



Thesis Presentation

An Analysis And Discussion On The Practice Of Taiwan's Anti-dumping System

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2. Anti-dumping System
3. Analysis of Practice in Taiwan
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01

Introduction



1. Research Motivation-1

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Statistics on Global Trade Remedy Measures

1995.1.1-2020.6.30

Type	Number of cases
Anti-dumping	4,012
Countervailing	337
Safeguard	191

Source: WTO website https://www.WTO.org/english/tratop_e, March 22, 2020



1. Research Motivation-2

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Statistics on top 5 members of Anti-dumping Investigating in WTO

1995.1.1-2020.6.30

Country	Number of cases
China	1,440
Korea, Republic of	464
Chinese, Taipei	325
U.S.A	303
India	247

Source: WTO website https://www.WTO.org/english/tratop_e, March 22, 2020



1. Research Motivation-3

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Statistics on Taiwan Anti-dumping Measures In Force

1984-2021.3.26

Type	Number of cases
Initiation	68
Impose anti-dumping duty (currently)	19 (7)
Price undertaking	2
Sunset review	5

Source: Customs Administration, MOF, This research is organized

The 1st petition case is Tamaron from West Germany



»» 1. Research Motivation-4

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1. Understand the results and impact of anti-dumping measures in Taiwan
2. Before and after Taiwan's entry into the WTO in 2002
3. Ratio of Approval, Affected Country, Sunset Review



»» 2. Research Purpose

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Domestic Industry

- Establish more reasonable business environment
- Eliminate industrial injury
- Enhance competitiveness

Competent Authority

- To investigate and impose comprehensively



3. Research Method

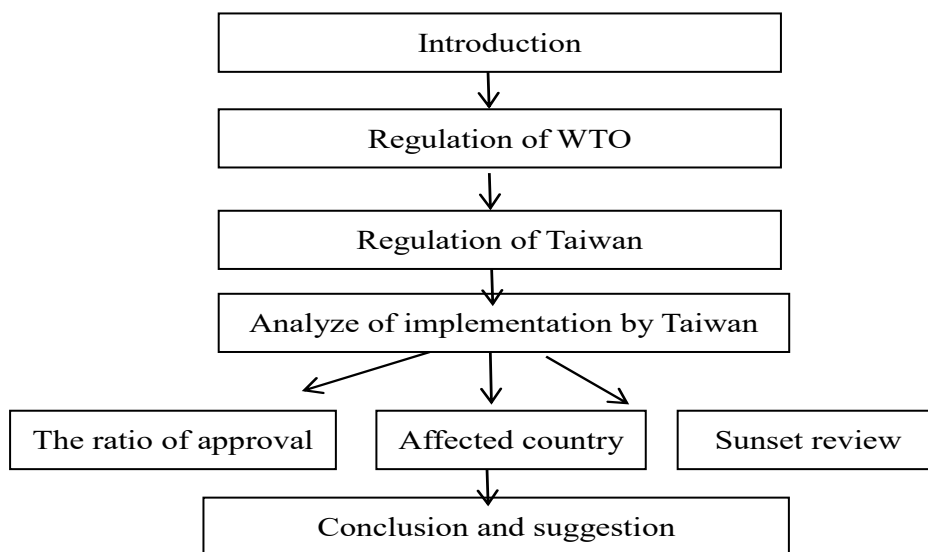
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- Documents analysis method
- Historical research method
- Comparative method



4. Research Structure

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02 Anti-dumping System

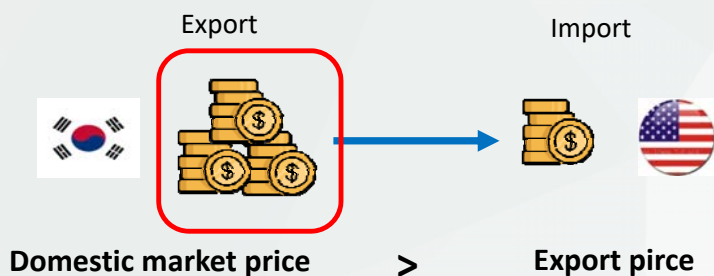


1. Background-1

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Definition-dumping

The export country (such as Korea) exports and sells to another country (such as USA) at a lower price than its domestic market price



