, including 3 STCs which have been discussed 11, 13 and 35 times respectively (Table 3.11). 3 STCs raised for the first time in November 2018 were discussed again in March 2019.<sup>25</sup>

**Table 3.11 Previously-raised STCs discussed in the November 2018 and/or March 2019 SPS Committee meetings**

STC	Document title	Members maintaining the measure	Members raising the concern	Members supporting the concern	First date raised	Primary Objective	Times subsequently raised
193	General import restrictions due to Bovine Spongiform Encephalopathy (BSE)	Certain Members	European Union; United States	Canada; Switzerland; Uruguay	01/06/2004	Animal Health	35
344	Measures on shrimp	Brazil	Ecuador		18/10/2012	Animal Health	6
382	European Union revised proposal for categorization of compounds as endocrine disruptors	European Union	Argentina; China; India; United States	Australia; Benin; Brazil; Burkina Faso; Burundi; Canada; Central African Republic; Chile; Colombia; Costa Rica; Dominican Republic; Ecuador; Egypt; El Salvador; The Gambia; Ghana; Guatemala; Guinea; Honduras; Indonesia; Jamaica; Kenya; Korea, Republic of;	25/03/2014	Food Safety	13

<sup>24</sup> In fact, 13 of the previously raised STCs were discussed in both meetings.

<sup>25</sup> These were STC 448, STC 449 and STC 450.

STC	Document title	Members maintaining the measure	Members raising the concern	Members supporting the concern	First date raised	Primary Objective	Times subsequently raised
				Madagascar; Malaysia; Mexico; New Zealand; Nigeria; Pakistan; Panama; Paraguay; Peru; Philippines; Senegal; Sierra Leone; South Africa; Chinese Taipei; Thailand; Togo; Uruguay; Viet Nam; Zambia			
390	The Russian Federation's import restrictions on processed fishery products from Estonia and Latvia	Russian Federation	European Union		15/07/2015	Food Safety	11
395	China's proposed amendments to the implementation regulations on safety assessment of agricultural GMOs	China	Paraguay; United States		15/07/2015	Food Safety	8
406	China's import restrictions due to Highly Pathogenic Avian Influenza	China	European Union; United States		16/03/2016	Animal Health	8
411	Russian Federation import restrictions on certain animal products from Germany	Russian Federation	European Union		30/06/2016	Food Safety	7
413	Guatemala's restrictions on egg products	Guatemala	Mexico		27/10/2016	Food Safety	2
414	Indonesia's food safety measures affecting horticultural products and animal products	Indonesia	Philippines		27/10/2016	Food Safety	1
421	Thailand's import restriction on papaya seeds	Thailand	Chinese Taipei		22/03/2017	Plant Health	5
427	India's fumigation requirements for cashew nuts	India	Madagascar; Senegal	Burkina Faso; Colombia; Ghana; Kenya; Mali; Mozambique; Nigeria; Russian Federation; Togo; Ukraine; United States	13/07/2017	Plant Health	3

STC	Document title	Members maintaining the measure	Members raising the concern	Members supporting the concern	First date raised	Primary Objective	Times subsequently raised
430	EU maximum level of cadmium in foodstuffs	European Union	Colombia; Côte d'Ivoire; Ecuador; Madagascar; Peru	Bolivia, Plurinational State of; Brazil; Costa Rica; Dominican Republic; El Salvador; Ghana; Guatemala; Indonesia; Nicaragua; Nigeria; Panama; Trinidad and Tobago; United States	02/11/2017	Food Safety	3
431	South Africa's import restrictions on poultry due to Highly Pathogenic Avian Influenza	South Africa	European Union		02/11/2017	Animal Health	4
432	EU restrictions on poultry meat due to Salmonella detection	European Union	Brazil		02/11/2017	Food Safety	3
438	Viet Nam's market access requirements for "white" offals	Viet Nam	United States	New Zealand	01/03/2018	Other Concerns	1
439	US import restrictions on apples and pears	United States	European Union		01/03/2018	Plant Health	3
440	New Zealand's draft import health standard for vehicles, machinery and equipment	New Zealand	Japan		12/07/2018	Plant Health	2
441	Lack of transparency and undue delays in Indonesia's approval procedures for animal products	Indonesia	European Union	Brazil	12/07/2018	Other Concerns	2
442	EU Commission Decision 2002/994/EC on animal products	European Union	China		12/07/2018	Food Safety	2
446	EU review of legislation on veterinary medicinal products	European Union	Argentina; United States	Australia; Brazil; Canada; Chile; Colombia; Paraguay	12/07/2018	Food Safety	2
447	New EU definition of the fungicide folpet	European Union	China		12/07/2018	Food Safety	2
448	EU MRLs for buprofezin, diflubenzuron, ethoxysulfuron, ioxynil, molinate, picoxystrobin and tepraloxydim (G/SPS/N/EU/264)	European Union	Colombia; India	Argentina; Brazil; Canada; Chile; Costa Rica; Ecuador; Guatemala; Honduras; Nicaragua; Panama; Paraguay; Peru; Turkey; United States	01/11/2018	Food Safety	1

STC	Document title	Members maintaining the measure	Members raising the concern	Members supporting the concern	First date raised	Primary Objective	Times subsequently raised
449	The Russian Federation's bluetongue-related import restriction on ruminants	Russian Federation	European Union		01/11/2018	Animal Health	1
450	Viet Nam's import restrictions in the draft law of animal production	Viet Nam	United States	Canada; Paraguay	01/11/2018	Food Safety	1

Source: WTO Secretariat.

3.55. Out of the 33 STCs discussed in the reviewed period, 18 were raised due to measures implemented by Members on food safety, 7 on animal health, 4 on plant health, and 4 related to other types of concerns (i.e. control, inspection and approval procedures).

### Box 3.3 Enhancing monitoring and transparency in SPS and TBT

Accessing relevant information on SPS or TBT product requirements in export markets can represent a significant challenge, in particular for SMEs. The WTO helps address this potential trade barrier through a combination of transparency requirements included in the SPS and TBT Agreements and online tools that make information easily accessible: the SPS and TBT Information Management Systems (SPS/TBT IMSs) and ePing.

WTO Members are required to notify proposed SPS and TBT measures if they may significantly affect international trade. Each year, the WTO receives more than 3,500 such notifications.

Publicly-available online tools assist stakeholders in finding notifications of relevance to their trade:

- SPS IMS: [www.spsims.wto.org](http://www.spsims.wto.org),
- TBT IMS: [www.tbtime.wto.org](http://www.tbtime.wto.org), and
- ePing: [www.epingalert.org](http://www.epingalert.org).

The SPS/TBT IMSs are search-platforms that, among other things, help identify SPS or TBT notifications by using parameters such as product, notifying Member or objective. The ePing is an online alert system allowing users (governments, economic operators, and civil society) to receive daily or weekly email alerts about SPS and TBT notifications covering products and markets of interest to them.

Timely access to notifications is crucial, given the 60-day period that should normally be provided for submitting comments on regulations, usually still in draft form. The ePing platform also facilitates dialogue among the public and private sectors to discuss and share information on notifications of concern, allowing stakeholders to address potential trade problems at an early stage of the regulatory lifecycle.

Source: WTO Secretariat.

### 3.4 Technical Barriers to Trade (TBT)<sup>26</sup>

3.56. Under the TBT Agreement, WTO Members are required to notify their intention to introduce new or modified TBT measures, or to notify adopted emergency measures immediately. The principal objective of complying with the TBT notification obligations is to inform other Members about new or changed regulations that may significantly affect trade.<sup>27</sup> Therefore, an increased number of notifications does not necessarily imply greater use of trade-restrictive measures. Rather, TBT notification obligations are meant to promote enhanced transparency regarding measures taken to

<sup>26</sup> For the TBT Section, the review period covers 1 October 2018 to 30 April 2019.

<sup>27</sup> Under the TBT Agreement, WTO Members are not required to notify all proposed TBT measures (technical regulations or conformity assessment procedures). Rather, as a minimum, they are only required to notify those measures that may have a significant effect on trade of other Members and are not in accordance with a relevant international standard (in the case of technical regulations), or relevant guides or recommendations issued by international standardizing bodies (in the case of conformity assessment procedures). However, the TBT Committee, in its Sixth Triennial Review, encouraged Members, "for the purpose of enhancing predictability and transparency in situations where it is difficult to establish or foresee whether a draft technical regulation or conformity assessment procedure may have a 'significant effect on trade of other Members', to notify such measures." This recommendation was reiterated by the TBT Committee at its Eighth, and last, Triennial Review (November 2018).

address legitimate policy objectives, e.g. the protection of human, animal or plant life or health, or the environment.<sup>28</sup>

3.57. From 1 October 2018 to 30 April 2019 WTO Members submitted 1,250 new regular notifications of TBT measures,<sup>29</sup> roughly the same volume of notifications registered in preceding seven-month period.<sup>30</sup> The clear majority of regular TBT notifications submitted during the review period (around 85%) continue to come from developing countries.

3.58. The Members which notified the most measures during the review period – covering more than 62% of all new regular notifications – were Uganda (130), Kenya (119), the European Union (99)<sup>31</sup>, Kuwait (86), United Arab Emirates, Kingdom of Bahrain, Kingdom of Saudi Arabia, Oman, Qatar, and Yemen (74) (collectively as Gulf Cooperation Council (GCC) Standardization Organization (GSO) members)<sup>32</sup>, United States (64), Tanzania (54), Rwanda (51), Republic of Korea (38), Chinese Taipei (34), and China (31).

3.59. Of the 1,250 new regular TBT notifications received during the review period, the majority indicated the protection of human health or safety as the main objective.<sup>33</sup> The remaining notifications related to consumer information, labelling, prevention of deceptive practices and consumer protection, and quality requirements.

3.60. A total of 629 "follow-up notifications"<sup>34</sup> were submitted during the review period, only slightly more than those submitted during the preceding seven-month period (611). The continuing and frequent use by Members of this type of notifications is a positive development, as it increases transparency and predictability across the measures' regulatory lifecycle.

3.61. WTO Members use the TBT Committee as a forum for discussing trade issues related to specific TBT measures (technical regulations, standards or conformity assessment procedures) maintained by other Members. These STCs normally relate to proposed draft measures notified to the TBT Committee or to the implementation of existing measures. Issues can range from simple requests for additional information and clarification to questions on the consistency of measures with TBT Agreement disciplines.

3.62. A total of 121 (19 new and 102 previously-raised) STCs were discussed during the 2 Committee meetings that fell within the review period: 62 (8 new and 54 previously-raised) at the November 2018 meeting and 59 (11 new and 48 previously-raised) at the March 2019 meeting.

3.63. As depicted in Table 3.12 the 19 new STCs concerned TBT measures by the European Union (4), Chile (2), Republic of Korea (2), as well as by the GCC members, Brazil, China, Dominican Republic, Egypt, Israel, Jamaica, Russian Federation, Kingdom of Saudi Arabia, Trinidad and Tobago and Uruguay (one each). The new STCs covered regulations on a range of products (milk, grape and wine products, poultry, cosmetic and hygiene products, chemicals, electrical and

<sup>28</sup> TBT Agreement obligations are also subject to 25 separate technical assistance and special and differential treatment (S&D) provisions, conferring developing-country Members, and LDC Members in particular, with certain flexibilities. The TBT Agreement contains more S&D provisions than any other WTO agreement apart from the GATT 1994. For more information see WTO document WT/COMTD/W/239, 12 October 2018, Section 2.5 (TBT), and also comparative Table in pages 5-6.

<sup>29</sup> Available at: <http://tbtims.wto.org>.

<sup>30</sup> From 1 March to 30 September 2018, the overall number of new regular notifications was 1,265.

<sup>31</sup> 52 EU-wide regular notifications plus 47 notifications from certain individual EU member States: the Czech Republic (8), Belgium (2), Finland (22), France (2), Germany (1), Hungary (1), Italy (1), Lithuania (2), Slovenia (6), Spain (1), and the United Kingdom (1).

<sup>32</sup> The GSO-GCC has *ad hoc* Observer status to the TBT Committee.

<sup>33</sup> A TBT measure may pursue a variety of legitimate objectives, although historically the majority fall under one of the following categories: the protection of human, animal or plant life or health, or the environment. Members are required to identify the purpose of the measure in their notifications. It is not uncommon that more than one objective is identified for a measure.

<sup>34</sup> Follow-up notifications are called "addenda", "corrigenda", or "supplements". They can also be in the form of "revisions" when the original measure has been substantially re-drafted prior to adoption or entry into force. A revision replaces the original notification. They are linked to the original notification of a measure, and include additional pertinent information, such as the extension of a notification comment period (addenda), the withdrawal or revocation of a measure (addenda), when a measure is substantially redrafted prior to adoption or entry into force (revision), or when the adopted final text of a measure becomes available (addenda). See WTO document G/TBT/35, 24 June 2014, for further information on different types of TBT notifications.

electronic equipment, tobacco products, plastic products, alcoholic beverages, pesticides, etc.), dealing with a variety of issues (labelling and packaging, product traceability, product classification, harmonization, product quality, halal certification, health and safety, environmental protection, recycling, energy efficiency, etc.).

**Table 3.12 New STCs raised in the TBT Committee**

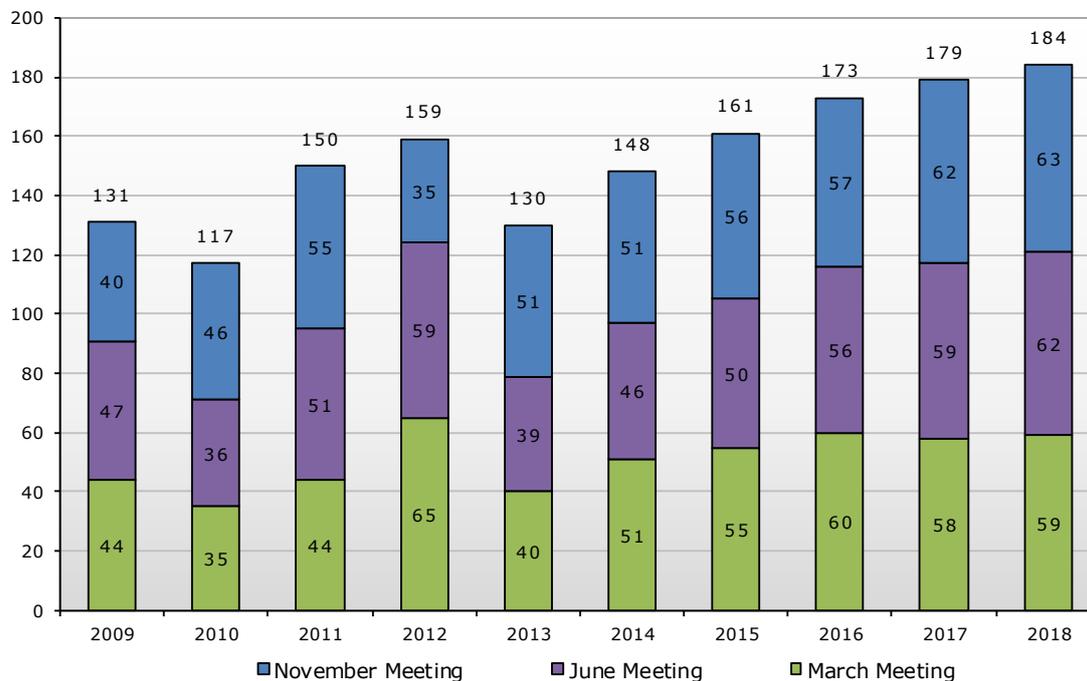
New STCs
<b>European Union:</b> Regulation of the European Parliament and of the Council laying down rules and procedures for compliance with and enforcement of Union harmonization legislation on products and amending relevant regulations (ID 565) <i>(raised by China and Canada)</i>
<b>Chile:</b> Public Consultation for draft legislation setting out rules on the preparation, description and labelling of milk products deriving from milk (ID 566) <i>(raised by European Union and United States)</i>
<b>Russian Federation:</b> Federal Law No. 487-FZ, providing a framework for comprehensive use of special labelling and traceability of goods and Decision No. 792-r specifying the goods to which labelling will apply and the dates of introduction of the mandatory labelling (ID 567) <i>(raised by European Union)</i>
<b>Brazil:</b> Technical Regulation 14, 8 February 2018, to set the additional official identity, quality standards for wine and derivatives of grape and wine products as well as the requirements to be acquainted and Technical Regulation No. 48, 31 August 2018, published in the Official Gazette on 10 September 2018 (ID 568) <i>(raised by European Union)</i>
<b>Dominican Republic:</b> Regulation on Cosmetic and Hygiene Products (ID 569) <i>(raised by Mexico and United States)</i>
<b>Chile:</b> Regulations on the classification, labelling and notification of chemical substances and mixtures (ID 570) <i>(raised by Mexico)</i>
<b>Egypt:</b> Halal requirements for Poultry Parts and Offal (ID 571) <i>(raised by United States);</i>
<b>Kingdom of Bahrain, State of Kuwait, Qatar, Kingdom of Saudi Arabia, Oman, United Arab Emirates, Yemen:</b> GCC Technical Regulations for the Restriction of the use of certain Hazardous Substances in electrical and electronic equipment (572) <i>(raised by European Union and United States)</i>
<b>Israel:</b> Bill on the Restriction on Advertising and Marketing of Tobacco Products (Amendment No. 7, 5778-2018) (ID 573) <i>(raised by Dominican Republic)</i>
<b>Trinidad and Tobago:</b> Regulation related to the prohibition, of commercialization and importation of plastic products of polystyrene (ID 574) <i>(raised by Dominican Republic)</i>
<b>European Union:</b> Draft Commission Regulation laying down eco-design requirements for electronic displays pursuant to Directive 2009/125/EC of the European Parliament and of the Council, amending Commission Regulation (EC) No. 1275/2008 and repealing Commission Regulation (EC) 642/2009 (and its accompanying annexes)" (ID 575) <i>(raised by China, United States and Japan)</i>
<b>China:</b> Draft Cosmetics Supervision and Administration Regulation (Draft) (ID 576) <i>(raised by Japan, Republic of Korea, United States and European Union)</i>
<b>Republic of Korea:</b> Warning statement and graphic health warnings on alcoholic beverages (ID 577) <i>(raised by United States)</i>
<b>Uruguay:</b> Labelling of Packaged Food (ID 578) <i>(raised by Costa Rica, United States, European Union and Guatemala)</i>
<b>European Union:</b> Chlorothalonil (pesticide active substance) (ID 579) <i>(raised by Colombia, Guatemala, United States, Brazil, Panama, Paraguay, Ecuador, Canada, Costa Rica and Honduras)</i>
<b>European Union:</b> Transitional periods for Minimum Residual Limits (MRLs) and international consultations (ID 580) <i>(raised by Colombia, Guatemala, United States, Brazil, Panama, Paraguay, Ecuador and Costa Rica)</i>
<b>Jamaica:</b> The Trade (Plastic Packaging Materials Prohibition) Order, 2018, adopted on 24 December 2018, contained in the Jamaica Gazette Supplement No. 146 and The Natural Resources Conservation Authority Act (Plastic Packaging Materials Prohibition) Order 2018, adopted on 24 December 2018, contained in the Jamaica Gazette No. 145 (ID 581) <i>(raised by Dominican Republic)</i>
<b>Republic of Korea:</b> Regulation on Energy Efficiency Management Equipment (ID 582) <i>(raised by China)</i>
<b>Kingdom of Saudi Arabia:</b> Technical Regulation for plastic products OXO – biodegradable (ID 583) <i>(raised by European Union and United States)</i>

Source: WTO Secretariat.

3.64. As indicated in Chart 3.14, STCs are frequently discussed in the regular meetings of the TBT Committee, with almost 60 STCs discussed per meeting in recent years. Depending on the extent of the trade-restrictiveness and importance of the issue to the Member(s) raising the STC, the same measure may come up at one or more meetings of the TBT Committee. For example, an STC may be discussed at only one meeting as a new STC, and subsequently a resolution to the trade concern may be found. Alternatively, an STC may be discussed at subsequent meetings, as a previously-raised STC. Previously-raised STCs, in particular long-standing ("persisting") ones,

generally involve more serious and/or complex concerns. Since 1995, Members have raised 581 new STCs.

**Chart 3.14 STCs raised per committee meeting from 2009 to 2018**



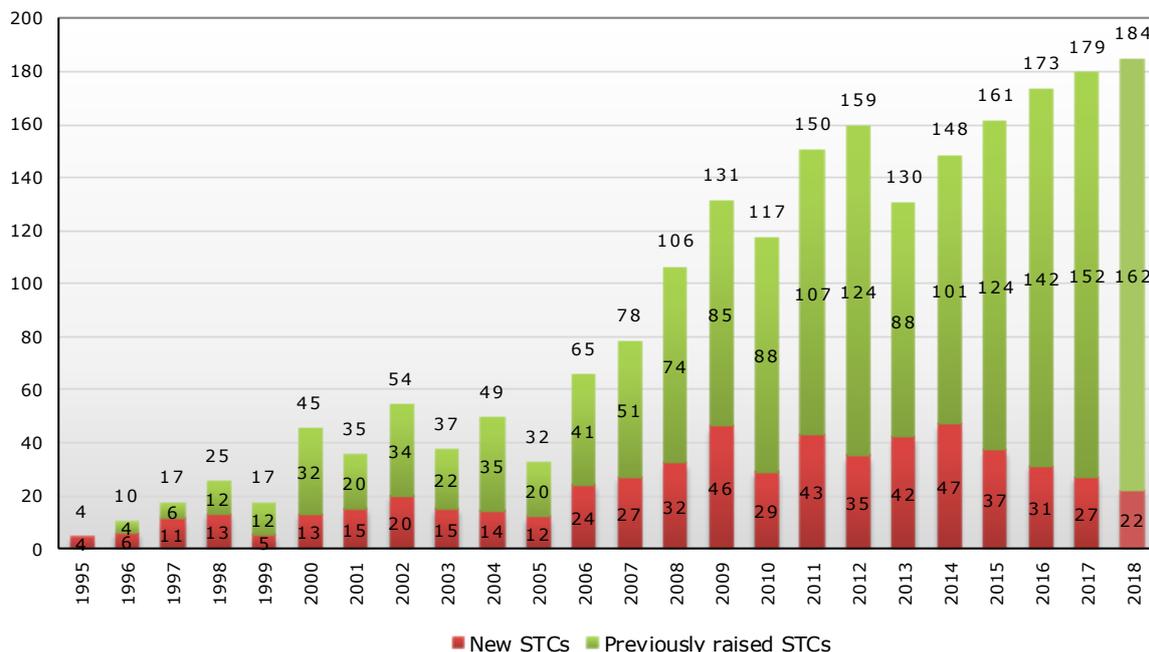
Note: The methodology of counting previously-raised STCs has been revised. The new methodology counts an STC each time it is raised: if raised for the first time, it is counted as a new STC, and if it is raised again, it is counted as a previously-raised STC.

Source: WTO Secretariat.

3.65. Overall, the number of new and previously-raised STCs has been increasing every year, despite Members raising fewer new STCs (Chart 3.15). This may in part be because they have raised more previous STCs in recent years. Since 2008, Members have raised more than 100 STCs (new and previous) every year (Chart 3.16). During the 3 Committee meetings held in 2018 for example, 184 STCs were discussed, which represents a 136% increase compared to 2008, when only 78 STCs were raised. This is a new peak in the Committee. The number of new concerns, however, dropped to 22, 5 fewer than in 2017. This continues the declining trend in the number of new concerns raised in the Committee since 2014 (47), a decrease of 53%. On the other hand, the number of times previously raised STCs were discussed continues to increase.<sup>35</sup> The overall trend suggests an increasing use of the TBT Committee as a forum for Members to raise and resolve trade concerns non-litigiously.

<sup>35</sup> See Twenty-Fourth Annual Review of the Implementation and Operation of the TBT Agreement, WTO document G/TBT/42, 25 February 2019, para. 4.2.

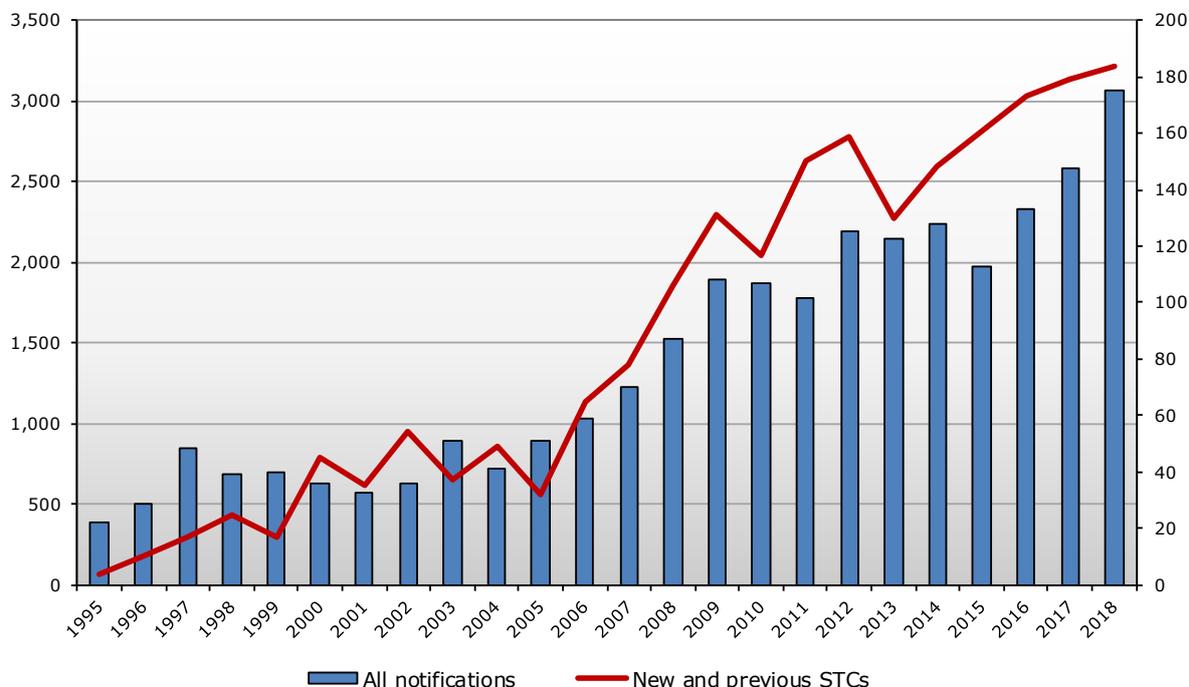
**Chart 3.15 STCs raised from 1995 to 2018**



Note: The methodology of counting previously-raised STCs has been revised. The new methodology counts an STC each time it is raised: if raised for the first time, it is counted as a new STC, and if it is raised again, it is counted as a previously-raised STC.

Source: WTO Secretariat.

**Chart 3.16 Number of TBT notifications and new STCs, 1995 to 2018**



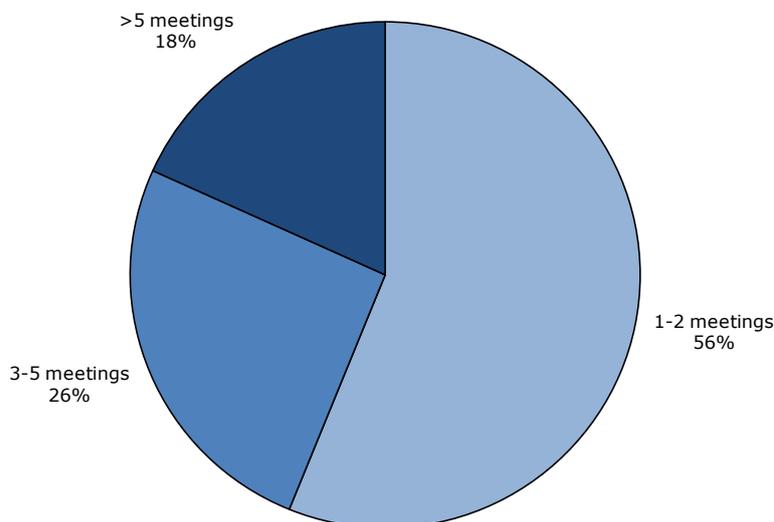
Source: WTO Secretariat.

3.66. The number of times that an STC is raised may be related to the importance Members attach to the concern or may provide insight into whether progress was made in addressing such concerns. STCs which are raised at only one or two meetings may represent concerns for which some progress was found. On the other hand, longstanding STCs raised at five or more meetings may represent

concerns on which less progress has been made. As mentioned above, STCs frequently discussed at subsequent meetings as previously-raised STCs usually represent more serious concerns. From 1995 to 2018, for instance, the majority of STCs (56%), however, have been raised at one or two Committee meetings, while 26% were raised three to five times. Only 18% STCs were raised more than five times (Chart 3.17).

**Chart 3.17 STCs raised in the TBT Committee, 1995-2018**

(Number of times)



Source: WTO Secretariat. Twenty-Fourth Annual Review of the Implementation and Operation of the TBT Agreement, WTO document G/TBT/42, 25 February 2019, Chart 30.

3.67. During the 2 Committee meetings covered by the review period, 8 "persistent" STCs – i.e. those previously-raised STCs raised more than 16 times in Committee meetings – were discussed (Table 3.13). All of these "persistent" STCs concerned measures by G20 economies.

**Table 3.13 Persistent STCs raised between 1 October 2018 and 30 April 2019**

Persistent STCs
<b>India:</b> New Telecommunications related Rules (Department of Telecommunications, No. 842-725/2005-VAS/Vol.III (3 December 2009); No. 10-15/2009-AS-III/193 (18 March 2010); and Nos. 10-15/2009-AS.III/Vol.II/(Pt.)/(25-29) (28 July 2010); Department of Telecommunications, No. 10-15/2009-AS.III/Vol.II/(Pt.)/(30) (28 July 2010) and accompanying template, "Security and Business Continuity Agreement") (ID 274) – <u>raised 24 times since 2010</u>
<b>China:</b> Provisions for the Administration of Cosmetics Application Acceptance (ID 296) – <u>raised 24 times since 2011</u>
<b>China:</b> Requirements for information security products, including, <i>inter alia</i> , the Office of State Commercial Cryptography Administration (OSCCA) 1999 Regulation on commercial encryption products and its ongoing revision and the Multi-Level Protection Scheme (MLPS) (ID 294) – <u>raised 23 times since 2011</u>
<b>Korea, Republic of:</b> Regulation on Registration and Evaluation of Chemical Material (ID 305) – <u>raised 20 times since 2011</u>
<b>Indonesia:</b> Technical Guidelines for the Implementation of the Adoption and Supervision of Indonesian National Standards for Obligatory Toy Safety (ID 328) – <u>raised 20 times since 2011</u>
<b>Russian Federation:</b> Draft Technical Regulation on Alcohol Drinks Safety (published on 24 October 2011) (ID 332) – <u>raised 20 times since 2012</u>
<b>European Union:</b> Draft Implementing Regulations amending Regulation (EC) No. 607/2009 laying down detailed rules for the application of Council Regulation (EC) No. 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products (ID 345) – <u>raised 18 times since 2012</u>
<b>India:</b> India – Electronics and Information Technology Goods (Requirements for Compulsory Registration) Order, 2012 (ID 367) – <u>raised 17 times since 2013</u>

Source: WTO Secretariat.

3.68. Various new and previously-raised STCs discussed during the review period involved regulations on labelling requirements of various products, including labelling of packaged food, alcoholic beverages, cosmetics, food products, milk products, and chemical substances. Box 3.4

takes a closer look at these types of measures as notified to, and discussed in, the TBT Committee over the years.

### Box 3.4 Labelling requirements and the TBT Agreement

In addition to technical regulations and standards regulating the content of products, or the way they are produced, the TBT Agreement also covers measures addressing terminology, symbols, packaging, marking or labelling of products ("labelling requirements"). The preamble of the TBT Agreement states that WTO Members agree to "*ensure that technical regulations and standards, including ... labelling requirements, ... do not create unnecessary obstacles to international trade*".<sup>a</sup>

Labelling requirements are increasingly common<sup>b</sup> and, since most goods placed on the market are subject to labelling, this type of measure affects a large portion of global trade. In fact, around 25% of all measures notified to the TBT Committee since 1995 deal exclusively, or partially, with labelling requirements. Labelling requirements can be specified in a wide variety of ways. For example, they have been understood as including any "*measures regulating the kind, colour and size of printing on packages and labels and defining the information that should be provided to the consumer. Labelling is any written, electronic, or graphic communication on the packaging or on a separate but associated label, or on the product itself. It may include requirements on the official language to be used as well as technical information on the product, such as voltage, components, instruction on use, safety, and security advice*".<sup>c</sup> Although labelling requirements are sometimes viewed as less trade-restrictive alternatives to other more stringent forms of regulatory interventions (fully prohibiting products with a certain characteristic, for instance), they may sometimes nonetheless have a significant impact on trade, depending on their content, scope or nature.

Mindful of the growing importance of labelling requirements, WTO Members recently decided that the TBT Committee's 2019-21 work plan should include:

- holding a discussion on how to facilitate compliance with mandatory marking and labelling requirements on products, and
- considering the need for further work in the Committee on this topic, including on a sectoral basis, as appropriate.<sup>d</sup>

Labelling is among the most frequently-discussed issue in the TBT Committee in the context of **STCs**. Around 50% of all of the 581 new STCs raised in the Committee since 1995 involve measures dealing exclusively, or partially, with labelling requirements.

The labelling-related measures discussed in the Committee covered and addressed a wide variety of products and issues. In terms of their coverage, products affected included: different types of *foods* (e.g. pasta, palm oil, milk, tuna, meat, GM soya, maize); *alcoholic and non-alcoholic beverages* (e.g. wine, beer, spirits, coffee, fruit juices); *tobacco products* (e.g. cigarettes, cigars); *cosmetics* (children's bathroom products, shampoos, conditioners, eye pencils, blushes, lipsticks, hair colourants); *appliances* (e.g. domestic gas cooking appliances, steel and rubber hoses for gas stoves, plastic trays, dishwashers); *electronics* (e.g. cell phones, handheld and tablet computers); *clothing and textiles* (e.g. leather, footwear products, worn clothing, rags, knitted or crocheted wearing apparel); and *vehicles and vehicle-related products* (tyres, brake linings for automobiles, engines, transmission parts). In terms of their stated legitimate objectives, these measures addressed, among others: the protection of *human health or safety* (e.g. nutrition or promoting healthy eating among children and adolescents); the protection of the *environment* (e.g. recyclable products' common logo to simplify waste sorting the promotion of efficient and effective water-use and water-saving technologies); and *consumer information and protection* (e.g. information on water-saving products, labelling on products without expiration date). Additionally, the problems or issues more commonly mentioned by WTO Members raising such labelling-related concerns included: the need for further information or clarification on aspects of the measure; the use (or non-use) of international standards; uncertainty with respect to the rationale or legitimacy of the measure; the creation of unnecessary barriers to trade; the discriminatory nature of the measure; insufficient time to adapt to the new requirements (i.e. "reasonable interval" between the adoption and entry into effect of the measure); and transparency (e.g. measure not notified to the Committee).<sup>e</sup>

Finally, TBT measures containing labelling requirements also feature prominently in formal WTO **disputes**. Since 1995, there have been 8 key TBT disputes – i.e. disputes that proceeded beyond consultations<sup>f</sup> and resulted in Panel and Appellate Body reports with findings mostly or significantly based on the TBT Agreement. Half of these concerned labelling measures: *EC – Sardines*; *US – Tuna II*; *US – COOL*; and *Australia – Tobacco Plain Packaging*. More broadly, 17 of the 54 formal consultation requests lodged in the WTO since 1995 containing at least one TBT claim (most of which never proceeded beyond this initial phase of the WTO dispute settlement procedures) concerned labelling measures.<sup>g</sup>

a [https://www.wto.org/english/docs\\_e/legal\\_e/17-tbt\\_e.htm](https://www.wto.org/english/docs_e/legal_e/17-tbt_e.htm).

b Twenty-Fourth Annual Review of the Implementation and Operation of the TBT Agreement, G/TBT/42 (25 February 2019), para. 3.16; Chart 17.

c International Classification of Non-Tariff Measures (ICNTM) – 2019 (unedited) version (UNCTAD) [https://unctad.org/meetings/en/SessionalDocuments/ditc\\_tab\\_NTM\\_Week\\_INTERIM\\_2019\\_en.pdf](https://unctad.org/meetings/en/SessionalDocuments/ditc_tab_NTM_Week_INTERIM_2019_en.pdf).

d Eighth Triennial Review of the Operation and Implementation of the TBT Agreement, WTO document G/TBT/41, 19 November 2018, para. 3.2(a).

e Available at: <http://tbtims.wto.org>.

- f According to WTO dispute settlement procedures, the first step for lodging a dispute is for the complaining Member to request and hold "consultations" with the Member (the "respondent") whose measure is being challenged. If consultations do not result in an amicable solution, the dispute can then proceed to the panel – and more litigious phase.
- g Including consultation requests for the four key TBT disputes already mentioned above. More information on WTO disputes can be found at: [https://www.wto.org/english/tratop\\_e/dispu\\_e/dispu\\_e.htm](https://www.wto.org/english/tratop_e/dispu_e/dispu_e.htm).

Source: WTO Secretariat.

3.69. The following Box on NTMs and trade has been provided by the OECD.

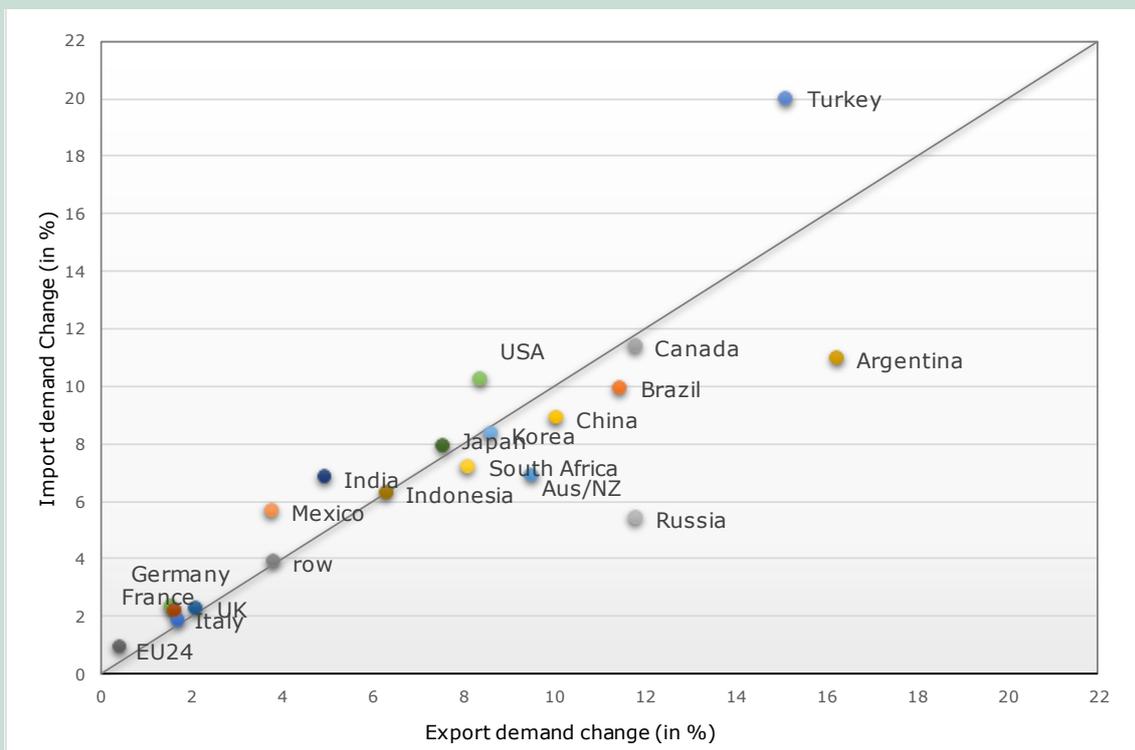
### Box 3.5 NTMs and trade

The term "non-tariff measures" (NTMs) covers a diverse set of policies in terms of purpose, legal form and economic effect. They comprise all policy measures other than tariffs and tariff-rate quotas that have a more or less direct effect on the price of traded products, the quantity of traded products, or both. Generally, NTMs stem from domestic regulations that aim to overcome or reduce the impacts of market imperfections, such as those related to negative externalities, information asymmetries, and risks for human, animal or plant health. They also tend to increase production and trade costs and can influence, positively or negatively, the development of new technologies or production methods.

