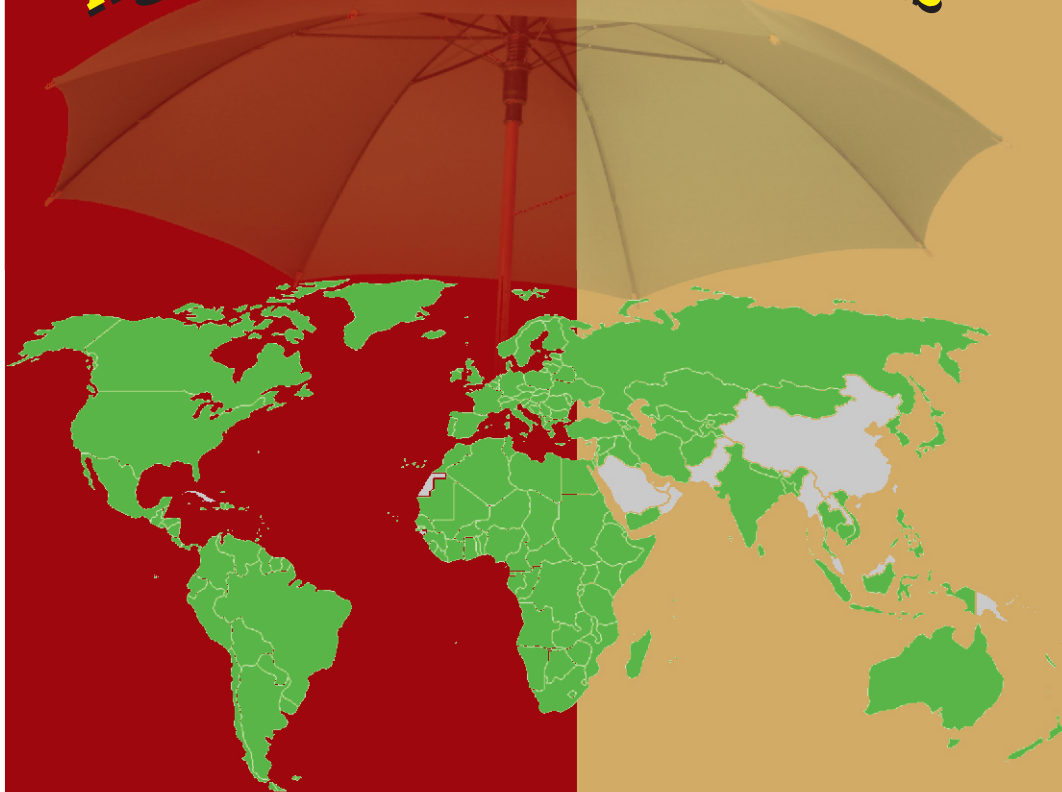


FAQ

Frequently
Asked
Questions

Agreement on Safeguards



Centre for WTO Studies
Indian Institute of Foreign Trade

Foreword



The WTO Safeguard Agreement is an important legal instrument available to WTO Members to deal with a sudden surge in imports arising out of obligations taken in the WTO and which causes or threatens to cause serious injury to the domestic industry of like or directly competitive products. It is also popularly called the 'escape clause', as it provides a legal framework for WTO Members to temporarily suspend the obligations taken in the WTO with respect to binding ceiling commitments on customs duties and a commitment not to impose quotas for imports. In the current economic slowdown, there is a greater need to build awareness on this subject. This will help policy makers as well as the Industry to use this instrument in a more informed and professional manner and to also respond appropriately to such a measure by another WTO Member.

The Centre for WTO Studies, in collaboration with the Department of Commerce, has prepared a set of FAQs on the WTO Agreement on Safeguards and the Indian legal framework for taking safeguard measures. In addition, the FAQ has also touched upon the relatively new subject of preferential safeguards, which constitutes a part of various regional trading agreements to which India is a party. It is hoped that the publication will prove to be a useful hand book for readers in various walks of life including the potential users of this instrument.

New Delhi
25th August 2009

A handwritten signature in black ink, appearing to read 'K.T. Chacko'.

K.T. Chacko
Director, IIFT

Acknowledgements

Shri Shashank Priya, Professor, Centre for WTO Studies and **Shri Ranjit Kumar**, Joint Commissioner, Directorate General of Safeguards, have jointly prepared the FAQ.

