WORLD TRADE ORGANIZATION

G/SG/N/8/RUS/1/Suppl.2
G/SG/N/10/RUS/1/Suppl.1
G/SG/N/11/RUS/1/Suppl.3

15 July 2013

(13-3756)

Committee on Safeguards

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NOTIFICATION UNDER ARTICLE 12.1(B) OF THE AGREEMENT ON SAFEGUARDS ON FINDING A SERIOUS INJURY OR THREAT THEREOF CAUSED BY INCREASED IMPORTS

NOTIFICATION UNDER ARTICLE 12.1(C) OF THE AGREEMENT ON SAFEGUARDS ON TAKING A DECISION TO APPLY A SAFEGUARD MEASURE

NOTIFICATION PURSUANT TO ARTICLE 9, FOOTNOTE 2, OF THE AGREEMENT ON SAFEGUARDS

RUSSIAN FEDERATION

Supplement

(Harvesters and modules thereof)

The following submission, dated 12 July, 2013 is being circulated at the request of the Russian Federation.

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With reference to the WTO documents G/SG/N/8/RUS/1, G/SG/N/8/RUS/1/Corr.1, G/SG/N/8/RUS/1/Suppl.1, G/SG/N/10/RUS/1, G/SG/N/11/RUS/1/Suppl.2, hereby the Russian Federation notifies the Committee on Safeguards that on 25 June 2013 the Board of the Eurasian Economic Commission took a decision to apply a safeguard measure as proposed by the Department for Internal Market Defense (please see WTO documents G/SG/N/8/RUS/1/Suppl.1, G/SG/N/10/RUS/1, G/SG/N/11/RUS/1/Suppl.2).

In accordance with Article 13 of the Treaty on the Eurasian Economic Commission of 18 November 2011 entry into force of the abovementioned decision of the Eurasian Economic Commission and introduction of the measure has been suspended until consideration by the Supreme Eurasian Economic Council.

The decision of the Eurasian Economic Commission was published on the official website of the Eurasian Economic Commission on 26 June 2013 and is available at http://www.eurasiancommission.org/docs/Download.aspx?IsDlg=0&print=1&ID=4387

The public notice regarding the safeguard measure was published on the official website of the Eurasian Economic Commission on 26 June 2013 and is available at http://www.eurasiancommission.org/ru/act/trade/podm/notice/Lists/List/Attachments/34/notice_determination_harvesters.pdf

The relevant report of the Department for Internal Market Defense can be downloaded from http://www.eurasiancommission.org/ru/act/trade/podm/eec_investigations/Documents/report_final_harvesters.pdf

The Russian Federation hereby notifies the Committee on Safeguards that it is prepared to hold consultations with Members having a substantial interest as exporters of the product concerned as provided for in Article 12.3 of the Agreement on Safeguards.

A. NOTIFICATION UNDER ARTICLE 12.1(C) OF THE AGREEMENT ON SAFEGUARDS ON TAKING A DECISION TO APPLY A SAFEGUARD MEASURE

1. Provide evidence, citing relevant data and the applicable period of investigation of serious injury or threat thereof caused by increased imports.

Please see WTO documents G/SG/N/8/RUS/1, G/SG/N/8/RUS/1/Corr.1. More detailed information in this regard can be found in the abovementioned report of the Department for Internal Market Defense.

2. Provide information on whether there is an absolute increase in imports or an increase in imports relative to domestic production.

Please see WTO documents G/SG/N/8/RUS/1, G/SG/N/8/RUS/1/Corr.1. More detailed information in this regard can be found in the abovementioned report of the Department for Internal Market Defense.

3. Provide precise description of the product involved.

Provide the Harmonized System numbers under which the product enters at least at a 6-digit HS level, and at a sub-national level (e.g. 8-digit HS, 9-digit HS or 10-digit HS) if practicable. (The HS codes will be provided for reference purposes only.)

Combine harvesters and modules thereof, consisting at least of threshing and separating device, equipped or not equipped with the threshing drum, cleaning systems and engine mounted on the support base or the frame and chassis, which envisages the installation of bridges, wheels or tracks classified under the following codes of the Single Commodity Nomenclature for Foreign Economic Activities of the Customs Union: 8433 51 000 1, 8433 51 000 9, 8433 90 000 0. The above codes are provided only for information purpose. More detailed information in this regard can be found in the abovementioned report of the Department for Internal Market Defense.

4. If the final measure replaces a provisional measure, or if a final measure is extended, a Member is encouraged to provide a written description of any part of the imported product that will no longer be subject to the measure and the Harmonized System numbers under which it enters at least at a 6-digit level, and at a sub-national level (e.g., 8-digit, 9-digit or 10-digit level) if practicable.