Recent OECD efforts to estimate the costs of NTMs using *ad valorem* equivalents (AVEs) show that for most economies, current NTM levels are more than twice that of tariffs. Thus, international trade in goods and services can be strongly affected by NTMs. However, unlike tariffs, NTMs can have both positive and negative effects on trade: for example, compulsory labelling to address information asymmetries can increase the costs to businesses, but also provide a signal of quality, strengthening consumer confidence in foreign products. In this way, NTMs can be trade-creating.

As NTMs serve important policy objectives, and can be trade-creating, the aim is not for governments simply to eliminate them as they would eliminate tariffs. That said, there is scope to lower the costs associated with NTMs for traders, while still allowing governments to meet their objectives. A growing body of evidence, including recent estimates by the OECD, suggests that reducing regulatory heterogeneity reduces these trade costs (OECD, 2017, Cadot et al., 2018).<sup>9</sup> That is, the greater the regulatory distance between trading partners, the larger the trade costs (AVEs) associated with NTMs, while greater regulatory similarity reduces these costs (Cadot et al., 2018). There is thus scope to reduce unnecessary trade costs associated with NTMs by reducing regulatory differences, including through use of international standards and various avenues for international regulatory cooperation.

Analysis using the OECD's METRO model shows that, if the unnecessary trade costs associated with NTMs for all G20 members were reduced to the lowest level among G20 members, both imports and exports would increase significantly (an average increase across the G20 economies of over 5.5%, with individual countries benefiting more). The reduction in trade costs from NTMs also contributes to expansions in domestic production as high as 3%, and increases in household consumption of almost 1.5%, leading to an increase in household income across G20 economies of over USD 455 billion.

**Figure 1 Change in trade from NTM reduction**

Source: OECD.

The reduction in unnecessary trade costs associated with NTMs can lead to significant economic gains (Figure 1). By taking account of international market effects in designing regulation, and using international regulatory cooperation, it is possible to reduce some of the trade costs due to regulatory divergence, without constraining governments' rights to regulate in pursuit of legitimate domestic policy objectives.

- a Cadot, O., Gourdon, J., van Tongeren, F. (2018), *Estimating Ad Valorem Equivalents of Non-Tariff Measures: Combining Price-Based and Quantity-Based Approaches*, OECD Trade Policy Papers, No. 215. Viewed at: <https://doi.org/10.1787/f3cd5bdc-en>.

Source: OECD (2017), *International Regulatory Co-operation and Trade: Understanding the Trade Costs of Regulatory Divergence and the Remedies*, OECD Publishing, Paris. Viewed at: <http://dx.doi.org/10.1787/9789264275942-en>.

### 3.5 Trade Concerns Raised in Other WTO Bodies<sup>36</sup>

3.70. During the review period, a number of trade concerns were raised by Members in formal meetings of various WTO bodies. This Section provides a factual overview of such concerns raised between mid-October 2018 and mid-May 2019.<sup>37</sup> The trade concerns covered in this Section have neither the status nor the procedural framework of the STCs raised in the SPS and TBT Committees. Nevertheless, they provide an interesting and up-to-date insight into which trade issues are being discussed by Members across the WTO and, as such, add important transparency. This Section does not reproduce the full substantive description of the trade concerns outlined by WTO Members, but provides a reference to the formal meeting(s) where a particular issue featured. A full account and context of the concerns is provided in the formal meeting records of the respective WTO bodies. The list of concerns and issues mentioned in this Section is not exhaustive.

<sup>36</sup> This Section does not include the SPS and TBT Committees (covered separately). Issues raised in this Section may subsequently have become the subject of a dispute.

<sup>37</sup> Members and Observers are encouraged to communicate to the Trade Monitoring Section of the WTO's Trade Policy Review Division trade issues which they have raised in WTO bodies and which they believe are relevant to the monitoring exercise.

3.71. At the 7 May 2019 meeting of the *General Council*<sup>38</sup> concerns were raised on: (i) the EU safeguard measures on Indica rice from Cambodia (raised by Cambodia); (ii) China's SPS agriculture issues, including Canola trade (raised by Canada); and (iii) Brazil's trade-restrictive measures, which related to Brazil's market access for Ecuador's bananas (raised by Ecuador).

3.72. At the meeting of the *Council for Trade in Goods* (CTG) on 12 and 13 November 2018<sup>39</sup>, new concerns were raised on (i) the EU renegotiation of tariff-rate quota commitments in response to BREXIT (raised by Argentina, Australia, Brazil, Canada, China, Japan, Mexico, New Zealand, Chinese Taipei, Thailand, United States, and Uruguay); (ii) the EU enlargement to include Croatia (raised by Russian Federation); (iii) the US export restrictions on a certain enterprise of China (raised by China); (iv) the EU draft implementing regulations regarding protected designations of origin and GIs, traditional terms, labelling and presentation of certain wine products (raised by Argentina and United States); and (v) Australia's market access prohibition on 5G equipment (raised by China).

3.73. At the meeting, concerns were again raised on: (i) Brazil's measures restricting shrimp imports (raised by Ecuador); (ii) a selective tax by Kingdom of Saudi Arabia, Kingdom of Bahrain, and United Arab Emirates on certain imported products (raised by European Union, Switzerland, and United States); (iii) Indonesia's import and export policies (raised by European Union, Japan, and Norway); (iv) US measures relating to imports of fish and seafood products (raised by China); (v) India's customs duties on ICT products (raised by Canada, China, European Union, Japan, Norway, Chinese Taipei, and United States); (vi) Pakistan's measures relating to sugar exports (raised by Australia and European Union); (vii) India's measures relating to sugar exports (raised by Australia and European Union); (viii) the EU quality schemes for agricultural products and foodstuffs and the registration of the term "Danbo" as Geographical Indication (raised by United States and Uruguay); (ix) Egypt's manufacturer registration system (raised by European Union) and; (x) Mongolia's quantitative restrictions and prohibitions on importation of certain agricultural products (raised by Russian Federation).

3.74. Additional concerns were repeated on (xi) Viet Nam's decree No. 116/2018 on the regulation on conditions for automobiles manufacturing, assembling, importing, and automotive warranty and maintenance (raised by Japan and United States); (xii) China's measures restricting the import of scrap materials (raised by United States); (xiii) India's quantitative restrictions on imports of certain pulses (raised by Australia, Canada, European Union, Russian Federation, and United States); (xiv) China's customs duties on certain integrated circuits (raised by European Union, Japan, and Chinese Taipei); (xv) China's draft new export control law (raised by Japan); (xvi) the US proposal on prohibiting use of universal service support on equipment or services from companies that pose national security threats released by the US Federal Communications Commission (FCC) (raised by China); (xvii) the US civil aviation security measures (raised by China) and; (xviii) the Russian Federation's trade-restricting practices (raised by European Union).

3.75. At the CTG meeting on 11 and 12 April 2019<sup>40</sup>, new concerns were raised on: (i) the EU safeguard measures on Indica rice from Cambodia (raised by Cambodia); (ii) the EU regulation EC No. 1272/2008 concerning the update of the classification, labelling and packaging (CLP) of chemical substance mixtures (raised by Russian Federation); (iii) Jamaica's regulations 145 and 146 banning single-use plastic products (raised by Dominican Republic); and (iv) Trinidad and Tobago's announcement concerning the ban on the marketing and importation of polystyrene plastics (raised by Dominican Republic). At the same meeting trade concerns were repeated on (i) the European Union enlargement to include Croatia (raised by Russian Federation); (ii) the selective tax on certain imported products by the Kingdom of Saudi Arabia, the Kingdom of Bahrain, and the United Arab Emirates (raised by European Union, Switzerland, and United States); (iii) Indonesia's import and export policies (raised by European Union, Japan, Norway and United States); (iv) India's customs duties on ICT Products (raised by Canada, China, European Union, Japan, Norway, Chinese Taipei, and United States); (v) the EU quality schemes for agricultural products and foodstuffs and the registration of certain terms of cheese as geographical indications (raised by Argentina, Uruguay, and United States); (vi) Egypt's manufacturer registration system (raised by European Union); (vii) Mongolia's quantitative restrictions and prohibitions on importation of certain agricultural products (raised by Russian Federation); (viii) Viet Nam's Decree No. 116/2018 on the regulation on conditions for automobiles manufacturing, assembling, importing,

<sup>38</sup> WTO document WT/GC/M/177 (forthcoming).

<sup>39</sup> WTO document G/C/M/133, 17 April 2019.

<sup>40</sup> WTO document G/C/M/134 (forthcoming).

and automotive warranty and maintenance (raised by United States); (ix) China's measures restricting the import of scrap materials (raised by United States) and; (x) India's quantitative restrictions on imports of certain pulses (raised by Australia, Canada, European Union, Russian Federation, and United States).

3.76. Additional concerns were repeated on: (xi) China's customs duties on certain integrated circuits (raised by European Union, Japan, and Chinese Taipei); (xii) the EU draft implementing regulations regarding protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products (raised by Argentina and United States); (xiii) China's new draft export control law (raised by Japan); (xiv) the US proposal on prohibiting use of universal service support on equipment or services from companies that pose national security threats released by the US Federal Communications Commission (FCC) (raised by China); (xv) Australia's discriminatory market access prohibition on 5G equipment (raised by China); (xvi) the US measures on aviation security equipment (raised by China); (xvii) the Russian Federation trade-restricting practices (raised by European Union); (xviii) the EU (Croatia) regulation of import and sale of certain oil products (raised by Russian Federation) and; (xix) the EU amendments to Directive 2009/28/EC on renewable energy directive (raised by Malaysia and Colombia).

3.77. At the meeting of the *Committee of Participants on the Expansion of Trade in Information Technology Products* on 14 May 2019<sup>41</sup>, new and previously repeated trade concerns were raised on: (i) India's continued tariff increases for certain ICT products (raised by Canada, China, Japan, Republic of Korea, Norway, Chinese Taipei and United States); (ii) China's new tariffs concerning multi component integrated circuits (MCOs) (raised by European Union, Japan and Chinese Taipei); and (iii) Indonesia's tariffs on certain ICT products which appeared inconsistent to its bound commitments (raised by United States).

3.78. At the meeting of the *Committee on Import Licensing (CIL)* on 22 October 2018<sup>42</sup>, new and persistent trade concerns were raised on: (i) Indonesia's import licensing regime for cell phones, handheld computers and tablets (raised by United States); (ii) Indonesia's import requirements related to milk supply and circulation (raised by European Union and United States); (iii) India's import licensing requirements for boric acid (raised by United States); (iv) India's import requirements on certain pulses (raised by Australia, Canada and European Union); (v) Viet Nam's import licensing for cyber security products (raised by the United States); (vi) China's changes to import licensing for certain recoverable materials (raised by United States); (vii) Thailand's import procedures on feed wheat (raised by European Union); (viii) Brazil's import licensing on industrial nitrocellulose (raised by European Union); (ix) the Russian Federation's import procedures for specified medicines and pharmaceutical products, i.e. the Good Manufacturing Practice (GMP) certificate requirements (raised by European Union).

3.79. At the 4 April 2019<sup>43</sup> CIL meeting, new trade concerns were raised on: (i) Tunisia's import-restrictive measures of 28 November 2018 and use of non-automatic licences (raised by European Union); (ii) Dominican Republic's import licensing permits for agricultural products (raised by United States); (iii) Ghana's import procedures and permits for poultry (raised by United States). Persistent trade concerns were reiterated on: (i) Indonesia's licensing regime on cell phones, handheld computers and tablets (raised by United States); (ii) India's import licensing requirements on boric acid (raised by United States); (iii) Viet Nam's import licensing for cyber security products (raised by United States); (iv) China's import licensing for certain recoverable materials (raised by United States); (v) Thailand's import procedures on feed wheat (raised by European Union); and (vi) Brazil's import licensing on industrial nitrocellulose (raised by European Union).

3.80. At the meeting of the *Committee on Customs Valuation* on 19 November 2018<sup>44</sup>, a new concern was raised on Tajikistan's customs valuation procedures and practices (raised by Ukraine). At the same meeting concerns were repeated on: (i) Pakistan's determination of the customs value of paper (raised by Thailand); (ii) Indonesia's status of PSI notifications (raised by United States); and (iii) Egypt's status of PSI notifications (raised by United States). Moreover, two previously raised trade concerns were removed from the agenda following resolution between the concerned Members

<sup>41</sup> WTO document G/IT/M/70 (forthcoming).

<sup>42</sup> WTO document G/LIC/M/48, 14 March 2019.

<sup>43</sup> WTO document G/LIC/M/49 (forthcoming).

<sup>44</sup> WTO document G/VAL/M/67, 2 April 2019.

regarding (i) Armenia's alleged use of reference prices (raised by United States); and (ii) Oman's Customs valuation of cigarettes and introduction of the selective tax (raised by Switzerland).

3.81. At the meetings of the *Committee on Agriculture (CoA)*<sup>45</sup> on 26-27 November 2018 and 26-27 February 2019, several questions and concerns were raised with respect to Members' individual notifications, and on implementation-related issues under Article 18.6. During the review period, a total of 210 questions were discussed, on individual notifications (125 questions), Article 18.6 issues (75 questions on 44 implementation-related issues), and on overdue notifications (10 questions). Additional details regarding these questions and concerns can be found in Section 3.6 of this Report.

3.82. At the meetings of the *Committee on Anti-Dumping Practices (ADP)*<sup>46</sup> on 24 October 2018 and 1 May 2019, concerns were raised as per Table 3.14.

**Table 3.14 Concerns raised on anti-dumping practices**

Measure implemented by	Member(s) raising the concern
<b>Argentina</b>	
Investigation on parenteral solutions	Mexico
<b>Armenia</b>	
Investigation by the EAEU on zinc plated or coated flat-rolled steel products	Ukraine
<b>Brazil</b>	
Measures on milk powder products	New Zealand
Sunset review of measures on heavy plates	Ukraine
Sunset review of measures on tyres for passenger cars	Ukraine
<b>China</b>	
Investigation and provisional measure on broiler or chicken products	Brazil
Preliminary determination on acrylonitrile-butadiene rubber	Japan
Initiation of Investigation and preliminary determination on stainless steel billets, hot-rolled plates and coils	Japan
Measures on Acrylonitrile-butadiene rubber	Korea, Republic of
<b>Canada</b>	
Normal value review on certain liquid dielectric transformers	Korea, Republic of
Normal value review on certain carbon and alloy steel line pipes	Korea, Republic of
Measures on OCTG	Turkey
<b>Colombia</b>	
Measures on cylindrical metal drums	Chile
Investigation and measures on frozen fries	European Union
<b>European Union</b>	
Sunset review on seamless steel pipes and tubes	Russian Federation
Provisional duties on mixtures of urea and ammonium nitrate	Russian Federation
<b>India</b>	
Sunset review on Soda Ash	Turkey
<b>Indonesia</b>	
Measures on hot-rolled coil	Kazakhstan
<b>Israel</b>	
Investigation on low voltage copper cables	Turkey
Investigation on Portland cement	Turkey
<b>Mexico</b>	
Sunset review on ferro-silico-manganese	Ukraine
<b>Peru</b>	
Measures on biodiesel	Argentina
Investigation on certain steel bars	Brazil

<sup>45</sup> Questions and responses to the issues raised under the review process in the CoA meetings on 26-27 November 2018 and 26-27 February 2019 are available in WTO documents G/AG/W/191, 18 December 2018, and G/AG/W/196, 12 April 2019.

<sup>46</sup> Minutes WTO documents G/ADP/M/55, 20 December 2018, and G/ADP/M/56 (forthcoming), respectively.

Measure implemented by	Member(s) raising the concern
<b>United States</b>	
Preliminary determination on large diameter welded pipes	Canada
Sunset review on stainless steel bar	Japan
Administrative reviews on OCTG, circular welded non-alloy pipe, heavy-walled rectangular welded carbon steel pipes and tubes, large diameter welded pipe and Corrosion resistant steel	Korea, Republic of
Measures on circular welded carbon steel pipes and tubes	Thailand

Source: WTO Secretariat.

3.83. Additional issues and concerns were raised at the October 2018 meeting on: (i) the non-notification by some Members of their legislative status in the ADP Committee albeit doing so in the context of the TPRB forum (raised by United States); (ii) enactment and implementation of the amendments to the Basic AD Regulation of the European Union allowing the latter not to apply the lesser duty rule in case of price distortions for raw materials in the exporting country (raised by Russian Federation); (iii) the United States' application of adverse facts available and the determination of particular market situation in investigations (raised by Korea, Republic of; Japan; China and Russian Federation); and (vi) the European Union's use of the cost adjustment methodology already challenged by certain Members under the DS mechanism (raised by Russian Federation).

3.84. Further concerns raised in the May 2019 ADP Committee meeting referred to: (i) the non-notification of AD legislation by Kenya (raised by United States); (ii) the United States' particular market situation determination in the imposition of anti-dumping measures (raised by Korea, Republic of and Thailand); (iii) the United States' application of adverse facts available (raised by Korea, Republic of); (iv) the European Union's amendments to its AD regulation pertaining to the non-application of the lesser duty rule and to the application of cost adjustment methodology (raised by Russian Federation); and (v) Mexico's non-market economy methodologies applied in anti-dumping investigations and reviews (raised by Russian Federation).

3.85. At the meetings of the *Committee on Subsidies and Countervailing Measures*<sup>47</sup> on 23 October 2018 and 30 April 2019, concerns were raised on countervailing duty actions as per Table 3.15.

**Table 3.15 Concerns raised on countervailing duty actions**

Measure implemented by	Member(s) raising the concern
<b>India</b>	
Increased use of countervailing duties by India	China
<b>United States</b>	
Imposition of countervailing duties on ripe olives	European Union
Determinations in various CVD investigations	Turkey
Investigation on fabricated structural steel	Mexico
Investigations on Hot-rolled and cold-rolled steel products and large diameter welded pipes	Korea, Republic of

Source: WTO Secretariat.

3.86. At the same meetings concerns were raised on China's alleged subsidy programmes in the steel sector (raised by European Union and United States).

3.87. Additional concerns were raised on: (i) the elimination of export subsidies by the Members that received extensions under Article 27.4 of the SCM Agreement; (ii) the low and declining level of compliance with the notification and transparency obligations in the SCM Agreement; (iii) requests for information pursuant to Article 25.8 and 25.9 (raised by United States); (iv) subsidies and overcapacity (raised by Canada, European Union, Japan, Mexico, and United States); (v) the implementation of paragraph 2 of the Ministerial Decision on Fisheries Subsidies (raised by

<sup>47</sup> Minutes WTO documents G/SCM/M/107, 6 February 2019, and G/SCM/M/109 (to be circulated), respectively.

Argentina; Australia; Canada; Costa Rica; European Union; Iceland; Japan; Korea, Republic of; New Zealand; Norway; Chinese Taipei; and United States).

3.88. At the meeting of the *Trade-Related Investment Measures* (TRIMs) Committee on 17 October 2018<sup>48</sup> new or persistent issues were raised, as per Table 3.16:

**Table 3.16 Concerns raised at the TRIMs Committee**

Measure implemented by	Member(s) raising the concern
<b>Argentina</b>	
Act 27,263 on the development and strengthening of auto-parts <sup>a</sup>	Mexico
<b>China</b>	
Local content in cybersecurity measures (including provisions on insurance system informatization) <sup>b</sup>	United States
<b>Indonesia</b>	
Requirements for 4G LTE mobile devices <sup>c</sup>	European Union, Japan, United States
Provisions in the energy sector (mining, oil and gas) <sup>d</sup>	European Union, Japan, United States
Industry Law and Trade Law <sup>e</sup>	European Union, Japan
Minimum local product requirement for modern retail sector <sup>f</sup>	European Union, Japan
Measures relating to investment in the telecommunications sector <sup>g</sup>	European Union, Japan
Requirements for Pharmaceutical Products and Medical Devices <sup>h</sup>	European Union, United States
<b>Russian Federation</b>	
Measures implementing the Russian Federation's import substitution policy <sup>i</sup>	European Union, United States
<b>Turkey</b>	
Practices and measures in the pharmaceutical sector	European Union, United States

a WTO Documents G/TRIMS/Q/ARG/1, 1 May 2017; G/TRIMS/Q/ARG/2, 22 May 2017; G/TRIMS/Q/ARG/3, 11 October 2017; G/TRIMS/Q/ARG/4, 5 February 2018; G/TRIMS/Q/ARG/5, 3 May 2018; G/TRIMS/Q/ARG/6, 7 June 2018; and G/TRIMS/Q/ARG/7, 25 September 2018.

b WTO document G/TRIMS/Q/CHN/1, 3 June 2016.

c WTO documents G/TRIMS/W/148, 26 March 2015, and G/TRIMS/W/162, 27 April 2015.

d WTO documents G/TRIMS/W/70, 9 October 2009; G/TRIMS/W/74, 6 August 2010; G/TRIMS/W/79, 22 December 2010; G/TRIMS/W/88, 22 September 2011; G/TRIMS/W/100, 6 July 2010; G/TRIMS/W/108, 20 September 2012; G/TRIMS/W/123, 30 April 2013; G/TRIMS/W/128, 4 October 2013; G/TRIMS/W/137, 13 August 2014; and G/TRIMS/W/137/Corr.1, 25 September 2014.

e WTO documents G/TRIMS/W/138, 13 August 2013; G/TRIMS/W/140, 16 September 2014; G/TRIMS/W/157, 24 April 2015; and G/TRIMS/W/158, 27 April 2015.

f WTO documents G/TRIMS/W/139, 15 September 2014; G/TRIMS/W/141, 17 September 2014; G/TRIMS/W/159, 24 April 2015; and G/TRIMS/W/161, 27 April 2015.

g WTO documents G/TRIMS/W/61, 8 May 2009; G/TRIMS/W/63, 17 September 2009; G/TRIMS/W/71, 17 December 2009; G/TRIMS/W/75, 6 August 2010; G/TRIMS/W/78, 20 September 2010; G/TRIMS/W/80, 22 December 2010; G/TRIMS/W/86, 22 September 2011; G/TRIMS/W/96, 4 May 2012; G/TRIMS/W/104, 5 September 2012; G/TRIMS/W/131, 14 October 2013; G/TRIMS/W/154, 13 April 2015; G/TRIMS/W/160, 27 April 2015; G/TRIMS/Q/IDN/1, 2 May 2017; and G/TRIMS/Q/IDN/2, 21 September 2018.

h WTO document G/TRIMS/Q/IDN/3, 21 September 2018.

i WTO documents G/TRIMS/Q/RUS/4, 26 May 2016; G/TRIMS/Q/RUS/5, 27 September 2016; G/TRIMS/Q/RUS/6, 27 April 2017; G/TRIMS/Q/RUS/7, 8 November 2017; G/TRIMS/Q/RUS/8, 24 January 2018; and G/TRIMS/Q/RUS/9, 22 March 2018.

Source: WTO Secretariat.

3.89. At the meetings of the *Committee on Safeguards*<sup>49</sup>, on 22 October 2018 and 29 April 2019, concerns were raised on specific safeguard actions as per Table 3.17.

<sup>48</sup> Minutes G/TRIMS/M/45, 8 March 2019.

<sup>49</sup> WTO documents G/SG/M/54, 29 March 2019 and G/SG/M/55 (forthcoming).

**Table 3.17 Concerns raised at the Committee on Safeguards**

<b>Measure Implemented by</b>	<b>Member(s) raising the concern</b>
<b>Canada</b> Investigation on certain steel products	Mexico; Turkey; Japan; Korea, Republic of
<b>Chile</b> Investigation on powdered milk and Gouda cheese	United States, New Zealand
<b>Egypt</b> Investigation on semi-finished products of iron or non-alloy steel and steel rebar (bars, rods and coils) for construction purposes	Ukraine, Pakistan
<b>Armenia, Kazakhstan, Kyrgyz Republic and Russian Federation<sup>a</sup></b> Investigation on certain flat-rolled steel products Investigation on welded tubes of stainless steel	Ukraine; Japan; Korea, Republic of Ukraine, European Union
<b>European Union</b> Investigation on certain steel products	Brazil; Japan; Switzerland; Turkey; China; Ukraine; Russian Federation; Korea, Republic of
<b>Kingdom of Bahrain; State of Kuwait; Oman; Qatar; Kingdom of Saudi Arabia; and United Arab Emirates<sup>b</sup></b> Investigation on certain flat-rolled steel products	Ukraine; Japan; Korea, Republic of
<b>India</b> Investigation on solar cells	Japan
<b>Indonesia</b> Investigation on ceramic flags and paving, hearth or wall tiles Investigation on aluminium foil	Japan Japan; Korea, Republic of
<b>Madagascar</b> Investigation on pasta	Mauritius, United States, Egypt
<b>Morocco</b> Investigation on coated wood board Investigation on cold-rolled sheets and plated or coated sheets Investigation on wire rods and reinforcing bars	European Union Turkey, European Union Turkey, Ukraine
<b>Philippines</b> Investigation on float glass	European Union
<b>South Africa</b> Investigation on threaded fasteners of iron or steel	European Union
<b>Turkey</b> Investigation on iron and steel products  Investigation on wallpaper and similar wallcoverings Investigation on yarn of nylon or other polyamides	European Union; Korea, Republic of; Japan; Brazil; China; Ukraine European Union; Korea, Republic of European Union; Korea, Republic of
<b>Ukraine</b> Investigation on flexible porous plates, blocks and sheets of polyurethane foams	European Union
<b>United States</b> Investigation on crystalline silicon photovoltaic cells Investigation on large residential washers Measures taken following Section 232 investigations	China; Japan; Korea, Republic of; Norway Korea, Republic of Turkey, Japan, Russian Federation, China, India
<b>Viet Nam</b> Investigation on certain semi-finished and finished products of alloy and non-alloy steel	Japan

a Investigations are initiated at the level of the Eurasian Economic Union.

b Investigations are initiated at the level of the GCC.

Source: WTO Secretariat.

3.90. At the meeting of the *Working Party on State Trade Enterprises* (STEs) on 19 October 2018<sup>50</sup>, trade concerns were raised on: (i) the continued non-notification by the Russian Federation of its STEs (raised by United States); and (ii) the non-notification of STEs by the United Arab Emirates (raised by United States).

<sup>50</sup> Minutes G/STR/M/34, 6 December 2018.

3.91. At the meeting of the *Committee on Trade and Environment* (CTE) on 15 May 2019<sup>51</sup>, Colombia and Malaysia provided information on the sustainability aspects of palm oil production with a view to dispel misconceptions that could impact trade and consumption.

3.92. At the meeting of the *Council for Trade in Services* (CTS) held on 7 December 2018, concerns were reiterated about cybersecurity measures by China (raised by Japan and United States<sup>52</sup>) and by Viet Nam (raised by Japan and United States).<sup>53</sup> As part of its reply, China reiterated its concerns about measures by the United States that China alleges may affect other Members' cybersecurity interests.<sup>54</sup>

3.93. The concerns about cybersecurity measures by China were repeated at the meeting of the Council held on 21 March 2019 (raised by Japan).<sup>55</sup> As part of its reply, China expressed its concerns about the definition of "critical infrastructure" contained in Japan's cybersecurity legislation.<sup>56</sup> The concerns about Viet Nam's cybersecurity measures were also reiterated at that meeting (raised by Japan and United States).<sup>57</sup>

3.94. At the meetings of the *Committee on Trade and Development* (CTD) on 21 November 2018 and 5 April 2019, the LDC Group expressed concerns regarding the utilization rate of trade preferences by LDCs, and called for technical assistance to allow for a better utilization of these preferences.<sup>58</sup> At the meetings of the CTD's Dedicated Session on Small Economies on 1 November 2018 and 29 April 2019, a trade concern related to the challenges faced by small economies in their efforts to reduce trade costs, particularly in the area of trade facilitation, was raised.<sup>59</sup>

3.95. The above Section provides evidence of the continued increase of trade concerns raised in various WTO bodies between mid-October 2018 and mid-May 2019. Compared to the previous report the number of concerns raised per meeting has increased in average by almost 30% in the current period. Moreover, a large number of trade concerns were raised in successive meetings of the same Committee/Council and also in more than one WTO body. The latter provides further evidence that these concerns address persistent problems and involve technically complex and cross-cutting issues. It also suggests that WTO Members are increasingly using multiple platforms within the WTO committee structure to address various aspects of such concerns. As illustrated in previous reports, there is little doubt that the formal meetings of the relevant WTO bodies are considered important platforms for calling attention to specific trade concerns and/or issues. Systemically, this is significant because of the increased transparency which it brings, but also because it demonstrates that Members are actively using the WTO committees to engage trading partners on real or potential areas of trade friction.

### 3.6 Policy Developments in Agriculture

3.96. The Committee on Agriculture (CoA) provides a forum for Members to discuss matters related to agriculture trade, and to consult on matters relating to the Members' implementation of commitments under the Agreement on Agriculture (AoA), including rules-based commitments. The review work by the CoA is based on notifications Members make on their commitments. There is also a provision in Article 18.6 that allows Members to raise any matter relevant to the implementation of the commitments under the AoA.

3.97. In the framework of the two CoA meetings that took place between mid-October 2018 and mid-May 2019<sup>60</sup>, Members posed 200 questions on individual notifications and under Article 18.6. The majority of questions concerning individual notifications (more than 70%) were directed at

<sup>51</sup> Minutes WT/CTE/M/67 (forthcoming).

<sup>52</sup> The United States also circulated a communication under that item, entitled "Measures adopted and under development by China relating to its Cybersecurity Law – Questions to China" (WTO document S/C/W/378, 5 October 2018).

<sup>53</sup> WTO document S/C/M/137, 24 January 2019.

<sup>54</sup> WTO document S/C/M/137, 24 January 2019.

<sup>55</sup> WTO document S/C/M/138 (forthcoming).

<sup>56</sup> WTO document S/C/M/138 (forthcoming).

<sup>57</sup> WTO document S/C/M/138 (forthcoming).

<sup>58</sup> Minutes WT/COMTD/M/107 and WT/COMTD/M/108 (forthcoming).

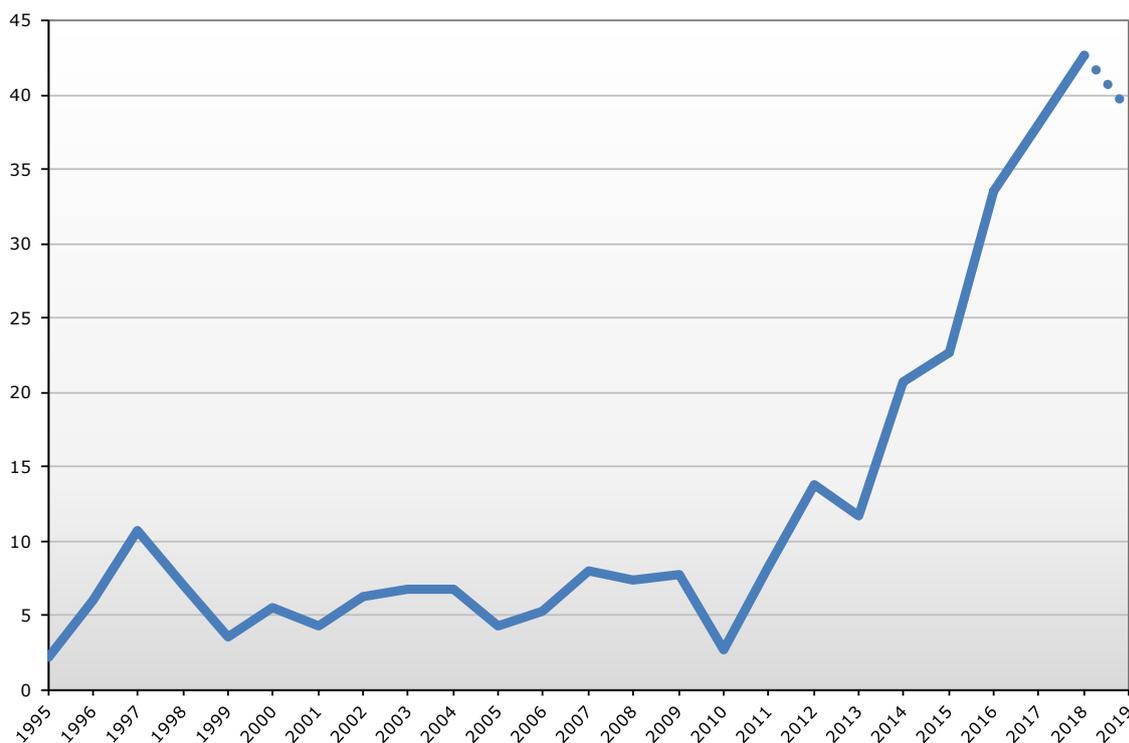
<sup>59</sup> Minutes WT/COMTD/SE/M/37 and WT/COMTD/SE/M/38 (forthcoming).

<sup>60</sup> 26-27 November 2018 and 26-27 February 2019 CoA meetings.

domestic support notifications whereas the questions under Article 18.6 were roughly distributed among the three pillars of the AoA with a slight prevalence of questions regarding domestic support policies.

3.98. In total, 10 Members raised 75 questions on 44 implementation-related issues (Article 18.6) in the November 2018 and February 2019 CoA meetings. As can be seen in (Chart 3.18), the average number of questions raised under Article 18.6 per meeting has been on the rise since 2011 reaching an average of more than 40 questions per meeting in 2018. In the first meeting of 2019, Members raised a total of 39 questions regarding 31 implementation-related issues. These numbers include questions that were repeated from one meeting to the next because responses were not provided within the relevant time-frames.

**Chart 3.18 Average number of questions raised under Article 18.6 per meeting (1995-2019<sup>a</sup>)**



a 2019 data covers up to the first CoA meeting of 2019 (February).

Source: WTO Secretariat.

3.99. Out of the 44 implementation-related issues raised in the CoA during the review period, 24 were discussed for the first time. The remaining issues had been discussed one or more times in previous Committee meetings under matters raised under Article 18.6.

3.100. More than 45% of the new issues raised related to domestic support policies potentially benefiting producers of cotton (i.e. Egypt's pest control subsidy), dairy products (i.e. EU's intervention policy, India's dairy loans, New Zealand's support to dairy processing plants, and Russian Federation's support to dairy sector) and palm oil (i.e. Thailand's support to palm oil growers). Members also raised questions concerning domestic support policies with a wider scope such as China's credit programme, the EU's drought support to farmers, Nigeria's domestic support programmes and the US 2018 Farm Bill. Around 30% of the issues raised related to measures that restricted, or had the potential to restrict, trade of agricultural products, including dairy products (i.e. India's whey milk powder duty, Pakistan's import tariffs for dairy products, and Sri Lanka's tax on imported milk powder), poultry (i.e. Ghana's poultry imports), alcoholic beverages (Republic of Moldova's environmental charges) and edible oils (i.e. India's import duty protections). One question on measures involving more than one specific product was also raised (i.e. EU's modification of its agricultural schedule of commitments). One quarter of the questions raised sought clarification on

policies that potentially subsidized exports of chocolate (i.e. Switzerland's "Loi Chocolatiere"), wheat (i.e. Turkey's flour exports and Turkish grain board), rice (i.e. India's support to rice exporters and Japan export subsidies), oilseeds (i.e. India's soymeal export subsidies) and agricultural products in general (i.e. US trade promotion payments).

3.101. Table 3.18 lists the specific issues relating to implementation commitments that were discussed for the first time during the two CoA meetings covered by the Report. The complete list of questions and answers can be accessed through the Agriculture Information Management System (AG IMS) by using the ID numbers provided in the Table below.<sup>61</sup>

**Table 3.18 Article 18.6 issues raised for the first time in the November 2018 and February 2019 CoA meetings**

Question Summary	Question raised by	Products	Number of questions	CoA meetings	ID number
China's credit programme	United States		1	89	89022
Egypt's pest control subsidy	Australia	Cotton	1	90	90019
EU's modification of agricultural schedule of commitments	Canada, New Zealand, Thailand		3	89, 90	90087, 90028, 90128, 90129, 89001
EU's drought support to farmers	Ukraine		1	89	89056
EU's intervention policy	New Zealand	Milk powders	1	90	90026
Ghana's poultry imports	United States	Poultry	2	89, 90	90041, 89023
India's dairy loans	United States	Dairy, Milk, Milk powders, Butter, Cheese, Other	1	89	89027
India's import duty protection	United States	Oils	1	90	90042
India's soymeal export subsidies	United States	Oil seeds, fats and oils	1	90	90044
India's support to rice exports	Japan, Thailand	Rice	1	90	90111, 90130
India's whey milk powder duty	United States	Milk powders	1	89	89025
Japan's export subsidies	United States	Rice	1	89	89028
Republic of Moldova's environmental charges	Ukraine	Alcoholic, other	1	90	90005
New Zealand's support to dairy processing facilities	European Union	Dairy, Milk, Milk powders, Butter, Cheese, Other	1	90	90006
Nigeria's domestic support programmes	Australia		1	90	90034
Pakistan's import tariffs for dairy products	European Union	Dairy, Milk, Milk powders, Butter, Cheese, Other	1	89	89062
Russian Federation's increased support to dairy sector	European Union	Dairy, Milk, Milk powders, Butter, Cheese, Other	1	90	90007
Sri Lanka's tax on imported milk powder	New Zealand	Milk powders	2	89, 90	90068, 89064
Switzerland's "Loi Chocolatiere" and implementation of the Nairobi Decision on Export competition	European Union	Cocoa (other)	1	90	90020
Thailand's support to palm oil growers	European Union	Vegetable oils and fats	1	90	90008
Turkey's flour export and Turkish Grain Board	European Union	Wheat	1	90	90009
US Boston Bounty Bucks funds programme	India		1	90	90038

<sup>61</sup> In the AG IMS (<http://agims.wto.org>), select the function "Search Q&A Submitted Since 1995" and input the ID number of the question concerned.

Question Summary	Question raised by	Products	Number of questions	CoA meetings	ID number
US Farm Bill 2018	Australia, European Union, India	Dairy, Milk, Milk powders, Butter, Cheese, Other, Sugar, Cane or beet sugar, Other	3	90	90010, 90071, 90037
US trade promotion payments	European Union		1	90	90013

Source: WTO Secretariat.

3.102. Other measures that were discussed related to follow-up questions on persistent areas of concern (Table 3.19). A number of these issues had been raised in the CoA multiple times. Two issues have been raised in 12 CoA meetings (i.e. Canada's new milk ingredient class and its wine sale policy) while India's pulse policies have been raised in 7 CoA meetings. The Republic of Korea's rice imports, the Philippine's rice waiver and Pakistan's wheat export subsidies have been raised in six CoA meetings. A number of these questions were co-sponsored by two or three WTO Members. Policies from the European Union, Mongolia, Suriname, Thailand, the United States and Zimbabwe were also the subject of repeated concerns under Article 18.6. The complete set of questions and answers can be accessed through the AG IMS by using the ID numbers provided in the Table below.<sup>62</sup>

**Table 3.19 Questions previously raised under Article 18.6**

Question Summary	Question raised by	Products	Number of questions	Number of meetings the issue was discussed	CoA meetings	ID number
Canada's New Milk Ingredient Class	Australia, India, New Zealand, United States	Dairy, Milk, Milk powders, Butter, Cheese, Other	50	12	79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90	90018, 90120, 90039, 89020, 89053, 89055, 88120, 88121, 88065, 88064, 88061, 87015, 87063, 87064, 87065, 87159, 87160, 86002, 86030, 86033, 85002, 85003, 85004, 85005, 85006, 85008, 85011, 85051, 85052, 85053, 85054, 85055, 85056, 84012, 84018, 84020, 84021, 84022, 84023, 84025, 84027, 84029, 84030, 84035, 84111, 84107, 84031, 83054, 83039, 82012, 82059, 82013, 82001, 81001, 81009, 81049, 81054, 81055, 81056, 80003, 80005, 80006, 80025, 79035
Canada's wine sale policy	Australia, European Union, New Zealand, United States	Alcoholic	23	12	79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90	90040, 89021, 89054, 88096, 87016, 87066, 86034, 85012, 85057, 84017, 84106, 84033, 84112, 84105, 83007, 83041, 83104, 83135, 82057, 82002, 81003, 81011, 81024, 81046, 81047, 81097, 80008, 80009, 80094, 80095, 79003

<sup>62</sup> In the AG IMS (<http://agims.wto.org>), select the function "Search Q&A Submitted Since 1995" and input the ID number of the question concerned.