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This FAQ is only for general information and guidance and is not an authoritative legal interpretation of the relevant laws.

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Agreement on Safeguards

Brief Background

Keeping in view the domestic requirement, the Government regulates foreign trade through tariff and non-tariff measure or a mix of both. However, the Government has accepted certain restrictions on imposition of tariff and non-tariff measures by virtue of being a signatory to the WTO Agreement. One such discipline relates to taking safeguard action to deal with certain emergency situations.

Under the WTO Agreement on Safeguards, the Government of India can impose tariff, non-tariff or a mix of both measures for a temporary period in case increased import is causing serious injury or threat of serious injury to the domestic industry.

The Indian domestic industry can use this provision to deal with adverse situation caused by increased import as a measure to protect their interest till they make structural adjustments to become competitive enough to face a more liberal and open trading regime.

WTO Safeguard Provisions

Q1. What is a Safeguard Measure?

A1. Safeguard Measure is defined as “emergency” action, with respect to increased imports of a particular product, where such imports have caused or threaten to cause serious

injury to the importing country's domestic industry. Such increased imports should be a result of unforeseen developments and the effect of the obligations (including tariff concessions) incurred by the concerned WTO Member country. The WTO Agreement on Safeguards sets forth the rules for application of Safeguard Measures.

Q2. In what form is a Safeguard Measure taken?

A2. Safeguard Measure can take the form of either increase in customs duties (which could even be beyond the bound rates committed in the WTO) or by imposition of quantitative restrictions on import, which basically means setting a quota for import of the product concerned. It can also be mix of both, known as tariff rate quota. For example, safeguard duty can be applied once imports exceed the quota fixed or different rates of safeguard duty can be fixed for various quotas of import.

Q4. What are WTO provisions governing disciplines on Safeguard measures?

A4. Under GATT 1947 (now GATT 1994), imposition of Safeguard Measures was regulated by Article XIX of GATT. During the Uruguay Round, more clarity was lent to this Article by a new Safeguard Agreement.

Q5. What are the main guiding principles for taking Safeguard action under the WTO Agreement on Safeguards?

A5. The main guiding principles to take Safeguard Measures are as follows:

- (i) such measures must be temporary;
- (ii) they may be imposed only when increased imports are found to cause or threaten to cause serious injury to a competing domestic industry;

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- (iii) these measures be applied to all WTO Members i.e. on MFN basis;
 - (iv) subject to certain exceptions, they be progressively liberalized while in force;
 - (V) that the industry should make adjustment to the import competition;
 - (vi) that the country imposing the measure must pay compensation to Member countries whose trade is affected in case the Safeguard Measure extends beyond a period of three years.

Q6. Are there any exceptions to the requirement that safeguard duty be imposed from all countries i.e. on MFN basis?

A6. Yes, there is an exception to the legal requirement of applying safeguard duty on imports from all countries. This falls under special and differential treatment for developing countries. Under this, safeguard duty is not to be applied for low volume imports coming from developing countries. For an individual developing country, the threshold of low volume import is up to 3% of total imports of the product concerned. Where more than one developing country's import volume is less than 3%, the total volume of import from all such developing countries should not exceed 9% of the total imports in the country taking Safeguard action.

Q7. What main conditions need to be established to apply Safeguard Measures?

A7. The main conditions that need to be established to apply Safeguard Measures are:

- (i) Increased imports;
- (ii) Serious injury or threat thereof to domestic industry;

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- (iii) A causal link between increased imports and injury or threat thereof to the domestic industry.

Q8. What is the meaning of the term increased imports?

- A8.** Increased import means increase in the volume of imports in absolute terms or an increase relative to domestic production.

Q9. What does the term “serious injury” mean?

- A9.** In the Safeguard Agreement, the term “serious injury” means a significant overall impairment in the position of domestic industry. To determine serious injury, the investigating authority has to evaluate all relevant factors having a bearing on the condition of the industry. The factors that must be analyzed are: absolute and relative rate and amount of increase in imports, the market share taken by the increased imports, changes in level of sales, production, productivity, capacity utilization, profits and losses, and employment of the domestic industry.

Q10. What is the meaning of “threat of serious injury”?

- A10.** “Threat of serious injury” is a threat that is clearly imminent as shown by facts, and be not based on mere allegation, conjecture or remote possibilities. Where the threat of serious injury is found, safeguard measure can be applied even if no serious injury to the domestic industry is found.

