

## NOTIFICATION OF LAWS AND REGULATIONS UNDER ARTICLES 18.5 AND 32.6 OF THE AGREEMENTS

### Questions Posed by the EUROPEAN COMMUNITIES Regarding the Notification of COSTA RICA<sup>1</sup>

The following communication, dated 10 March 2003, has been received from the Permanent Delegation of the European Communities.

1. Chapter III concerning the “Regional Procedure” seems to allow the Secretariat for Central American Economic Integration (“SIECA”) to conduct anti-dumping investigations at the request of a party to the General Treaty on Central American Economic Integration, the Guatemala Protocol and the Convention on the Central American Tariff and Customs Regime. Could Costa Rica please explain how the Regional Procedure complies with WTO rules and clarify in particular the following issues:

- Have the State Parties defined in Article 1 reached such a level of integration that they have the characteristics of a single, unified market within the meaning of Article 4.3 of the Anti-Dumping Agreement (“ADA”)? If not, does the territory of the State Parties constitute a customs union or a free trade area respectively?
- How do the role and competence of the SIECA comply with the WTO rules?
- Would the SIECA determine the existence of dumping, injury and causality with regard to one or several State Parties?
- Could Costa Rica explain the possibilities for judicial review of the decisions of the Executive Committee (see Article 43)?

2. Could Costa Rica please clarify whether the Central American Regulations on Unfair Business Practices entered into force on 12 January 1996, as laid down in the Decree or at a later date?

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<sup>1</sup> G/ADP/N/1/CRI/2-G/SCM/N/1/CRI/2.