Question Summary	Question raised by	Products	Number of questions	Number of meetings the issue was discussed	CoA meetings	ID number
India's pulses policies	Australia, Canada, Russian Federation, Ukraine, United States	Processed vegetables	34	7	84, 85, 86, 87, 88, 89, 90	90032, 90088, 90029, 90004, 90043, 89004, 89007, 89024, 89057, 88060, 88066, 88092, 88095, 88109, 87001, 87017, 87073, 87074, 87087, 87088, 87077, 87070, 87071, 87072, 87075, 87076, 86061, 86062, 86063, 86065, 86039, 86035, 85064, 84044
Philippines' rice waiver	Australia, Thailand, United States	Rice	8	6	84, 85, 86, 87, 88, 89	89063, 88032, 87082, 86008, 85071, 84057, 84015, 84079
Republic of Korea's rice imports	Australia, Thailand, United States	Rice	8	6	23, 78, 86, 87, 88, 89	89029, 89060, 88045, 87090, 86036, 23006, 78020, 78024
Pakistan's wheat export subsidies	Australia, United States	Wheat	7	6	76, 77, 87, 88, 89, 90	90045, 89030, 88072, 87021, 76020, 76028, 77029
Pakistan's sugar policies	Australia, Brazil, Guatemala, Russian Federation	Sugar, Cane or beet sugar, Other	7	5	85, 86, 87, 88, 89	89061, 89091, 88033, 88124, 88125, 87081, 86007, 86009, 85069
India's sugar policies	Australia, Brazil, European Union, Russian Federation	Sugar, Cane or beet sugar, Other	9	4	87, 88, 89, 90	90033, 89058, 89090, 88046, 88130, 88129, 88128, 88127, 88039, 88042, 88043, 87002, 87079
Mongolia's quota regime for importation	Russian Federation	Milk, Cereal	4	4	86, 87, 88, 90	90027, 88104, 87094, 86001
Suriname's poultry tariffs	United States	Poultry	4	4	86, 87, 88, 89	89031, 88074, 87023, 86049
US dairy policies	Canada	Dairy, Milk, Milk powders, Butter, Cheese, Other	6	4	85, 86, 87, 89	89005, 89006, 87105, 87106, 86084, 85079
Thailand's sugar policies	Australia, European Union, Brazil	Sugar, Cane or beet sugar, Other	6	4	76, 77, 89	76001, 76021, 76033, 77031, 77046
India's skim milk powder export subsidies	Australia, European Union, New Zealand, United States	Dairy, Milk, Milk powders, Butter, Cheese, Other	5	3	88, 89, 90	90002, 89026, 88070, 88037, 88122, 88040
US Proposed domestic support measures	Australia, Canada, European Union, India, Japan, New Zealand	Swine, Milk, Fresh vegetables, Wheat, Corn, Coarse grains	9	3	88, 89, 90	90035, 89047, 89066, 88030, 88048, 88028, 88047, 88029, 88098
Zimbabwe's tobacco export incentive	United States		3	3	88, 89, 90	90046, 89033, 88076
US support to the cotton sector	Brazil, European Union, India	Cotton	3	3	86, 87, 90	90036, 87103, 86069
EU's CAP reform	New Zealand, Australia		2	2	88, 90	90022, 88062
India's Merchandise Exports from India Scheme (MEIS)	Australia, New Zealand, United States	India's Merchandise Exports from India Scheme (MEIS)	3	2	88, 89	89059, 88123, 88038, 88067

Question Summary	Question raised by	Products	Number of questions	Number of meetings the issue was discussed	CoA meetings	ID number
India's proposed domestic support programmes	European Union		2	2	88, 90	90003, 88041
Thailand's import licensing for meat	United States	Meat, Bovine, Swine, Sheep and goat, Poultry, Horses, Other	2	2	88, 89	89032, 88075

Source: WTO Secretariat.

3.103. Members continue to take steps towards the implementation of the December 2015 Nairobi Ministerial Decision on Export Competition. Several Members with scheduled export subsidy reduction commitments have taken steps to modify their schedules pursuant to this Decision. To date, Australia, Norway, Israel, Switzerland, Colombia, Mexico, Uruguay, United States and South Africa have certified their revised export subsidy schedules.

3.104. In addition to the Committee's annual dedicated discussion on the implementation of the Nairobi Ministerial Decision on export competition at its June meetings, Members have the possibility to ask questions in connection with this Decision at any CoA meeting. During the two meetings covered by this Report, five questions were raised regarding policies in the area export credits, export credit guarantees or insurance programmes and international food aid (Table 3.20). The complete set of questions and answers can be accessed through the AG IMS by using the ID numbers provided in the Table below.<sup>63</sup>

**Table 3.20 Questions raised on export competition in the November 2018 and February 2019 CoA meetings**

ID number	Question raised by	Question answered by	Areas
90082, 89045	United States	India	Export credits, export credit guarantees or insurance programmes
90083	United States	Thailand	Export credits, export credit guarantees or insurance programmes
90084, 89046	United States	Turkey	International food aid

Source: WTO Secretariat.

3.105. The CoA continued its review of the implementation of Members' commitments under the Agreement. This review is largely carried out based on the notifications submitted by Members. There are 12 distinct notification requirements applicable in the domain of agriculture, covering the following areas: market access, domestic support, export subsidies, export prohibitions or restrictions and the follow-up to the Marrakesh Net Food-Importing Developing Countries (NFIDC) Decision. The applicability of a notification requirement to a Member is largely dependent on its specific commitments under the AoA. Out of the 12 notification requirements, the following 5 are "regular" or "annual" notification requirements: (i) imports under tariff and other quotas (MA:2); (ii) special SGs (MA:5); (iii) domestic support (DS:1); (iv) export subsidies (ES:1) and (v) total exports (ES:2). Annual notifications are required to be submitted no later than a certain number of days following the end of the year in question, in accordance with the deadlines set out in WTO document G/AG/2, 30 June 1995.

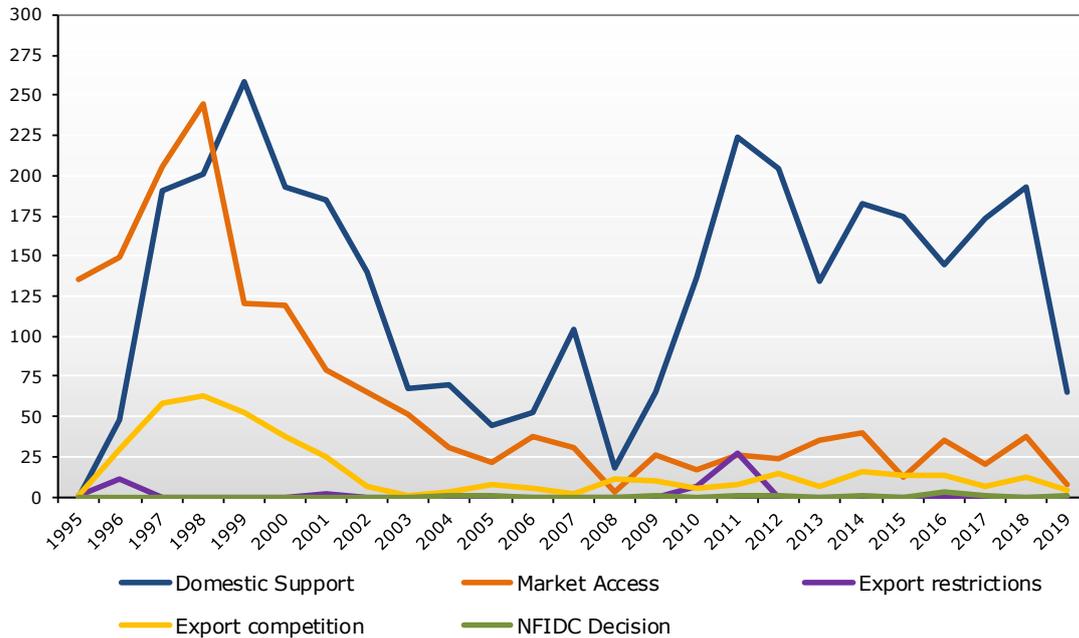
3.106. More than 5,300 questions have been raised in connection with individual notifications under the CoA's review process from 1995-2019 (up to the February 2019 CoA meeting). Throughout the

<sup>63</sup> In the AG IMS (<http://agims.wto.org>), select the function "Search Q&A Submitted Since 1995" and input the ID number of the question concerned.

years, most of these questions have focussed on domestic support notifications (DS:1 and DS:2) followed by questions concerning market access, in particular TRQs (MA:1 and MA:2) (Chart 3.19).

3.107. From 15 October 2018 to 15 May 2019, Members submitted 258 notifications, (including addenda and corrigenda). A total of 125 questions were posed concerning individual notifications during the CoA meetings that took place during this period. As seen in Chart 3.20, and in line with the historical trend, most of the questions raised related to domestic support notifications (74%). Domestic support notifications from China attracted considerable scrutiny. Eighteen additional Members received questions concerning their domestic support notifications. Additionally, 10 questions were raised concerning the lack of notifications from China, Egypt, India, Republic of Korea, Malaysia, Thailand, Turkey and Ukraine.

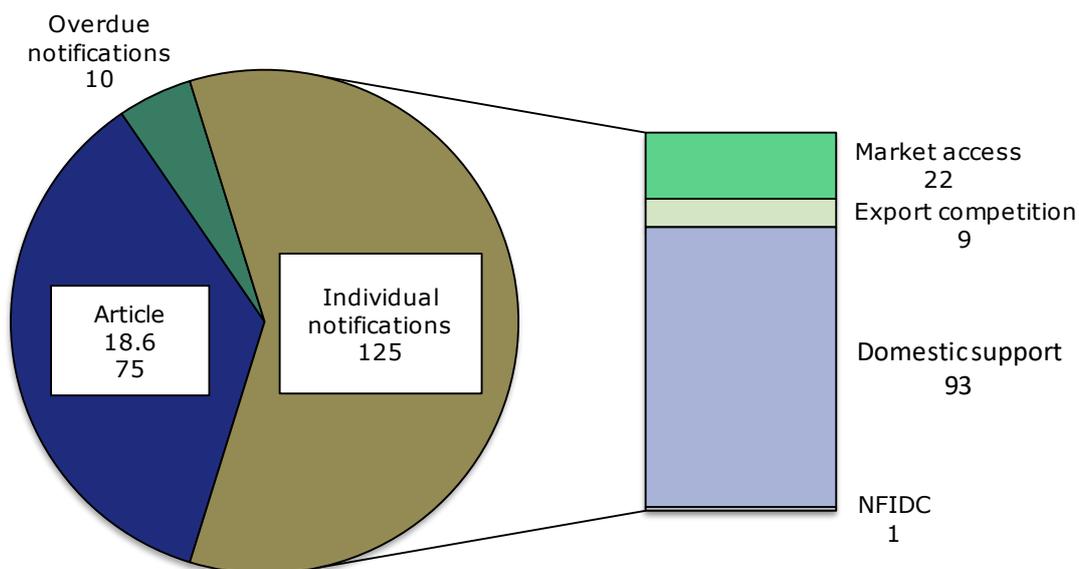
**Chart 3.19 Questions raised on individual notifications per section per year (1995-2019<sup>a</sup>)**



a 2019 data covers up to the first CoA meeting of 2019 (February).

Source: WTO Secretariat.

**Chart 3.20 Number of questions raised per section, mid-October 2018-mid-May 2019<sup>a</sup>**

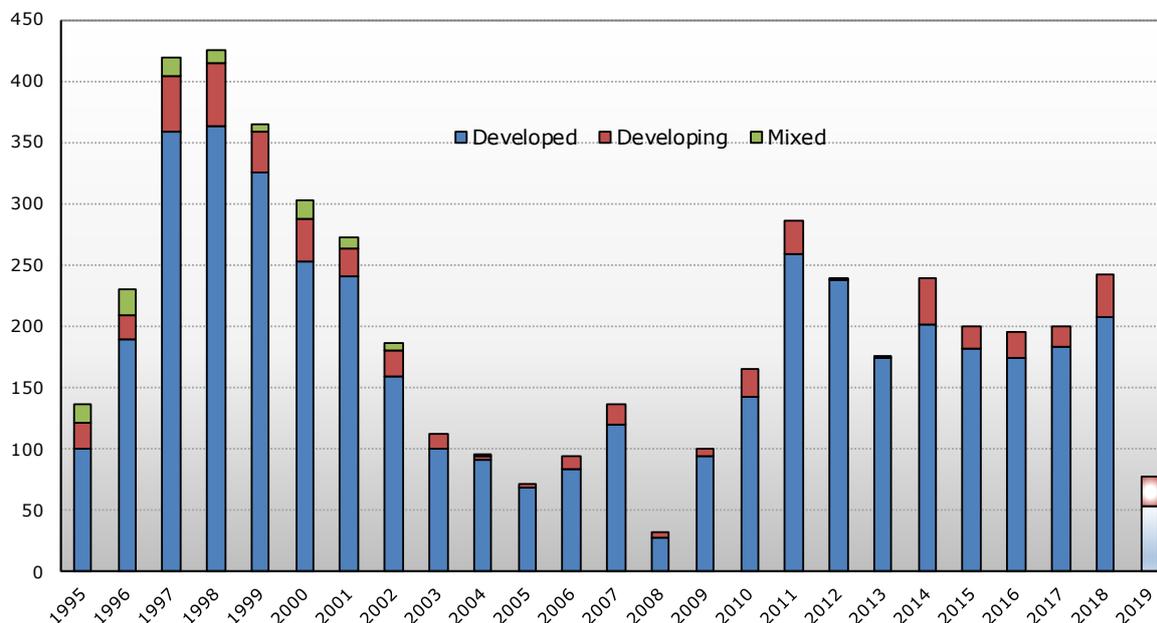


a Questions raised in the CoA meetings in November 2018 and February 2019.

Source: WTO Secretariat.

3.108. The participation in the CoA review process, although substantive, is essentially carried out by only a few WTO Members. Questions raised in the CoA in connection with individual notifications have been posed primarily by developed country Members (Chart 3.21). A total of 12 Members are responsible for all the questions raised in the CoA meetings covered by this report.

**Chart 3.21 Number of questions raised per type of Member<sup>a</sup>**



a 2019 data covers up to the first CoA meeting of 2019 (February). The term "mixed" refers to a question raised by both developed and developing country Members.

Source: WTO Secretariat.

3.109. Article 18.7 of the Agreement on Agriculture establishes that "Any Member may bring to the attention of the Committee on Agriculture any measure which it considers ought to have been notified by another Member". Additionally, under the CoA agreed working procedures, "Counternotifications under Article 18:7 of the Agreement shall be considered by the Committee at

the earliest opportunity". During the review period, three counter notifications were submitted pertaining to market price support measures undertaken by India regarding cotton (submitted by United States),<sup>64</sup> sugarcane (submitted by Australia)<sup>65</sup>, and pulses (submitted by Australia, Canada and United States).<sup>66</sup> A summary of the discussions that took place in the CoA meetings can be found in WTO documents G/AG/R/90, 19 December 2018 and G/AG/R/91, 12 April 2019.

### 3.7 General Economic Support

3.110. At the December 2018 TPRB meeting, several WTO Members expressed concern about the fact that, despite a comprehensive effort, it had again been impossible for the Secretariat to establish a separate annex on general economic support measures. In addition, introducing his Report to the TPRB meeting, the Director-General urged the membership to provide the Secretariat with guidance as to whether these measures should continue to be covered by the Trade Monitoring Reports.

3.111. Since July 2017, the Secretariat has been unable to justify the inclusion of a separate annex on general economic support measures in its Trade Monitoring Reports. This was partly a reflection of the low participation and response rate of WTO Members to the request for information and partly because such an annex would have been biased against those Members that traditionally publish detailed information of such measures and programmes. In addition, compounding the scarcity of information volunteered by Members, many delegations insisted on excluding general economic support measures identified by the Secretariat from public sources and for which verification was sought.

3.112. Of course, the creation of the WTO trade monitoring exercise in October 2008 was, to a large extent, triggered by the rise of a plethora of general economic support measures in response to the global financial crisis, in particular, a number of high-profile economic bail-out packages. The November 2016 Trade Monitoring Report provided a brief historical overview of the trends in the implementation of these measures as recorded since October 2008. It concluded that, although the large economy-wide subsidies and bail-outs of 2009-10 were no longer common, there was no evidence that governments had turned their back on subsidization as a policy tool, particularly in certain strategic industries or sectors. Moreover, the November 2018 Trade Monitoring Report, with its wider focus on policies and programmes implemented by Export-Import (EXIM) Banks and Export Credit Agencies (ECAs), concluded that governments have become more creative with respect to linking the allocation of general economic support and subsidies to specific export objectives. It is important to emphasize that the trade monitoring exercise does not make any judgement as to the WTO compatibility of such measures. Although it is possible that such measures may affect trade in some way, it is not always straightforward to conclude that they restrict or facilitate trade or that they distort competition. What has become clear in the context of researching and verifying such measures, however, is the different approaches to the transparency surrounding such policies applied by countries, either domestically or internationally.

3.113. In response to the Director-General's request for information for the mid-year Trade Monitoring Report, only 12 WTO Members volunteered information on general economic support measures to the Secretariat, a record low. High-profile international infrastructure programmes which specifically have a trade component were not reported as part of the monitoring exercise, and neither were large-scale subsidies to boost the exports of specific economic sectors. As a result, the Secretariat decided against undertaking another comprehensive verification exercise of general economic support and subsidy measures.

3.114. Nevertheless, from the limited information received from WTO Members and from the research undertaken by the Secretariat, some conclusions with respect to the use and diversity of general economic support measures stand out. Sectors which saw significant disbursements during the review period included support to farmers, investment in technology and innovation programmes, and investment in energy sectors. Other support measures and aid schemes financed transportation, the steel sector, physical infrastructure and aided SMEs. In addition, several programmes and policies targeting the promotion of exports, export financing, economic diversification and competitiveness improvements by reducing and refunding taxes or introducing preferential taxes schemes, were implemented by several WTO Members. Many were multi-year

<sup>64</sup> WTO document G/AG/W/188, 9 November 2018.

<sup>65</sup> WTO document G/AG/W/189, 16 November 2018.

<sup>66</sup> WTO document G/AG/W/193, 12 February 2019.

programmes, with financial disbursements staggered over the lifetime of the project. Other measures were one-off grants or aid schemes. In monetary terms, some programmes envisaged disbursements of several billion USD. For example, several recently-announced subsidy programmes will provide substantial support to specific sectors such as agriculture, including for export. The implementation of these programmes will take place during the review period covered by the next Trade Monitoring Report.

3.115. The current review period has confirmed that the strategic application of trade policy measures remains an important feature of international trade. Many governments continue to seek a strategic edge in international politics through trade policy. In the context of the trade monitoring exercise specifically and the multilateral trading system more generally, the selective transparency attributed to these policies and programmes by those who fund them should be of concern.

3.116. Discussions at the TPRB in December 2018 reinforced the need for clearer guidance as to how the Secretariat should cover general economic support measures. How to enhance transparency in this area would merit the attention of WTO Members.

### **3.8 Other Selected Trade Policy Developments**

3.117. The following Section provides a brief overview of other selected trade policy issues where important developments took place during the review period, including follow-up to a number of issues which saw outcomes at MC11 in Buenos Aires.

#### **Trade Facilitation**

3.118. The TFA-related ratification process continued to make headway. At the conclusion of the review period, 142 valid acceptance instruments had been presented, corresponding to 86.6% of the membership. Four additional instruments were submitted since mid-October 2018.

3.119. With respect to implementation-related notifications mandated under the TFA, 16 Members presented notifications on category A, 15 on category B and 16 on category C. With these notifications, the cumulative total of Members who submitted category A notifications currently stands at 115, 78 for category B and 66 for category C.

3.120. Members also presented 19 additional notifications concerning transparency obligations set out in Section I of the TFA. New input was also presented regarding notifications on Technical Assistance and support for Capacity Building (TACB). During the review period, three donor Members (Japan, New Zealand and Switzerland) submitted notifications on their technical assistance and capacity-building activities under Articles 22.1 and 22.2 of the TFA. The review period further saw the tabling of several Article 22.3 notifications relating to contact points of Members seeking TACB support. Eight WTO Members submitted related notifications.

#### **ITA Expansion**

3.121. Under the ITA Expansion Agreement, import tariffs on most of the 201 IT products covered by the Agreement have been progressively reduced since 1 July 2016 and are to be eliminated after three years, whereas other duties and charges are to be removed upon entry into force. The date of 1 July 2019 will mark the completion date for the implementation of the standard staging elimination of customs duties on an MFN basis for products covered by the ITA Expansion Agreement. The total number of Participants is 26, representing 55 WTO Members. For a limited number of sensitive products, tariffs will be phased out over five years or seven for the most exceptional cases.

#### **Government Procurement**

3.122. The revised WTO Agreement on Government Procurement (GPA) continues to gain importance as an instrument for promoting trade and good governance in government procurement markets. On 5 May 2019, Australia fully joined to the GPA and added significantly to the government procurement market covered by the Agreement. Currently, the Agreement has 20 Parties, comprising 48 WTO Members. Another 32 WTO Members/Observers participate as Observers in the Committee on Government Procurement, with Paraguay having been granted Observer status in February 2019.

3.123. Significant progress was made on several accessions to the Agreement. On 27 February 2019, the GPA Committee reached a decision on the United Kingdom's GPA membership, in its own right, for the post-Brexit period (currently, the United Kingdom participates in the GPA as an EU member State). China continued to reaffirm its commitment to join the GPA and indicated that it would expedite the accession process by tabling a further revised market access offer with significant improvements. Pilot programmes to implement GPA rules in its free trade zones are under discussion in the country. The Russian Federation has also been actively pursuing its accession process. The Kyrgyz Republic's and Tajikistan's accessions are considered to be close to their final stages, if specific pending issues can be addressed. The Republic of North Macedonia has also been making significant efforts in its accession to the GPA. The accessions of four other WTO Members – Albania, Georgia, Jordan and Oman – are pending. Another five have provisions regarding accession to the Agreement in their respective Protocols of Accession to the WTO, namely Afghanistan, Kazakhstan, Mongolia, Kingdom of Saudi Arabia and Seychelles.

### Dispute Settlement

3.124. Members' increased focus on trade-related measures has been reflected in the levels of dispute settlement activity, including in the number of new complaints brought before the Dispute Settlement Body.

3.125. Between mid-October 2018 and mid-May 2019, Members requested consultations in 16 new cases. These came in addition to the high number of disputes initiated earlier in 2018. As in previous years, the subject matter of new disputes focussed on a range of WTO Agreements, including provisions of the GATT 1994, the Anti-Dumping Agreement and the Agreement on Subsidies and Countervailing Measures. In addition, some complaints related to Members' obligations under the AoA and the Safeguards Agreement. As in previous years, both developed and developing country WTO Members have been involved in dispute settlement proceedings, as complainants, respondents and third parties.

3.126. This high level of initiation of new disputes resulted in the establishment of more dispute settlement panels than in similar periods in recent years. During the review period, the Dispute Settlement Body established 23 new panels, and 1 panel to assess compliance with earlier rulings and recommendations (Table 3.21). This compares to six panels established in the period between mid-May and mid-October 2018.

**Table 3.21 Dispute settlement panels established (mid-October 2018-mid-May 2019)**

Dispute No.	Short title	Panel establishment date
DS538	<i>Pakistan – BOPP Film (UAE)</i>	29 October 2018
DS553	<i>Korea – Stainless Steel Bars</i>	29 October 2018
DS475	<i>Russia – Pigs (EU) (Article 21.5)</i>	21 November 2018
DS542	<i>China – Intellectual Property Rights II</i>	21 November 2018
DS544	<i>US – Steel and Aluminium Products (China)</i>	21 November 2018
DS548	<i>US – Steel and Aluminium (EU)</i>	21 November 2018
DS550	<i>US – Steel and Aluminium Products (Canada)</i>	21 November 2018
DS551	<i>US – Steel and Aluminium Products (Mexico)</i>	21 November 2018
DS552	<i>US – Steel and Aluminium Products (Norway)</i>	21 November 2018
DS554	<i>US – Steel and Aluminium Products (Russia)</i>	21 November 2018
DS557	<i>Canada – Additional Duties (US)</i>	21 November 2018
DS558	<i>China – Additional Duties (US)</i>	21 November 2018
DS559	<i>EU – Additional Duties (US)</i>	21 November 2018
DS560	<i>Mexico – Additional Duties (US)</i>	21 November 2018
DS564	<i>US – Steel and Aluminium Products (Turkey)</i>	21 November 2018
DS524	<i>Costa Rica – Avocados (Mexico)</i>	18 December 2018

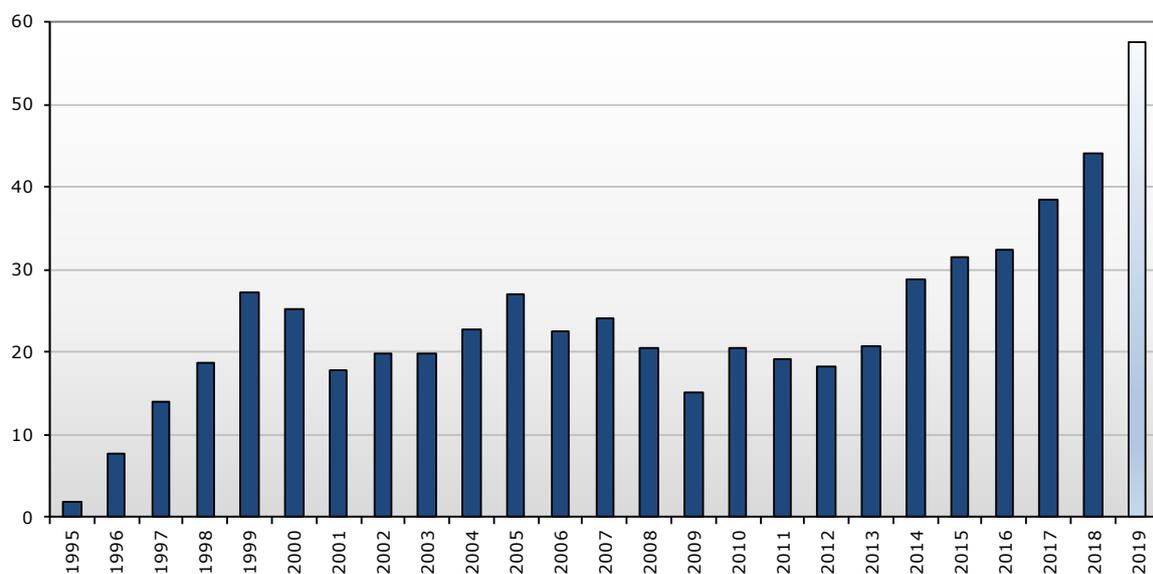
Dispute No.	Short title	Panel establishment date
DS566	<i>Russia – Additional Duties (US)</i>	18 December 2018
DS567	<i>Saudi Arabia – Protection of IPR</i>	18 December 2018
DS556	<i>US – Steel and Aluminium Products (Switzerland)</i>	4 December 2018
DS547	<i>United States – Steel and Aluminium (India)</i>	4 December 2018
DS561	<i>Turkey – Additional Duties (US)</i>	28 January 2019
DS543	<i>US – Tariff Measures on Certain Goods (China)</i>	28 January 2019
DS573	<i>Turkey – Air Conditioning Machines</i>	11 April 2019
DS521	<i>EU – Cold-Rolled Steel (Russia)</i>	26 April 2019

Source: WTO Secretariat.

3.127. Over the review period, the number of ongoing appeal proceedings also increased, compared to the previous period. The Appellate Body circulated six Appellate Body reports concerning four matters, and five new appeals were filed. A total of 12 appeals were pending before the Appellate Body as of mid-May 2019.

3.128. Overall, as of early May 2019, a total of 57 panel, arbitration and appellate proceedings were ongoing. On average, 56 panel, arbitration and appellate proceedings were ongoing each month during the review period. This is the highest ever number of ongoing proceedings since the WTO was founded in 1995 (Chart 3.22).

**Chart 3.22 Average number of ongoing proceedings per month, 1995-2019**



Note: 2019 data are based on the average of the number of active disputes from January to April. Several disputes are counted as one if they deal with the same subject matter. Annual averages are calculated on the basis of the number of ongoing proceedings per month (January to December) over the yearly period concerned (e.g. in 2017, 39 proceedings were ongoing per month, on average).

Source: WTO Secretariat.

3.129. In addition, several panels completed their work during the review period. Between mid-October 2018 and mid-May 2019, eight panels circulated reports to Members, including one report in compliance proceedings. Three out of the six Appellate Body reports circulated during the review period, concerned original disputes; the other three related to compliance proceedings. In addition, one arbitral decision on the permissible level of suspension of obligations under Article 22.6 of the Dispute Settlement Understanding was circulated.

## Trade Finance

3.130. Over the past year, the Director-General, WTO Members and heads of partner institutions have been reflecting on the progress made since the launch of the Trade Finance and SME's initiative in 2016, as well as discussing next steps. The proposals made by the Director-General in 2016 were fourfold: support multilateral development banks' trade finance facilitation programmes by way of advocacy, help increase capacity-building support, maintaining an open dialogue with trade finance regulators, and continuing to track trade finance gaps. As a result of the mobilization of all development institutions, the amount of trade supported annually since the beginning of the initiative in 2016 has increased by about 50%, to around USD 30 billion in 2018. The objective of trade finance programmes of multilateral development banks (MDBs) was not to fill the entire gap, but rather to support trade in challenging markets and to facilitate learning-by-doing by the local financial institutions involved. In this respect, the impact of multilateral institutions has increased significantly in recent years, thanks to the cumulated and sometimes combined efforts of the International Financial Corporation, the African Development Bank, the African Export-Import Bank (Afreximbank), the European Bank for Reconstruction and Development, and the Islamic Trade Finance Corporation.

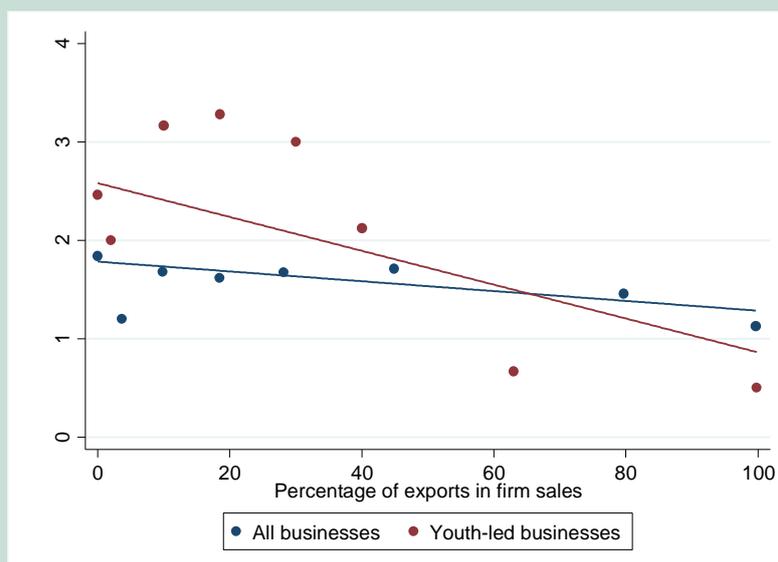
3.131. Box 3.6, on the link between improved access to finance and the ability of firms to export, was contributed by the ITC.

### Box 3.6 Improving access to finance to access global markets

Finance is the fuel that drives the creation and growth of firms. Firms consider access to finance a key bottleneck to their operations<sup>a</sup>, and arguably it would also hold them back when they turn to international markets. This is confirmed by a recent piece of economic literature that provides empirical evidence for the link between improved access to finance and the ability of firms to export.<sup>b</sup> Firm-level evidence from the ITC SME Competitiveness Survey confirms this relationship and shows how it differs across types of firms.

Analysis of data from 1,306 firms in several developing countries suggests that, when accessing finance is less of an obstacle, businesses tend to export more (see figure below). This effect can partly be attributed to the role trade finance plays in defraying the high up-front costs (i.e. to create distributor networks) and high variable costs (related to shipping, logistics, and trade compliance) associated with exporting.

**Figure 1 Businesses that export more face fewer financial obstacles**



Note: The survey question asked was: "To what degree is access to financial institutions an obstacle to current operations?". Answer options ranged from no obstacle (0) to very severe obstacle (5).

Source: A total of 1,306 firms interviewed in ITC SME Competitiveness Surveys in Argentina, Hungary, Kenya, Morocco and The Gambia in 2017 and 2018. Each of the 16 dots represents a group of firms with a similar degree of reported financial obstacles. For example, each of the blue dots represents 163 firms that experience a similar degree of financial obstacles. The bins are calculated in stata as binned scatterplots through a non-parametric method of plotting the conditional expectation function (which describes the average y-value for each x-value). To generate a binned scatterplot, `binscatter` groups each observation of the x-axis variable into 18 equal-sized bins, computes the mean of the x-axis and y-axis variables within each bin, and then creates a scatterplot of these data points. By default, `binscatter` also plots a linear fit line using Ordinary Least Squares, which represents the best linear approximation of the conditional expectation function.

**Financial obstacles are a bigger barrier to internationalization for youth-led companies**

The connection between financial obstacles and exports is even stronger for firms led by entrepreneurs under 35 years of age.<sup>c</sup> ITC survey findings show that youth-led firms whose operations were severely obstructed by poor access to financial institutions were much less likely to export the majority of their output than firms led by older individuals. This may suggest that finance has a particularly important catalytic effect on growth and trade for companies led by young people.

This is consistent with the finding that 76% of youth-led firms report access to finance to be an obstacle to current operations, compared to just 59% of firms led by their older counterparts.<sup>d</sup> Taken together, the data suggest that since firms led by young people struggle to access finance, that this holds back their ability to operate and trade. Improving their access to finance would enable them to grow, export and prosper. This could in turn contribute to Sustainable Development Goal 8 by reducing the proportion of young people who are not in employment, education or training.

The mobilization of investment into small firms in developing countries can trigger positive feedback among financing, trade and sustainable development.<sup>e</sup> Policy has an important role to play in facilitating this process, and in helping to address financial constraints to exports by SMEs more generally.<sup>f</sup> The WTO has moved in this direction by bringing together multilateral organizations involved in trade financing under the Trade Finance and SMEs initiative, launched in 2016. The amount of trade supported annually since the beginning of the initiative in 2016 has increased by about 50%, to some USD 30 billion in 2018.<sup>g</sup>

Despite this progress, and the above evidence that finance is a key bottleneck to SME exports, the Asian Development Bank suggests that, globally, there is USD 1.5 trillion annually in unmet demand for trade finance.<sup>h</sup> Aid for Trade may be able to help. When surveyed about their Aid-for-Trade priorities, four out of five developing country governments said that providing access to finance was a priority contribution that Aid for Trade could make to the economic empowerment of SMEs in their countries.<sup>i</sup>

a ITC SME Competitiveness Surveys; World Bank Enterprise Surveys.

b Bellone et al., "Financial Constraints and Firm Export Behavior"; Berman and Héricourt, "Financial Factors and the Margins of Trade"; Manole and Spatareanu, "Exporting, Capital Investment and Financial Constraints"; Li and Yu, "Exports, Productivity, and Credit Constraints."

c This Box follows the Global Entrepreneurship Monitor and the literature in defining youth entrepreneurs as those below 35 years of age.

d ITC, "Empowering Youth for Sustainable Trade."

e ITC, "SME Competitiveness Outlook 2019: Big Money for Small Business."

f Financial Inclusion Experts Group, "Scaling-Up SME Access to Financial Services in the Developing World"; OECD, "Fostering Markets for SME Finance."

g Wolff, "More Institutional Cooperation Is Needed to Address Shortages of Trade Finance."

h ADB, "2015 Trade Finance Gaps, Growth, and Jobs Survey."

i OECD-WTO, OECD-WTO Aid-for-Trade (Aft) Monitoring Exercise.

Source: ITC.

**Fisheries Subsidies**

3.132. In the negotiations on fisheries subsidies in the Rules Negotiating Group, Members remain committed to the mandate as set out in Sustainable Development Goal 14.6 and the Ministerial Decision on Fisheries Subsidies of the 11<sup>th</sup> WTO Ministerial Conference to reach, by the end of 2019, an agreement on disciplines that prohibit certain forms of fisheries subsidies that contribute to overcapacity and overfishing, and eliminate subsidies that contribute to Illegal, Unregulated and Unreported (IUU) fishing, with appropriate and effective special and differential treatment for developing country Members and LDC Members being an integral part of these negotiations. Intensive work is currently underway in the WTO to translate the mandate into legal rules which will add a critical element to the existing framework of international law on, and related to, fishing. While the work is technically difficult from a socio-economic, scientific, and legal perspective, WTO Members are committed to meeting the deadline of the end of the year for an agreement.

3.133. Box 3.7 on fisheries subsidies was contributed by the OECD.

### Box 3.7 Reforming subsidies could add USD 2 billion to fishers' income

New research by the OECD compares the relative effects of six common forms of fisheries support. The results of the model-based analysis show that all six fisheries support policies investigated have the potential to increase fleet capacity, provoke overfishing, and encourage IUU fishing. However, their effects vary significantly in scale, and they can affect different fishers in different ways.

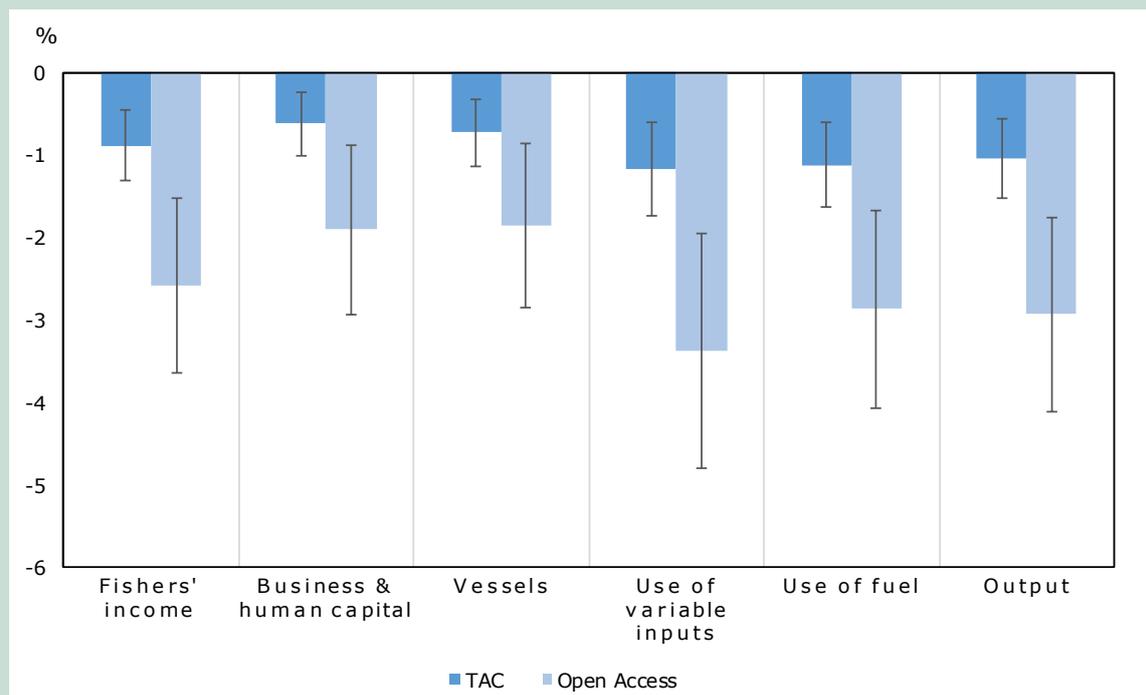
Support that is based on the costs of fishing, such as to help purchase fuel, gear or bait, can increase fishing effort more than other policy options. These types of support are the most likely to increase IUU fishing effort and to lead to stock depletion. They also tend to favour larger fishers.