Q11. What does the term “domestic industry” mean?

- A11.** “Domestic industry” is defined as the producers as a whole of the like or directly competitive products operating within the territory of a WTO Member country, or producers who collectively account for a major proportion of the total domestic production of those products. By introducing the concept of “directly competitive

products”, this definition allows evaluation of impact of increased imports on a wider segment of domestic industry than what is permitted under the Anti Dumping or AntiSubsidy investigations.

Q12. What is the meaning of the term “causal link”?

A12. The determination of serious injury justifying imposition of safeguard measure cannot be arrived at unless there is objective evidence to establish a link between increased imports of a product and the serious injury. The WTO Agreement also lays down that when factors other than increased imports are causing injury to the domestic industry at the same time, such injury must not be attributed to increased imports.

Q13. What is the procedure for imposing safeguard measure?

A13. A safeguard measure can be applied only after investigation is conducted by competent authorities in the WTO Member country in accordance with established procedures. The WTO Agreement does not contain detailed procedural requirements. Domestic legislations are required to establish and publish investigation procedures. The WTO Agreement also requires reasonable public notice of the investigation and publication of a detailed analysis of all relevant issues leading to finding of increased imports, injury to domestic industry and the causal link.

Q14. Upto what level the duties can be increased following safeguard action?

A14. The WTO Agreement on Safeguard provides a general requirement that safeguard measures be applied only to the extent necessary to remedy or prevent serious injury to the domestic industry and to facilitate adjustment. The agreement provides no further guidance as to how the

level of safeguard measure in the form of an increase in the tariff should be set.

Q15. What is the amount of quota that can be fixed as a safeguard action?

A15. Where safeguard measure takes the form of quantitative restriction, the level of quota must not be below the actual import level of the most recent three representative years, unless there is clear justification for setting a different, lower level. There are also rules to govern how quota shares are to be allocated among supplier countries based on past market shares. However, quota levels can also be changed (modulated) if:

- (i) The percentage increase in imports from certain countries has been disproportionate to the overall increase in imports,
- (ii) The reasons for the departure from the general rule are justified,
- (iii) The conditions of such a departure are equitable to all suppliers of the product concerned.

Q16. Once a safeguard duty is imposed, does it remain constant?

A16. No. Unlike anti dumping or countervailing duty, safeguard duty does not remain constant after its imposition. If a safeguard measure is in place for longer than one year, it must be progressively liberalized at regular intervals during the period of application. If a measure is imposed for more than three years, it must be reviewed at midterm and based on this, the application of the safeguard measure may be withdrawn or the pace of liberalization may be increased.

Q17. What is the maximum duration of a safeguard measure?

A17. The maximum duration of a safeguard measure is normally four years. However, this can be extended for another four years if it is found, on investigation, that its continuation is necessary to prevent or remedy serious injury and only where there is evidence to show that the industry is adjusting. Thus the initial period of application of safeguard duty plus any extension should not generally exceed eight years. However, the developing countries can maintain a safeguard measure for ten years.

Q18. Can the exporting nation take retaliatory measure against the country imposing safeguard duty?

A18. The country imposing safeguard duty has to endeavour to maintain a substantially equivalent level of concession and other obligations to the exporting Member countries to compensate the effect of safeguard measure imposed. The exporting nations can retaliate by way of suspension of concessions equivalent to the effect of safeguard duty on exporting nations. However, this right of suspension is not available for the first three years of imposition of safeguard duty, provided the safeguard duty has been imposed as a result of an absolute increase in import after following the provisions of the GATT Article XIX and the WTO Agreement on Safeguards.

Q19. Is there any bar on re-application of safeguard measure on the same product?

A19. Ordinarily, a safeguard measure may not be applied again to a product for a period equal to the application of original safeguard measure. For instance, if a safeguard measure is in place for two years, no safeguard action normally may be initiated for a period of two years after the termination of the original measure. It is also provided that the normal

gap between two safeguard measures should be at least two years. However, the rule is relaxed where a safeguard measure is imposed only for 180 days or less. In such cases, safeguard measure can be taken after the expiry of one year of the termination of the original safeguard measure. However, this is subject to the condition that during the immediately preceding five years, not more than two safeguard measures have been applied on the product. For developing countries, the aforementioned conditions are relaxed and the minimum period of non-application is half the duration of the original measure, so long as this period is at least two years.