Product scope has not changed.

5. Provide precise description of the proposed measure.

The Board of the Eurasian Economic Commission took a decision to apply a safeguard measure in the form of a safeguard duty at rates as specified in the following table.

Period of application	From the date of entry into force of the decision of the Eurasian Economic Commission until 14 March 2014	From 15 March 2014 until 14 March 2015	From 15 March 2015 until 14 March 2016
Rate of duty, % of the customs value of the product being imported into the single customs territory of the Customs Union	26,7	26,2	25,7

6. Provide proposed date of introduction of the measure.

In accordance with Article 13 of the Treaty on the Eurasian Economic Commission of 18 November 2011 entry into force of the abovementioned decision and introduction of the measure has been suspended until consideration by the Supreme Eurasian Economic Council.

7. Provide expected duration of the measure.

The measure is expected to be applied until 14 March 2016.

8. For a measure with a duration of more than three years, provide the proposed date for the review (under Article 7.4) to be held not later than the mid-term of the measure, if such a date for the review has already been scheduled.

Not applicable.

9. If the expected duration is over one year, provide expected timetable for progressive liberalization of the measure.

The measure is to be liberalized as follows.

Period of application	From the date of entry into force of the decision of the Eurasian Economic Commission until 14 March 2014	From 15 March 2014 until 14 March 2015	From 15 March 2015 until 14 March 2016
Rate of safeguard duty, % of the customs value of the product being imported into the single customs territory of the Customs Union	26,7	26,2	25,7

10. If the notification relates only to a finding of serious injury or threat thereof, and does not relate to a decision to apply or extend a safeguard measure:
(i) provide the deadlines for interested parties to comment or any other procedures relevant to the decision to apply the measures, and
(ii) provide information regarding procedures for prior consultation with those Members having a substantial interest as exporters of the product concerned.

Not applicable.

11. If the measure is being extended, also provide:
(i) evidence that the industry concerned is adjusting and that the safeguard measure continues to be necessary to prevent or remedy serious injury;
(ii) reference to the WTO document that notified the initial application of the measure;
(iii) duration of the measure from initial application till the date at which it will be extended;
and,
(iv) precise description of the measure in place prior to the date of extension (in this context, please note that the last sentence of Article 7.4 states that: "A measure extended under paragraph 2 shall not be more restrictive than it was at the end of the initial period, and should continue to be liberalized.")

Not applicable.

12. If the notification relates to a decision to apply or extend a safeguard measure, Members are encouraged to provide the following information:
(i) The major exporting Members of imports of the product involved.
(ii) If there are any exporting Members to which the measure does not apply for any reason other than the application of Article 9.1, the names of such exporting Members and reasons for non-application of the measure.

The major exporting Members of the product involved are the European Union, the United States of America, China.

B. NOTIFICATION UNDER ARTICLE 9, FOOTNOTE 2 OF NON-APPLICATION OF THE SAFEGUARD MEASURE TO THE PRODUCT ORIGINATING IN CERTAIN DEVELOPING COUNTRIES

1. Specify the measure.

The measure is specified in the Notification submitted under Article 12.1(c) of the Agreement on Safeguards.

2. Specify the product subject to the measure.

The product subject to the measure is specified in the Notification submitted under Article 12.1(c) of the Agreement on Safeguards.

3. Specify the developing countries to which the measure is not applied under Article 9.1 of the Agreement on Safeguards, and the import shares of these countries individually and collectively.

The measure shall not be applied to the product originating in the developing countries – users of the Customs Union Tariff Preferences System except for China. Shares of imports from these countries except for China individually do not exceed 3 per cent and collectively do not account for more than 9 per cent.

4. Subsequently, if there is a change in the list of developing countries exempted from the safeguard measure pursuant to Article 9.1, please notify:
(i) the reference to the WTO document that notified the Members about the initial action under footnote 2 to Article 9.1;
(ii) if applicable, names of the countries which are dropped from the list of developing countries to which the safeguard measure does not apply pursuant to Article 9.1, the list of the countries remaining on the list, the individual and collective import shares of the developing countries remaining on the list, and the date on which the safeguard measure applies to the countries dropped from the list;
(iii) if applicable, names of the countries which are added to the list of developing countries to which the safeguard measure does not apply pursuant to Article 9.1, the list of all the countries on the list, the individual and collective import shares of the developing countries on the list, and the date from which the safeguard measure does not apply to the countries which are added to the list.

Not applicable.

The address of the competent authority for correspondence is:
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