Depending on the management context, many such fisheries support policies also do little to improve fishers' livelihoods. In particular, as little as 10% of government expenditures to reduce the cost of fuel for fishers may translate into real income gains. The potential benefits of such transfers are lost to increased effort and lower fish stocks, or are captured by those selling the subsidized inputs.

By contrast, payments that are designed to help the profitability of fishing operations bring significant benefits to fishers while also having relatively benign effects on effort and capacity. These include, for example, programmes that ensure that capital markets function to provide working capital for operations, or programmes to increase the business or operational skills of fishers. Payments that directly target fishers' incomes, such as disaster payments or employment insurance, also do a good job of delivering benefits equitably to all participants in the fishing sector.

The results overall show that it is possible to support the fishing sector and deliver benefits to fishers without unduly provoking overfishing or overcapacity. For example, moving existing support away from gear, fuel, vessels, or other inputs towards helping fishers to better operate their business could improve fishers' income by as much as USD 2 billion per year, reduce pressure on stocks and increase harvest by almost 0.5 tonnes per year.

**Figure 1 Percent change in fish stock following an increase of USD 5 billion, by support type**



Note: Fishers in open access can increase effort as much as they wish; higher effort reduces stock size in the long run. Under a Total Allowable Catch (TAC), effort is controlled to some extent, though IUU fishing can still put pressure on fish stocks (depending on the fine they face for doing so). The points show the mean results from the model after 1,000 random draws of possible parameters. The high-low bars for each point show the variability of the results when parameters are changed, reflecting two standard deviations or 95% of the probability distribution of the impact of each policy.

Source: OECD, Martini, R. and Innes, J. (2018), "Relative Effects of Fisheries Support Policies", OECD Food, Agriculture and Fisheries Papers, No. 115, OECD Publishing, Paris. Viewed at: <https://doi.org/10.1787/bd9b0dc3-en>.

## Electronic Commerce

3.134. Discussions on electronic commerce in the WTO are continuing under two parallel tracks – multilaterally under the General Council and its relevant subsidiary bodies, as well as under the Joint Statement on Electronic Commerce initiative. At the multilateral level, efforts are ongoing to reinvigorate the 1998 Work Programme on Electronic Commerce as agreed by Ministers at the 11<sup>th</sup> WTO Ministerial Conference in Buenos Aires. Members are also discussing the impact and scope of the decision not to impose customs duties on electronic transmissions. At its session in December 2018, the General Council reviewed progress in the Work Programme based on reports submitted by the Chairs of the Goods, Services and TRIPS Councils and the Committee on Trade and Development. In addition, the Chair reported on the Informal Open-ended meeting on the moratorium which was held in late November 2018.

3.135. Under the Joint Statement on Electronic Commerce initiative, exploratory discussions among a group of Members towards future negotiations on trade-related aspects of e-commerce continued until December 2018. Building on the exploratory work carried out in 2018, in January 2019, 76 WTO Members issued a Joint Statement confirming their intention to commence WTO negotiations on trade-related aspects of electronic commerce. The now 77 Members will seek to achieve an outcome that builds on existing WTO Agreements and frameworks, with the participation of as many WTO Members as possible. The first substantive meeting was held on 13-15 May 2019. All WTO Members are encouraged to participate, in order to further enhance the benefits of e-commerce for businesses, consumers and the global economy. Other Members have expressed opposition to these negotiations on the grounds that they are not part of the current negotiating mandate.

## Investment Facilitation

3.136. The Joint Ministerial Statement on Investment Facilitation for Development<sup>67</sup>, co-sponsored by 70 Members at MC11, calls for the start of "structured discussions with the aim of developing a multilateral framework on investment facilitation". According to the proponents, investment facilitation is about creating a more efficient, predictable and "investment-friendly" business climate – by making it easier for investors to establish operations and conduct their day-to-day business – and such an agreement could facilitate global investment in the same way that the WTO was helping to facilitate global trade with its Trade Facilitation Agreement. However, other Members oppose discussions on investment facilitation in the WTO, mostly on the grounds that they are not part of the current negotiating mandate.

3.137. Between mid-October 2018 and mid-May 2019, the Structured Discussions held seven meetings, including a "stock-take and next steps" meeting in December 2018 and an organizational meeting in January 2019.<sup>68</sup> At the former, the participating Members agreed that, in 2018, the Structured Discussions had been successful in identifying possible elements of a multilateral framework on investment facilitation for development. These identified possible elements have been reflected and organized in a "Checklist of Issues raised by Members".<sup>69</sup> At the organizational meeting in January 2019, participating Members re-iterated their full support for the next phase of the initiative to move towards the development of the possible elements of the multilateral framework – in line with the objective established in the Joint Ministerial Statement. The discussions in the first half of 2019 have been based on concrete examples submitted by Members on a "no prejudice" basis, which have been compiled in a "Compendium of text-based examples" aimed at facilitating comparison among examples.<sup>70</sup> The meetings were organized thematically, as per the schedule of meetings for the period January-July endorsed by participating Members.<sup>71</sup>

## Micro, Small and Medium-sized Enterprises (MSMEs)

3.138. During the reporting period, the Informal Working Group on MSMEs held three open-ended meetings, including a thematic session on the Internet as a tool to help MSMEs access global

<sup>67</sup> WTO document WT/MIN(17)/59, 13 December 2017.

<sup>68</sup> The meetings were held on 26 October, 16 November, and 6 December 2018, and 30 January, 4 March, 11 April and 16 May 2019.

<sup>69</sup> The latest version of the checklist was circulated on 9 November 2018.

<sup>70</sup> WTO document INF/IFD/RD/5/Rev.1, 13 May 2019.

<sup>71</sup> WTO document INF/IFD/W/3/Rev.1, 22 May 2019.

markets, as well as a workshop on MSMEs' cyber-readiness. An annual report, detailing the activities of the Group in 2018, was adopted at the end-of-the-year wrap-up session in November 2018.<sup>72</sup> Armenia joined the Group in November 2018, bringing the number of Members participating in the initiative to 89. Some Members oppose, or do not support, discussions on this issue, noting that it is not part of the original Doha Round discussions and that focussing on DDA issues should be the priority. The Group is working to identify a set of concrete, horizontal and non-discriminatory actions that Members could take to strengthen MSME participation in global trade, and that could form the basis of a future work programme for consideration by Members at the next WTO Ministerial Conference (MC12), in June 2020.

3.139. So far in 2019, discussions have focussed on how to improve access to information and support the development of the ITC-UNCTAD-WTO Global Trade Helpdesk, an online portal to existing trade-related information and intelligence, as well as how to enhance MSMEs' access to trade finance, data collection and coverage of MSME-related information in WTO Trade Policy Reviews. The Group has also been exploring principles to promote MSME participation in the drafting of new rules and assess the impact of new regulations on MSMEs. Three other open-ended sessions are planned in 2019, as well as various workshops and other activities.

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<sup>72</sup> WTO document INF/MSME/R/7, 25 March 2019.

## 4 POLICY DEVELOPMENT IN TRADE IN SERVICES

4.1. Over the period covered by this Report, many new measures affecting trade in services were introduced by WTO Members and Observers. The majority of these are horizontal in nature, affecting different modes of supply across various sectors. Most of these are trade-facilitating, including those cross-sectoral measures affecting service supply through commercial presence and the movement of natural persons. Nevertheless, a number of the new policies appear to be trade-restrictive, including measures affecting communication and network-enabled services and policies pertaining to the review of foreign investment in certain areas considered strategic. Annex 4 provides additional information on 77 entries for new measures, which concern 45 WTO Members and one Observer.<sup>1</sup>

### Measures affecting supply through commercial presence

4.2. Various governments introduced changes to their investment policies that affect the supply through commercial presence (mode 3) across various sectors. On 15 March 2019, China adopted its new Foreign Investment Law, which provides for non-discrimination (pre- and post-establishment) between foreign-invested and domestic enterprises, and between foreign and domestic investors, except in sectors set out in a "negative list". Foreign investors no longer require prior approval from the Ministry of Commerce, but must register their investments with the relevant agencies. The new Law also prohibits forced technology transfers, as it stipulates that technology cooperation between foreign and Chinese businesses shall be undertaken voluntarily, based on commercial considerations. The Law provides that China may retaliate against countries that discriminate against Chinese investments abroad.

4.3. In the Philippines, the government relaxed limitations on foreign investment in selected sectors, for example by permitting 100% foreign ownership of Internet businesses and of specified higher education services, and by increasing from 20% to 40% the foreign ownership limit in private radio communications networks. Qatar adopted a new law allowing wholly-owned foreign investments in most economic sectors, thereby abolishing the previous requirement to have a local partner holding at least 51% of the shares in any limited liability company or acting as sponsor. India allowed foreign companies in the defence, telecom, information and broadcasting, and private security sectors to open branch offices, subject to approval from the regulator and the ministry concerned. Approval of the Reserve Bank of India is no longer required.

4.4. In the United Arab Emirates, a new FDI Law, effective since 30 October 2018, allows up to 100% foreign ownership in certain sectors. Under the previous law, foreign ownership in 'onshore' UAE companies was limited to 49%, unless decided otherwise by Cabinet. The new law establishes a negative list setting out the sectors where foreign investment is not allowed, and a positive list of sectors where it is allowed. The FDI Law does not yet detail the sectors in the positive list. Sectors to be listed will indicate the percentage of foreign ownership allowed (between 49% and 100%) and whether restrictions on the type of legal entity, minimum capital requirements, or requirements of the employment of nationals are imposed. In the Kingdom of Saudi Arabia, the Council of Ministers decided to allow foreign investment in four sectors where it was previously prohibited: road transport, real estate brokerage, audiovisual services, and recruitment and related services.

4.5. In Egypt, a new measure requires non-resident companies with a representative office in Egypt to decide, three years from the date the office was registered, to establish either a company or a branch. The new requirement does not apply to representative offices of banks. In December 2018, the government of Côte d'Ivoire adopted a new Investment Code, which provides various fiscal incentives to foreign investors, including in relation to the use of local content. Certain benefits are only available to companies that open at least 15% of their capital to nationals. The new measure also provides for the creation of a specific agency to promote investment and act as principal link between investors and the government.

4.6. A number of Members adopted new measures in relation to investment review procedures, including for national security purposes. In France, the government amended its foreign investment regime by extending the prior authorization requirement to investments in new strategic sectors,

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<sup>1</sup> The inclusion of any measure in the Annex implies no judgement by the WTO Secretariat on whether or not such measure, or its intent, is protectionist in nature. Moreover, nothing in the Annex implies any judgement, either direct or indirect, on the consistency of any measure referred to with the provisions of any WTO agreement.

including data storage in connection with public security. Germany amended the foreign investment regime. It lowered, from 25% to 10% of voting rights, the threshold for screening acquisitions by non-EU/EFTA investors in certain sectors, including operators of critical infrastructure in specific sectors, companies monitoring telecommunications, and providers of cloud computing services. Hungary adopted a new law providing for the national security review of foreign investment by non-EU/EFTA investors in sensitive activities, while in Belgium a new measure gives the government of Flanders a right of veto in relation to certain foreign acquisitions that threaten strategic interests.

4.7. The European Union adopted a framework for the screening of foreign direct investments (FDI). The new regulation does not require EU member States to implement an FDI screening mechanism. However, existing or future mechanisms at the member State level are required to meet certain basic requirements, such as judicial review of decisions, non-discrimination between third countries, and transparency. The regulation sets out a non-exhaustive list of factors that may be taken into account to determine whether foreign investments pose a risk to security or public order, including the impact on critical infrastructure, critical technologies, the supply of critical inputs, access to, and ability to control, sensitive information, and freedom and pluralism of the media.

### **Communication Services and E-Commerce**

4.8. Several Members adopted new measures in relation to the communications sector or to Internet and other network enabled services. In the United States an Executive Order signed on 15 May 2019 declares a national emergency with respect to threats against information and communications technology and services in the United States, and prohibits the purchase or use of information and communication technologies or services that pose a national security risk.

4.9. In the Russian Federation, a new law on the operation of the Internet, signed on 1 May 2019, establishes rules for routing telecommunication messages and provides for the monitoring of compliance with them. Telecommunication operators, trans-border telecommunication line-owners and Internet exchange point owners will have to provide for centralized traffic management in case of emerging threats to the operation of the Internet in the Russian Federation. The law foresees the installation by operators of equipment provided by the regulator to counteract threats.

4.10. In Kenya, the government introduced an excise duty tax of 15% on voice, SMS and Internet data services. Previously, a 10% tax on telephone services was imposed. The new measure also introduced a 20% excise duty rate on money transfer services by banks and other fees charged by financial institutions. In Turkey, the government introduced a new tax on online advertising services. A 15% tax is applied to payments made to providers of online advertising services or intermediaries.

4.11. In Japan, the Diet approved a new measure to facilitate fair competition in mobile telephony by prohibiting mobile operators from offering discount for retail communication charges when selling mobile handsets. The measure also prohibits conditions that unduly constrain subscribers from cancelling contracts. In Korea, Republic of, the government amended the telecommunications law to, among other things, move from a licensing regime to a registration system.

4.12. In the European Union, the European Parliament and the Council of Europe adopted a Directive establishing the European Electronic Communications Code, which establishes common rules and objectives within the European Union on regulating the telecom industry, and defines how providers of networks and/or services can be regulated by national authorities. In Indonesia, the Government revoked a regulation on e-commerce taxes that was intended to be enforced from 1 April 2019, and which would have required online marketplace operators to report details of each seller's turnover, mandated online sellers to register for a tax payer number, and set out taxes to be paid by online sellers.

4.13. India announced new conditions in relation to its FDI policy on e-commerce. The new measure provides that e-commerce marketplaces cannot sell on their platform products of companies in which they have equity interests or in which they control the inventory. E-commerce marketplaces are information technology platforms that connect buyers and sellers. In addition, e-commerce marketplace entities cannot mandate any seller to sell any product exclusively on its platform.

4.14. Various Members adopted new measures in relation to data or cybersecurity. Brazil adopted a new law to protect personal data, whether obtained by electronic or physical means, by the public or private sector. Data transfers are allowed under a number of circumstances, including when transfers are made to countries offering adequate protection, when the regulator specifically approves the transfer, or after the data subject has consented. In Nigeria, a new Data Protection Regulation applies to all organizations processing the personal data of natural persons in Nigeria and natural persons of Nigerian descent residing in foreign countries. The regulation foresees the transfer of data abroad, but gives the Attorney General the power to determine which third countries provide adequate data protection laws. If the Attorney General has not issued decisions on adequacy, data may only be transferred to another country under certain conditions, including if the data subject consents. In Panama, a new law provides that the prior, informed, and unequivocal consent of the data subject must be obtained for the processing of personal data. In Korea, Republic of, the Government now requires certain offshore IT providers to designate a local representative to comply with personal data protection rules.

4.15. In Thailand, the National Legislative Assembly approved in February the Personal Data Protection Act and the Cybersecurity Act. The new data protection law establishes requirements for both data controllers and processors that collect, use, or disclose personal data of individuals in Thailand. The Act allows cross-border data transfers to countries that provide sufficient personal data protection in compliance with guidelines of the Personal Data Protection Committee, as well as in certain other specified circumstances. In Uganda, the new Data Protection and Privacy Act aims to protect individual privacy and personal data by regulating the collection and processing of personal data, as well as imposing obligations on data controllers and processors. In Australia, a new law sets out a framework for law enforcement and national security agencies to work with the communications industry with respect to the use of data in the investigation of serious crimes, including powers to request or compel assistance from designated communications providers. Finally, at the bilateral level, Japan and the European Union recognized each other's personal data protection systems as 'essentially equivalent'. This allows personal data to flow without restrictions between the two jurisdictions.

### Financial services

4.16. A few policy changes took place during the review period in the financial services sector, generally towards greater openness. For example, in the Kingdom of Saudi Arabia, the Monetary Authority issued new rules allowing foreign insurance and reinsurance companies to establish as branches. In Chinese Taipei, foreign Futures Commission Merchants (FCM) may now directly supply trade, clearing and settlement services of futures to domestic FCMs, and are no longer required to establish a branch or subsidiary in Chinese Taipei.

4.17. In Myanmar, the Central Bank confirmed that foreign banks and foreign financial institutions can now hold up to 35% of equity investment in local private banks. Also, the government allowed branches of foreign banks to provide commercial services, such as financing and other banking services, to local businesses. Previously, foreign banks were limited to lending only to foreign entities in foreign currencies. As regards insurance, the government allowed foreign companies to establish in the country, removing restrictions that essentially limited operations of foreign insurers to representative offices. With the new measure, up to three licences will be granted to foreign life insurers as 100% wholly-owned subsidiaries. In addition, foreign life and non-life insurers that had a representative office as of end-2018 are allowed to form a joint venture with a local insurer, with maximum foreign equity of 35%.

4.18. In Hong Kong, China, the Monetary Authority decided to start issuing virtual banking licences for companies that offer retail banking services through the Internet or other electronic channels instead of physical branches. By early May 2019, eight licences for virtual banks had been granted and the new licensed services would be launched within six to nine months. In Kuwait, the government issued a decree allowing foreign investors to own up to 5% of a Kuwaiti bank's capital. The China Securities Regulatory Commission (CSRC) published a new measure aiming to encourage established foreign financial institutions to invest in domestic futures companies. Eligible foreign investors may submit applications to the CSRC to hold up to 51% equity of domestic futures companies. The equity cap is to be entirely removed in three years.

## Other Services Sectors

4.19. A number of Members adopted new policies in relation to transport services. Argentina simplified the regime for obtaining coastal traffic waivers that allow foreign vessels to carry out commercial activities in the Argentinian sea in the event that no Argentinian vessels are available to perform such activities. In China, foreign investors can now invest in and operate international shipping transportation, international shipping agencies, international shipping management, international shipping cargo handling, international shipping cargo warehousing, and international shipping container station and yard business in accordance with relevant laws, administrative regulations and other relevant regulations. In Brazil, the 20% limit on foreign investment in national airlines has been lifted and full foreign capital participation is allowed. In Ethiopia, an Observer government, the Investment Board decided to permit foreign investment in the logistics industry through joint ventures, with up to 49% in foreign capital. Prior to the decision, the sector was exclusively reserved to nationals.

4.20. Various new measures relating to health and medical services were also adopted. In China, a new Circular from the National Health Commission requires Big Data in the health care industry to be stored in the country. Where such data must be transferred abroad for business reasons, a security assessment must be carried out in accordance with the relevant laws and regulations. In the Kingdom of Saudi Arabia, the Government allowed 100% foreign ownership, operation and management of Private Healthcare Institutions (PHI), with the exception of clinics. PHIs cover general and specialised health centres, radiology, medical laboratories, outpatient surgical facilities and supporting medical services facilities. A new law in the United Arab Emirates prohibits the storage of health data outside of the UAE, as well as the creation of health data outside of the UAE which relates to health services provided inside the UAE. The Law foresees certain exceptions to data localization requirements, to be set out in subsequent measures.

4.21. As regards gambling services, Myanmar adopted a new law allowing casinos to operate for foreigners in selected hotels. Previously, casinos were not permitted under Myanmar law. Nationals will not be able to gamble under the new rules. In Switzerland, a new measure permits licensed casinos established in the country to offer online gaming services. Unlicensed operators, including foreign-based suppliers, will be blocked by Internet access providers. The Act also establishes licensing requirements, including that owners have 'good reputation' and have not actively targeted the Swiss market from abroad in the five previous years. Unlicensed sites will be blocked as of 1 July 2019. Australia agreed to a National Consumer Protection Framework for online wagering.

## Services Supplied through the Movement of Natural Persons

4.22. Various Members adopted measures affecting the supply of services through the movement of natural persons, most of which are trade-facilitating. For example, in India, the Government increased the permitted duration of stay under the electronic Business Visa to 180 days, up from 60 days. Multiple visits are now allowed in a calendar year, and foreign nationals holding an employment visa are now able to extend it for up to 10 years, up from 5.

4.23. Japan introduced two new work visas for foreigners temporarily entering Japan, in sectors where skill shortages exist. Canada made permanent its Global Talent Stream programme. The programme provides for a streamlined Labour Market Impact Assessment and expedited work permit processing for highly-skilled foreign workers in STEM-related professions (science, technology, engineering, math). The Kingdom of Saudi Arabia no longer requires labour market tests before a block visa request is submitted by employers seeking to hire foreign nationals, while Egypt removed the requirement that limited liability companies in the country appoint at least one manager of Egyptian nationality.

4.24. In France, since April 2019, foreign nationals are required to be employed by their home employer for at least six months prior to transfer to France under the Intra-Corporate Transferee (ICT) Permit, up from three months previously. Oman's Ministry of Manpower has extended the temporary ban on the recruitment of foreign nationals in a number of sectors. The ban was originally introduced early in 2018 and has now been extended twice.

## Air Services Agreements

4.25. Table 4.1 below presents information on Air Services Agreements (ASAs) concluded during the period under review. These include both new ASAs and revisions of pre-existing ones. As far as can be assessed from available sources, the vast majority of these ASAs provides for more liberal access conditions than was previously the case.

**Table 4.1 Air Services Agreements<sup>2</sup> concluded or amended during the reporting period (October 2018-May 2019)**

Parties		Date of signature	Source
Macao, China	Qatar	10.10.2018	<a href="http://www.macaubusiness.com/macau-qatar-inks-bilateral-open-skies-agreement-with-macau">http://www.macaubusiness.com/macau-qatar-inks-bilateral-open-skies-agreement-with-macau</a>
Singapore	Peru	16.10.2018	<a href="https://www.channelnewsasia.com/news/singapore/singapore-peru-open-skies-agreement-10834954">https://www.channelnewsasia.com/news/singapore/singapore-peru-open-skies-agreement-10834954</a>
Jamaica	Slovenia	17.10.2018	<a href="http://www.jamaicaobserver.com/latestnews/Jamaica_to_sign_new_air-service_agreements?profile=1228">http://www.jamaicaobserver.com/latestnews/Jamaica_to_sign_new_air-service_agreements?profile=1228</a>
Jamaica	Morocco	17.10.2018	<a href="http://www.jamaicaobserver.com/latestnews/Jamaica_to_sign_new_air-service_agreements?profile=1228">http://www.jamaicaobserver.com/latestnews/Jamaica_to_sign_new_air-service_agreements?profile=1228</a>
Jamaica	Bahamas	17.10.2018	<a href="http://www.jamaicaobserver.com/latestnews/Jamaica_to_sign_new_air-service_agreements?profile=1228">http://www.jamaicaobserver.com/latestnews/Jamaica_to_sign_new_air-service_agreements?profile=1228</a>
Jamaica	South Africa	17.10.2018	<a href="http://www.jamaicaobserver.com/latestnews/Jamaica_to_sign_new_air-service_agreements?profile=1228">http://www.jamaicaobserver.com/latestnews/Jamaica_to_sign_new_air-service_agreements?profile=1228</a>
Korea, Republic of	Italy	18.10.2018	<a href="http://www.arirang.co.kr/News/News_View.asp?nseq=225078">http://www.arirang.co.kr/News/News_View.asp?nseq=225078</a>
Bosnia	United Arab Emirates	07.11.2018	<a href="https://www.exyuaviation.com/2018/11/bosnia-and-uae-ink-air-agreement.html">https://www.exyuaviation.com/2018/11/bosnia-and-uae-ink-air-agreement.html</a>
Philippines	Switzerland	20.11.2018	<a href="https://www.bworldonline.com/phl-signs-new-air-deal-with-switzerland">https://www.bworldonline.com/phl-signs-new-air-deal-with-switzerland</a>
Kyrgyz Republic	Qatar	21.11.2018	<a href="https://www.azernews.az/region/141495.html">https://www.azernews.az/region/141495.html</a>
Kuwait	Cyprus	25.11.2018	<a href="https://www.kuna.net.kw/ArticleDetails.aspx?id=2761136&amp;language=en">https://www.kuna.net.kw/ArticleDetails.aspx?id=2761136&amp;language=en</a>
Guyana	Ghana	28.11.2018	<a href="http://www.financial-news.co.uk/51645/2018/11/guyana-signs-air-service-agreement-with-ghana-201811280/">http://www.financial-news.co.uk/51645/2018/11/guyana-signs-air-service-agreement-with-ghana-201811280/</a>
Macao, China	China	27.11.2018	<a href="https://macaudailytimes.com.mo/mainland-macau-ink-new-agreement-on-air-transport.html">https://macaudailytimes.com.mo/mainland-macau-ink-new-agreement-on-air-transport.html</a>
Australia	Fiji	10.2018	<a href="https://www.radionz.co.nz/international/pacific-news/377024/qantas-to-increase-fiji-flights">https://www.radionz.co.nz/international/pacific-news/377024/qantas-to-increase-fiji-flights</a>
United Kingdom	United States	28.11.2018	<a href="https://www.gov.uk/government/news/uk-and-us-agree-new-open-skies-arrangements">https://www.gov.uk/government/news/uk-and-us-agree-new-open-skies-arrangements</a>
Nepal	Cambodia	29.11.2018	<a href="https://thehimalayantimes.com/business/nepal-cambodia-ink-initial-pact-on-bilateral-air-services">https://thehimalayantimes.com/business/nepal-cambodia-ink-initial-pact-on-bilateral-air-services</a>
United Kingdom	Canada	2.12.2018	<a href="https://www.atn.aero/#/article.html?id=70624">https://www.atn.aero/#/article.html?id=70624</a>
Congo	United States	10.12.2018	<a href="https://www.theeastafrican.co.ke/business/Congo-US-sign-air-transport-agreement/2560-4888688-14tdiipz/index.html">https://www.theeastafrican.co.ke/business/Congo-US-sign-air-transport-agreement/2560-4888688-14tdiipz/index.html</a>
Ghana	Seychelles	11.12.2018	<a href="http://www.ghananewsagency.org/economics/ghana-and-seychelles-sign-bilateral-air-services-agreement-143061">http://www.ghananewsagency.org/economics/ghana-and-seychelles-sign-bilateral-air-services-agreement-143061</a>
Ghana	Canada	13.12.2018	<a href="https://www.ghanaweb.com/GhanaHomePage/business/Government-eyes-aviation-gateway-as-Ghana-signs-deals-with-Canada-et-al-708488">https://www.ghanaweb.com/GhanaHomePage/business/Government-eyes-aviation-gateway-as-Ghana-signs-deals-with-Canada-et-al-708488</a>
Ghana	Jamaica	13.12.2018	<a href="https://www.ghanaweb.com/GhanaHomePage/business/Government-eyes-aviation-gateway-as-Ghana-signs-deals-with-Canada-et-al-708488">https://www.ghanaweb.com/GhanaHomePage/business/Government-eyes-aviation-gateway-as-Ghana-signs-deals-with-Canada-et-al-708488</a>
Ghana	Namibia	13.12.2018	<a href="https://www.ghanaweb.com/GhanaHomePage/business/Government-eyes-aviation-gateway-as-Ghana-signs-deals-with-Canada-et-al-708488">https://www.ghanaweb.com/GhanaHomePage/business/Government-eyes-aviation-gateway-as-Ghana-signs-deals-with-Canada-et-al-708488</a>
Ghana	Guyana	13.12.2018	<a href="https://www.ghanaweb.com/GhanaHomePage/business/Government-eyes-aviation-gateway-as-Ghana-signs-deals-with-Canada-et-al-708488">https://www.ghanaweb.com/GhanaHomePage/business/Government-eyes-aviation-gateway-as-Ghana-signs-deals-with-Canada-et-al-708488</a>
Kenya	Cambodia	15.12.2018	<a href="https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements/">https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements/</a>
Kenya	Bahamas	15.12.2018	<a href="https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements">https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements</a>

<sup>2</sup> The term "air services agreements" is used here to refer to Air Services Agreements, Memoranda of Understanding, Exchange of Notes, and other such relevant instruments.

Parties		Date of signature	Source
Kenya	Jamaica	15.12.2018	<a href="https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements">https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements</a>
Kenya	Turkey	15.12.2018	<a href="https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements">https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements</a>
Kenya	Seychelles	15.12.2018	<a href="https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements">https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements</a>
Kenya	Greece	15.12.2018	<a href="https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements">https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements</a>
Kenya	Finland	15.12.2018	<a href="https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements">https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements</a>
Kenya	Burkina Faso	15.12.2018	<a href="https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements">https://www.journalducameroun.com/en/kenya-concludes-highest-number-of-air-service-agreements</a>
Seychelles	Bahamas	14.12.2018	<a href="http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries">http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries</a>
Seychelles	Greece	14.12.2018	<a href="http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries">http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries</a>
Seychelles	Jamaica	14.12.2018	<a href="http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries">http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries</a>
Seychelles	Saudi Arabia	14.12.2018	<a href="http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries">http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries</a>
Seychelles	Switzerland	14.12.2018	<a href="http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries">http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries</a>
Seychelles	Turkey	14.12.2018	<a href="http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries">http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries</a>
Seychelles	Rwanda	14.12.2018	<a href="http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries">http://www.seychellesnewsagency.com/articles/10202/Eyeing+new+tourism+and+trade%2C+Seychelles+signs+air+agreements+with++countries</a>
United Kingdom	Switzerland	17.12.2018	<a href="https://www.reuters.com/article/us-britain-eu-air/uk-signs-air-service-deal-with-switzerland-for-post-brex-it-flights-idUSKBN1OG00E">https://www.reuters.com/article/us-britain-eu-air/uk-signs-air-service-deal-with-switzerland-for-post-brex-it-flights-idUSKBN1OG00E</a>
Rwanda	Israel	07.01.2019	<a href="https://ktpress.rw/2019/01/rwanda-signs-air-service-agreement-with-israel/">https://ktpress.rw/2019/01/rwanda-signs-air-service-agreement-with-israel/</a>
Nigeria	India	16.01.2019	<a href="https://www.dailytrust.com.ng/fg-signs-air-agreement-with-india.html">https://www.dailytrust.com.ng/fg-signs-air-agreement-with-india.html</a>
Cambodia	Finland	30.01.2019	<a href="https://www.khmertimeskh.com/50574394/air-deal-inked-with-finland/">https://www.khmertimeskh.com/50574394/air-deal-inked-with-finland/</a>
Kazakhstan	United States	05.02.2019	<a href="https://www.aviationpros.com/airlines/news/21056146/kazakhstan-announces-time-of-signing-open-sky-agreement-with-us">https://www.aviationpros.com/airlines/news/21056146/kazakhstan-announces-time-of-signing-open-sky-agreement-with-us</a>
Qatar	European Union	06.02.2019	<a href="https://www.logupdateafrica.com/eu-qatar-ink-new-air-service-agreements-to-strengthen-ties-aviation">https://www.logupdateafrica.com/eu-qatar-ink-new-air-service-agreements-to-strengthen-ties-aviation</a>
Zimbabwe	Sri Lanka	23.02.2019	<a href="https://colombogazette.com/2019/02/23/zimbabwe-welcomes-launch-of-air-services-with-sri-lanka">https://colombogazette.com/2019/02/23/zimbabwe-welcomes-launch-of-air-services-with-sri-lanka</a>
Zimbabwe	Oman	23.02.2019	<a href="https://colombogazette.com/2019/02/23/zimbabwe-welcomes-launch-of-air-services-with-sri-lanka/">https://colombogazette.com/2019/02/23/zimbabwe-welcomes-launch-of-air-services-with-sri-lanka/</a>
Peru	Cuba	08.03.2019	<a href="https://mundo.sputniknews.com/americas-latina/201903081085948043-peru-cuba-llegan-acuerdo-para-aumentar-frecuencia-vuelos-comerciales">https://mundo.sputniknews.com/americas-latina/201903081085948043-peru-cuba-llegan-acuerdo-para-aumentar-frecuencia-vuelos-comerciales</a>
Dominica	CARICOM-MASA	28.02.2019	<a href="https://wicnews.com/caribbean/several-member-states-caricom-sign-multilateral-air-services-agreement-220917044">https://wicnews.com/caribbean/several-member-states-caricom-sign-multilateral-air-services-agreement-220917044</a>
Grenada	CARICOM-MASA	28.02.2019	<a href="https://wicnews.com/caribbean/several-member-states-caricom-sign-multilateral-air-services-agreement-220917044">https://wicnews.com/caribbean/several-member-states-caricom-sign-multilateral-air-services-agreement-220917044</a>
Jamaica	CARICOM-MASA	28.02.2019	<a href="https://wicnews.com/caribbean/several-member-states-caricom-sign-multilateral-air-services-agreement-220917044">https://wicnews.com/caribbean/several-member-states-caricom-sign-multilateral-air-services-agreement-220917044</a>
Trinidad and Tobago	CARICOM-MASA	28.02.2019	<a href="https://wicnews.com/caribbean/several-member-states-caricom-sign-multilateral-air-services-agreement-220917044">https://wicnews.com/caribbean/several-member-states-caricom-sign-multilateral-air-services-agreement-220917044</a>
Morocco	Rwanda	19.03.2019	<a href="https://www.politicalanalysis.co.za/morocco-and-rwanda-sign-new-partnership-agreement-in-12-different-sectors">https://www.politicalanalysis.co.za/morocco-and-rwanda-sign-new-partnership-agreement-in-12-different-sectors</a>

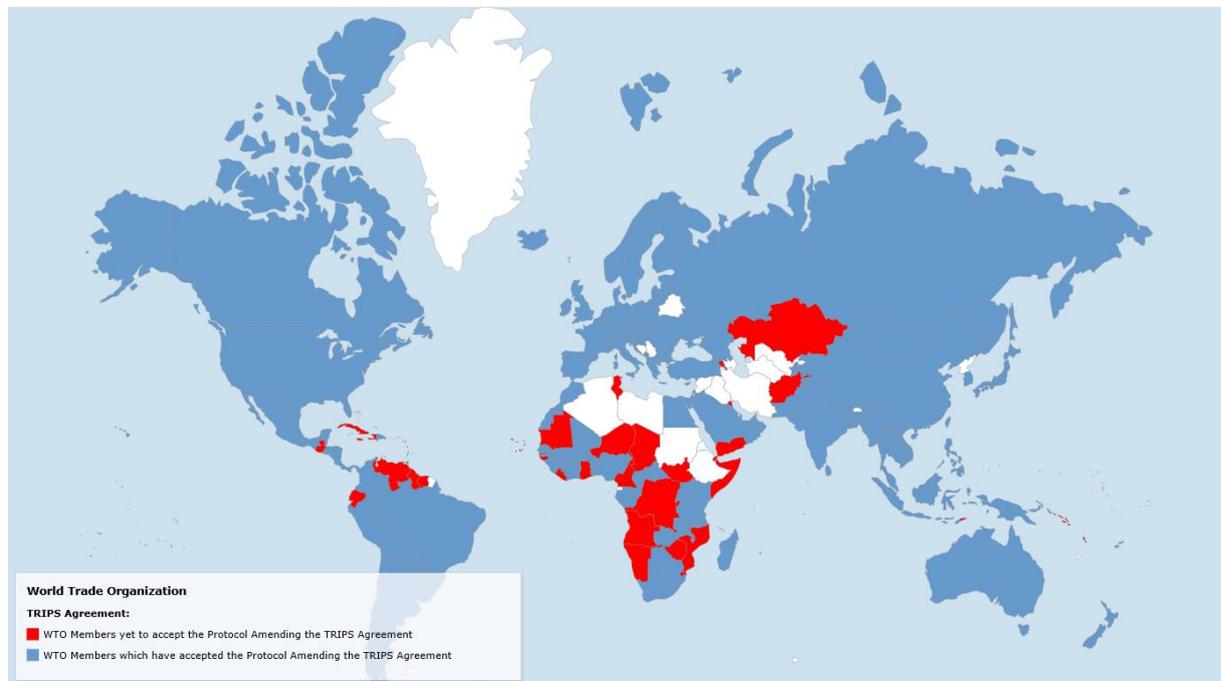
Parties		Date of signature	Source
Ghana	Malta	26.03.2019	<a href="https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Ghana-signs-Air-Services-Visa-waiver-agreements-with-Malta-733255">https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Ghana-signs-Air-Services-Visa-waiver-agreements-with-Malta-733255</a>
Nigeria	Cape Verde	02.04.2019	<a href="https://punchng.com/nigeria-cape-verde-finalise-air-transport-agreement">https://punchng.com/nigeria-cape-verde-finalise-air-transport-agreement</a>
Saudi Arabia, Kingdom of	Georgia	02.04.2019	<a href="https://aaco.org/media-center/news/aeropolitical/saudi-arabia-and-georgia-sign-air-service-agreement">https://aaco.org/media-center/news/aeropolitical/saudi-arabia-and-georgia-sign-air-service-agreement</a>

Source: WTO Secretariat.

## 5 POLICY DEVELOPMENTS IN TRADE IN INTELLECTUAL PROPERTY

5.1. In November 2018, Georgia deposited its instrument of acceptance of the Protocol Amending the TRIPS Agreement.<sup>1</sup> The Protocol gave effect to the 2005 Decision to amend the TRIPS Agreement to address public health needs of countries with limited or no domestic pharmaceutical production capacity by creating an additional legal pathway for production and export of generic medicines.<sup>2</sup>

**Chart 5.1 Acceptance of the Amendment to the TRIPS Agreement**



Source: WTO Secretariat.

### Bilateral and Regional Agreements

5.2. On the bilateral and regional fronts, Members continued to implement and negotiate a network of trade agreements that contain substantive IP provisions. Currently, over 70% of the RTAs in force and notified to the WTO contain specific IP provisions. Increasingly, RTAs have further developed the interconnection between IP and trade in goods and services, and the links of the IP system to other normative areas, such as investment, e-commerce, and competition policy. During the review period, the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), came into force in December 2018; the domestic procedures for the ratification of the United States-Mexico-Canada Agreement (USMCA) were underway; and significant IP issues were reportedly under consideration during the re-negotiations of the Association Agreement between Mexico and the European Union<sup>3</sup>, as well as in the continuing negotiations in the framework of the Pacific Alliance<sup>4</sup> and between MERCOSUR and the European Union.<sup>5</sup>

5.3. Members were also active signing cooperation agreements between IP offices. During the review period, the Kingdom of Saudi Arabia signed a patent prosecution highway agreement with

<sup>1</sup> The Amended TRIPS Agreement entered into force in January 2017 and applies to all Members which have accepted the Protocol. A waiver, agreed in 2003 (WTO document WT/L/540, 2 September 2003 and its WT/L/540/Corr.1, 29 July 2005), continues to apply to those Members that are yet to accept the Protocol. An up-to-date list of the Members that have accepted the Protocol is available here: [https://www.wto.org/english/tratop\\_e/trips\\_e/amendment\\_e.htm](https://www.wto.org/english/tratop_e/trips_e/amendment_e.htm).

<sup>2</sup> WTO document WT/L/641, 8 December 2005.

<sup>3</sup> Viewed at: <http://ec.europa.eu/trade/policy/in-focus/eu-mexico-trade-agreement>.