Q20. What are the notification requirements in WTO with regard to safeguard action taken by a WTO Member country?

A20. A WTO Member country initiating a safeguard measure has to fulfill several notification requirements. It has to notify the initiation of investigation to the Committee on Safeguards in the WTO. It has to notify the findings of “serious injury” as also the decision to apply or extend safeguard measures. Such notifications should contain the relevant information on which decisions are based. However, Member countries are not obliged to disclose confidential information in their notifications. Provisional measures also need to be notified before being applied.

Q21. What are the consultation requirements for a WTO member country initiating a safeguard action?

A21. A WTO Member country, before applying or extending a safeguard measure, has to provide an adequate opportunity for consultation with Member countries who have substantial interest as exporters of the product. Such consultations are held with a view to review information as to the facts of the situation, the exchange of views on the

proposed measures, and the reaching of understandings as to maintain substantially equivalent levels of concessions and obligations. The results of such consultations must be notified. Where a provisional measure has been put in place, consultation must be initiated immediately after such a measure has been applied.

Q22. How is Safeguard Measure different from Anti Dumping or Anti Subsidy Action?

A22. Following are some of the salient differences:

- (i) For initiating Safeguard Measure, there is no requirement to establish the existence of an unfair trade practice, namely, dumping in the case of imposition of Anti Dumping Duty and subsidy in the case of imposition of Countervailing Duties.
- (ii) While Anti Dumping and Countervailing duties are targeted respectively at exporters and countries which are found to be carrying out unfair practice of dumping and subsidization, the Safeguard Duty is applied on MFN basis when there is a sudden surge in imports in the country taking this action and which injures or threatens injury to its domestic market.
- (iii) Application of Anti Dumping and Countervailing Duties have no requirement of a structural adjustment plan for domestic industries and do not require payment of compensation for the period when such duty is in force beyond a period of three years, whereas these requirements are to be fulfilled while imposing Safeguard Duty.
- (iv) Safeguard Duty can take the form of either increase in duty or imposition of a quota whereas Anti Dumping and Countervailing Duties can only be imposed in the form of increase in duties.

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- (v) The standard of determining injury is higher for Safeguard action as investigation has to prove “serious injury” to domestic industry whereas for Anti Dumping and Countervailing Duties, the standard is a little lower, namely, to prove “material injury”.
 - (vi) Determination of injury for anti dumping and countervailing action is with respect to like domestic products whereas for safeguard action, injury can be determined by reference to a wider segment of domestic industry, namely, like products and directly competitive products.
 - (vii) The basket of indicative parameters to determine injury to domestic industry is larger for anti dumping and countervailing measures than for safeguard measures. Some additional parameters that must be considered to take anti dumping and anti subsidy action but not for safeguard action include impact on return on investment, cash flows, inventories, wages and ability to raise capital.

Indian Safeguard Laws

Q1. What are the relevant laws and rules to impose Safeguard duty in the Indian context?

A1. The relevant laws and rules are the following:

- i. Section 8B and Section 8C of the Customs Tariff Act, 1975.
- ii. Customs Tariff (Identification and Assessment of Safeguard Duty) Rules, 1997.
- iii. Customs Tariff (Transitional Product Specific Safeguard Duty) Rules, 2002.

The text of the above mentioned laws are available on the web site www.dgsafeguards.nic.in.

Q2. Which authority in India imposes Safeguard duty?

- A2.** The investigating authority for taking safeguard action in India is Director General (Safeguards) functioning within the Department of Revenue, Ministry of Finance. It is located at Bhai Vir Singh Sadan, Bhai Vir Singh Marg, Gole Market, New Delhi. Based on the findings of its investigation, it recommends imposition of Safeguard Duty to the Standing Board on Safeguards which functions under the Chairmanship of Commerce Secretary. The recommendation of the Director General (Safeguards) along with the views of the Standing Board are placed before the Finance Minister, and upon approval, it is notified by the Department of Revenue.

Q3. In what form are safeguard measures taken by Indian authorities?

- A3.** In India, safeguard measure is taken only in the form of increase in rate of duty and not in the form of quantitative restrictions. The increase in duty can be within or beyond bound rates. However, an amendment to Foreign Trade (Development and Regulation) Act is being considered, whereby safeguard measure can also be imposed in the form of a quota.

Q4. Who can request the Government of India to impose Safeguard duty?

