

**COMMENTS FROM AUSTRALIA ON MOROCCO'S PAPER ON
ANTI-DUMPING AND SUBSIDIES AND COUNTERVAILING MEASURES
AGREEMENTS (DOCUMENT TN/RL/W/36)**

The following communication, dated 7 February 2003, has been received from the Permanent Mission of Australia.

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- Australia would like to thank Morocco for its submission on anti-dumping and countervailing measures (TN/RL/W/36, dated 4 December 2002)
 - Since we didn't have an opportunity to react to this paper when it was introduced at the last rules group meeting, we would like to make some brief comments at this meeting
 - We are grateful to Morocco for recalling the importance of preserving the effectiveness of trade remedies, especially to small economies with liberal trading regimes
 - As another open economy with a small domestic market, we can relate to the sentiments expressed by Morocco
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 - There are some points in the paper, however, where we would appreciate clarification
 - Morocco considers that the negotiations should be confined to clarifying and improving the rules so as to limit any abuse in using trade remedies. In order to better understand Morocco's interpretation of the negotiating mandate, could Morocco provide examples of issues which it would consider being within the mandate and of issues which would be outside the mandate?
 - Given Morocco's concerns over the constraints placed on small economies, particularly with regard to time-frames, does Morocco consider that there is a need to accord special and differential treatment to small economies? If so, how would small economies be defined?
 - Is Morocco suggesting expedited timeframes for anti-dumping investigations in small economies or where the domestic market is small?
 - Does Morocco consider that small economies may have pockets of well-developed industry sectors? In such situations, should special and differential treatment be accorded?

- Morocco considers that special and differential treatment should be limited to action between developed and developing countries and that the scope of ADA Article 15 should not be broadened to “curtail the legitimate right of developing countries to resort to anti-dumping measures to offset injury caused by dumped exports from developing countries”. In Morocco’s view, should this notion also apply to Article 27 of the Subsidies Agreement and, if so, how could this be done?
 - We note that the focus of Morocco’s paper is on trade remedies. Given Morocco’s underlying concerns over the competition-distorting effects of subsidies, Australia would be interested in Morocco’s views on areas where it considers that there is scope for clarifying and improving the subsidy disciplines in the Subsidies Agreement.
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