<sup>4</sup> Viewed at: <https://alianzapacifico.net/inicio-en-chile-la-tercera-ronda-de-negociaciones-con-los-candidatos-a-estado-asociado>.

<sup>5</sup> As seen in: <https://www.cancilleria.gob.ar/es/actualidad/noticias/ronda-de-negociaciones-mercosur-ue>.

the Korean Intellectual Property Office and a Memorandum of Understanding with the Chinese National Intellectual Property Administration.<sup>6</sup>

5.4. Domestically, Members are working to streamline IP into their economies. During the period under review, Myanmar prepared its IP National Strategy.<sup>7</sup> The relationship between IP and trade continued to develop and diversify as Members continued to modernize and fine-tune their IP legislation and administration (Box 5.1).

### Box 5.1 Domestic legislation and administrative developments

#### **Australia<sup>a</sup>**

Between August 2018 and February 2019, several amendments to IP legislation entered into force. These covered measures to: ensure that the safe harbour scheme procedures and requirements apply to new service providers in the academic, archiving, disability and cultural sectors; allow the judiciary to issue injunctions to block access by users in Australia to overseas online locations that facilitate large-scale infringement of copyright; extend protection for secondary uses of sound recordings in Australia to recordings from another 32 countries which provide equivalent protection to Australian sound recordings; clarify parallel importation of trademarked goods; provide time-periods for non-use of trademark actions; improve the way derived variety declarations can be made for plant breeders' rights; remove the requirement for patentees to provide certain data related to pharmaceutical patents with an extended term; and streamline the administration on the IP system. In April 2019, a report on the Review of the Code of Conduct for Copyright Collecting Societies was issued.

#### **Chile<sup>b</sup>**

In November 2018, the directives for trademark applications were updated, namely the chapter on prohibition to register names, pseudonyms and portraits of a natural person; and substantive requirements for commercial marks. These guidelines are available in electronic form only.

#### **China<sup>c</sup>**

The amended *Patent Agency Regulations* entered into force on 1 March 2019. They improve the provisions regarding qualifications for practitioners, a code of conduct and services supervision.

#### **Indonesia<sup>d</sup>**

On 28 December 2018, the *Regulation on Patent Applications* came into force. It establishes technical and administrative procedures for obtaining patent protection and accommodates applications for patent protection under the Patent Cooperation Treaty. The *Regulation on Procedures for Granting Compulsory Licenses* also entered into force on the same day.

#### **Thailand<sup>e</sup>**

The Copyright Act entered into force on 11 March 2019. On the same day, the Ministry of Commerce issued a Notification on the Use of Exceptions on Copyright Infringement for the Benefits of Persons with Disabilities who are Unable to Access Copyright Works.

- a Submission by Australia for the WTO Trade Monitoring Report and notifications to the TRIPS Council.
- b Submission by Chile for the WTO Trade Monitoring Report.
- c Submission by China for the WTO Trade Monitoring Report.
- d Submission by Indonesia for the WTO Trade Monitoring Report.
- e Submission by Thailand for the WTO Trade Monitoring Report.

Source: WTO Secretariat.

### TRIPS Council

5.5. During the review period, the TRIPS Council met on two occasions, (8-9 November 2018 and 13 February 2019). At the November 2018 meeting, Members agreed to grant permanent Observer status the Cooperation Council of the Arab States of the Gulf (GCC). The February 2019 meeting was immediately preceded by the Workshop on the Implementation of Article 66.2 of the TRIPS Agreement: Incentives for Technology Transfer, during which capital-based LDC experts reviewed the reports by implementing Members. This enabled a rich exchange, based on concrete recommendations, during the TRIPS Council meeting. At the two meetings, discussions on non-violation and situation complaints under the TRIPS Agreement showed signs that some

<sup>6</sup> Submission of the Kingdom of Saudi Arabia to the WTO Trade Monitoring Report.

<sup>7</sup> Submission by Myanmar to the WTO Trade Monitoring Report.

delegations were willing to discuss specific examples of possible conditions for such complaints. However, other delegations maintained their established positions.

5.6. Members also continued to share their national experiences and engaged in policy discussions on two themes, namely IP and Innovation and IP and the Public Interest. Specific agenda items concerned IP and New Businesses<sup>8</sup>; Public-Private Collaborations in Innovation<sup>9</sup>; and Promoting Public health Through Competition Law and Policy.<sup>10</sup>

5.7. During the review period, 13 Members<sup>11</sup> notified legislative measures under Article 63.2. Most of them introduced their new or amended laws during the Council's meetings, providing insights into developments in different areas, for instance: copyrights and related rights; trademarks; geographical indications; industrial designs; patents; plant variety protection; and enforcement. Five Members submitted information on their contact points for the exchange of information and cooperation on trade in infringing goods, under Article 69.<sup>12</sup> As part of the Review of the Application of the Provisions of the Section on Geographical Indications under Article 24.2 TRIPS, Ukraine introduced its responses to the Checklist of Questions; and Montenegro and Norway provided updates to their respective Checklists. Chile submitted its contact points for technical cooperation, as per Article 67.

### **e-TRIPS**

5.8. e-TRIPS is an online information submission and management system, designed to facilitate the processing of, and access to, TRIPS-related information. In February 2019, the Secretariat launched for Members' use the English version of the e-TRIPS Notifications Submission System, a user-friendly online platform for submitting TRIPS notifications, review materials and reports. It enables Members to easily submit TRIPS-related information and streamlines the Secretariat's internal processing. As of June 2019, the System will be available in the three official WTO languages. The Secretariat is providing detailed training and information material to Members on how to use the e-TRIPS Submission System. In addition, progress on the development of the e-TRIPS Gateway, an online information portal that will allow users to search and extract the full range of TRIPS information managed by the Secretariat, has advanced steadily. The Secretariat is providing demonstrations and regular updates to Members regarding the e-TRIPS Gateway's development.

### **TRIPS-related Discussions in Trade Policy Reviews**

5.9. During the review period, the Trade Policy Mechanism reviewed 13 Members<sup>13</sup>, including the first reviews for Vanuatu and Samoa. These reviews included discussions on a wide range of IP issues with a bearing on trade policy.

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<sup>8</sup> WTO document IP/C/W/648, 19 October 2018 and IP/C/W/648/Add.1, 2 November 2018.

<sup>9</sup> WTO document IP/C/W/652, 8 February 2019 and IP/C/W/652/Add.1, 12 February 2019.

<sup>10</sup> WTO document IP/C/W/649, 29 October 2018 and IP/C/W/649/Add.1, 2 November 2018; IP/C/W/649/Add.2, 7 November 2018; IP/C/W/649/Add.3, 20 November 2018; and IP/C/W/651, 1 February 2019.

<sup>11</sup> Canada; Colombia; Croatia; European Union; Finland; Japan; Kyrgyz Republic, Moldova, Republic of; Norway; Samoa; Chinese Taipei; Ukraine and United States.

<sup>12</sup> Angola, Myanmar, Samoa, Ukraine and Tonga.

<sup>13</sup> Vanuatu; Armenia; Hong Kong, China; Nepal; United States; Ecuador; the East African Community (Burundi, Kenya, Rwanda, Tanzania and Uganda); Bangladesh; and Samoa.

**ANNEX 1 – MEASURES FACILITATING TRADE<sup>1</sup>**

(MID-OCTOBER 2018 TO MID-MAY 2019)

**Confirmed information<sup>2</sup>**

Measure	Source/Date	Status
<b>Afghanistan</b>		
Trade facilitation measures through the reduction of export compulsory documents from 10 to 5	Permanent Delegation of Afghanistan (26 April 2019)	
<b>Argentina</b>		
Amendments introduced to the list of informatics and telecommunications goods (182 tariff lines at 8-digit level in NCM Chapters 74; 84; 85; 90), granting the elimination of import tariffs	Permanent Delegation of Argentina to the WTO (22 May 2019) and Decreto No. 973/2018 – Nomenclatura Común del Mercosur (30 October 2018)	Effective 1 November 2018
Trade facilitation measure for importers through the implementation of the " <i>Documento de Tránsito Sanitario Vegetal Electronico (DTV-e)</i> "	Permanent Delegation of Argentina to the WTO (22 May 2019) and Resolución General Conjunta 4297, Administración Federal de Ingresos Públicos y Servicio Nacional de Sanidad y Calidad Agroalimentaria (24 August 2018)	Effective 25 December 2018
Trade facilitation measure for exporters through the implementation of the " <i>Documento de Tránsito Sanitario Vegetal Electronico (DTV-e)</i> "	Permanent Delegation of Argentina to the WTO (22 May 2019) and Resolución General Conjunta 4297, Administración Federal de Ingresos Públicos y Servicio Nacional de Sanidad y Calidad Agroalimentaria (24 August 2018)	Effective 25 December 2018
Temporary elimination of import tariffs on certain parts and accessories of motorcycles not locally produced in Mercosur, destined for transformation by local industries (8 tariff lines at 8-digit level in NCM 8703 and 8711)	Permanent Delegation of Argentina to the WTO (22 May 2019) and Decreto No. 81/2019 – Nomenclatura Común del Mercosur (24 January 2019)	Effective until 31 December 2023
Simplification of administrative customs procedures (i.e. elimination of export controls, registered exporter rules and selected sea ports) on exports of raw hides and skins of bovine or equine animals (fresh, or salted, dried, limed, pickled or otherwise preserved, but not tanned, parchment-dressed or further prepared), whether or not dehaired or split (NCM 4101)	Permanent Delegation of Argentina to the WTO (22 May 2019) and Resolución No. 4454/2019, Administración Federal de Ingresos Públicos (1 April 2019)	Effective 5 April 2019
<b>Brazil</b>		
Temporary reduction (to 2%) of import tariffs on 6-hexanelactam (NCM 2933.71.00), under an import quota of 2,000 tonnes (effective 16 October 2018); on poly(ethylene terephthalate) (NCM 3907.61.00), under an import quota of 1,000 tonnes (effective 30 December 2018); on soda lye or liquid soda in aqueous solution (NCM 2815.12.00), under an import quota of 88,000 tonnes (effective 28 December 2018 to 27 December 2019); on certain printing inks (NCM 3215.19.00), under an import quota of 720 tonnes (effective 30 December 2018 to	Permanent Delegation of Brazil to the WTO (22 May 2019), Camex Resolution Nos. 75/2018 (15 October 2018), 87/2018 (19 November 2018), 91/2018 (5 December 2018), 98/2018 (7 December 2018) and 105/2018 (27 December 2018); Secex Portaria Nos. 67/2018, 68/2018, 69/2018, 70/2018,	Effective: see individual dates in measure

<sup>1</sup> The inclusion of any measure in this Annex implies no judgement by the WTO Secretariat on whether or not such measure, or its intent, is protectionist in nature. Moreover, nothing in the Annex implies any judgement, either direct or indirect, on the consistency of any measure referred to with the provisions of any WTO agreement.

<sup>2</sup> This Section includes information which has either been provided by the Member concerned or has been confirmed at the request of the Secretariat.

Measure	Source/Date	Status
<p>29 December 2019); on jute (NCM 5303.10.10), under an import quota of 7,000 tonnes (effective 28 December 2018 to 27 December 2019); on polycarbonates (NCM 3907.40.90), under an import quota of 35,040 tonnes (effective 1 January 2019 to 31 December 2019); on black printing ink (NCM 3215.11.00), under an import quota of 455 tonnes (effective 23 January 2019 to 22 January 2020); on disodium sulphate (NCM 2833.11.10), under an import quota of 910,000 tonnes (effective 31 January 2019 to 30 January 2020); on polyamide-6 (NCM 3908.10.24), under an import quota of 14,200 tonnes (effective 10 December 2018 to 9 December 2019); on sulphates (<i>de cromo</i>) (NCM 2833.29.60), under an import quota of 500,000 tonnes (effective 10 December 2018 to 9 December 2019); on chemical preparations for photographic uses (NCM 3707.90.21), under an import quota of 1,700 tonnes (effective 7 December 2018 to 6 December 2019); on acrylic polymers in primary forms (NCM 3906.90.49), under an import quota of 800 tonnes (effective 7 December 2018 to 6 December 2019); on p-Xylene (NCM 2902.43.00), under an import quota of 290,000 tonnes (effective 22 December 2018 to 21 December 2019); on malt, not roasted (NCM 1107.10.10), under an import quota of 400,000 tonnes (effective 22 December 2018 to 21 December 2020); on elastomeric of high tenacity yarn (NCM 5402.47.10), under an import quota of 2,200 tonnes (effective 2 January 2019 to 1 January 2020); on aluminium foil, rolled but not further worked (NCM 7607.11.90), under an import quota of 2,137 tonnes (effective 1 February 2019 to 31 January 2020); on dimethylamine (NCM 2921.11.21), under an import quota of 12,000 tonnes (effective 23 January 2019 to 22 January 2020); and on sardines (NCM 0303.53.00), under an import quota of 120,000 tonnes (effective 8 February 2019 to 8 February 2020)</p>	<p>71/2018 (13 December 2018), 75/2018, 76/2018, 77/2018 and 78/2018 (28 December 2018); and Secint Portaria No. 154 (6 February 2019)</p>	
<p>Temporary elimination of import tariffs on casein (<i>paracaseína</i>), styrene-acrylonitrile (SAN) copolymers, acrylonitrile-butadiene-styrene (ABS) copolymers, electric conductors for a voltage exceeding 1,000 V, and on certain amusement park structures (NCM 3501.10.00; 3903.20.00; 3903.30.20; 8544.60.00; 9508.90.90) (effective 10 December 2018). Elimination of import tariffs on certain miscellaneous chemical products (NCM 3808.69.90) (effective 17 October 2018)</p>	<p>Permanent Delegation of Brazil to the WTO (22 May 2019) and Camex Resolution Nos. 77/2018 (17 October 2018) and 98/2018 (7 December 2018)</p>	<p>Effective: see individual dates in measure</p>
<p>Temporary elimination of import tariffs on certain vaccines for humans (<i>hepatite B</i>), under an import quota of 24 million doses; on certain vaccines for humans (<i>raiva</i>), under an import quota of 3 million doses; on certain vaccines for humans (<i>hepatite A</i>), under an import quota of 4.5 million doses; on certain vaccines for humans (<i>difteria, tétano e pertussis, acelular</i>), under an import quota of 5 million doses; and on certain vaccines for humans (<i>virus do papiloma humano tetravalente recombinante</i>), under an import quota of 10 million doses (NCM 3002.20.23; 3002.20.27; 3002.20.29)</p>	<p>Permanent Delegation of Brazil to the WTO (22 May 2019), Camex Resolution Nos. 75/2018 (15 October 2018) and 78/2018 (23 October 2018), and Secex Portaria Nos. 75/2018, 76/2018, 77/2018 and 78/2018 (28 December 2018)</p>	<p>Effective 16 October 2018</p>
<p>Elimination of the temporary increase of import tariffs on gypsum boards (NCM 6809.11.00)</p>	<p>Permanent Delegation of Brazil to the WTO (22 May 2019) and Camex Resolution No. 101/2018 (17 December 2018)</p>	<p>Effective 17 December 2018</p>

Measure	Source/Date	Status
Temporary elimination of import tariffs on 720 capital goods tariff lines, and 49 informatics and telecommunications goods tariff lines (NCM Chapters 84; 85; 90; 94), through the "ex-out" regime (mechanism designed to temporarily reduce import tariffs on capital goods and informatics and telecommunications equipment not locally produced)	Permanent Delegation of Brazil to the WTO (22 May 2019), Camex Resolution Nos. 85/2018, 86/2018 (9 November 2018), 95/2018 and 96/2018 (7 December 2018)	Effective until 30 June 2020
Temporary elimination of import tariffs on 506 capital goods tariff lines, and 33 informatics and telecommunications goods tariff lines (NCM Chapters 84; 85; 86; 87; 89; 90; 94), through the "ex-out" regime	Permanent Delegation of Brazil to the WTO (22 May 2019) and Secint Portaria Nos. 219/2019 and 220/2019 (25 February 2019)	Effective until 30 December 2020
Decrease of import tariffs (from 6% to 2%) on shelled hazelnuts (NCM 0802.22.00); (from 14% to 2%) on photographic film in rolls for x-ray (NCM 3702.10.20); (from 16% to 2%) on parts and accessories for pianos (NCM 9209.91.00); and (from 12% to 2%) on esters of acrylic acid (NCM 2916.12.20); and on viscose rayon staple fibres (NCM 5504.10.00)	Permanent Delegation of Brazil to the WTO (22 May 2019) and Camex Resolution No. 58/2018 (31 August 2018)	Effective 1 January 2019
Decrease of import tariffs (to 2%) on certain inorganic and organic chemicals (49 tariff lines at 8-digit level in NCM Chapters 28 and 29)	Permanent Delegation of Brazil to the WTO (22 May 2019) and Secint Portaria No. 241/2019 (20 March 2019)	Effective 29 March 2019
Temporary reduction of import tariffs (to 2%) on vinyl chloride-vinyl acetate copolymers (NCM 3904.30.00), under an import quota of 6,000 tonnes	Permanent Delegation of Brazil to the WTO (22 May 2019), Secint Portaria No. 390/2019 (6 May 2019) and Secex Portaria No. 12/2019 (9 May 2019)	Effective 10 May 2019 to 9 May 2020
<b>China</b>		
Reduction of import tariffs on certain products (1,585 tariff lines at 8-digit level in HS Chapters 03; 13; 15; 20; 21; 25; 27; 28; 29; 30; 37; 40; 41; 42; 44; 45; 48; 49; 50; 51; 52; 53; 54; 55; 56; 58; 59; 60; 68; 69; 70; 71; 72; 73; 74; 76; 81; 82; 83; 84; 85; 86; 87; 89; 90; 92; 94; 96)	Permanent Delegation of China to the WTO (23 April 2019) and Customs Tariff Commission Announcement No. 9/2018 on reduction of import tariffs for certain commodities. Viewed at: <a href="http://gss.mof.gov.cn/zhengwuxinxi/zhengcefabu/201809/P020180930650864922349.pdf">http://gss.mof.gov.cn/zhengwuxinxi/zhengcefabu/201809/P020180930650864922349.pdf</a>	Effective 1 November 2018
VAT rebate rates were increased on exports of certain products, e.g. (to 16%) on photographic paper and film, plastics, bamboo floor coverings, woven rattan, tempered safety glass and lamps; (to 13%) on lubricants, aircraft tyres, carbon fibre and certain metal products; and (to 10%) on certain agricultural products, bricks, tiles and glass fibre	Permanent Delegation of China to the WTO (22 May 2019)	Effective 1 November 2018
Reduction of export duties on certain products, e.g. bones and horn-cores, zinc ores and concentrates, tin ores and concentrates, phosphorus, benzene, iron and steel, copper and articles thereof, nickel and articles thereof, aluminium and articles thereof, zinc and articles thereof, and unwrought antimony (HS 0506; 2608; 2609; 2804; 2902; 7201; 7202; 7402; 7403; 7404; 7407; 7408; 7409; 7502; 7508; 7601; 7602; 7604; 7605; 7606; 7901; 8110)	Permanent Delegation of China to the WTO (22 May 2019)	Effective 1 January 2019
Imposition of interim tariffs, resulting in the temporary reduction of import tariffs on certain products, e.g. live animals; fish and crustaceans; dairy produce; products of animal origin; edible fruits and nuts; oil seeds and oleaginous fruits; vegetable saps and extracts; vegetable products; animal or vegetable fats and oils; cocoa and cocoa preparations; preparations of cereals, flour, starch or milk; miscellaneous edible preparations; beverages; residues and waste from food industries; tobacco and manufactured tobacco; salt, earths and stone, lime and cement; mineral fuels and oils; inorganic and organic chemicals; pharmaceutical products; fertilizers; tanning or dyeing extracts;	Permanent Delegation of China to the WTO (22 May 2019) and Announcement No. 65/2018 of the Customs Tariff Commission	Effective 1 January 2019

Measure	Source/Date	Status
perfumery; soap and organic surface-active agents; albuminoidal substances; photographic or cinematographic goods; miscellaneous chemical products; plastics and articles thereof; rubber and articles thereof; raw hides and skins; furskins and artificial fur; wood and articles of wood; cork and articles of cork; paper and paperboard; printed books; cotton; other vegetable textile fibres; wadding; articles of apparel and clothing accessories; articles of stone, plaster, and cement; ceramic products; glass and glassware; precious or semi-precious stones; iron and steel; copper and articles thereof; nickel and articles thereof; other base metals; tools of base metals; machinery and mechanical appliances; electrical machinery; vehicles; instruments, parts and accessories thereof; and miscellaneous manufactured articles (HS Chapters 01; 03; 04; 05; 08; 12; 13; 14; 15; 18; 19; 21; 22; 23; 24; 25; 27; 28; 29; 30; 31; 32; 33; 34; 35; 37; 38; 39; 40; 41; 43; 44; 45; 48; 49; 52; 53; 56; 61; 62; 63; 68; 69; 70; 71; 72; 74; 75; 81; 82; 84; 85; 87; 90; 91; 92; 96)		
Suspension of the imposition of additional tariffs on imports of certain vehicles, and parts and accessories thereof (211 tariff lines at 8-digit level, in HS Chapter 87), from the United States	Permanent Delegation of China to the WTO (22 May 2019)	Effective from 1 January 2019 to 31 March 2019. On 1 April 2019, the suspension was extended
Reduction of VAT (to 3%) on certain imported pharmaceutical products for rare diseases (HS 2930; 2933; 2934; 2935; 3002; 3004)	Permanent Delegation of China to the WTO (22 May 2019)	Effective 1 March 2019
<b>Colombia</b>		
Trade facilitation measures through the enlargement of import operations processed through the Single Window for Foreign Trade (VUCE 2.0)	Permanent Delegation of Colombia to the WTO (30 April 2019)	Effective 5 December 2018
Trade facilitation measures through the enlargement of export operations processed through the Single Window for Foreign Trade (VUCE 2.0)	Permanent Delegation of Colombia to the WTO (30 April 2019)	Effective 5 December 2018
<b>Costa Rica</b>		
Temporary elimination of import tariffs on rice in the husk (paddy or rough) (HS 1006.10.90), under an import quota of 44,403 metric tonnes	Permanent Delegation of Costa Rica to the WTO (23 April 2019)	Effective January 2019 to June 2019
Creation of a new tariff line "certain strip of plastic" (HS 3920.20.15) resulting in the elimination of import tariffs	Permanent Delegation of Costa Rica to the WTO (23 April 2019)	Effective 1 April 2019
<b>Egypt</b>		
Elimination of export taxes on fresh, refrigerated and frozen fish (HS Chapter 03)	Permanent Delegation of Egypt to the WTO (22 May 2019)	Effective 6 January 2019
<b>The Gambia</b>		
Trade facilitation measures through the reduction of the customs processing fees (from 1.55% to 1%) for all import operations	Permanent Delegation of the Gambia (22 May 2019)	Effective 1 January 2019
<b>India</b>		
Amendments introduced to the import policy of aviation gasoline (HS 2710.12.19), resulting in an import liberalization	Permanent Delegation of India to the WTO (24 May 2019) and Notification No. 51/2015-2020, Ministry of Commerce and Industry – Department of Commerce (8 January 2019)	Effective 8 January 2019
Reduction of import tariffs on electrically operated vehicles and motorcycles (HS 8702; 8703; 8704; 8711), under certain conditions	Permanent Delegation of India to the WTO (24 May 2019) and Notification No. 3/2019-Customs, Ministry of Finance – Department of Revenue (29 January 2019)	Effective 30 January 2019

Measure	Source/Date	Status
<b>Indonesia</b>		
Elimination of import tariffs on certain products, e.g. floor coverings of plastic, new pneumatic tyres, articles of iron and steel, machinery and mechanical appliances, electrical machinery and equipment, and paper and paperboard (HS Chapters 39; 40; 44; 48; 72; 73; 76; 84; 85; 90; 94), imported for specific industrial sectors	Permanent Delegation of Indonesia to the WTO (24 May 2019) and Regulation No. 209/PMK.010/2018 – Ministry of Finance (31 December 2018)	Effective 1 January 2019
<b>Japan</b>		
Elimination of import tariffs on naphthols and their salts (HS 2907.15); vinylene carbonate, fluoroethylene carbonate, ethyl methyl carbonate, propylene carbonate and diethyl carbonate (HS 2920.90); hexamethylenediamine and its salts (HS 2921.22); crystal violet lactone (HS 2932.20); bio-polyethylene (HS 3901.10; 3901.20; 3901.40; 3901.90); and polytrimethylene terephthalate (HS 3907.99)	Permanent Delegation of Japan to the WTO (15 May 2019)	Effective 1 April 2019
<b>Malaysia</b>		
Reduction of import tariffs (from 25% to 15%) on bicycles and other cycles (including delivery tricycles), not motorized (HS 8712.00.30)	Customs Duties (Amendment) (No. 3) – Order 2018 (31 December 2018)	Effective 1 January 2019
<b>Mexico</b>		
Extension of the temporary elimination of import tariffs on meat of swine, chilled or frozen (HS 0203), under import quotas (from 28 December 2018 to 31 January 2019: 91,543 tonnes; from 1 February 2019 to 31 March 2019: 157,179 tonnes; and from 1 April 2019 to 30 June 2019: 240,000 tonnes)	Permanent Delegation of Mexico to the WTO (24 May 2019) and Diarios Oficiales de la Federación (Official Journals), 28 December 2018, 29 January 2019 and 22 March 2019	Effective 28 December 2018 to 30 June 2019
<b>Philippines</b>		
Further reduction of import tariffs under the Expansion of the Information Technology Agreement (ITA) (207 tariff lines at 8-digit level in HS Chapters 32; 35; 37; 39; 49; 84; 85; 88; 90; 95)	Permanent Delegation of the Philippines to the WTO (21 May 2019)	Effective 1 January 2019
<b>Russian Federation (for Eurasian Economic Union)</b>		
Temporary elimination of import tariffs (from 5%) on aromatic ethers and their halogenated, sulphonated, nitrated or nitrosated derivatives; monobutyl ethers of ethylene glycol or of diethylene glycol; cyclic polymers of aldehydes; certain aromatic monoamines and their derivatives; organic derivatives of hydrazine or of hydroxylamine; organo-sulphur compounds; and sulphonamides, for the production of plant protection chemicals (effective 22 October 2018 to 31 December 2020); (from 3%) on quaternary ammonium salts and hydroxides; and lecithins and other phosphoaminolipids, whether or not chemically defined, for the production of plant protection chemicals (effective 22 October 2018 to 31 December 2020); (from 8%) on electrodes of a kind used for furnaces (effective 23 December 2018 to 31 December 2019); (from 5%) on latex for the manufacture of carpets (effective 23 December 2018 to 31 December 2021); (from 6.5%) on plastics for the manufacture of wallpapers (effective 20 December 2018 to 31 December 2020); (from 8%) on fertilized fish eggs (effective 13 January 2019 to 28 February 2022); (from 5%) on new rubber pneumatic tyres for bicycles; and certain parts and accessories for bicycles (effective 27 January 2019 to 31 August 2020); (from 10%) on rubber inner tubes of a kind used on bicycles (effective 27 January 2019 to 31 August 2020); (from 15%) on iron or steel roller chain for the manufacture of bicycles (effective 27 January 2019 to 31 August 2020); (from 10%) on certain fish and crustaceans (effective 28 February 2019 to 28 February 2022); (from 5%) on certain polypropylene yarn, multiple (folded) or cabled for the manufacture of carpets (effective 23 March 2019 to 29 February 2020); on certain electrodes (effective	Permanent Delegation of the Russian Federation to the WTO (27 May 2019)	Effective: see individual dates in measure

Measure	Source/Date	Status
24 April 2019 to 30 April 2020); and on prepared binders for foundry moulds or cores; and chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products) (effective 18 November 2018 to 31 December 2020). Temporary reduction (from 12.5% to 5%) of import tariffs on certain electrodes (effective 24 April 2019 to 30 April 2020) (HS 2909.30.90; 2909.43.00; 2912.50.00; 2921.49.00; 2928.00.90; 2930.90.95; 2935.90.90; 2923.90.00; 8545.11.00; 4002.11.00; 4011.50.00; 8714.93.00; 8714.94.20; 8714.96.00; 8714.96.10; 8714.99.50; 8714.99.90; 4013.20.00; 7315.11.10; 0301.91.90; 0301.99.11; 5402.63.00; 8545.19.00; 8545.90.90; 3824.99.93)		
Extension of the temporary elimination of import tariffs on engines of a kind used for the propulsion of certain vehicles (HS 8408.20.99) (effective 9 November 2018 to 30 September 2019), and on ground natural calcium phosphates, natural aluminium calcium phosphates and phosphatic chalk (HS 2510.20.00) (effective 13 January 2019 to 4 January 2021)	Permanent Delegation of the Russian Federation to the WTO (27 May 2019)	Effective: see individual dates in measure
<b>Turkey</b>		
Elimination of import tariffs (from 4%) on sesamum seeds for sowing (effective 31 October 2018); (from 10%) on raw sesamum seeds (effective 31 October 2018); and (from 20%) on cocoa shells, husks, skins and other cocoa waste (effective 1 January 2019). Reduction of import tariffs (from 23.4% to 10%) on hulled sesamum seeds (effective 31 October 2018); and (from 29.8% to 15%) on sunglasses (effective 7 December 2018) (HS 1207.40.10; 1207.40.90; 1802.00.00; 9003.90.00)	Permanent Delegation of Turkey to the WTO (24 May 2019)	Effective: see individual dates in measure
Temporary elimination of import tariffs (from 49.5%) on onions (HS 0703.10.19) (originally effective from 15 January 2019 to 31 March 2019). On 7 April 2019, the elimination of import tariffs was extended until 30 April 2019	Permanent Delegation of Turkey to the WTO (24 May 2019)	Effective: see individual dates in measure

**Recorded, but not-confirmed information<sup>3</sup>**

Measure	Source/Date	Status
<b>Sri Lanka</b>		
Elimination of the Export Development Board levy on certain imports, e.g. fruit, vegetables, processed and unprocessed food, plastic products, textiles and apparel, footwear, ceramic, and glassware	Press reports (October 2018)	

<sup>3</sup> This Section includes information which has been obtained from public sources but has not yet been confirmed by the delegation concerned.

**ANNEX 2 - TRADE REMEDIES<sup>1</sup>**

(MID-OCTOBER 2018 to MID-MAY 2019)

**Confirmed information<sup>2</sup>**

Measure	Source/Date	Status
<b>Argentina</b>		
Termination on 24 October 2018 of anti-dumping duties on imports of poly(ethylene terephthalate) granules "PET" (NCM 3907.60.00) from Chinese Taipei and Thailand (investigation initiated on 25 April 2012 and definitive duty imposed on 25 October 2013)	WTO document G/ADP/N/322/ARG, 18 March 2019	
Initiation on 6 December 2018 of anti-dumping investigation on imports of fibreboard of wood obtained through the wet production process, of a density of 0.8 g/cm <sup>3</sup> or more, but less than 1.2 g/cm <sup>3</sup> , not surface covered (NCM 4411.92.10; 4411.92.90; 4411.93.10; 4411.93.90) from Brazil	Permanent Delegation of Argentina to the WTO (22 May 2019) and Resolución No. 122/2018, Ministerio de Producción y Trabajo, Secretaría de Comercio (4 December 2018)	
Initiation on 19 December 2018 of anti-dumping investigation on imports of steel wheels of a kind used on buses, lorries, trailers or semi-trailers (NCM 8708.70; 8708.99; 8716.90.90) from China	WTO document G/ADP/N/322/ARG, 18 March 2019	
Initiation on 25 February 2019 of anti-dumping investigation on imports of mixtures containing perfluorocarbons (PFCs) or hydrofluorocarbons (HFCs), but not containing chlorofluorocarbons (CFCs) or hydrochlorofluorocarbons (HCFCs) (NCM 3824.78.10; 3824.78.90) from China	Permanent Delegation of Argentina to the WTO (22 May 2019) and Resolución No. 7/2019, Ministerio de Producción y Trabajo, Secretaría de Comercio Exterior (21 February 2019)	
Initiation on 25 February 2019 of anti-dumping investigation on imports of aluminium sheets of a thickness exceeding 0.2 mm (NCM 7606.91.00; 7606.92.00) from China	Permanent Delegation of Argentina to the WTO (22 May 2019) and Resolución No. 8/2019, Ministerio de Producción y Trabajo, Secretaría de Comercio Exterior (21 February 2019)	
Initiation on 8 March 2019 of anti-dumping investigation on imports of certain aluminium foil (NCM 7607.11.90) from China	Permanent Delegation of Argentina to the WTO (22 May 2019) and Resolución No. 17/2019, Ministerio de Producción y Trabajo, Secretaría de Comercio Exterior (6 March 2019)	
Initiation on 17 April 2019 of anti-dumping investigation on imports of mechanical appliances (whether or not hand-operated) for projecting, dispersing or spraying liquids or powders; fire extinguishers, whether or not charged; spray guns and similar appliances; and steam or sand blasting machines and similar jet projecting machines (NCM 8424.89.90; 8479.89.99) from China	Permanent Delegation of Argentina to the WTO (22 May 2019) and Resolución No. 39/2019, Ministerio de Producción y Trabajo, Secretaría de Comercio Exterior (15 April 2019)	

<sup>1</sup> The inclusion of any measure in this Annex implies no judgement by the WTO Secretariat on whether or not such measure, or its intent, is protectionist in nature. Moreover, nothing in the Annex implies any judgement, either direct or indirect, on the consistency of any measure referred to with the provisions of any WTO agreement.

<sup>2</sup> This Section includes information which has either been provided by the Member concerned or has been confirmed at the request of the Secretariat.

Measure	Source/Date	Status
Initiation on 23 April 2019 of anti-dumping investigation on imports of poly(ethylene terephthalate) having a viscosity number of 78 ml/g or higher (NCM 3907.61.00) from Oman	Permanent Delegation of Argentina to the WTO (22 May 2019) and Resolución No. 43/2019, Ministerio de Producción y Trabajo, Secretaría de Comercio Exterior (22 April 2019)	
Termination on 23 April 2019 (without measure) of anti-dumping investigation on imports of vacuum cleaners (NCM 8508.11.00; 8508.19.00) from China (initiated on 7 November 2017)	Permanent Delegation of Argentina to the WTO (22 May 2019) and Resolución No. 42/2019, Ministerio de Producción y Trabajo, Secretaría de Comercio Exterior (22 April 2019)	
Initiation on 26 April 2019 of anti-dumping investigation on imports of machines and apparatus for arc (including plasma arc) welding of metals (NCM 8515.31.90; 8515.39.00) from China	Permanent Delegation of Argentina to the WTO (22 May 2019) and Resolución No. 45/2019, Ministerio de Producción y Trabajo, Secretaría de Comercio Exterior (24 April 2019)	
Initiation on 7 May 2019 of anti-dumping investigation on imports of tubes of aluminium (NCM 7608.10.00; 7608.20.90) from Brazil and China	Permanent Delegation of Argentina to the WTO (22 May 2019) and Resolución No. 48/2019, Ministerio de Producción y Trabajo, Secretaría de Comercio Exterior (6 May 2019)	
<b>Australia</b>		
Initiation on 16 November 2018 of anti-dumping investigation on imports of steel reinforcing bar (HS 7213.10.00; 7214.20.00; 7227.90.10; 7227.90.90; 7228.30.10; 7228.30.90; 7228.60.10) from Turkey	WTO document G/ADP/N/322/AUS, 15 April 2019; Permanent Delegation of Australia to the WTO (23 April 2019) and Australia Customs Dumping Notice No. 2019/7 (23 May 2019)	Provisional duty imposed on 15 January 2019
Initiation on 16 November 2018 of countervailing investigation on imports of steel reinforcing bar (HS 7213.10.00; 7214.20.00; 7227.90.10; 7227.90.90; 7228.30.10; 7228.30.90; 7228.60.10) from Turkey	WTO document G/SCM/N/342/AUS, 14 March 2019	
Termination on 22 November 2018 of anti-dumping duties on imports of aluminium road wheels (ARWs) for passenger motor vehicles, including wheels used for caravans and trailers, in diameters ranging from 13 to 22 inches (HS 8708.70.91; 8708.70.99; 8716.90.00) from China (investigation initiated on 7 November 2011. Provisional and definitive duties imposed on 31 May and 5 July 2012, respectively)	WTO document G/ADP/N/322/AUS, 15 April 2019	
Termination on 22 November 2018 of countervailing duties on imports of aluminium road wheels (ARWs) for passenger motor vehicles, including wheels used for caravans and trailers, in diameters ranging from 13 to 22 inches (HS 8708.70.91; 8708.70.99; 8716.90.00) from China (investigation initiated on 7 November 2011. Provisional and definitive duties imposed on 31 May and 5 July 2012, respectively)	WTO document G/SCM/N/342/AUS, 14 March 2019	
Termination on 19 December 2018 of anti-dumping duties on imports of hot-rolled plate steel (HS 7208.40.00; 7208.51.00; 7208.52.00; 7225.40.00) from China; Indonesia; Japan; and Korea, Rep. of (investigation initiated on 12 February 2013. Provisional and definitive duties imposed on 19 July and 19 December 2013, respectively)	WTO document G/ADP/N/322/AUS, 15 April 2019	

Measure	Source/Date	Status
Termination on 19 December 2018 of countervailing duties on imports of hot-rolled plate steel (HS 7208.40.00; 7208.51.00; 7208.52.00; 7225.40.00) from China (investigation initiated on 12 February 2013 and definitive duty imposed on 19 December 2013)	WTO document G/SCM/N/342/AUS, 14 March 2019	
Termination on 14 January 2019 of anti-dumping duties on imports of processed dried currants (HS 0806.20) from Greece (imposed on 14 January 2009)	Permanent Delegation of Australia to the WTO (23 May 2019) and Australia Customs Dumping Notice No. 2018/158 (10 October 2018)	
Termination on 24 January 2019 (without measure) of countervailing investigation on imports of railway wheels (HS 8607.19.00) from China (initiated on 18 April 2018)	Permanent Delegation of Australia to the WTO (23 May 2019)	
Initiation on 26 February 2019 of anti-dumping investigation on imports of solid base angles (HS 7216.61.00; 7228.70.00; 7308.30.00; 7308.90.00) from China	Permanent Delegation of Australia to the WTO (23 May 2019) and Australia Customs Dumping Notice No. 2019/26 (26 February 2019)	
Termination on 15 March 2019 (without measure) of anti-dumping investigation on imports of A4 copy paper (HS 4802.56.10) from Austria (initiated on 19 March 2018)	Permanent Delegation of Australia to the WTO (23 May 2019)	
Initiation on 18 March 2019 of anti-dumping investigation on imports of power transformers (HS 8504.22.00; 8504.23.00) from China	Permanent Delegation of Australia to the WTO (23 May 2019) and Australia Customs Dumping Notice No. 2019/35 (18 March 2019)	
Termination on 18 March 2019 (without measure) of anti-dumping investigation on imports of alloy round steel bars (HS 7228.20.10; 7228.20.90; 7228.30.10; 7228.30.90; 7228.60.10; 7228.60.90) from China (investigation initiated on 10 January 2017, terminated on 25 January 2018, and resumed on 2 May 2018)	Permanent Delegation of Australia to the WTO (23 May 2019)	
Termination on 16 April 2019 of anti-dumping duties on imports of prepared or preserved tomato products (by all exporters other than Feger di Gerardo Ferraioli S.p.A. and La Doria S.p.A.) (HS 2002.10.00) from Italy (investigation initiated on 10 July 2013. Provisional and definitive duties imposed on 1 November 2013 and 16 April 2014, respectively)	Permanent Delegation of Australia to the WTO (23 May 2019) and Australia Customs Dumping Notice No. 2019/31 (16 April 2019)	
Termination on 17 April 2019 of anti-dumping duties on imports of wind towers (HS 7308.20.00; 7308.90.00; 8502.31.10; 8502.31.90) from Korea, Rep. of (investigation initiated on 28 August 2013. Provisional and definitive duties imposed on 6 December 2013 and 16 April 2014, respectively)	Permanent Delegation of Australia to the WTO (23 May 2019) and Australia Customs Dumping Notice No. 2019/33 (27 March 2019)	
<b>Brazil</b>		
Termination on 19 December 2018 of anti-dumping duties on imports of basic refractories (NCM 6902.10.18; 6902.10.19) from China and Mexico (investigation initiated on 2 July 2012 and definitive duty imposed on 19 December 2013)	WTO document G/ADP/N/322/BRA, 15 March 2019	
Termination on 27 December 2018 of anti-dumping duties on imports of reduced indigo blue (NCM 3204.15.90) from China and Singapore (investigation initiated on 30 October 2012 and definitive duty imposed on 27 December 2013)	WTO document G/ADP/N/322/BRA, 15 March 2019	
Termination on 27 December 2018 of anti-dumping duties on imports of reduced indigo blue (NCM 3204.15.90) from Germany (imposed on 24 March 2008)	WTO document G/ADP/N/322/BRA, 15 March 2019	
On 19 January 2019, extension of the temporary suspension of anti-dumping duties on imports of hot-rolled steel (NCM 7208.10.00; 7208.25.00; 7208.26.10; 7208.26.90; 7208.27.10; 7208.27.90; 7208.36.10; 7208.36.90; 7208.37.00; 7208.38.10;	Permanent Delegation of Brazil to the WTO (22 May 2019) and Camex Resolution No. 97/2018 (7 December 2018)	