- A4.** The request for imposition of Safeguard Duty on a product can be made by any producer or manufacturer of the product in question or the producer or manufacturer of its directly competitive product, or by trade representative body of that product, or any individual Firm or Association representing the domestic industry for such product.

Q5. On what product Safeguard duty can be imposed?

A5. Safeguard duty can be imposed on any product where on account of increased import, there is serious injury to domestic industry of like or directly competitive product.

Q6. What is the information required to be provided in the application before the DG (Safeguards) of India?

A6. The form of the application has been prescribed by the Director General (Safeguards) and is available on the web site www.dgsafeguards.nic.in.

The application should contain, primarily, information about the applicant, details of the product, information on import of the product for minimum period of last three years both in terms of quantity and value, production, sales, capacity utilization, employment, profit and loss and any other economic parameters which shows serious injury to the domestic industry of India.

Q7. How can such information like import figures, production etc. be collected?

A7. The Government, through the Directorate General of Commercial Intelligence and Statistics (DGCI&S) Kolkata, compiles and publishes the information on all imports and exports of India. Besides DGCI&S, other non-Government agency like IBIS compiles information on imports and exports and makes the information available on payment basis.

All other information is the information relating to the domestic industry which is available with applicants.

Q8. Does all data including confidential data submitted to DG (Safeguards) become public knowledge?

A8. No. Under Safeguard Duty Rules, it is provided that DG (Safeguards) shall keep such information confidential

which is by nature confidential or which is provided on a confidential basis. However, parties providing information on confidential basis have to furnish a non-confidential summary thereof.

Q9. What is the minimum time required for imposition of safeguard duty after filing the application?

- A9.** A provisional safeguard duty for maximum of 200 days can be imposed immediately, if the circumstances are critical, that is where delay would cause damage that would be difficult to repair. Such duty however, is to be refunded where, on final determination, the Central Government is of the opinion that increased imports have not caused serious injury to a domestic industry.

In normal course, safeguard investigation has to be concluded within 8 months after initiation of investigation. On completion of investigation, the Director General (Safeguards) recommends to Government of India to impose Safeguard duty. However, there is no time limit for the Government to accept or reject such recommendation.

Q10. What does the domestic industry in India need to do when safeguard duty is under operation?

- A10.** The safeguard duty provides necessary protection for a temporary period so that the domestic industry is able to make necessary positive adjustment to deal with obligations taken in WTO. Therefore, the domestic industry has to implement the adjustment plan which has been submitted before Director General (Safeguards) and accepted by him.

Q11. Is the duty once levied by the Department of Revenue reviewed periodically?

A11. Yes, the safeguard duty imposed is reviewed under following circumstances;

- i. The Director General from time to time reviews the need for continued imposition of the safeguard duty and if he is satisfied on the basis of information received by him that safeguard duty is necessary to prevent or remedy serious injury and there is evidence that the domestic industry is adjusting positively, he may recommend to the Central Government for the continued imposition of duty. If there is no justification for the continued imposition of such duty, he may recommend to the Central Government for its withdrawal. Where the period of imposition of safeguard duty exceeds three years, the Director General shall review the situation not later than the mid-term of such imposition, and, if appropriate, recommend for withdrawal of such safeguard duty or for the increase of the liberalization of duty.
- ii. The other parties who are being adversely affected by imposition of Safeguard duty can also make an application to review the Safeguard duty, giving the ground as to why imposition of Safeguard duty is not necessary with the request to terminate imposition of Safeguard duty.
- iii. The domestic industry can also make an application to the Director General to review the imposition of Safeguard duty for further continuance of the Safeguard duty or vary the Safeguard duty.

Q12. Who has to pay Safeguard duty?

A12. Safeguard duty has to be paid by all the importers of the goods on which such duty has been imposed. However, no such duty has to be paid on imports from such developing countries from where volume of imports is low, i.e. the import share of such a developing country in the total volume of imported product is less than 3% and where there are more than one such developing countries, the collective share of import is less than 9% of the total volume of imports of the like or directly competitive product.

Q13. Who are the parties to Safeguard investigation?

A13. There are two kinds of parties to Safeguard investigation. The first is domestic industry which advocates imposition of Safeguard duty and the second is “other interested parties” which can be the exporting nations, foreign exporters, end users and consumers. The other interested parties normally oppose imposition of Safeguard duty as their market access/costing of final products might get adversely affected upon imposition of Safeguard duty.