Measure	Source/Date	Status
7208.38.90; 7208.39.10; 7208.39.90; 7208.40.00; 7208.53.00; 7208.54.00; 7208.90.00; 7225.30.00; 7225.40.90) from China and the Russian Federation (investigation initiated on 20 July 2016. Definitive duty imposed on 19 January 2018 but suspended for one year)		
Termination on 6 February 2019 of anti-dumping duties on imports of milk (NCM 0402) from the European Union and New Zealand (imposed on 23 February 2001)	Permanent Delegation of Brazil to the WTO (22 May 2019) and Secex Circular No. 5/2019 (5 February 2019)	
Termination on 13 March 2019 of anti-dumping duties on imports of nylon yarns (NCM 5402.31.11; 5402.31.19; 5402.45.20) from Thailand (investigation initiated on 9 July 2012. Provisional and definitive duties imposed on 16 September 2013 and 27 December 2013, respectively)	Permanent Delegation of Brazil to the WTO (22 May 2019)	
Termination on 24 April 2019 of anti-dumping duties on imports of precipitated silicon dioxide (NCM 2811.22.10) from China (investigation initiated on 26 October 2012 and definitive duty imposed on 24 April 2014)	Permanent Delegation of Brazil to the WTO (22 May 2019) and Secex Circular No. 24/2018 (6 June 2018)	
<b>Canada</b>		
Termination on 18 April 2019 of anti-dumping duties on imports of nitisinone capsules (HS 3003.90.00; 3004.90.00) from Sweden (investigation initiated on 21 September 2018 and provisional duty imposed on 20 December 2018)	Permanent Delegation of Canada to the WTO (22 May 2019)	
<b>Chile</b>		
Termination on 23 November 2018 of anti-dumping duties on imports of steel bars used for the production of conventional mill balls for grinding minerals, of a diameter of less than 3.5 inches (HS 7228.30.00) from China (investigation initiated on 31 January 2017 and definitive duty imposed on 22 November 2017)	WTO document G/ADP/N/322/CHL, 18 April 2019	
Termination on 23 January 2019 (without measure) of safeguard investigation on imports of powdered milk and Gouda cheese (HS 0402; 0406) (initiated on 8 March 2018)	WTO document G/SG/N/9/CHL/12, 25 January 2019	
Termination on 2 May 2019 (without measure) of anti-dumping investigation on imports of steel bars (HS 7213.10.00; 7214.20.00; 7227.90.00; 7228.30.00) from Mexico (investigation initiated on 8 March 2018)	Permanent Delegation of Chile to the WTO (15 May 2019)	
<b>China</b>		
Initiation on 16 October 2018 of anti-dumping investigation on imports of vertical machining centres (HS 8457.10.10) from Japan and Chinese Taipei	WTO document G/ADP/N/322/CHN, 12 April 2019	
Termination on 1 November 2018 of anti-dumping duties on imports of solar-grade polysilicon (HS 2804.61.90) from the European Union (investigation initiated on 1 November 2012 and definitive duty imposed on 30 April 2014)	WTO document G/ADP/N/322/CHN, 12 April 2019	
Termination on 1 November 2018 of countervailing duties on imports of solar-grade polysilicon (HS 2804.61.90) from the European Union (investigation initiated on 1 November 2012 and definitive duty imposed on 30 April 2014)	WTO document G/SCM/N/342/CHN, 9 April 2019	
Initiation on 19 November 2018 of anti-dumping investigation on imports of barley (HS 1003.10.00; 1003.90.00) from Australia	WTO document G/ADP/N/322/CHN, 12 April 2019	
Initiation on 26 November 2018 of anti-dumping investigation on imports of 7-phenylacetamido-3-chloromethyl-3-cephem-4-carboxylic acidpmethoxybenzyl ester (HS 2934.99.60) from India	WTO document G/ADP/N/322/CHN, 12 April 2019	
Initiation on 26 November 2018 of countervailing investigation on imports of 7-phenylacetamido-3-chloromethyl-3-cephem-4-carboxylic acidpmethoxybenzyl ester (HS 2934.99.60) from India	WTO document G/SCM/N/342/CHN, 9 April 2019	

Measure	Source/Date	Status
Initiation on 21 December 2018 of countervailing investigation on imports of barley (HS 1003.10.00; 1003.90.00) from Australia	WTO document G/SCM/N/342/CHN, 9 April 2019	
Initiation on 10 April 2019 of anti-dumping investigation on imports of methionine (HS 2930.40.00) from Japan, Malaysia and Singapore	MOFCOM Announcement No. 16/2019 (10 April 2019)	
<b>Colombia</b>		
Termination on 19 October 2018 of anti-dumping duties on imports of hoes, digging bars and picks (HS 8201.30.00) from China (imposed on 29 July 2009)	WTO document G/ADP/N/322/COL, 12 April 2019	
Termination on 1 November 2018 of anti-dumping duties on imports of link chain, polished or galvanized (HS 7315.82.00) from China (imposed on 20 April 2007)	WTO document G/ADP/N/322/COL, 12 April 2019	
Termination on 30 November 2018 (without measure) of anti-dumping investigation on imports of paper and paperboard coated, impregnated or covered with plastics "tetra brick aseptic" (HS 4811.59.20) from Brazil (initiated on 10 August 2018)	WTO document G/ADP/N/322/COL, 12 April 2019	
Initiation on 11 April 2019 of safeguard investigation on imports of sheets of paperboard and polyethylene, with an intermediate layer of aluminium foil as an oxygen barrier, used for the aseptic packaging of UHT treated foodstuffs (HS 4811.59.20)	WTO document G/SG/N/6/COL/8, 16 April 2019	
<b>Costa Rica</b>		
Termination on 28 January 2019 (without measure) of safeguard investigation on imports of bars and rods of steel for concrete reinforcement (HS 7214.20.00; 7214.99.20; 7228.30.00; 7228.50.00; 7228.60.00) (initiated on 29 March 2018)	Permanent Delegation of Costa Rica to the WTO (23 April 2019)	
<b>Egypt</b>		
Initiation on 31 March 2019 of safeguard investigation on imports of semi-finished products of iron or non-alloy steel and steel rebars (bars, rods and coils) for construction purposes (HS 7207; 7213; 7214)	WTO document G/SG/N/6/EGY/14, 2 April 2019	
<b>European Union</b>		
Termination on 19 October 2018 of anti-dumping duties on imports of biodiesel (fatty-acid mono-alkyl esters and/or paraffinic gasoils obtained from synthesis and/or hydro-treatment, of non-fossil origin, in pure form or included in a blend) (HS 1516.20.98; 1518.00.91; 1518.00.95; 1518.00.99; 2710.19.43; 2710.19.46; 2710.19.47; 2710.20.11; 2710.20.15; 2710.20.17; 3824.90.97; 3826.00.10; 3826.00.90) from Argentina and Indonesia (investigation initiated on 29 August 2012. Provisional and definitive duties imposed on 28 May and 26 November 2013, respectively)	Commission Implementing Regulation No. 2018/1570 (18 October 2018)	
Termination on 9 November 2018 of anti-dumping duties on imports of stainless steel wires "SSW" (HS 7223.00.19; 7223.00.99) from India (investigation initiated on 10 August 2012. Provisional and definitive duties imposed on 8 May and 8 November 2013, respectively)	Commission Notice 2018/C 402/06 (8 November 2018)	
Initiation on 6 December 2018 of countervailing investigation on imports of biodiesel (HS 1516.20.98; 1518.00.91; 1518.00.95; 1518.00.99; 2710.19.43; 2710.19.46; 2710.19.47; 2710.20.11; 2710.20.15; 2710.20.17; 3824.99.92; 3826.00.10; 3826.00.90) from Indonesia	WTO document G/SCM/N/342/EU, 16 April 2019	
Initiation on 15 February 2019 of anti-dumping investigation on imports of steel road wheels (HS 8708.70.10; 8708.70.99; 8716.90.90) from China	Commission Notices 2019/C 60/07 (15 February 2019) and 2019/C 111/13 (25 March 2019)	
Termination on 15 February 2019 (without measure) of anti-dumping investigation on imports of solar glass (HS 7007.19.80) from Malaysia (initiated on 23 May 2018)	Commission Implementing Decision No. 2019/266 (14 February 2019)	

Measure	Source/Date	Status
Initiation on 21 February 2019 of anti-dumping investigation on imports of certain woven and/or stitched glass fibre fabrics (HS 7019.39.00; 7019.40.00; 7019.59.00; 7019.90.00) from China and Egypt	Commission Notice 2019/C 68/09 (21 February 2019)	
Termination on 1 March 2019 of anti-dumping duties on imports of electrolytic manganese dioxides (i.e. manganese dioxides produced through an electrolytic process) not heat-treated after the electrolytic process (HS 2820.10.00) from South Africa (imposed on 13 March 2008)	Commission Notice 2019/C 68/08 (21 February 2019)	
Initiation on 3 May 2019 of anti-dumping investigation on imports of continuous filament glass fibre products (HS 7019.11.00; 7019.12.00; 7019.31.00) from Bahrain and Egypt	Commission Notice 2019/C 151/05 (3 May 2019)	
Termination on 15 May 2019 of anti-dumping duties on imports of bioethanol, sometimes referred to as "fuel ethanol", i.e. ethyl alcohol produced from agricultural products, denatured or undenatured, excluding products with a water content of more than 0.3% (m/m) measured according to the EN 15376 standard, as well as ethyl alcohol produced from agricultural products, contained in blends with gasoline, with an ethyl alcohol content of more than 10% (v/v) (HS 2207.10.00; 2207.20.00; 2208.90.99; 2710.11.11; 2710.11.15; 2710.11.21; 2710.11.25; 2710.11.31; 2710.11.41; 2710.11.45; 2710.11.49; 2710.11.51; 2710.11.59; 2710.11.70; 2710.11.90; 3814.00.10; 3814.00.90; 3820.00.00; 3824.90.97) from the United States (investigation initiated on 25 November 2011 and definitive duty imposed on 22 February 2013)	Commission Implementing Regulation No. 2019/765 (14 May 2019)	
<b>India</b>		
Termination on 20 October 2018 of anti-dumping duties on imports of methylene chloride (dichloromethane or methylene dichloride "MDC") (HS 2903.12.00) from Korea, Rep. of (investigation initiated on 4 April 2013. Provisional and definitive duties imposed on 21 October 2013 and 21 May 2014, respectively)	WTO document G/ADP/N/322/IND, 9 April 2019	
Termination on 23 October 2018 (without measure) of anti-dumping investigation on imports of di-methyl formamide "DMF" (HS 2924.19) from China, Germany and the Kingdom of Saudi Arabia (initiated on 22 January 2018)	WTO document G/ADP/N/322/IND, 9 April 2019	
Termination on 12 November 2018 of anti-dumping duties on imports of vitamin A palmitate-II (HS 2936.21) from China and Switzerland (imposed on 28 March 2007)	WTO document G/ADP/N/322/IND, 9 April 2019	
Termination on 25 November 2018 of anti-dumping duties on imports of caustic soda (HS 2815.11) from the Kingdom of Saudi Arabia and the United States (imposed on 26 December 2000)	WTO document G/ADP/N/322/IND, 9 April 2019	
Termination on 26 December 2018 (without measure) of anti-dumping investigation on imports of coated paper (HS 4810) from China, the European Union and the United States (initiated on 23 January 2018)	WTO document G/ADP/N/322/IND, 9 April 2019	
Termination on 30 December 2018 of anti-dumping duties on imports of phosphoric acid – technical grade and food grade (HS 2809.20) from China (imposed on 14 September 2007)	WTO document G/ADP/N/322/IND, 9 April 2019	
Termination on 15 January 2019 (without measure) of anti-dumping investigation on imports of certain epoxy resins (epoxide resins) (HS 3907.30.10; 3907.30.90) from China; the European Union; Korea, Rep. of; Chinese Taipei and Thailand (initiated on 4 April 2018)	Permanent Delegation of India to the WTO (24 May 2019) and Termination Order Case No. OI-7/2018 – Ministry of Commerce and Industry (Directorate General of Trade Remedies) (15 January 2019)	

Measure	Source/Date	Status
Termination on 5 February 2019 (without measure) of countervailing investigation on imports of fluoroelastomers "FKM" (HS 3904.69.90) from China (initiated on 14 August 2018)	Permanent Delegation of India to the WTO (24 May 2019); Notification F. No. 6/21/2018-DGTR – (Case No. (CVD) 7/2018) Ministry of Commerce and Industry – Directorate General of Trade Remedies (14 August 2018); and Termination Order (5 February 2019)	
Initiation on 28 March 2019 of anti-dumping investigation on imports of chlorinated polyvinyl chloride "CPVC", whether or not further processed into compounds (HS 3904.90.00; 3904.21.10; 3904.21.90; 3904.22.10; 3904.22.90) from China and Korea, Rep. of	Permanent Delegation of India to the WTO (24 May 2019) and Notification F. No. 6/03/2019-DGTR – (Case No. (O.I.) 3/2019) Ministry of Commerce and Industry – Directorate General of Trade Remedies (28 March 2019)	
Termination on 29 March 2019 (without measure) of anti-dumping investigation on imports of ethylene vinyl acetate (EVA) sheet for solar modules (HS 3901.30; 3920.10; 3920.62; 3920.99; 3921.90) from Korea, Rep. of (initiated on 4 April 2018)	Permanent Delegation of India to the WTO (24 May 2019) and Notification No. 15/2019-Customs (ADD) – Ministry of Finance (Department of Revenue) (29 March 2019)	
Termination on 1 April 2019 of anti-dumping duties on imports of ductile iron pipes (HS 7303.00.30; 7303.00.90) from China (imposed on 14 September 2007)	Permanent Delegation of India to the WTO (24 May 2019) and Notification F. No. 7/18/2018-DGAD – Ministry of Commerce and Industry – Directorate General of Trade Remedies (1 April 2019)	
Initiation on 2 April 2019 of anti-dumping investigation on imports of aluminium and zinc coated flat products (HS 7210.61.00; 7212.50.90; 7225.99.00; 7226.99.90; 7210.12.90; 7210.30.90; 7210.49.00; 7210.69.00; 7210.70.00; 7210.90.90; 7212.10.90; 7212.20.90; 7212.30.90; 7212.40.00; 7216.99.10; 7225.50.10; 7225.91.00; 7225.92.00; 7226.99.30) from China; Korea, Rep. of and Viet Nam	Permanent Delegation of India to the WTO (24 May 2019) and Notification F. No. 6/4/2019-DGTR – (Case No. (O.I.) 4/2019) Ministry of Commerce and Industry – Directorate General of Trade Remedies (2 April 2019)	
Termination on 16 April 2019 of anti-dumping duties on imports of paracetamol (HS 2922.29.33) from China (imposed on 6 September 2001)	Permanent Delegation of India to the WTO (24 May 2019) and Notification No. 19/2019-Customs (ADD) – Ministry of Finance (Department of Revenue) (16 April 2019)	
<b>Indonesia</b>		
Termination on 27 March 2019 of safeguard duties on imports of flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, clad, plated or coated with aluminium-zinc alloys, containing by weight less than 0.6% of carbon, with a thickness not exceeding 1.2 mm (HS 7210.61.11) (investigation initiated on 19 December 2012 and definitive duty imposed on 22 July 2014)	WTO document G/SG/N/10/IDN/16/Suppl.4, 17 April 2019	
<b>Japan</b>		
Termination on 4 March 2019 of anti-dumping duties on imports of electrolytic manganese dioxide (HS 2820.10) from South Africa and Spain (imposed on 1 September 2008)	Permanent Delegation of Japan to the WTO (15 May 2019)	
<b>Korea, Rep. of</b>		
Initiation on 16 October 2018 of anti-dumping investigation on imports of uncoated paper (HS 4802.56; 4802.57; 4802.62; 4802.69) from Brazil, China and Indonesia	WTO document G/ADP/N/322/KOR, 8 April 2019	

Measure	Source/Date	Status
Initiation on 27 March 2019 of anti-dumping investigation on imports of glassine paper (HS 4806.40) from China, Italy, Japan and Chinese Taipei	Permanent Delegation of the Republic of Korea to the WTO (27 May 2019)	
<b>Madagascar</b>		
Initiation on 31 December 2018 of safeguard investigation on imports of detergent powder (HS 3402)	WTO document G/SG/N/6/MDG/3, 9 January 2019	
<b>Malaysia</b>		
Termination on 15 November 2018 of anti-dumping duties on imports of electrolytic tinplate (HS 7210.12.20) from China and Korea, Rep. of (investigation initiated on 20 February 2013, provisional and definitive duties imposed on 20 July and 16 November 2013, respectively)	WTO document G/ADP/N/322/MYS, 4 February 2019	
<b>Mexico</b>		
Initiation on 20 December 2018 of anti-dumping investigation on imports of aluminium pressure cookers (HS 7615.10.01) from China	WTO document G/ADP/N/322/MEX, 1 March 2019	
Termination on 25 January 2019 (without measure) of anti-dumping investigation on imports of polybutadiene-styrene rubber in emulsion "SBR" (HS 4002.19.01; 4002.19.02; 4002.19.03; 4002.19.99) from Poland (initiated on 10 August 2017)	Permanent Delegation of Mexico to the WTO (24 April 2019) and Diario Oficial de la Federación (Official Journal), 25 January 2019	
Initiation on 5 April 2019 of anti-dumping investigation on imports of stainless steel flat products (HS 7219.34.01; 7219.35.01; 7220.20.02; 9802.00.01; 9802.00.02; 9802.00.03; 9802.00.07; 9802.00.10; 9802.00.13; 9802.00.19) from China and Chinese Taipei	Permanent Delegation of Mexico to the WTO (24 April 2019) and Diario Oficial de la Federación (Official Journal), 5 April 2019	
Initiation on 16 April 2019 of anti-dumping investigation on imports of wind towers (HS 8502.31.01) from China	Permanent Delegation of Mexico to the WTO (24 April 2019) and Diario Oficial de la Federación (Official Journal), 16 April 2019	
<b>New Zealand</b>		
Termination on 19 November 2018 of anti-dumping investigation on imports of certain hollow steel sections (HS 7306.30.19; 7306.61.00; 7306.69.00) from China and Malaysia (investigation initiated on 9 April 2018 and provisional duties imposed on 26 July 2018 on imports from Malaysia)	WTO document G/ADP/N/322/NZL, 11 April 2019	
Termination on 28 March 2019 (without measure) of countervailing investigation on imports of certain hollow steel sections (HS 7306.30.19; 7306.61.00; 7306.69.00) from China (initiated on 9 April 2018)	Permanent Delegation of New Zealand to the WTO (18 April 2019)	
<b>Pakistan</b>		
Initiation on 1 November 2018 of anti-dumping investigation on imports of aluminium beverage cans (HS 7612.90.10; 7612.90.30) from Jordan, Sri Lanka, Turkey and the United Arab Emirates	WTO document G/ADP/N/322/PAK, 15 April 2019	
<b>Panama</b>		
Initiation on 3 May 2019 of safeguard investigation on imports of pork (HS 0203)	WTO document G/SG/N/6/PAN/2, 14 May 2019	
<b>Peru</b>		
Termination on 1 May 2019 (without measure) of anti-dumping investigation on imports of certain steel bars (HS 7213; 7214; 7217; 7228) from Brazil and Mexico (initiated on 2 November 2017)	Permanent Delegation of Peru to the WTO (22 May 2019)	
<b>Philippines</b>		
Initiation on 20 December 2018 of safeguard investigation on imports of ceramic floor and wall tiles (HS 6907.21.23; 6907.21.24; 6907.21.93; 6907.21.94; 6907.22.13; 6907.22.14; 6907.22.93; 6907.22.94; 6907.23.13; 6907.23.14; 6907.23.93; 6907.23.94; 6907.40.92)	WTO document G/SG/N/6/PHL/12, 11 January 2019	

Measure	Source/Date	Status
Initiation on 19 February 2019 of safeguard investigation on imports of float glass (HS 7005.29.90; 7005.21.90; 7005.10.90)	WTO document G/SG/N/6/PHL/13, 13 March 2019	
<b>Russian Federation (for Eurasian Economic Union)</b>		
Initiation on 1 March 2019 of safeguard investigation on imports of microwave ovens (HS 8516.50.00)	WTO document G/SG/N/9/RUS/1, 6 May 2019	Terminated on 18 April 2019 (without measure)
Initiation on 4 March 2019 of safeguard investigation on imports of welded tubes of stainless steel (HS 7306.40.20; 7306.40.80; 7306.61.10; 7306.69.10)	WTO document G/SG/N/6/RUS/7, 21 March 2019	
<b>Saudi Arabia, Kingdom of (for Gulf Cooperation Council)</b>		
Termination on 1 November 2018 (without measure) of anti-dumping investigation on imports of seamless pipes and tubes of iron or steel of a kind used for oil or gas pipelines and drilling, of circular cross-section, of an external diameter not exceeding 16 inches (406.4 mm) (HS 7304.19.00; 7304.29.00) from China (initiated on 25 April 2017)	WTO document G/ADP/N/322/SAU, 23 April 2019	
Initiation on 5 November 2018 of anti-dumping investigation on imports of ceramic flags and paving, hearth, floor, or wall tiles, whether or not on a backing; and finishing ceramics (ceramic tiles) (HS 6907.30.00) from China, India and Spain	Permanent Delegation of the Kingdom of Saudi Arabia to the WTO (22 May 2019)	
Initiation on 14 February 2019 of anti-dumping investigation on imports of super absorbent polymers (HS 3906.90) from Japan and Chinese Taipei	Permanent Delegation of the Kingdom of Saudi Arabia to the WTO (22 May 2019)	
<b>South Africa (for SACU – Southern African Customs Union Botswana, Eswatini, Lesotho, Namibia, and South Africa)</b>		
Initiation on 23 November 2018 of anti-dumping investigation on imports of poly(ethylene terephthalate) (NCM 3907.61.00) from China	Permanent Delegation of South Africa to the WTO (17 May 2019)	
Initiation on 1 March 2019 of safeguard investigation on imports of threaded fasteners of iron or steel (HS 7318.15.41; 7318.15.42; 7318.16.30)	WTO document G/SG/N/6/ZAF/7, 4 March 2019	
<b>Thailand</b>		
Termination on 10 January 2019 of anti-dumping duties on imports of painted hot dip galvanized of cold-rolled steel and painted hot dip plated or coated with aluminium zinc alloys of cold rolled steel (HS 7210.70.10; 7210.70.90) from China; Korea, Rep. of; and Chinese Taipei (investigation initiated on 8 July 2011 and definitive duty imposed on 10 January 2013)	Permanent Delegation of Thailand to the WTO (25 April 2019)	
Termination on 22 February 2019 (without measure) of anti-dumping investigation on imports of flat hot-rolled steel, in coils and not in coils (HS 7208.10; 7208.36; 7208.37; 7208.38; 7208.39; 7208.40; 7208.51; 7208.52; 7208.53; 7208.54; 7208.90; 7211.13; 7211.14; 7211.19) from Australia and Egypt (initiated on 29 November 2017)	Permanent Delegation of Thailand to the WTO (25 April 2019)	
Termination on 27 February 2019 of safeguard duties on imports of hot-rolled steel flat products with certain amounts of alloying elements such as boron, chromium, etc., in coils and not in coils, with or without patterns in relief, of a thickness of 0.9-50 mm and a width of 100-3,048 mm (HS 7225.30.90; 7225.40.90; 7226.91.10; 7226.91.90) (investigation initiated on 30 November 2012, provisional and definitive duties imposed on 27 February and 15 September 2013, respectively)	WTO document G/SG/N/6/THA/2/Suppl.4, 26 February 2019	
Termination on 12 April 2019 (without measure) of anti-dumping investigation on imports of melamine tableware (HS 3924.10.10) from China (initiated on 29 November 2017)	Permanent Delegation of Thailand to the WTO (29 May 2019)	
<b>Turkey</b>		
Termination on 16 October 2018 (without measure) of anti-dumping investigation on imports of polycarboxylate polymers (HS 3824.40; 3906.90.90) from Korea, Rep. of (initiated on 28 November 2017)	Permanent Delegation of Turkey to the WTO (24 May 2019)	

Measure	Source/Date	Status
Termination on 17 November 2018 of anti-dumping duties on imports of uncoloured float glass (HS 7005.29) from Romania (investigation initiated on 27 November 2012 and definitive duty imposed on 17 November 2013)	WTO document G/ADP/N/322/TUR, 12 April 2019	
Termination on 21 November 2018 of anti-dumping duties on imports of diesel engines (HS 8408.90.41) from China and India (investigation initiated on 3 August 2012 and definitive duty imposed on 21 November 2013)	WTO document G/ADP/N/322/TUR, 12 April 2019	
Initiation on 30 December 2018 of safeguard investigation on imports of yarn of nylon or other polyamides (HS 5402.31; 5402.32.00; 5402.45; 5402.51; 5402.61)	WTO document G/SG/N/6/TUR/25, 4 January 2019	
Termination on 12 January 2019 (without measure) of anti-dumping investigation on imports of acrylic or modacrylic (HS 5501.30.00) from China; Germany; Korea, Rep. of and Thailand (initiated on 21 March 2018)	Permanent Delegation of Turkey to the WTO (24 May 2019)	
Termination on 12 January 2019 (without measure) of countervailing investigation on imports of acrylic or modacrylic (HS 5501.30.00) from China (initiated on 20 March 2018)	Permanent Delegation of Turkey to the WTO (24 May 2019)	
Termination on 7 May 2019 of safeguard duties on imports of iron and steel products (HS 7208; 7209; 7210; 7211; 7212; 7225; 7226; 7213; 7214; 7215; 7216; 7217; 7227; 7228; 7302; 7303; 7304; 7305; 7306; 7219; 7220) (investigation initiated on 27 April 2018 and provisional duty imposed on 17 October 2018)	WTO document G/SG/N/7/TUR/13/Suppl.1, 13 May 2019	
<b>Ukraine</b>		
Termination on 2 November 2018 of anti-dumping duties on imports of cement-asbestos board, corrugated (HS 6811.40.00) from Belarus (investigation initiated on 10 March 2011 and definitive duty imposed on 5 November 2012)	WTO document G/ADP/N/322/UKR, 18 March 2019	
Termination on 4 December 2018 (without measure) of countervailing investigation on imports of motor cars (HS 8703.22.10) from Uzbekistan (initiated on 3 October 2018)	WTO document G/SCM/N/342/UKR, 9 April 2019	
Initiation on 20 December 2018 of anti-dumping investigation on imports of cylindrical roller bearings (HS 8482.50.00) from Kazakhstan	WTO document G/ADP/N/322/UKR, 18 March 2019	
Initiation on 7 April 2019 of anti-dumping investigation on imports of iron or steel stranded wire, ropes and cables, not electrically insulated (HS 7312.10) from the Russian Federation	Permanent Delegation of Ukraine to the WTO (16 May 2019)	
Initiation on 20 April 2019 of anti-dumping investigation on imports of concrete blocks (HS 6810.11) from Belarus	Permanent Delegation of Ukraine to the WTO (16 May 2019)	
Termination on 20 April 2019 (without measure) of anti-dumping investigation on imports of syringes (HS 9018.31.10) from China, India and Turkey (initiated on 2 November 2017)	Permanent Delegation of Ukraine to the WTO (16 May 2019)	
<b>United States of America</b>		
Termination on 13 November 2018 of anti-dumping duties on imports of polyethylene terephthalate "PET" resin (HS 3907.61.00; 3907.69.00) from Brazil; Indonesia; Korea, Rep. of; Pakistan and Chinese Taipei (investigation initiated on 23 October 2017 and provisional duty imposed on 4 May 2018)	WTO document G/ADP/N/322/USA, 19 March 2019	
Initiation on 19 November 2018 of anti-dumping investigation on imports of polyester textured yarn (HS 5402.33.30; 5402.33.60) from China and India	WTO document G/ADP/N/322/USA, 19 March 2019	
Initiation on 19 November 2018 of countervailing investigation on imports of polyester textured yarn (HS 5402.33.30; 5402.33.60) from China and India	WTO document G/SCM/N/342/USA, 16 April 2019	

Measure	Source/Date	Status
Initiation on 20 November 2018 of anti-dumping investigation on imports of magnesium (HS 8104.11.00; 8104.19.00; 8104.30.00) from Israel	WTO document G/ADP/N/322/USA, 19 March 2019	
Initiation on 20 November 2018 of countervailing investigation on imports of magnesium (HS 8104.11.00; 8104.19.00; 8104.30.00) from Israel	WTO document G/SCM/N/342/USA, 16 April 2019	
Termination on 4 December 2018 of anti-dumping duties on imports of polytetrafluoroethylene "PTFE" resin (HS 3904.61.00; 3904.69.50) from China and India (investigation initiated on 26 October 2017 and provisional duty imposed on 7 May 2018)	WTO document G/ADP/N/322/USA, 19 March 2019	
Termination on 4 February 2019 of anti-dumping duties on imports of certain new pneumatic off-the-road tyres (HS 4011) from China (imposed on 4 September 2008)	ITC Investigation A-570-912	
Termination on 4 February 2019 of countervailing duties on imports of certain new pneumatic off-the-road tyres (HS 4011) from China (imposed on 4 September 2008)	ITC Investigation C-570-913	
Termination on 15 February 2019 of anti-dumping duties on imports of large residential washers (HS 8450.11.00; 8450.20.00; 8450.90.20; 8450.90.60) from Korea, Rep. of (investigation initiated on 26 January 2012. Provisional and definitive duties imposed on 3 August 2012 and 15 February 2013, respectively)	ITC Investigation A-201-842; A-580-868; C-580-869	
Termination on 15 February 2019 of countervailing duties on imports of large residential washers (HS 8450.11.00; 8450.20.00; 8450.90.20; 8450.90.60) from Korea, Rep. of (investigation initiated on 26 January 2012. Provisional and definitive duties imposed on 5 June 2012 and 15 February 2013, respectively)	ITC Investigation A-201-842; A-580-868; C-580-86	
Initiation on 25 February 2019 of anti-dumping investigation on imports of certain fabricated structural steel (HS 7308.90.30; 7308.90.60; 7308.90.95; 7216.91.00; 7216.99.00; 7222.40.60; 7228.70.60; 7301.10.00; 7301.20.10; 7301.20.50; 7308.40.00; 7308.90.95; 9406.90.00) from Canada, China and Mexico	Department of Commerce, International Trade Administration A-122-864, A-201-850 and A-570-102, Federal Register/Vol. 84 FR No. 7330 (4 March 2019)	
Initiation on 25 February 2019 of countervailing investigation on imports of certain fabricated structural steel (HS 7308.90.30; 7308.90.60; 7308.90.95; 7216.91.00; 7216.99.00; 7222.40.60; 7228.70.60; 7301.10.00; 7301.20.10; 7301.20.50; 7308.40.00; 7308.90.95; 9406.90.00) from Canada, China and Mexico	Department of Commerce, International Trade Administration C-122-865, C-201-851 and C-570-103, Federal Register/Vol. 84 FR No. 7339 (4 March 2019)	
Initiation on 11 March 2019 of anti-dumping investigation on imports of acetone (HS 2914.11.10; 2914.11.50; 2902.20.00; 2902.70.00; 2905.12.00; 2914.12.00) from Belgium; Korea, Rep. of; the Kingdom of Saudi Arabia; Singapore; South Africa and Spain	Department of Commerce, International Trade Administration A-423-814, A-580-899, A-517-805, A-559-808, A-791-824 and A-469-819, Federal Register/Vol. 84 FR No. 9755 (18 March 2019)	
Initiation on 13 March 2019 of anti-dumping investigation on imports of carbon and alloy steel threaded rod (HS 7318.15.50; 7318.15.20; 7318.19.00) from China, India, Chinese Taipei and Thailand	Department of Commerce, International Trade Administration A-570-104, A-533-887, A-583-865 and A-549-840, Federal Register/Vol. 84 FR No. 10034 (19 March 2019)	
Initiation on 13 March 2019 of countervailing investigation on imports of carbon alloy steel threaded rod (HS 7318.15.50; 7318.15.20; 7318.19.00) from China and India	Department of Commerce, International Trade Administration C-533-888 C-570-105, Federal Register/Vol. 84 FR No. 10040 (19 March 2019)	

Measure	Source/Date	Status
Termination on 15 March 2019 of anti-dumping duties on imports of low-enriched uranium (HS 2844.20.00) from France (imposed on 13 February 2002)	Department of Commerce, International Trade Administration A-427-818, Federal Register/Vol. 84 FR No. 9493 (15 March 2019)	
Termination on 22 March 2019 of countervailing investigation on imports of rubber bands (HS 4016.99.35; 4016.99.60) from Thailand (initiated on 27 February 2018)	Department of Commerce, International Trade Administration C-570-069, C-570-070, Federal Register/Vol. 84 FR No. 4774 (19 February 2019)	
Initiation on 26 March 2019 of anti-dumping investigation on imports of wooden cabinets and vanities (HS 9403.40.90; 9403.60.80; 9403.90.70) from China	Department of Commerce, International Trade Administration A-570-106, Federal Register/Vol. 84, No. 63 FR No. 12587 (2 April 2019)	
Initiation on 26 March 2019 of countervailing investigation on imports of wooden cabinets and vanities (HS 9403.40.90; 9403.60.80; 9403.90.70) from China	USITC – Investigation No. 701-TA-620 and 731-TA-1745, Docket No. 3372 (6 March 2019) and ITC Investigation C-570-107	
Initiation on 17 April 2019 of anti-dumping investigation on imports of anhydrous sodium sulphate (HS 2833.11.50; 2833.11.10; 2833.19.00) from Canada	USITC – Investigation No. 731-TA-1446, Docket No. 3377 (28 March 2019) and ITC Investigation A-122-866	
Initiation on 30 April 2019 of anti-dumping investigation on imports of ceramic tiles (HS 6907) from China	USITC – Investigation No. 701-TA-621 and 731-TA-1447, Docket No. 3378 (10 April 2019) and ITC Investigation A-570-108	
Initiation on 30 April 2019 of countervailing investigation on imports of ceramic tiles (HS 6907) from China	USITC – Investigation No. 701-TA-621 and 731-TA-1447, Docket No. 3378 (10 April 2019) and ITC Investigation C-570-109	
Initiation on 13 May 2019 of anti-dumping investigation on imports of dried tart cherries (HS 0813.40.30; 0813.40.90; 0813.50.00; 2006.00.20; 2006.00.50; 2008.60.00) from Turkey	Department of Commerce, International Trade Administration A-489-835, Federal Register/Vol. 84, No. 97 FR No. 22809 (20 May 2019)	
Initiation on 13 May 2019 of countervailing investigation on imports of dried tart cherries (HS 0813.40.30; 0813.40.90; 0813.50.00; 2006.00.20; 2006.00.50; 2008.60.00) from Turkey	Department of Commerce, International Trade Administration C-489-836, Federal Register/Vol. 84, No. 97 FR No. 22813 (20 May 2019)	

**ANNEX 3 - OTHER TRADE-RELATED MEASURES<sup>1</sup>**

(MID-OCTOBER 2018 to MID-MAY 2019)

**Confirmed information<sup>2</sup>**

Measure	Source/Date	Status
<b>Algeria</b>		
Amendments introduced in the list of imported products subject to temporary surcharges ( <i>droit additionnel provisoire de sauvegarde</i> ) (1,095 tariff lines at 10-digit levels in Chapters HS 02; 04; 07; 08; 11; 12; 16; 17; 18; 19; 20; 21; 22; 25; 33; 34; 39; 44; 48; 57; 63; 68; 69; 70; 73; 76; 84; 85; 94; 96)	Arrêté du 19 Joumada El Oula 1440, Journal Officiel No. 6 (26 January 2019)	Effective 26 January 2019
<b>Argentina</b>		
Extension of the temporary export ban on iron and steel ferrous waste and scrap (NCM 7204; 7404; 7602)	Permanent Delegation of Argentina to the WTO (22 May 2019) and Decreto No. 970/2018 – Nomenclatura Común del Mercosur (30 October 2018)	Effective 31 October 2018, for 360 days
Reduction of export duties ( <i>derechos de exportación</i> ) for works of art, collectors' pieces and antiques (NCM 9701)	Permanent Delegation of Argentina to the WTO (22 May 2019) and Decreto No. 94/2019 (DCTO-2019-94-APN-PTE-Posición arancelaria) (30 January 2019)	Effective 1 February 2019
Temporary increase of the statistical fee ( <i>tasa de estadística</i> ) (from 0.5% to 2.5%) for all imports up to a specific threshold	Permanent Delegation of Argentina to the WTO (22 May 2019) and Decreto No. 332/2019 (DECTO-2019-322-APN-PTE) – tasa estadística (3 May 2019)	Effective 7 May 2019 to 31 December 2019
Amendments introduced in the export duties legislation ( <i>derechos de exportación</i> ), resulting in exemptions for MSMEs under certain conditions	Permanent Delegation of Argentina to the WTO (22 May 2019) and Decreto Nos. 280/2019 -Derechos de exportación (17 April 2019) and 335/2019 – Desgravación del derecho de exportación (6 May 2019)	Effective 8 May 2019 to 31 December 2020
<b>Brazil</b>		
Temporary increase of import tariffs on certain rubber apparel (NCM 4015.19.00), and on certain x-ray machines (NCM 9022.19.99)	Permanent Delegation of Brazil to the WTO (22 May 2019) and Camex Resolution Nos. 98/2018 (7 December 2018) and 106/2018 (27 December 2018)	Effective 10 December 2018
Increase of import tariffs (from zero to 4%) on other aromatic hydrocarbon mixtures, of which 65% or more by volume (including losses), distilled at 250°C by the ISO 3405 method (equivalent to the ASTM D 86 method) (NCM 2707.50.10); (from zero to 8%) on certain pharmaceutical products ( <i>ácido retinoico</i> ) (NCM 3003.90.17; 3004.50.60); (from 2% to 12%) on cetyl alcohol (NCM 2905.17.20); (from 2% to 14%) on industrial fatty alcohols (NCM 3823.70.10; 3823.70.40); and (from 2% to 18%) on safety airbags with inflater system, and parts thereof (NCM 8708.95.21)	Permanent Delegation of Brazil to the WTO (22 May 2019) and Camex Resolution No. 58/2018 (31 August 2018)	Effective 1 January 2019

<sup>1</sup> The inclusion of any measure in this Annex implies no judgement by the WTO Secretariat on whether or not such measure, or its intent, is protectionist in nature. Moreover, nothing in the Annex implies any judgement, either direct or indirect, on the consistency of any measure referred to with the provisions of any WTO agreement.

<sup>2</sup> This Section includes information which has either been provided by the Member concerned or has been confirmed at the request of the Secretariat.

Measure	Source/Date	Status
<b>China</b>		
Elimination of VAT rebate rates on oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soyabean oil (HS 2304)	Permanent Delegation of China to the WTO (22 May 2019)	Effective 1 November 2018
Release of the 2019 catalogue of goods subject to import licensing (in HS Chapters 29; 38; 84; 85; 89; 90)	Permanent delegation of China to the WTO, MOFCOM and China Customs Joint Announcement (2018) 107 on Publishing the Catalogue of Goods Subject to Import Licensing Requirements for 2019. Viewed at: <a href="http://images.mofcom.gov.cn/wms/201812/20181231170911182.pdf">http://images.mofcom.gov.cn/wms/201812/20181231170911182.pdf</a>	Effective 1 January 2019
Release of the 2019 catalogue of goods subject to export licensing (in HS Chapters 01; 02; 10; 11; 12; 13; 14; 25; 26; 27; 28; 29; 38; 44; 71; 72; 80; 81; 87)	Permanent delegation of China to the WTO, MOFCOM and China Customs Joint Announcement (2018) 108 on Publishing the Catalogue of Goods Subject to Export Licensing Requirements for 2019. Viewed at: <a href="http://images.mofcom.gov.cn/wms/201812/20181231170446474.pdf">http://images.mofcom.gov.cn/wms/201812/20181231170446474.pdf</a>	Effective 1 January 2019
<b>Colombia</b>		
Two tariff lines eliminated from the list of products subject to temporary elimination of import tariffs on raw materials and capital goods not produced locally, resulting in an increase of import tariffs on certain winding wire (to 10%) (HS 8544.49.10.10; 8544.49.10.90)	Permanent Delegation of Colombia to the WTO (30 April 2019) and Decreto No. 228/2019 – Ministerio de Comercio, Industria y Turismo (19 February 2019)	Effective 6 March 2019
Temporary increase of import tariffs (from 10% to 18.5%) on iron or non-alloy steel bars and rods, hot-rolled, in irregularly wound coils (HS 7213.10.00); and on other bars and rods of iron or non-alloy steel, not further worked than forged, hot-rolled, hot-drawn or hot-extruded, but including those twisted after rolling (HS 7214.20.00)	Permanent Delegation of Colombia to the WTO (30 April 2019)	Effective 13 March 2019 to 13 March 2021
<b>Egypt</b>		
Further extension of the temporary export taxes (EGP 20,000/tonne) on certain copper and articles thereof (effective 24 December 2018 to 24 December 2019); (EGP 6,000/tonne) on lead and articles thereof (effective 24 December 2018 to 24 December 2019); (EGP 1,300/tonne) on ferrous waste and scrap; remelting scrap ingots of iron or steel (effective 24 December 2018 to 24 December 2019); (EGP 7,000/tonne) on aluminium waste and scrap (effective 24 December 2018 to 24 December 2019); (EGP 2,600/tonne) on slag, ash and residues (other than from the manufacture of iron or steel) containing metals, arsenic or their compounds; unwrought zinc (effective 24 December 2018 to 24 December 2019); (EGP 3,600/tonne) on certain paper (effective 24 December 2018 to 24 December 2019); (EGP 7,000/tonne) on scrap and waste of cotton fabrics and mixed cotton (effective 25 December 2018 to 24 December 2019); (EGP 300/tonne) on corn silage (effective 6 January 2019 to 31 December 2019); (EGP 600/tonne) on cereal straw and husks, unprepared whether or not chopped (except rice straw) (effective 6 January 2019 to 31 December 2019); (EGP 700/tonne) on lucern (alfalfa) (effective 6 January 2019 to 31 December 2019); (EGP 1,200/tonne) on crushed talc (effective 10 February 2019 to 10 February 2020); (EGP 500/tonne) on talc powder (effective	Permanent Delegation of Egypt to the WTO (22 May 2019)	Effective: see individual dates in measure

Measure	Source/Date	Status
10 February 2019 to 10 February 2020); (EGP 300/tonne) on ultra-soft talc powder(effective 10 February 2019 to 10 February 2020); (EGP 150/tonne) on quartz ore (effective 10 February 2019 to 10 February 2020); (EGP 300/tonne) on feldspar ore (effective 10 February 2019 to 10 February 2020); (EGP 200/tonne) on crushed or powdered feldspar ore (effective 10 February 2019 to 10 February 2020); (EGP 400/tonne) on marble and granite blocks crude or roughly trimmed (effective 10 February 2019 to 10 February 2020); (EGP 100/tonne) on sand (effective 10 February 2019 to 10 February 2020); (EGP 250/unit) on crust leather of cow or buffalo skin (effective 2 May 2019 to 2 May 2020); (EGP 150/unit) on crust leather of calf skin (effective 2 May 2019 to 2 May 2020); (EGP 15/unit) on crust leather of sheep skin (effective 2 May 2019 to 2 May 2020); (EGP 7.5/unit) on crust leather of goat skin (effective 2 May 2019 to 2 May 2020); and (EGP 150/unit) on crust leather of camel skin (effective 2 May 2019 to 2 May 2020) (HS 7401; 7402; 7403; 7404; 7419.91; 7407; 7801; 7802.00; 7804.19; 7806; 7204.10; 7204.21; 7204.29; 7204.30; 7204.41; 7204.49; 7204.50; 7602.00.; 2620.11; 2620.19; 7901; 7902.00; 7903; 6310; 1213; 1214; 2308; 2526; 2506; 2529; 2515.11; 2516.11; 2505; 4104; 4105; 4106)		
<b>European Union</b>		
Reintroduction of the Common Customs Tariff duties (EUR 175/tonne) on imports of Indica rice (HS 1006) from Cambodia and Myanmar (based on EU procedures for the temporary withdrawal of tariff preferences under the GSP Regulations)	Commission Implementing Regulation No. 2019/67 (16 January 2019)	Effective 17 January 2019, for 3 years. Tariff duties set at EUR 150/tonne for the second year and EUR 125/tonne for the third year
<b>The Gambia</b>		
Increase of the excise import tax on certain products, e.g. (from 20% to 25%) on new cars; (from GMD 175 to GMD 280) on spirits; (from GMD 100 to GMD 175) on beer; and (from GMD 150 to GMD 240) on wine (HS 8703.10.00; 2208.20.10; 2203.00.10)	Permanent Delegation of The Gambia (22 May 2019)	Effective 1 January 2019
<b>India</b>		
Amendments introduced to the export policy of gold, resulting in an export authorization on gold idols (only gods and goddess) of 8 carats and above (up to 24 carats), subject to certain conditions	Notification No. 44/2015-2020, Ministry of Commerce and Industry – Department of Commerce (30 November 2018)	Effective 30 November 2018
Amendments introduced to the import policy of gold (HS 7108.12.00), resulting in an import restriction on gold dore	Permanent Delegation of India to the WTO (24 May 2019) and Notification No. 45/2015-2020, Ministry of Commerce and Industry – Department of Commerce (30 November 2018)	Effective 30 November 2018
In January 2019, extension of the temporary import ban on pulses (e.g. peas) (HS 0713) (originally implemented on 1 April 2018 and extended until 30 September 2018)	Permanent Delegation of India to the WTO (24 May 2019) and Trade Notice No. 01/2019-20 Ministry of Commerce and Industry (Department of Commerce) (1 April 2019)	Effective until 31 March 2020
Addition of Krishnapatnam port to the list of 10 existing ports through which imports of sawn timber are permitted	Notification No. 47/2015-2020, Ministry of Commerce and Industry – Department of Commerce (31 December 2018)	Effective 1 January 2019

Measure	Source/Date	Status
Addition of Krishnapatnam port to the list of 10 existing ports through which exports of sawn timber are permitted	Notification No. 47/2015-2020, Ministry of Commerce and Industry – Department of Commerce (31 December 2018)	Effective 1 January 2019
Amendments introduced to the export policy of fertilizers (HS 3102; 3103; 3104; 3105), resulting in an export liberalization. Certain fertilizers under the "restricted" category moved to the "free" category, subject to certain conditions: (i) prior permission (no objection certificate) by the Department of Fertilizers; and (ii) production of a declaration certificate to customs at the time of export	Notification No. 49/2015-2020, Ministry of Commerce and Industry – Department of Commerce (7 January 2019)	Effective 7 January 2019
Increase of import tariffs (from zero to 5%) on lithium ion cells for use in the manufacture of lithium ion accumulators; and (from 10% to 20%) on lithium ion cells for use in the manufacture of power banks of lithium ion (HS 8507.60.00)	Permanent Delegation of India to the WTO (24 May 2019) and Notification No. 2/2019-Customs, Ministry of Finance – Department of Revenue (29 January 2019)	Effective 30 January 2019
Temporary increase on import tariffs (to 200%) on all imports from Pakistan (all HS Chapters)	Permanent Delegation of India to the WTO (24 May 2019) and Notification No. 5/2019-Customs Ministry of Finance – Department of Revenue (16 February 2019)	Effective 16 February 2019
Extension of the temporary import prohibition of milk and milk products (including chocolates and chocolate products and candies/confectionary/ food preparations with milk or milk solids as ingredients) from China (originally implemented on 22 June 2018 until 23 December 2018). The extension is in force until the capacity of all laboratories at ports of entry are suitably upgraded for testing melamine	Permanent Delegation of India to the WTO (24 May 2019) and Notification No. 1/2015-2020, Ministry of Commerce and Industry – Department of Commerce (23 April 2019)	Extended on 23 April 2019
Increase of import tariffs (from 30% to 40%) on wheat (HS 1001)	Permanent Delegation of India to the WTO (24 May 2019) and Notification No. 13/2019-Customs, Ministry of Finance (26 April 2019)	Effective 26 April 2019
<b>Indonesia</b>		
New requirement for exports of coffee (HS 0901; 2101) introducing stricter export licensing requirements	Permanent Delegation of Indonesia to the WTO (24 May 2019) and Regulation No. 109/2018 – Ministry of Trade (January 2019)	Effective 12 January 2019
<b>Mexico</b>		
Temporary increase of import tariffs (to 15%) on iron and steel and articles of iron or steel (186 tariff lines at 8-digit level in HS Chapters 72 and 73)	Permanent Delegation of Mexico to the WTO (24 May 2019) and Diario Oficial de la Federación (Official Journal), 25 March 2019	Effective 26 March 2019, for 180 days
Increase of import tariffs (from 20% to 25%-30%) on certain footwear (6 tariff lines at 8-digit level in Chapter 64) and (from 20% to 25%) on 2 apparel and clothing accessories tariff lines (HS 6111.20.04; 6209.20.04)	Permanent Delegation of Mexico to the WTO (24 April 2019)	Effective 6 May 2019
Temporary increase of import tariffs (from 20% to 25%-30%) on certain footwear (28 tariff lines at 8-digit level in Chapter 64), and (from 20% to 25%) on certain articles of apparel and clothing accessories (64 tariff lines at 8-digit level in Chapters 61; 62; 63)	Permanent Delegation of Mexico to the WTO (24 April 2019)	Effective 6 May 2019, for 180 days

Measure	Source/Date	Status
<b>New Zealand</b>		
Further amendments introduced in the Climate Change (Synthetic Greenhouse Gas Levies) Regulation, resulting in the incorporation of additional goods and also the increase on certain levy rates (HS Chapters 39; 84; 87; 88; 89)	New Zealand - Climate Change (Emissions Trading Scheme) Amendment Regulations 2018	Effective 1 January 2019
<b>Philippines</b>		
Withdrawal of tariff concessions on rice and certain agricultural products relating to the special treatment for rice (WTO Waiver) (HS 1006.10; 1006.20; 1006.30; 1006.40; 0207.14; 0207.25; 0207.27; 0403.90; 0405.10; 0406.20; 1602.31; 2004.10; 2306.41; 2306.49; 0206.41; 0209.10; 0209.90; 0713.10; 0802.31; 0802.32; 0806.10; 1208.90; 1514.11; 1514.19; 1514.99)	Permanent Delegation of the Philippines to the WTO (1 June 2019)	Effective 5 March 2019
On 2 April 2019, the Republic Act 11203 took effect, and officially replaced the quantitative restrictions on rice (HS 1006) with tariffs. Subsequently, the law's Implementing Rules and Regulations (IRRs) were signed by the Secretaries of the Department of Agriculture (DA), the National Economic and Development Authority (NEDA) and the Department of Budget and Management (DBM), and were uploaded by the NEDA to the Official Gazette website on 8 April 2019. The IRRs took effect on 23 April 2019	Permanent Delegation of the Philippines to the WTO (1 June 2019)	
<b>Switzerland</b>		
Imposition of a fee ( <i>émolument</i> ) (CHF 7/100 kg) on imports of sugar (HS 1701.99.99)	Permanent Delegation of Switzerland to the WTO (20 May 2019)	Effective 1 January 2019
<b>Chinese Taipei</b>		
Special safeguard measure (volume-based) on imports of garlic (HS 0703.20.10; 0703.20.90; 0712.90.40)	WTO document G/AG/N/TPKM/168, 4 January 2019	Effective 14 December 2018 to 31 December 2018
Special safeguard (volume-based) measure on imports of dried shiitake (HS 0712.39.20)	WTO document G/AG/N/TPKM/169, 18 January 2019	Effective 21 December 2018 to 31 December 2018
Special safeguard (volume-based) measure on imports of red beans (HS 0710.29.10; 0713.32.00; 1106.10.10; 2004.90.10; 2005.51.10; 2005.59.10; 2006.00.11; 2006.00.25)	WTO document G/AG/N/TPKM/172, 24 January 2019	Effective 21 December 2018 to 31 December 2018
Special safeguard (volume-based) measure on imports of other chicken cuts (HS 0207.11.00; 0207.12.00; 0207.13.19; 0207.14.19; 0210.99.19; 1602.32.20)	WTO document G/AG/N/TPKM/176, 26 February 2019	Effective 21 December 2018 to 31 December 2018
Special safeguard (volume-based) measure on imports of peanuts (HS 1202.30.10; 1202.30.20; 1202.41.00; 1202.42.00; 1208.90.11; 1208.90.21; 1508.10.00; 1508.90.00; 2008.11.11; 2008.11.12; 2008.11.91; 2008.11.92; 2008.19.42)	WTO document G/AG/N/TPKM/171, 23 January 2019	Effective 25 December 2018 to 31 December 2018
<b>Turkey</b>		
Increase of import tariffs on certain products (by 15%) on producer gas or water gas generators; (to 7%) on aluminium cylinder heads; (by 5%-10%) on centrifugal pumps; (by 20%) on table, floor, wall, window, ceiling or roof fans, with a self-contained electric motor of an output not exceeding 125 W; (by 20%) on portable sprayers; (by 10%-20%) on machines for cleaning, sorting or grading seed, grain or dried leguminous vegetables, other machinery and its parts; (by 11%) on machines which can carry out different types of machining operations without tool changes between such operations: with the automatic transfer of the workpiece between each operation, sawing machines (circular saws and others) and drilling or morticing machines; (by 20%) on automatic beverage-vending machines; incorporating heating or refrigerating devices; (by 20%) on mine detectors; (by 13%) on ozone therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respiration apparatus (nebulizers); (by 25%) on alarm clocks and	Permanent Delegation of Turkey to the WTO (24 May 2019)	Effective: see individual dates in measure

Measure	Source/Date	Status
<p>electrically operated wall clocks; (by 30%) on snorkels; (by 10%) on tubes, pipes and hoses, and fittings therefor (for example, joints, elbows, flanges), of plastic; baths, shower-baths, wash-basins, bidets, lavatory pans, seats and covers, flushing cisterns and similar sanitary ware of plastic; builders' wares of plastic; other uncoated paper and paperboard, in rolls or sheets; worked monumental or building stone (except slate) and articles thereof; articles of cement, of concrete or of artificial stone, whether or not reinforced; glass fibres (including glass wool) and articles thereof (for example, yarn, woven fabrics); structures (excluding prefabricated buildings of heading 9406) and parts of structures; cloth (including endless bands), grill, netting and fencing, of iron or steel wire; expanded metal of iron or steel; chain and parts thereof, of iron or steel; stoves, ranges, grates, cookers (including those with subsidiary boilers for central heating), barbecues, braziers, gas-rings, plate warmers and similar non-electric domestic appliances, and parts thereof, of iron or steel; monitors and projectors, not incorporating television reception apparatus; reception apparatus for televisions, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus; electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits; (by 15%) on insulated (including enamelled or anodized) wire, cable (including co-axial cable) and other insulated electric conductors, whether or not cable and other fitted with connectors; optical fibre cables, made up of individually-sheathed fibres, whether or not assembled with electric conductors or fitted with connectors; (by 18%) on imitation jewellery of base metal, whether or not plated with precious metal; (by 15%-25%-30%) on tricycles, scooters, pedal cars and similar wheeled toys; dolls' carriages; dolls; other toys; reduced-size "scale" models and similar recreational models, working or not; and puzzles of all kinds (effective December 2018); (from zero to 5%) on dates (effective 1 January 2019); and (by 5%-8%) on certain cotton yarns and synthetic yarns (effective 16 January 2019) (HS Chapters 08; 39; 48; 52; 54; 55; 68; 70; 71; 73; 84; 85; 90; 91; 95)</p>		
<b>Ukraine</b>		
<p>Further extension of the temporary increase of export duties on waste and scrap of ferrous metals (HS 7204.10.00; 7204.30.00; 7204.41.10; 7204.41.91; 7204.41.99; 7204.49.10; 7204.49.30; 7204.49.90; 7204.50.00) (originally implemented on 15 September 2016, for one year)</p>	<p>Permanent Delegation of Ukraine to the WTO (16 May 2019)</p>	<p>Effective 5 April 2019</p>
<b>United States of America</b>		
<p>Extension and increase from 10% to 25% of <i>ad valorem</i> additional duty (originally implemented on 24 September 2018) on products of China (5,733 tariff lines at 8-digit level in HS Chapters 02; 03; 04; 05; 07; 08; 10; 11; 12; 14; 15; 16; 17; 19; 20; 21; 22; 23; 24; 25; 26; 27; 28; 29; 31; 32; 33; 34; 35; 36; 37; 38; 39; 40; 41; 42; 43; 44; 45; 46; 47; 48; 50; 51; 52; 53; 54; 55; 56; 57; 58; 59; 60; 65; 67; 68; 69; 70; 71; 72; 73; 74; 75; 76; 78; 79; 80; 81; 82; 83; 84; 85; 86; 87; 88; 89; 90; 91; 94; 96)</p>	<p>Office of the United States Trade Representative – Notice of Modification of Section 301 Action: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation. Federal Register / Vol. 84 No. 90 (20459) (9 May 2019). Viewed at: <a href="https://ustr.gov/sites/default/files/enforcement/301Investigations/84_FR_20459.pdf">https://ustr.gov/sites/default/files/enforcement/301Investigations/84_FR_20459.pdf</a> and <a href="https://www.govinfo.gov/content/pkg/FR-2018-09-21/pdf/2018-20610.pdf">https://www.govinfo.gov/content/pkg/FR-2018-09-21/pdf/2018-20610.pdf</a></p>	<p>Effective 10 May 2019</p>

**Recorded, but not-confirmed information<sup>3</sup>**

<b>Measure</b>	<b>Source/Date</b>	<b>Status</b>
<b>Angola</b>		
Temporary export ban on metal scraps	Press reports referring to Despatch No. 13/19 Ministry of Industry	Effective 1 January 2019
<b>Sri Lanka</b>		
Import ban on chicken meat from genetically-modified species	Press reports (October 2018)	
<b>Tunisia</b>		
Imposition of non-automatic import licensing requirements on certain products	Press reports referring to Ministry of Trade Communication (November 2018)	
Imposition of quantitative restrictions on imports of certain products	Press reports referring to Ministry of Trade Communication (November 2018)	

<sup>3</sup> This Section includes information which has been obtained from public sources but has not yet been confirmed by the delegation concerned.

## ANNEX 4 – MEASURES AFFECTING TRADE IN SERVICES<sup>1</sup>

(MID-OCTOBER 2018 to MID-MAY 2019)

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>MEASURES AFFECTING VARIOUS SECTORS</b>					
<b>Argentina</b>					
The government established a new regime for 'door-to-door' deliveries through the postal system of products purchased online from abroad. A maximum of 12 orders per year of 50 dollars or less will be exempt from customs duties. Previously, only yearly purchases below 25 dollars were exempted.	Modes 1-3	Postal and distribution services	Decree No. 221/2019 General Resolution No. 4447/2019  Viewed at: <a href="https://www.llyasoc.com/es/novedades/comercio-exterior-regimen-de-envios-postales-sin-finalidad-comercial">https://www.llyasoc.com/es/novedades/comercio-exterior-regimen-de-envios-postales-sin-finalidad-comercial</a>	Effective 1 April 2019	YES
<b>Belgium</b>					
Flemish legislation on safeguarding the strategic interests of the Flemish Community and Flemish Region ("Bestuursdecreet") of 7 December 2018: If a legal act by a government body results in foreign natural or legal persons gaining power of control or decision-making power in that government body, and if the strategic interests of the Flemish Community or the Flemish Region are threatened as a result, viz. if the continuity of vital processes is jeopardised, if certain strategic or sensitive knowledge is in danger of falling into foreign hands or if the strategic independence of the Flemish Community or the Flemish Region is compromised, the Government of Flanders may annul this legal act or declare it inapplicable. The Government of Flanders may only apply this measure if it can demonstrate that it has attempted to achieve the safeguarding of strategic interests with the consent of the government body concerned.	Mode 3	All sectors	Official Publication ("Belgisch Staatsblad") number: 2018032457 page: 100723  Viewed at: <a href="http://www.ejustice.just.fgov.be/cqj_loi/CHANGE_LG.pl?language=nl&amp;la=N&amp;cn=2018120705&amp;table_name=wet">http://www.ejustice.just.fgov.be/cqj_loi/CHANGE_LG.pl?language=nl&amp;la=N&amp;cn=2018120705&amp;table_name=wet</a>	Approved by Flemish Parliament on 5 December 2018	YES

<sup>1</sup> The inclusion of any measure in this Annex implies no judgement by the WTO Secretariat on whether or not such measure, or its intent, is protectionist in nature. Moreover, nothing in the Annex implies any judgement, either direct or indirect, on the consistency of any measure referred to with the provisions of any WTO agreement.

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>Brazil</b>					
<p>Brazil adopted a new legal framework for the use of private data. The law aims to protect personal data, whether obtained by electronic or physical means, or by the public or private sector. The law applies to any data processing operation occurring in Brazil, regardless of the location of the entity conducting the operation or holding the data.</p> <p>The law provides that the collection, use or processing of personal data can be conditioned on first obtaining the explicit consent of the data subject. Data subjects have the right to access, rectify, cancel or exclude their data.</p> <p>Under the law, companies must ensure that personal data receives adequate protection when transferred abroad. Data transfers are allowed under a number of circumstances, including when transfers are made to countries offering adequate protection, when the regulator specifically approves the transfer, or after the data subject has consented. Further details are to be further specified by the regulator. The law also establishes a national data protection authority, an independent federal agency that will be responsible for regulation of data protection, including monitoring and enforcement.</p>	Modes 1-3	Internet and other network-enabled services	<p>General Law on the Protection of Private Data (Federal Law 13709/2018)</p> <p>Viewed at:  <a href="https://www.idsupra.com/legalnews/gdpr-inspired-data-protection-heads-to-35738/">https://www.idsupra.com/legalnews/gdpr-inspired-data-protection-heads-to-35738/</a></p>	<p>Law published on 15 August 2018. Provision Measure no. 869/2018 published on 28 December 2018. Effective from August 2020.</p>	YES
<b>Burkina Faso</b>					
<p>The government adopted a new law on investment, which aims to improve conditions for domestic and foreign investors. Among other things, the new law seeks to promote investment in strategic sectors, including green and renewable energies and handicrafts, by relaxing the criteria relating to the investment threshold and the number of jobs created.</p>	Mode 3	All sectors	<p>Investment Code</p> <p>Viewed at:  <a href="https://www.assembleenationale.bf/spip.php?article855">https://www.assembleenationale.bf/spip.php?article855</a></p>	<p>Adopted on 30 October 2018</p>	
<b>China</b>					
<p>On 15 March 2019, China adopted its new Foreign Investment Law, aiming to provide a better business environment for foreign investments. The law will replace the three existing laws on Chinese-foreign equity joint ventures, wholly foreign-owned enterprises and Chinese-foreign contractual joint ventures.</p>	Mode 3	All sectors	<p>Order of the President of the PRC No. 26: Foreign Investment Law</p>	<p>Effective 1 January 2020</p>	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
The new law aims to further encourage foreign investment in China and to strengthen the protection of the legal rights and interests of foreign investors and foreign invested-enterprises. Pre-establishment national treatment shall be applied to foreign investments under a negative list, with the objective of promoting a level playing field that is stable, transparent and predictable, and ensuring that foreign-invested enterprises participate in market competition on an equal basis.					
<b>Côte d'Ivoire</b>					
The government adopted a new Investment Code, which provides various fiscal incentives to foreign investors, including in relation to the use of local content. Certain benefits are only available to companies that open at least 15% of their capital to nationals. The new measure also provides for the creation of a specific agency to promote investment and act as principal link between investors and the government.	Mode 3	All sectors	Decrees of 18 December 2018 pursuant to Ordinance No. 2018-646 of 1 August 2018 on the Investment Code.  Viewed at: <a href="https://afrimaq.net/nouveau-code-des-investissements-en-cote-divoire-focus-sur-les-principales-innovations/">https://afrimaq.net/nouveau-code-des-investissements-en-cote-divoire-focus-sur-les-principales-innovations/</a>	Adopted 18 December 2018	
<b>Egypt</b>					
New measures have been adopted in relation to the management of enterprises in Egypt. A first measure removes the requirement that limited liability companies in Egypt appoint at least one manager of Egyptian nationality. A second measure requires non-resident companies with a representative office in Egypt to decide, three years from the date the office was registered, to establish either a company or a branch. The new requirement does not apply to representative offices of banks.	Modes 3 and 4	All sectors	Decree No. 256 amending Article 281 of the executive resolution of the Companies' Law No. 159  Decree No 60 of Egypt's General Authority for Investment and Free Zones  Viewed at: <a href="https://www.gafi.gov.eg/english/MediaCenter/News/Pages/default.aspx">https://www.gafi.gov.eg/english/MediaCenter/News/Pages/default.aspx</a>	Issued 23 December 2018  Issued on 31 January 2019	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>European Union</b>					
<p>The European Union adopted a framework for the screening of foreign direct investments into the EU.</p> <p>The new regulation does not require EU member states to implement an FDI screening mechanism. However, existing or future mechanisms at the member state level are required to meet certain basic screening requirements, such as judicial review of decisions, non-discrimination between different third countries, and transparency. The regulation sets out a non-exhaustive list of factors that may be taken into account to determine whether foreign investments pose a risk to security or public order, including the impact on critical infrastructure, critical technologies, the supply of critical inputs, access to, and ability to control, sensitive information, and freedom and pluralism of the media.</p> <p>The regulation also establishes a cooperation mechanism whereby Member States and the Commission will be able to exchange information and raise concerns related to specific investments. The Commission will also be allowed to issue opinions when an investment poses a threat to the security or public order of more than one Member State, or when an investment could undermine a project or programme of interest to the whole EU.</p>	Mode 3	All sectors	<p>Regulation 2019/452 of 19 March 2019</p> <p>Viewed at:  <a href="http://trade.ec.europa.eu/doclib/press/index.cfm?id=2008">http://trade.ec.europa.eu/doclib/press/index.cfm?id=2008</a></p>	Effective 10 April 2019	YES
<b>France</b>					
<p>On 29 November 2018, the government amended its foreign investment regime by extending the requirement of a prior authorisation to investments in activities related to new strategic sectors. These include: space operations; R&amp;D activities in cybersecurity; artificial intelligence; robotics, additive manufacturing and semiconductors; data storage in connection with public security; IT systems participating in guaranteeing the security of operators of vital importance.</p>	Mode 3	Various sectors	<p>Decree No. 2018-1057</p> <p>Viewed at:  <a href="https://www.lexology.com/library/detail.aspx?q=f65e10a4-5298-41db-8ffc-38980c0253c1">https://www.lexology.com/library/detail.aspx?q=f65e10a4-5298-41db-8ffc-38980c0253c1</a></p>	Effective 1 January 2019	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>Germany</b>					
The government amended the foreign investment regime. It lowered, from 25% to 10% of voting rights, the threshold for screening acquisitions by non-EU/EFTA investors in certain sectors: specific operators of critical infrastructure; developers of software in relation to the operation of critical infrastructure in specific sectors; companies monitoring telecommunications; providers of cloud computing services; providers of telematics in the health sector; media companies critical for the formation of public opinion.	Mode 3	Various sectors	Amendment to the Foreign Trade Regulation  Viewed at: <a href="https://investmentpolicyhubold.unctad.org/IPM/MeasureDetails?id=3337&amp;rgn=&amp;grp=&amp;t=&amp;s=&amp;pg=5&amp;c=&amp;dt=&amp;df=&amp;isSearch=false">https://investmentpolicyhubold.unctad.org/IPM/MeasureDetails?id=3337&amp;rgn=&amp;grp=&amp;t=&amp;s=&amp;pg=5&amp;c=&amp;dt=&amp;df=&amp;isSearch=false</a>	19 December 2018	YES
<b>Hungary</b>					
The government adopted a new law providing for the national security review of foreign investment by non-EU/EFTA investors in sensitive activities. 'Sensitive activities' include defence, dual use products, cryptography and wire-tapping products, financial services, energy, government registries and the electronic communications sector. The screening will apply to: acquisition of over 25% of ownership (10% for public company limited by shares) in a Hungarian entity; establishment of a branch in Hungary; obtention of the right to operate or use infrastructure or other assets essential for national security.	Mode 3	All sectors	Act LVII of 2018 on the screening of foreign investments harming Hungary's security interests; Implementing Government Decree No. 246/2018  Viewed at: <a href="https://www.lexology.com/library/detail.aspx?q=0d91687c-0809-46c0-86c2-1142e878e84a">https://www.lexology.com/library/detail.aspx?q=0d91687c-0809-46c0-86c2-1142e878e84a</a>	Effective 1 January 2019	
<b>India</b>					
India allowed foreign companies in the defence, telecom, information and broadcasting, and private security sectors to open branch offices, liaison offices, project offices or any other place of business in India, provided an approval has been obtained from the regulator and the ministry concerned. Approval of the Reserve Bank of India is no longer required.	Mode 3	Selected sectors	Foreign Exchange Management (Amendment) Regulations, 2019  Viewed at: <a href="https://investmentpolicyhubold.unctad.org/IPM/MeasureDetails?id=3359&amp;rgn=&amp;grp=&amp;t=&amp;s=&amp;pg=3&amp;c=&amp;dt=&amp;df=&amp;isSearch=false">https://investmentpolicyhubold.unctad.org/IPM/MeasureDetails?id=3359&amp;rgn=&amp;grp=&amp;t=&amp;s=&amp;pg=3&amp;c=&amp;dt=&amp;df=&amp;isSearch=false</a>	21 January 2019	YES
India announced new conditions in relation to its FDI policy on e-commerce. The new measure provides that e-commerce marketplaces cannot sell on their platform the products of companies in which they have equity interests or in which they control the inventory. E-commerce marketplaces are information technology platforms that connect buyers and sellers. In addition, e-commerce marketplace entities cannot mandate any seller to sell any product exclusively on its platform.	Mode 3	E-commerce	Department of Industrial Policy and Promotion, Press Note 2, 2018  Viewed at: <a href="http://pib.nic.in/PressReleaseDetail.aspx?PRID=1562493">http://pib.nic.in/PressReleaseDetail.aspx?PRID=1562493</a>	Effective 1 February 2019	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>Indonesia</b>					
The government decided to revoke a regulation on e-commerce taxes that was intended to be enforced from 1 April 2019. Finance Ministerial Regulation (PMK) No. 210/2018, which was signed on Dec. 31, required online marketplace operators to report details of each seller's turnover, mandated online sellers to register for a tax payer number, and set out taxes to be paid by online sellers.	Modes 1-3	Internet and other network-enabled services	Revocation of Finance Ministerial Regulation (PMK) No. 210/2018  Viewed at: <a href="https://www.thejakartapost.com/academia/2019/04/01/welcoming-the-revocation-of-e-commerce-tax-regulation.html">https://www.thejakartapost.com/academia/2019/04/01/welcoming-the-revocation-of-e-commerce-tax-regulation.html</a>	29 March 2019	YES
<b>Korea, Rep. of</b>					
The government now requires certain offshore IT providers to designate a domestic representative in Korea in order to comply with personal data protection rules.	Modes 1-2	Internet and other network-enabled services	Amendments to the Act on the Promotion of IT Network Use and Information Protection  Viewed at: <a href="https://news.bloomberglaw.com/privacy-and-data-security/south-korea-privacy-law-changes-may-help-eu-data-transfer-talks">https://news.bloomberglaw.com/privacy-and-data-security/south-korea-privacy-law-changes-may-help-eu-data-transfer-talks</a>	Effective 19 March 2019	YES
<b>Nigeria</b>					
<p>The Nigeria Information Technology Department Agency (NITDA) issued the Data Protection Regulation.</p> <p>The new regulation extends to all organisations processing the personal data of natural persons in Nigeria and natural persons of Nigerian descent residing in foreign countries.</p> <p>For the processing of data to be considered lawful, at least one of the following must apply: the data subject has provided consent; processing is for the performance of a contract, is required for compliance with a legal obligation, is required for the protection of the vital interest of a data subject or another natural person, or it is necessary for the performance of a task carried out in the public interest.</p> <p>The regulation provides for transfer of data abroad, but gives the Attorney General the power to determine which third countries provide adequate data protection laws. If the Attorney General has not issued decisions on adequacy, data may only be transferred to another country under certain conditions, including if the data subject has consented.</p>	Modes 1-3	Internet and other network-enabled services	Data Protection Regulation  Viewed at: <a href="http://www.mondaq.com/Nigeria/x/781658/D ata+Protection+Privacy/The+NITDA+Data+Protection+Regulation+A+Watershed+In+The+Protection+Of+Personal+Data+In+Nigeria">http://www.mondaq.com/Nigeria/x/781658/D ata+Protection+Privacy/The+NITDA+Data+Protection+Regulation+A+Watershed+In+The+Protection+Of+Personal+Data+In+Nigeria</a>	Effective 25 January 2019	

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>Panama</b>					
The government adopted a new law on personal data protection. For the processing of personal data to be lawful, the prior, informed, and unequivocal consent of the data subject must be obtained. The law also establishes other data subject rights, including the right to access personal data that is stored or subject to processing; the right to request the rectification or cancellation of personal data that is incorrect, irrelevant, incomplete, outdated, inaccurate, false, or impertinent; the right to refuse to provide personal data or have it subject to certain treatment, as well as to revoke consent; and the right to data portability.	Modes 1-3	Internet and other network-enabled services	Law No. 81 on Personal Data Protection  Viewed at: <a href="https://www.panacamara.com/ley-81-de-2019/">https://www.panacamara.com/ley-81-de-2019/</a>	29 March 2019	
<b>Philippines</b>					
The government relaxed limitations on foreign investment in selected sectors. Changes to the 'negative list', which set out sectors where foreign investors face restrictions, are as follows:  - permit up to 100% foreign ownership of: Internet businesses; teaching at higher education levels (provided the subject being taught is not a professional); training centres for short term high-level skills development that do not form part of the formal education system; adjustment companies, lending and financing companies; investment houses; and wellness centers;  - increasing from 25% to 40% the limit on foreign equity in contracts for the construction and repair of certain locally-funded public works;  - increasing from 20% to 40% the foreign ownership limit in private radio communications networks.	Mode 3	All sectors	Executive Order no. 65 – Revision of Foreign Investment Negative List of the Foreign Investment Act if 1991  Viewed at: <a href="https://www.officialgazette.gov.ph/2018/10/29/executive-order-no-65-s-2018/">https://www.officialgazette.gov.ph/2018/10/29/executive-order-no-65-s-2018/</a>	Effective 16 November 2018	YES
<b>Qatar</b>					
A new law allows wholly-owned foreign investments in most economic sectors. It abolishes the previous requirement to have a local partner holding at least 51% of the shares in any limited liability company or acting as sponsor.  The sectors excluded from this new legal framework for foreign investment are: banking, insurance, commercial agency activities, security	Mode 3	Various sectors	Law No. 1 of 2019 regulating the investment of non-Qatari capital in economic activity  Viewed at: <a href="https://www.gulf-times.com/story/618609/Law-regulating-investment-of-non-Qatari-capital-to">https://www.gulf-times.com/story/618609/Law-regulating-investment-of-non-Qatari-capital-to</a>	Effective 7 January 2019	

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
and defence, and other sectors as decided by the Council of Ministers.  The new law also increases to 49% the maximum foreign ownership in listed companies on Qatar Exchange, subject to approval by the Ministry of Commerce and Industry. Executive regulations to detail application are to be issued at a later stage.					
<b>Russian Federation</b>					
A new Federal Law envisages a number of measures aimed to ensure the safe and stable operation of the Internet on the territory of the Russian Federation. The law, in particular, defines the necessary rules for routing telecommunication messages and provides for the monitoring of compliance with them.	Modes 1-3	Internet and other network-enabled services	Law on ensuring safe and stable operation of the Internet in Russia  Viewed at: <a href="http://en.kremlin.ru/acts/news/60430">http://en.kremlin.ru/acts/news/60430</a>	Signed on 1 May 2019  To come in force on 1 November 2019	YES
<b>Saudi Arabia, Kingdom of</b>					
The Council of Ministers decided to allow foreign investment in four new sectors: road transport; real estate brokerage; audiovisual services; recruitment and related services. Previously, these sectors were on the Saudi Arabian General Investment Authority's (SAGIA) 'negative list', where foreign investment was prohibited.	Mode 3	Selected sectors	Viewed at: <a href="http://saudigazette.com.sa/article/546329">http://saudigazette.com.sa/article/546329</a>	Effective 23 October 2018	YES
<b>Thailand</b>					
On 28 February 2019, the National Legislative Assembly approved the Personal Data Protection Act and the Cybersecurity Act.  The new data protection law establishes requirements for both data controllers and processors, regardless of their locations, as long as they collect, use, or disclose personal data of individuals in Thailand.  Data controllers must inform the data subject of the purpose for the collection of personal data, and obtain the data subject's consent. Cross-border data transfer is only allowed to countries that provide sufficient personal data protection, in compliance with the guideline prescribed by the Personal Data Protection Committee, except in certain cases such as for the performance of actions prescribed by law or when consent has been obtained from the data subject. The	Modes 1-3	Internet and other network-enabled services	Personal Data Protection Act Cybersecurity Act  Viewed at: <a href="http://www.mdes.go.th/view/10/home">http://www.mdes.go.th/view/10/home</a>  <a href="https://silklegal.com/thailands-personal-data-protection-act-approved-as-law/">https://silklegal.com/thailands-personal-data-protection-act-approved-as-law/</a>	Adopted 28 February 2019. To be effective after publication in the Royal gazette.	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
Cybersecurity Act aims to ensure that computer systems and networks from the country's Critical Information Infrastructure (CII) are safe from cyber incidents and can operate efficiently. The law will force a CII operation to comply with international standards. Under the law, the National Cyber Security Agency will be established. This Agency will support the CII to set up standards and fight cyber-attacks.					
Thailand's Board of Investment took a series of measures aimed at promoting investment in the country (see 'source').	Mode 3	All sectors	Announcement of the Board of Investment No. 10/ B.E. 2561 (2018): Special Measure to Accelerate Investments in Thailand Investment Year; Announcement of the Board of Investment No. Sor 6/B.E. 2561 (2018): Promotion of International Business Center; Announcement of the Board of Investment No. Ngor 1/B.E. 2561 (2018): Cancellation of investment promotion for activity 7.5 and activity 7.6; Announcement of the Office of the Board of Investment No. Por. 12/B.E. 2561 (2018): Qualifications, Criteria, and Conditions for Smart Visa; Announcement of the Board of Investment No. Sor. 8/B.E. 2561 (2018): Amendment of the list of activities eligible for investment promotion under the Announcement of the Board of Investment No. 2/ B.E. 2557 (2014).  Viewed at: <a href="https://www.boi.go.th/index.php?page=press_releases">https://www.boi.go.th/index.php?page=press_releases</a>	December 2018 – February 2019	YES
<b>United Arab Emirates</b>					
A new FDI Law allows up to 100% foreign ownership in certain sectors. Under the previous law, foreign ownership in 'onshore' UAE companies was limited to 49%, unless decided otherwise by Cabinet. The new law establishes a negative list setting out the sectors where foreign investment is not allowed, and a positive list of sectors where it is allowed. Sectors on the negative list include insurance and banking; water and electricity; air and land transport services; post, audiovisual and	Mode 3	Various sectors	Federal Decree-Law no. 19 of 2018 on Foreign Direct Investment ("FDI Law")	Effective 30 October 2018	