The Director General (Safeguards) has to hear all the parties and issue a public notice of his Findings justifying the recommendation to either impose or not to impose Safeguard duty.

Q14. Is there any appeal against the findings of Director General?

A14. No provision of appeal has been provided for in the law and the courts ordinarily do not permit any petition against the Findings of the Director General (Safeguards) as such Findings are only recommendations to the Government.

Q15. Is there any appeal against the decision of the Government to impose or not to impose safeguard duty?

A15. No provision of appeal against the decision of the Government has been provided in the Safeguard law. However, the aggrieved party may approach the High Court or the Supreme Court through a writ petition.

Q16. What is the option available with the exporting nations if they are not satisfied with the decision of the Government of India to impose Safeguard duty?

A16. The aggrieved exporting WTO Member country can invite India for bilateral consultation. If no agreement is reached out of such consultation, the affected country or countries can initiate a dispute settlement proceeding under WTO's Dispute Settlement Mechanism.

Q17. Under what circumstances should one apply for anti-dumping duty, countervailing duty or safeguard duty?

A17. The circumstances are enumerated in a tabular form below:

Anti-Dumping duty	Countervailing Duty	Safeguard Duty
i) if the goods are imported at dumped prices. ii) if the dumped imports cause or threaten to cause material injury or material retardation of the establishment of domestic industry.	If the goods are subsidised in the country of export. If the subsidised import cause or threaten to cause material injury or material retardation of the establishment of domestic industry.	If the goods have entered in increased quantities. If the increased import cause or threaten to cause serious injury to the domestic producers of like or directly competitive products.

Q18. Can one simultaneously apply for both anti-dumping duty and safeguard duty?

A18. Yes, theoretically it is possible to make simultaneous application, but practically it may be difficult, as the applicants have to apportion separately the quantum of injury being caused on account of dumping and injury solely on account of increased imports.

Q19. Whether safeguard duty is applicable on imports made under export promotion schemes in operation in the Indian Foreign Trade Policy and the SEZ Act?

A19. Generally, all imports except imports made by 100% Export Oriented Units and units located in Special Economic Zones (SEZs) attract Safeguard duty, but the Government sometimes also exempts from Safeguard duty, imports made under some other export promotion schemes.

Q20. Is there any specific Safeguard duty provision against import from China?

A20. Yes, there is a separate provision under Section 8-C of the Customs Tariff Act 1975 for imposition of safeguard duty against imports from China. Safeguard duty on goods imported from China can be imposed when increased imports cause or threaten to cause “market disruption”. The term “market disruption” is milder than the term “serious injury”. The term “market disruption” normally connotes material injury to the domestic industry.

Q21. What is the difference in procedure of safeguard investigation in case of the general safeguard measures and China specific safeguard measures?

A21. The procedure of safeguard investigation and format of the application are same in both the cases.

Q22. What are the broad product categories on which safeguard duty has been imposed in India?

A22. The broad product categories on which safeguard duty has been imposed in India include inorganic chemicals (acetylene black, carbon black, gamma ferric oxide/magnetic iron oxide, Dimethoate Technical, Soda Ash), organic chemicals (propylene glycol, phenol, acetone, epichlorohydrine), starch, modified starch and sago, Aluminium Flat Rolled Products and Aluminium Foil.

Q.23. On what products is the safeguard duty currently in force in India (as on 31 July 2009)?

A23. Presently, safeguard duty is in force on Phthallic Anhydrite, Soda Ash, Aluminium Flat Rolled Products, Aluminium Foil and Dimethoate Technical.

Q.24. Apart from WTO provisions, are there any other legal provisions for applying Safeguard duty?

A24. The WTO provisions deal with safeguard measure in the multilateral context. However, Safeguard action can also be taken in relation to operation of Preferential Trade Agreements (PTAs) / Free Trade Agreements (FTAs). Safeguard action under PTAs / FTAs can be taken where there is a surge in imports causing injury to the domestic industry, and this surge has a causal link to imports at concessional rate of duty negotiated under the PTA / FTA.

Q.25. Under what PTAs/FTAs signed by India, safeguard action can be taken?