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
telecommunication services; and retail trade of medical products, including pharmacies. The FDI Law does not yet detail the sectors in the positive list. Sectors to be listed will indicate the percentage of foreign ownership allowed (between 49% and 100%) and whether restrictions on the type of legal entity, minimum capital requirements, or requirements of the employment of nationals are imposed.					
<b>Uganda</b>					
The new Data Protection and Privacy Act aims to protect individual privacy and personal data by regulating the collection and processing of personal data, as well as imposing obligations on data controllers and processors. The Act introduces principles on lawful and adequate processing, accuracy of data records, the consent of data subjects, and establishes a personal data protection office under the National Information Technology Authority of Uganda. Moreover, the Act provides that unlawfully obtaining, disclosing or selling personal data is subject to penalties whereby corporations may be fined up to 2% of their annual gross turnover.	Modes 1-3	Internet and other network-enabled services	Data Protection and Privacy Act Viewed at: <a href="https://ulii.org/ug/legislation/act/2019/1">https://ulii.org/ug/legislation/act/2019/1</a>	Effective 1 March 2019	
<b>TELECOMMUNICATIONS/ICT/AUDIOVISUAL SERVICES</b>					
<b>Afghanistan</b>					
The President approved regulations for the creation of the Afghanistan High Council of Telecommunications and Information Technology (AHCTIT), which will guide national telecommunications projects. The council is tasked with promoting the sustainable development of ICT applications at the national level.	Modes 1-3	Telecommunication services	Presidential Decree No. 460 Viewed at: <a href="https://mcit.gov.af/node/7405">https://mcit.gov.af/node/7405</a>	Published 17 April 2019	
<b>Australia</b>					
A new law was adopted to create a modern framework for Australian law enforcement and national security agencies to work with the communications industry to overcome technological obstacles to the use of data in the investigation of serious crimes. The law applies to <i>designated communications providers</i> (DCP), which includes Australian and foreign companies operating in the communications supply chain with at least one Australian end-user. The framework includes powers to request or compel assistance	Modes 1-3	Telecommunication services	Telecommunications and Other Legislation Amendment (Assistance and Access) Act 2018. Viewed at: <a href="https://www.legislation.gov.au/Details/C2018A00148">https://www.legislation.gov.au/Details/C2018A00148</a>	Adopted 6 December 2018	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
that is within a DCP's existing capability. DCPs may also be compelled to build a new capability if assistance required is beyond their existing capability. Use of the powers cannot require providers to implement a systemic weakness or vulnerability, build a decryption capability or prevent providers from patching vulnerabilities. When using the powers, the decision-maker must be satisfied that the assistance sought is "reasonable and proportionate" and whether compliance is "practicable and technically feasible." The law does not create standing obligations on DCPs.					
<b>Ethiopia (Observer)</b>					
The Council of Ministers has issued a proclamation calling for the establishment of an independent federal government body to oversee the communications sector. Powers and duties to be assigned to the new body include: the issuing, modification and renewal of licences; the regulation of interconnection between providers; the supervision of radio spectrum and the authorisation of frequencies for commercial use; the regulation of tariffs; and the regulation of the types of telecoms equipment that can be used.	Mode 1-3	Telecommunication services	Proclamation for the regulation of communication service  Viewed at: <a href="http://addisstandard.com/exclusive-ethiopia-to-establish-new-authority-to-regulate-telecommunication-service-see-copy-of-the-new-proclamation/">http://addisstandard.com/exclusive-ethiopia-to-establish-new-authority-to-regulate-telecommunication-service-see-copy-of-the-new-proclamation/</a>	4 February 2019	
<b>European Union</b>					
The European Electronic Communications Code recasts four Directives into one single Directive (2018/1972). The main provisions are on access, radio spectrum and end-users. On access, the Code maintains the designation of significant market power (SMP) as the basis for imposing ex-ante regulation, puts emphasis on access to civil infrastructure and provides incentives for SMP operators which employ a wholesale-only model or engage in co-investments with rival operators. The Code ensures the availability of pioneer 5G radio spectrum by the end of 2020 in the EU and provides operators with predictability for at least 20 years in terms of spectrum licensing. The Code also harmonises end-user protection, for example for bundled services and for switching of providers and updates the universal service and emergency communications rules.	Modes 1-3	Communication services	Directive (EU) 2018/1972 establishing the European Electronic Communications Code  Viewed at: <a href="https://www.europeansources.info/record/directive-eu-2018-1972-establishing-the-european-electronic-communications-code/">https://www.europeansources.info/record/directive-eu-2018-1972-establishing-the-european-electronic-communications-code/</a>	17 December 2018	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>Fiji</b>					
The Parliament adopted the Online Safety Act 2018. The objectives of the new law are to promote responsible online behavior and online safety, and to encourage a safe online culture and environment that addresses cyberbullying, cyber stalking, Internet trolling and exposure to offensive or harmful content particularly in respect of children. Under the new measure, someone who "posts an electronic communication where posting the electronic communication causes harm to the individual" could be liable to a fine of \$9,400 and up to five years in prison.	Modes 1-3	Communication services	Online Safety Act 2018 Viewed at: <a href="http://www.fiji.gov.fj/getattachment/2b2f6f07-1016-48b5-9922-dc489cba1dd8/Act-8---Online-Safety-Act.aspx">http://www.fiji.gov.fj/getattachment/2b2f6f07-1016-48b5-9922-dc489cba1dd8/Act-8---Online-Safety-Act.aspx</a>	Effective 1 January 2019	
<b>Japan</b>					
Japan's Diet approved an amendment to the Telecommunications Business Act to facilitate fair competition in the mobile communication sector. The amendment prohibits mobile operators from offering discount for retail communication charges at the time of sale of mobile handsets. It also prohibits conditions which unduly constrain subscribers from cancelling contracts.	Mode 3	Telecommunication services	Amendment to the Telecommunications Business Law Viewed at: <a href="https://www.japantimes.co.jp/news/2019/03/05/business/bill-lower-mobile-phone-fees-japan-moves-forward/#.XML_z-Q7Z9A">https://www.japantimes.co.jp/news/2019/03/05/business/bill-lower-mobile-phone-fees-japan-moves-forward/#.XML_z-Q7Z9A</a>	10 May 2019	YES
<b>Kenya</b>					
The government introduced an excise duty tax of 15% on voice, SMS and Internet data services. Previously, a 10% tax on telephone services was imposed.  The new measure also introduced a 20% excise duty rate on money transfer services by banks and other fees charged by financial institutions. Further, the excise duty on money transfer services by mobile phone providers was increased from 10% to 12%.	Modes 1-3	Telecommunication and financial services	Finance Bill 2018 Viewed at: <a href="http://www.itwebafrica.com/ict-and-governance/256-kenya/244877-kenya-uhuru-slaps-tax-on-internet-and-money-transfer-charges">http://www.itwebafrica.com/ict-and-governance/256-kenya/244877-kenya-uhuru-slaps-tax-on-internet-and-money-transfer-charges</a>	Effective 18 October 2018	
<b>Korea, Rep. of</b>					
The government amended the telecommunications law in order to relax and simplify the regulatory framework. Among other things, it moves from a licensing regime to a registration system.	Modes 1-3	Telecommunication services	Amendments to the Telecommunications Business Act. Viewed at: <a href="https://www.lexology.com/library/detail.aspx?q=0c776f48-6c3f-4067-a998-2cf62329c8f5">https://www.lexology.com/library/detail.aspx?q=0c776f48-6c3f-4067-a998-2cf62329c8f5</a>	Effective 25 June 2019	YES
<b>Morocco</b>					
A law was enacted that amends and supplements the Post and Telecommunications Act. It gives more power to the National Agency of Telecommunications Regulation (ANRT) and will	Mode 3	Telecommunication services	Law No. 121-12 amending Post and Telecommunications Act No. 24-96.	Published on 18 February 2019	

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
allow the ANRT to impose penalties on operators of up to 2% of their turnover before tax in cases of infringement. The bill also addresses consumer protection, infrastructure sharing, and the integration of optical fibre infrastructure in buildings. It provides for the creation of a national roaming system.			Viewed at: <a href="http://www.leseco.ma/maroc/74772-telecoms-les-details-de-la-nouvelle-loi.html">http://www.leseco.ma/maroc/74772-telecoms-les-details-de-la-nouvelle-loi.html</a>		
<b>Niger</b>					
The Council of Ministers adopted three decrees of the Ministry of Posts, Telecommunications and the Digital Economy. The first decree outlines the guidelines, priorities and funding for universal access. The second concerns the establishment and control of tariffs, including the terms and conditions operators may use to set rates for services provided to the public. The third decree contains general conditions for interconnection and access, including local loop unbundling.	Mode 3	Telecommunication services	Viewed at: <a href="https://www.presidence.ne/conseils-des-ministres/2018/10/19/communique-du-conseil-des-ministres-du-vendredi-19-octobre-2018">https://www.presidence.ne/conseils-des-ministres/2018/10/19/communique-du-conseil-des-ministres-du-vendredi-19-octobre-2018</a>	Adopted October 2018	
<b>Saudi Arabia, Kingdom of</b>					
The Communications and Information Technology Commission decided to remove restrictions relating to the single host provider and to introduce modifications and enhancements to the current system for issuing mobile virtual network operator licences.	Mode 3	Telecommunication services	Decision No. 1440/399 of the Communications and Information Technology Commission approving the 'Rules and Conditions for MVNO Services and IoT-VNO Services Provision'	February 2019	YES
<b>Turkey</b>					
The government introduced a tax on online advertizing services. A 15% tax is applied to payments made to providers of online advertizing services, or intermediaries of such services.	Modes 1-2	Online advertizing services	Presidential Decree No. 476	Gazetted on 19 December 2018. Effective 1 January 2019.	YES
<b>United States</b>					
The FCC voted to adopt new rules related to the spectrum above 95 GHz that encourage the development of new technologies. To enable innovators and entrepreneurs to most readily access this spectrum, the FCC's Spectrum Horizons First Report and Order creates a new category of experimental licenses for use of frequencies between 95 GHz and 3 THz. These licenses will give innovators the flexibility to conduct experiments lasting up to 10 years, and to more easily market equipment during the experimental period.	Modes 1-3	Telecommunication services	FCC, Spectrum Horizons First Report and Order  Viewed at: <a href="https://www.fcc.gov/document/fcc-opens-spectrum-horizons-new-services-technologies">https://www.fcc.gov/document/fcc-opens-spectrum-horizons-new-services-technologies</a>	Adopted 15 March 2019	

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<p>The President signed an executive order prohibiting the purchase or use of information and communication technologies or services that pose a national security risk.</p> <p>The order declares a national emergency with respect to threats against information and communications technology and services in the United States and delegates authority to the Secretary of Commerce to</p> <p>prohibit transactions posing an unacceptable risk to the national security of the United States or the security and safety of United States persons.</p>	Multiple modes	Information and communication services	<p>Executive Order on Securing the Information and Communications Technology and Services Supply Chain</p> <p>Viewed at:  <a href="https://www.whitehouse.gov/presidential-actions/executive-order-securing-information-communications-technology-services-supply-chain/">https://www.whitehouse.gov/presidential-actions/executive-order-securing-information-communications-technology-services-supply-chain/</a></p>	15 May 2019	YES
<b>FINANCIAL SERVICES</b>					
<b>Albania</b>					
New measures were adopted to strengthen supervision relating to the prevention of money laundering and terrorist financing, including the obligation for reporting entities to carry out risk self-assessment and data filing on an annual basis to authorities.	Multiple modes	Financial services	<p>Decision No. 214 of 31 October 2018 "On some amendments to Regulation no. 58 of 2015 ("On enhanced due diligence measures by legal subjects on the prevention of money laundering and terrorist financing").</p> <p>Guidebook "On Identifying Money Laundering and Terrorist Financing Risks".</p>	31 October 2018	YES
<b>China</b>					
The China Securities Regulatory Commission (CSRC) released the Administrative Measures for Foreign-invested Futures Companies, which aim at encouraging established foreign financial institutions to invest in domestic futures companies. Eligible foreign investors may submit applications to the CSRC for holding no more than 51% equity of domestic futures companies, with the equity cap to be entirely removed in three years.	Mode 3	Securities trading	<p>Administrative Measures for Foreign-invested Futures Companies</p> <p>Viewed at:  <a href="http://www.csrc.gov.cn/pub/csrc_en/newsfacts/release/201809/t20180906_343764.html">http://www.csrc.gov.cn/pub/csrc_en/newsfacts/release/201809/t20180906_343764.html</a></p>	Effective August 2018	YES
<b>Egypt</b>					
The Board of Directors of the Central Bank of Egypt issued a new set of prudential regulations, including on the protection of the rights of bank customers.	Mode 3	Financial services	<p>Circulars of the Central Bank of Egypt, dated 19 and 26 February 2019.</p> <p>Viewed at: <a href="https://www.cbe.org.eg/en/BankingSupervision/Pages/Circulars.aspx">https://www.cbe.org.eg/en/BankingSupervision/Pages/Circulars.aspx</a></p>	February 2019	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>Georgia</b>					
Georgia adopted a series of new measures in relation to financial services: - Amendments to the Order 'On the Approval of the rule for registration, cancellation of registration and regulation of the activities of the Loan Issuing Entity in the National Bank of Georgia; - Amendments to the Order on the 'Procedures and Terms for Registration of Microfinance Organizations in the National Bank of Georgia; - Amendments to the Order on 'Rules for Registration and Regulation of Currency Exchange Bureaus.; - Rules for regulating the specialized depository of accumulated pension scheme.	Mode 3	Financial services	Viewed at: <a href="https://www.nbg.gov.ge/index.php?m=2&amp;lng=eng">https://www.nbg.gov.ge/index.php?m=2&amp;lng=eng</a>	October 2018 – January 2019	
<b>Hong Kong, China</b>					
The Hong Kong Monetary Authority has, by early May 2019, granted eight virtual banking licences under which virtual banks can deliver retail banking services through the Internet or other forms of electronic channels instead of physical branches. These newly licensed virtual banks intend to launch their services in around 6 to 9 months.	Mode 3	Banking services	Press release issued by the Hong Kong Monetary Authority  Viewed at: <a href="https://www.hkma.gov.hk/eng/key-information/press-releases/2019/20190509-3.shtm">https://www.hkma.gov.hk/eng/key-information/press-releases/2019/20190509-3.shtm</a>	9 May 2019	YES
<b>Kuwait</b>					
The government issued a decree allowing foreign investors to own up to 5% of a Kuwaiti bank's capital. Foreign ownership beyond this level would require the approval of the Central Bank.	Mode 3	Banking services	Decree No. 694/2018  Viewed at: <a href="https://www.thenational.ae/business/banking/kuwait-lifts-restrictions-on-foreign-ownership-of-local-lenders-1.803010">https://www.thenational.ae/business/banking/kuwait-lifts-restrictions-on-foreign-ownership-of-local-lenders-1.803010</a>	Effective 15 December 2018	
<b>Myanmar</b>					
On 29 January 2019, the Central Bank of Myanmar issued a notice confirming that foreign banks and foreign financial institutions may hold up to 35% of equity investment in local private banks.	Mode 3	Banking and other financial services	Viewed at: <a href="http://www.shlegal.com/news/cbm-letter-confirms-foreign-banks-may-hold-35-equity-in-myanmar-banks">http://www.shlegal.com/news/cbm-letter-confirms-foreign-banks-may-hold-35-equity-in-myanmar-banks</a> <a href="https://asia.nikkei.com/Economy/Myanmar-lets-foreign-banks-buy-into-local-peers">https://asia.nikkei.com/Economy/Myanmar-lets-foreign-banks-buy-into-local-peers</a>	Effective 29 January 2019	

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
Branches of foreign banks are allowed to provide commercial services, such as financing and other banking services, to local businesses. The new measure comes after the Central Bank of Myanmar allowed foreign banks to provide export financing. Before the recent announcement, foreign banks were limited to lending only to foreign entities in foreign currencies.	Mode 3	Banking services	Viewed at: <a href="http://www.thaibizmyanmar.com/en/news/detail.php?ID=1689">http://www.thaibizmyanmar.com/en/news/detail.php?ID=1689</a>	Effective November 2018	
In January, the Ministry of Planning and Finance (MOPF) issued Announcement 1/2019 allowing the establishment of foreign insurance companies. Prior to that, foreign insurers were restricted to establishing a representative office in Myanmar and had been largely barred from conducting any insurance businesses within the country, with limited exceptions in a special economic zone.  With the new measure, up to three licences will be granted to foreign life insurers as 100% wholly-owned subsidiaries. In addition, foreign life and non-life insurers having a representative office in Myanmar (as of 31 December 2018) may form a joint venture with a local insurer, with maximum foreign equity of 35%.	Mode 3	Insurance	Ministry of Planning and Finance announcement No. 1/2019  Viewed at: <a href="https://www.mayerbrown.com/-/media/files/perspectives-events/publications/2019/02/190218-myanmar-corpsec.pdf">https://www.mayerbrown.com/-/media/files/perspectives-events/publications/2019/02/190218-myanmar-corpsec.pdf</a>  <a href="http://learn.asialawnetwork.com/2019/02/06/myanmar-legal-alert-rfp-eois-foreign-insurance-issued-frd/">http://learn.asialawnetwork.com/2019/02/06/myanmar-legal-alert-rfp-eois-foreign-insurance-issued-frd/</a>	Effective January 2019	
<b>Norway</b>					
In accordance with the EEA Agreement, Norway has implemented the following EU directives: - Bank recovery and resolution directive (1 January 2019) - Deposit Guarantee Scheme directive (1 January 2019) - Payment Services Directive (PSD2) (1 April 2019) - 4th Anti Money Laundering Directive (15 October 2018) - Markets in financial instruments directive (MiFID II) and Markets in financial instruments regulation (MiFIR) (1 January 2019).	Multiple modes	Financial services	<a href="#">Directive 2014/59/EU establishing a framework for the recovery and resolution of credit institutions and investment firms;</a> <a href="#">Directive 2014/49/EU on deposit guarantee schemes;</a> <a href="#">Directive (EU) 2015/2366 on payment services in the internal market;</a> <a href="#">Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing;</a> <a href="#">Directive 2014/65/EU on markets in financial instruments;</a> <a href="#">Regulation (EU) No 600/2014 on markets in financial instruments</a>  Viewed at: <a href="https://www.regjeringen.no/en/dep/fin/id216/">https://www.regjeringen.no/en/dep/fin/id216/</a>	October 2018 – April 2019	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>Philippines</b>					
The <i>Bangko Sentral ng Pilipinas</i> (Central Bank of the Philippines) adopted a series of new measures affecting banking and other financial services. These relate, for example, to liberalized foreign exchange rules on inward and outward investments, hedging instruments for foreign exchange, regulatory relief to institutions affected by calamities, qualification requirements for marketing personnel in unit investment trust funds (UITF), standards in Other Fiduciary Accounts (TOFA) and Investment Management Accounts (IMA), mark to market of financial instruments, reporting requirements for supervised entities, combating terrorism financing, computation of required capital for domestic and foreign banks, implementing BASEL III and reporting requirements with respect to cyber-security incidents and technology risks.	Mode 3	Banking and other financial services	Circulars Nos. 1014, 1015, 1017-1025, 1027, 1029-35, 1037  Viewed at: <a href="http://www.bsp.gov.ph/">http://www.bsp.gov.ph/</a>	September 2018 – March 2019	YES
<b>Saudi Arabia, Kingdom of</b>					
The Saudi Arabian Monetary Authority (SAMA) promulgated new rules allowing the establishment of foreign insurance and reinsurance companies as branches. The new rules clarify application of the Cooperative Insurance Control Law and its implementing regulations to foreign branches. Foreign insurance entities can now operate in the kingdom through branches or in the form of a locally incorporated public joint-stock company.	Mode 3	Insurance and reinsurance	Viewed at: <a href="http://www.sama.gov.sa/en-US/Laws/Pages/InsuranceRulesAndRegulation.aspx">http://www.sama.gov.sa/en-US/Laws/Pages/InsuranceRulesAndRegulation.aspx</a>	Effective December 2018	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
Saudi Arabia's Capital Market Authority Board of Commissioners (CMABC) adopted a series of new measures in relation to financial services: - a resolution regarding the procedures and requirements relating to the issuer whose securities are listed on the Exchange when applying for court for commencing a financial restructuring procedure in accordance with the Bankruptcy Law. - rules for Registering the Auditors of Entities Subject to the Authority's Supervision; - amendments to the Investment Account Instructions; - amendments to the Real Estate Investment Traded Funds Instructions; - the Closed-Ended Investment Traded Funds Instructions.	Mode 3	Financial Services	Viewed at: <a href="https://cma.org.sa/en/Market/News/pages/CM_A_N_2554.aspx">https://cma.org.sa/en/Market/News/pages/CM_A_N_2554.aspx</a>  <a href="https://cma.org.sa/en/RulesRegulations/Regulations/Documents/Rules-Registering-Auditors-of-Entities-EN.pdf">https://cma.org.sa/en/RulesRegulations/Regulations/Documents/Rules-Registering-Auditors-of-Entities-EN.pdf</a>  <a href="https://cma.org.sa/en/RulesRegulations/Regulations/Documents/InvestmentAccountsInstructionsEN.pdf">https://cma.org.sa/en/RulesRegulations/Regulations/Documents/InvestmentAccountsInstructionsEN.pdf</a>  <a href="https://cma.org.sa/en/RulesRegulations/Regulations/Documents/REITF%20Instructions%20en.pdf">https://cma.org.sa/en/RulesRegulations/Regulations/Documents/REITF%20Instructions%20en.pdf</a>  <a href="https://cma.org.sa/en/RulesRegulations/Regulations/Documents/Closed-Ended-Traded-Investment-Funds-Instructions-English.pdf">https://cma.org.sa/en/RulesRegulations/Regulations/Documents/Closed-Ended-Traded-Investment-Funds-Instructions-English.pdf</a>	Effective October 2018 – April 2019	YES
<b>Chinese Taipei</b>					
Foreign futures brokerage merchants (FCM) may directly provide trade, clearing and settlement services of futures to domestic FCMs, and are no longer required to establish a branch or subsidiary in Chinese Taipei.	Mode 1	Financial services	Article 38.1.4 of the Regulations Governing Futures Commission Merchants	Effective 1 July 2019	YES
<b>Ukraine</b>					
A new measure was adopted to liberalize the currency regulation system, simplify the currency control system, and gradually eliminate existing currency restrictions.	Multiple modes	Banking and other financial services	Law No. 2473-VIII of 21 June 2018	Effective 7 February 2019	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>EDUCATION SERVICES</b>					
<b>Viet Nam</b>					
On 1 February 2019, the Vietnamese Government introduced regulations specifying conditions on the establishment of foreign-invested vocational training institutions in Vietnam. The new measure follows up on a 2014 law had allowed foreign investment in the sector.  Conditions include minimum establishment size, minimum capital requirements, and training curriculum. To set up a branch or new campus of a foreign-invested secondary vocational school and college, the investor would be required to provide a detailed development plan explaining the need for such an establishment.	Mode 3	Education	Decree No.15/2019/ND-CP  Viewed at: <a href="http://vietnamlawmagazine.vn/new-decree-specifies-foreign-investment-in-vocational-education-16673.html">http://vietnamlawmagazine.vn/new-decree-specifies-foreign-investment-in-vocational-education-16673.html</a>	Effective 20 March 2019	
<b>BUSINESS SERVICES</b>					
<b>China</b>					
The <i>Regulations on Administration of Foreign-invested Construction and Engineering Design Enterprises</i> and related implementing rules have been annulled. Applications from foreign-invested enterprises for engineering design qualifications shall be accepted and examined in accordance with the principle of equal treatment for domestic and foreign-invested enterprises.	Mode 3	Construction designing services; Engineering services	Information provided by the government  Viewed at: <a href="http://www.mohurd.gov.cn/fqjs/jsbgz/201811/t20181122_238493.html">http://www.mohurd.gov.cn/fqjs/jsbgz/201811/t20181122_238493.html</a>  <a href="http://www.mohurd.gov.cn/wjfb/201812/t20181221_238955.html">http://www.mohurd.gov.cn/wjfb/201812/t20181221_238955.html</a>	Effective 31 October 2018	YES
<b>Ghana</b>					
As part of regulations requiring local content and participation, companies in the mining sector are required, as of 1 January 2019, to procure security services from companies located in Ghana and fully owned by nationals.	Mode 3	Security services	Viewed at: <a href="https://allafrica.com/stories/201812060268.html">https://allafrica.com/stories/201812060268.html</a>	Effective 1 January 2019	
<b>ENERGY-RELATED SERVICES</b>					
<b>Singapore</b>					
Singapore's Energy Market Authority (EMA) opened up more segments of the retail electricity market for competition from both foreign and domestic retailers, thereby providing consumers with a wider choice of a price plans.	Mode 3	Electricity services	Implementation of the Open Electricity Market (OEM)  Viewed at: <a href="https://www.ema.gov.sg/Electricity_Market_Liberalisation.aspx">https://www.ema.gov.sg/Electricity_Market_Liberalisation.aspx</a>	Effective 1 November 2018	

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>HEALTH AND MEDICAL SERVICES</b>					
<b>China</b>					
The National Health Commission (NHC) released a circular on standards and security of Big Data in the healthcare industry, which requires that such data be stored in China. Where such data must be transferred abroad for business reasons, a security assessment must be carried out in accordance with the relevant laws and regulations.	Modes 1-3	Health-related services	Circular regarding Issuing National Health Medical Big Data Standards, Safety and Service Management Measures (For Trial Implementation)  Viewed at: <a href="http://www.cms-lawnow.com/ealerts/2018/09/china-monthly-tmt-update-september-2018?cc_lang=en">http://www.cms-lawnow.com/ealerts/2018/09/china-monthly-tmt-update-september-2018?cc_lang=en</a>	Effective 13 September 2018	YES
<b>Saudi Arabia, Kingdom of</b>					
The government adopted new measures enabling 100% foreign ownership, operation and management of private healthcare institutions (PHI), with the exception of clinics. PHIs cover general and specialised health centres, radiology, medical laboratories, outpatient surgical facilities and supporting medial services facilities. Prior to this amendment, foreign ownership of PHIs was limited to hospitals with a minimum number of beds, and depending on the area served.	Mode 3	Health-related services	Royal Decree amending the Private Healthcare Institutions Law  Viewed at: <a href="http://www.elexica.com/en/legal-topics/corporate-governance-and-compliance/280119-foreign-investment-relaxation-in-the-saudi-healthcare-sector">http://www.elexica.com/en/legal-topics/corporate-governance-and-compliance/280119-foreign-investment-relaxation-in-the-saudi-healthcare-sector</a>	Effective 2 November 2018	YES
<b>United Arab Emirates</b>					
A new law regulates the use of information technology and communications (ITC) in the healthcare sector. It notably prohibits the storage of health data outside of the UAE, as well as the creation of health data outside of the UAE which relates to health services provided inside the UAE. The Law foresees certain exceptions to data localization requirements, but further information is to be set out in subsequent ministerial resolutions or in implementing regulations.	Modes 1 and 3	Health-related services	<a href="#">Federal Law No. 2 of 2019 on Information and Communication Technology in the Health Field</a>  Viewed at: <a href="https://www.dha.gov.ae/en/HealthRegulation/Pages/FederalLaws.aspx">https://www.dha.gov.ae/en/HealthRegulation/Pages/FederalLaws.aspx</a>	14 May 2019	

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>RECREATIONAL SERVICES</b>					
<b>Australia</b>					
Commonwealth, state and territory governments have formally agreed to a National Consumer Protection Framework for online wagering in Australia, comprising of 10 consumer protection measures which aim to reduce the harm of online wagering to consumers. This includes: - a prohibition on online wagering service providers providing lines of credit; - a prohibition of links between online wagering service providers payday lenders; - a restriction on online wagering service providers offering specified inducements; - other consumer protection measures such as a National Self-Exclusion Register and pre commitment (limit setting).	Modes 1-3	Gambling services	National Consumer Protection Framework for Online Wagering in Australia – National Policy Statement (comprising various legislation at the Commonwealth and state and territory levels).	Commonwealth, state and territory governments will implement the suite of measures within the National Framework progressively over 18 months, beginning from 26 November 2018.  Some measures (prohibition of lines of credit, discouraging links to payday lenders and a 14-day customer verification timeframe) are already effective.	YES
<b>Myanmar</b>					
The government adopted a new law allowing casinos to operate for foreigners in selected hotels. Previously, casinos were not permitted under Myanmar law. Nationals will not be able to gamble under the new rules.	Mode 3	Gambling services	2018 Gambling Law  Viewed at: <a href="https://www.casino.org/news/after-years-of-isolation-myanmar-will-legalize-casinos-next-month-in-bid-reinvent-itself-as-tourist-hotspot">https://www.casino.org/news/after-years-of-isolation-myanmar-will-legalize-casinos-next-month-in-bid-reinvent-itself-as-tourist-hotspot</a>	Effective May 2019	
<b>Switzerland</b>					
A new measure permits licensed casinos established in the country to offer online gaming services. Unlicensed operators, including foreign-based suppliers, will be blocked by Internet access providers.  The Act also establishes licensing requirements, including that owners have 'good reputation' and have not actively targeted the Swiss market from abroad in the five previous years. Unlicensed sites will be blocked as of 1 July 2019.	Modes 1-3	Gambling services	Federal Gambling Act  Viewed at: <a href="https://www.mme.ch/en/magazine/magazine-detail/url_magazine/swiss_voters_approve_new_money_gaming_act/">https://www.mme.ch/en/magazine/magazine-detail/url_magazine/swiss_voters_approve_new_money_gaming_act/</a>	Effective 1 January 2019	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>TRANSPORT SERVICES</b>					
<b>Argentina</b>					
<p>Argentina simplified the regime for obtaining the coastal traffic waivers which allow foreign vessels to carry out commercial activities in the Argentine sea in the event that no Argentine vessels are available to perform such activities.</p> <p>The new issuance regime consists of the following elements:</p> <ul style="list-style-type: none"> <li>- applicants must submit their applications forms by means of the Federal Revenue Agency on-line portal;</li> <li>- all requests shall be published (for a 48-hour term) on the public website "argentina.gob.ar". A notice will be sent to interested parties from the e-mail account of the enforcement agency;</li> <li>- if within 48 hours there are no reasonable oppositions from local ship owners having Argentine vessels in conditions of rendering the same service, a waiver will be issued within the term of five days;</li> <li>- waivers will be valid for a 6-month term. A 15-day extension may be granted should there be valid reasons to do so;</li> <li>- waivers may be unlimitedly reissued upon expiration.</li> </ul>	Modes 1 and 3	Maritime transport	<p>Resolution No. 870/2018 of the Federal Ministry of Transportation</p> <p>Viewed at:  <a href="https://www.argentina.gob.ar/normativa/nacional/resoluci%C3%B3n-870-2018-314849/texto">https://www.argentina.gob.ar/normativa/nacional/resoluci%C3%B3n-870-2018-314849/texto</a></p>	Effective 2 October 2018	YES
<b>Brazil</b>					
The President signed a temporary decree lifting the 20% limit on foreign investment in Brazilian airlines and allowing full foreign capital participation.	Mode 3	Air transport services	<p>Temporary Decree</p> <p>Viewed at:  <a href="https://www.reuters.com/article/brazil-airlines/brazil-allows-100-pct-foreign-investment-in-domestic-airlines-decree-idUSS0N1XG00Y">https://www.reuters.com/article/brazil-airlines/brazil-allows-100-pct-foreign-investment-in-domestic-airlines-decree-idUSS0N1XG00Y</a></p>	13 December 2018	YES
<b>China</b>					
Foreign investors can now invest in and operate international shipping transportation, international shipping agency, international shipping management, international shipping cargo handling, international shipping cargo warehousing, international shipping container station and yard business in accordance with relevant laws, administrative regulations and other relevant regulations.	Mode 3	Maritime transport services	Regulations on International Maritime Transportation (Amended for the third time according to the State Council Order No. 709 of 2 March 2019 by the Decision of the State Council on Amending Certain Administrative Regulations).	Effective 2 March 2019	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>Ethiopia (Observer)</b>					
Ethiopia's Investment Board decided to permit foreign investment up to 49% in the logistics industry through joint ventures. Prior to the decision, the sector was exclusively reserved to nationals.	Mode 3	Logistics services	Decision of the Investment Board, lifting restrictions imposed under Article 3.1(b) of Investment Regulation No. 270/2012.  Viewed at: <a href="http://addisstandard.com/breaking-ethiopian-investment-board-lifts-restrictions-on-logistics-industry-reserved-exclusively-for-ethiopians-opens-sector-for-joint-venture/">http://addisstandard.com/breaking-ethiopian-investment-board-lifts-restrictions-on-logistics-industry-reserved-exclusively-for-ethiopians-opens-sector-for-joint-venture/</a>	4 September 2018	
<b>SERVICES SUPPLIED THROUGH THE MOVEMENT OF NATURAL PERSONS</b>					
<b>Canada</b>					
Canada announced that the Global Talent Stream will become a permanent program. The program provides for a streamlined Labour Market Impact Assessment and expedited work permit processing for highly-skilled foreign workers in STEM-related professions (science, technology, engineering, math). It had originally been introduced in 2017 as a two-year pilot as part of the Global Skills Strategy.	Mode 4	Various sectors	Viewed at: <a href="https://www.immigration.ca/canada-to-make-global-talent-stream-permanent">https://www.immigration.ca/canada-to-make-global-talent-stream-permanent</a>	Effective April 2019	YES
<b>France</b>					
New application requirements under the EU Intra-Corporate Transferee (ICT) Permit require that foreign nationals be employed by their home employer for at least six months prior to the transfer to France, up from three months previously, and that they remain outside the European Union for at least six months before they can fill a new EU ICT application in France.	Mode 4	All sectors	Viewed at: <a href="https://bluemarblepayroll.com/new-immigration-law-france-eases-visa-requirements/">https://bluemarblepayroll.com/new-immigration-law-france-eases-visa-requirements/</a>	Effective April 2019	YES
<b>Guatemala</b>					
The "Business Visa" category has been eliminated, and business travellers can now enter Guatemala only to perform consulting and advisory activities under the category of "Tourist or Traveller". Their permitted duration of stay has been reduced to 90 days, with the possibility of extension for an additional 90 days, down from the current 180 days with the possibility of a 180-day extension. The validity of temporary residence permits has been extended to five years, up from the previous two years.	Mode 4	All sectors	Viewed at: <a href="https://www.fragomen.com/insights/alerts/migration-reforms-forthcoming">https://www.fragomen.com/insights/alerts/migration-reforms-forthcoming</a>	Effective 19 April 2019	

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>India</b>					
The government decided to increase the permitted duration of stay under the electronic Business Visa to 180 days, up from the previous 60 days. Multiple visits will be allowed in a calendar year (up from 3 times per calendar year). In addition, foreign nationals holding an employment visa will now be able to extend it for up to ten years, up from the previous five.	Mode 4	All sectors	Viewed at: <a href="https://www.financialexpress.com/industry/easier-e-visa-for-business-trip-to-india-year-long-validity-longer-stay-and-more-all-about-new-norms/1499169/">https://www.financialexpress.com/industry/easier-e-visa-for-business-trip-to-india-year-long-validity-longer-stay-and-more-all-about-new-norms/1499169/</a>	February 2019	
<b>Japan</b>					
The Immigration Services Agency has introduced the following two new status of residence for acceptance of work-ready foreigners who possess certain expertise and skills in fields where labour shortages exist in Japan:  - Status of residence of Specified Skilled Worker (i) – Based on the Basic Policy, this status of residence is applicable to foreigners who have successfully completed "Technical Intern Training (ii)" or who pass a qualifying test in 14 fields, many of which are service fields. The period of stay will be initially one year, six or four months and can be renewed for a maximum of five years in total. - Status of residence of Specified Skilled Worker (ii) – This status of residence is applicable to foreigners who pass a higher-level qualifying test in two fields at the moment, including construction services. The period of stay will be initially three years, one year or six months and can be renewed without limitation.	Mode 4	Various sectors	Viewed at: <a href="https://www.mofa.go.jp/ca/fna/page3e_001006.html">https://www.mofa.go.jp/ca/fna/page3e_001006.html</a>	Effective April 2019	YES
<b>Oman</b>					
Oman's Ministry of Manpower has extended the temporary ban on the recruitment of foreign nationals in a number of sectors. The ban was originally introduced early in 2018 and has now been extended twice.	Mode 4	Various sectors	Viewed at: <a href="https://www.idsupra.com/legalnews/the-oman-update-official-gazette-1269-79650/">https://www.idsupra.com/legalnews/the-oman-update-official-gazette-1269-79650/</a>	Effective 30 November 2018	
<b>Saudi Arabia, Kingdom of</b>					
Labour Market Tests are no longer required before a block visa request is submitted by employers seeking to hire foreign nationals.	Mode 4	All sectors	Viewed at: <a href="https://www.lexology.com/library/detail.aspx?q=ec3265e1-7860-428e-af30-988aab56d81b">https://www.lexology.com/library/detail.aspx?q=ec3265e1-7860-428e-af30-988aab56d81b</a>	Effective November 2018	YES

Measure	Mode(s) of supply	Sectoral classification	Source	Date	Verified by Member
<b>United Arab Emirates</b>					
In February 2019, the UAE implemented a new system for long-term residence visas. The system enables persons with "specialised talents" and researchers in the fields of science and knowledge, such as doctors, specialists, scientists, inventors, as well as creative individuals in the field of culture and art, to apply for a 10-year visa to live and work in the UEA. The visa advantage extends to the spouse and children. All categories are required to have a valid employment contract in a specialized field of priority in the UAE.	Mode 4	Various sectors	Viewed at: <a href="https://government.ae/en/information-and-services/visa-and-emirates-id/residence-visa/long-term-residence-visas-in-the-uae">https://government.ae/en/information-and-services/visa-and-emirates-id/residence-visa/long-term-residence-visas-in-the-uae</a>	Effective February 2019	
<b>Viet Nam</b>					
A new decree provides that the Ministry of Labour, Invalids and Social Affairs will process all work permit applications within five business days of submission, down from the previous two- to three-week processing time. Moreover, the decree stipulates that foreign nationals responsible for establishing a commercial presence in Viet Nam are now exempt from obtaining a work permit.	Mode 4	All sectors	Decree No. 140/2018/ND-CP Viewed at: <a href="https://www.bakermckenzie.com/en/insight/publications/2018/10/vietnams-official-guidance-on-compulsory">https://www.bakermckenzie.com/en/insight/publications/2018/10/vietnams-official-guidance-on-compulsory</a>	Effective October 2018	