A25. The provisions relating to preferential safeguard action exists in almost all the PTAs/FTAs signed by India. However, the procedure to initiate preferential safeguard action and the nature of investigation, if any, to be carried out varies from agreement to agreement. In some of the

PTAs and FTAs such as Asia Pacific Trade Agreement (APTA), Generalised System of Trade Preferences (GSTP) and India-Sri Lanka Free Trade Agreement (ISLFTA), the safeguard action can be taken by the contracting Parties through mutual consultations, while in other agreements like India-Singapore FTA, India-Mercosur and India-Chile PTA, a detailed investigation is required to be carried out before imposing preferential safeguard duty.

Q.26. Are the requirements for safeguard under PTA/FTA different from the WTO disciplines?

A26. The basic objective of safeguard action under WTO and under PTA/FTA is similar, namely to provide a 'escape clause' to temporarily increase customs duties from binding levels in order to protect domestic industry from a surge in imports of like products. However, there are also some important differences between the two types of Safeguards, which are listed below:-

- (i) The WTO Safeguard applies on MFN basis for imports from all countries; the preferential safeguard applies only to the country/region which is a Party to PTA/FTA enjoying tariff concession.
- (ii) Safeguard duty under WTO is applied over and above the MFN applied rate but under preferential safeguard action, safeguard duty is applied in terms of either partial or full withdrawal of tariff concessions extended on a product at a given time.
- (iii) The provisions relating to *de minimis*, period of application and the compensation varies. It also varies from agreement to agreement.

Q.27. How can a preferential safeguard measure be invoked?

A27. The conditions to invoke preferential safeguard measure are as follows:-

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- (i) There should be a tariff preference on the product;
 - (ii) There should be surge in imports of the product due to tariff preference extended; and
 - (iii) The surge in import should cause or be likely to cause injury to the domestic producers of the same or like product.

The affected industry has to approach the government by giving all the facts to justify initiation of safeguard action.

Q.28. Which agency in India has to be approached to initiate preferential safeguard action?

A28. To initiate Preferential Safeguard measures under India-Nepal Bilateral Treaty on Trade, India-Sri Lanka Free Trade Agreement, India-Thailand Early Harvest Agreement and other PTAs, the industry has to approach the Department of Commerce or the FTA Cell in DGFT. In case of India-Singapore FTA, India-Mercosur and India-Chile PTA, the Directorate General of Safeguards, in the Department of Revenue has to be approached.

Q.29. Can the WTO and Preferential Safeguard be invoked together?

A29. Global safeguard action and preferential safeguard action are different in nature and action is taken as per the requirements laid down for them. Where a preferential safeguard measure has been invoked, a global safeguard action may also be initiated if the conditions laid down in the WTO Agreement on Safeguards has been fulfilled. On the other hand, where a global safeguard measure has been imposed, further imposition of preferential safeguard measure will depend on the disciplines agreed upon in the respective PTA/FTA.

Useful Web Links

- www.commerce.nic.in
- www.wto.org
- www.unctad.org
- www.worldbank.org
- www.wipo.int
- www.fao.org
- www.unescap.org
- www.artnetontrade.org

Other Publications of the Centre for WTO Studies

- ▣ FAQ on WTO Negotiations in Agriculture
- ▣ FAQ on WTO Negotiations in Non Agriculture Market Access (NAMA)
- ▣ FAQ on WTO Negotiations in Services
- ▣ FAQ on Geographical Indications
- ▣ FAQ on WTO Agreement on Subsidies and Countervailing Measures
- ▣ Review of Trade Policies of India's Major Trading Partners
- ▣ Bimonthly newsmagazine titled 'India, WTO and Trade Issues'

All the above publications are available on the website of the Centre for WTO Studies, <http://wtocentre.iift.ac.in>

About the WTO Centre

The Centre for WTO Studies has been functioning since November 2002 at the Indian Institute of Foreign Trade. The major objective of the Centre is to provide research and analytical support to the Department of Commerce on identified issues relating to the World Trade Organisation.

The Centre has recently undergone considerable strengthening. It has now a wider mandate and is tasked to carryout research activities, bring out newsletters on WTO related subjects, organise outreach and capacity building programmes through seminars, workshops, subject-specific meetings etc. and to be a repository of important WTO documents in its Trade Resource Centre. An Advisory Committee has been constituted to guide the work of the Centre.

The Centre is currently engaged in research activities on following WTO related subjects:

- **Agriculture**
- **Intellectual Property Rights**
- **Agreement on Sanitary and Phytosanitary Measures**
- **Agreement on Technical Barriers to Trade**
- **Trade Facilitation**
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