- Business Strategy
- Overseas Markets
- Inventory



1. Background-2

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WTO- MFN  Anti-Dumping

Purpose : Fair



2. History

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Brussels Sugar Convention
First law in the world

1700

18 Century
Concept of imposing anti-dumping duty

1902

Canada
Anti-dumping Law

1904

USA
Revenue Act

1916

USA
Tariff Act

1930

Article VI
GATT

1947

Uruguay Round
Agreement On Implementation Of Article VI Of GATT 1994

1994



3. Definition- 1

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Definition

Article VI of GATT

The contracting parties recognize that **dumping** by which products of one country are introduced into the commerce of another country **at less than the normal value** of the products, **is to be condemned** if it **causes or threatens material injury** to an established industry in the territory of a contracting party or materially retards the establishment of **a domestic industry**.



3. Definition- 2

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Definition

Article 2 The Anti-dumping Agreement

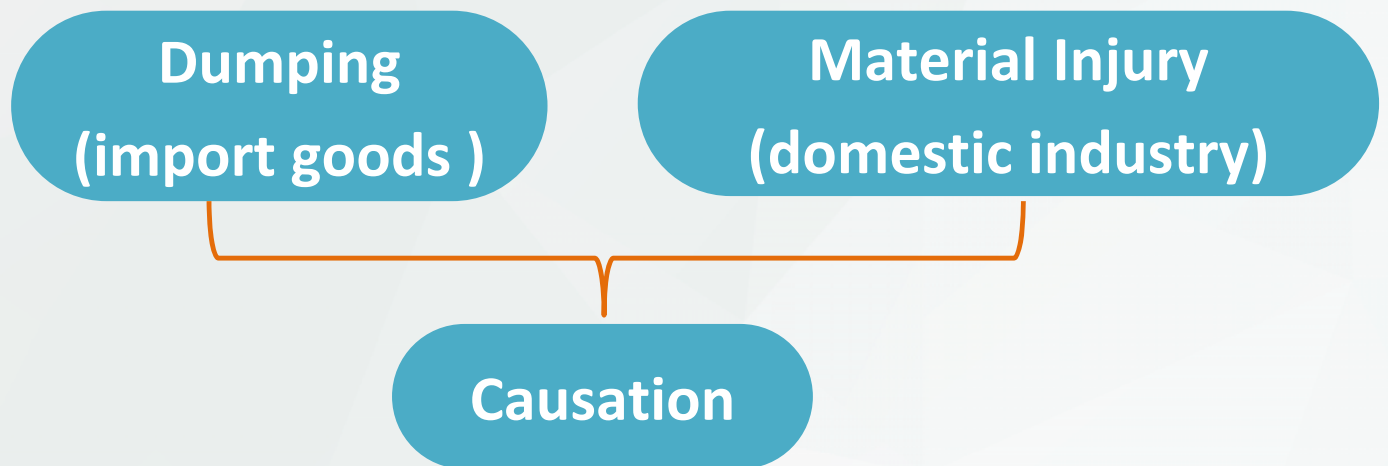
Determination of Dumping

2.1 For the purpose of this Agreement, a product is to be considered as being dumped, i.e. introduced into the commerce of another country at less than its normal value, if the export price of the product exported from one country to another is less than the comparable price, in the ordinary course of trade, for the like product when destined for consumption in the exporting country.



3. Definition-3

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4. Legal Framework-1

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International

- Article Vi of GATT
- The Agreement On Implementation Of Article VI Of The GATT 1994



Taiwan

- Customs Act article 68
- The Regulations Governing the Implementation of the Imposition of Countervailing and Anti-Dumping Duties in 1984



4. Legal Framework-2

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Substantial Requirements

- Determination and calculation of dumping
- Determination of injury and causality
- Domestic industry

Procedural Requirements

- Investigation
- Provisional measures and Price undertaking
- Collection of duties
- Review and Public notice



03

Practice of Taiwan





1. Competent Authority

Dumping Investigation

- Customs Administration, Ministry of Finance (MOF)

Injury Investigation

- International Trade Commission(ITC), Ministry of Economic Affairs (MOEA)

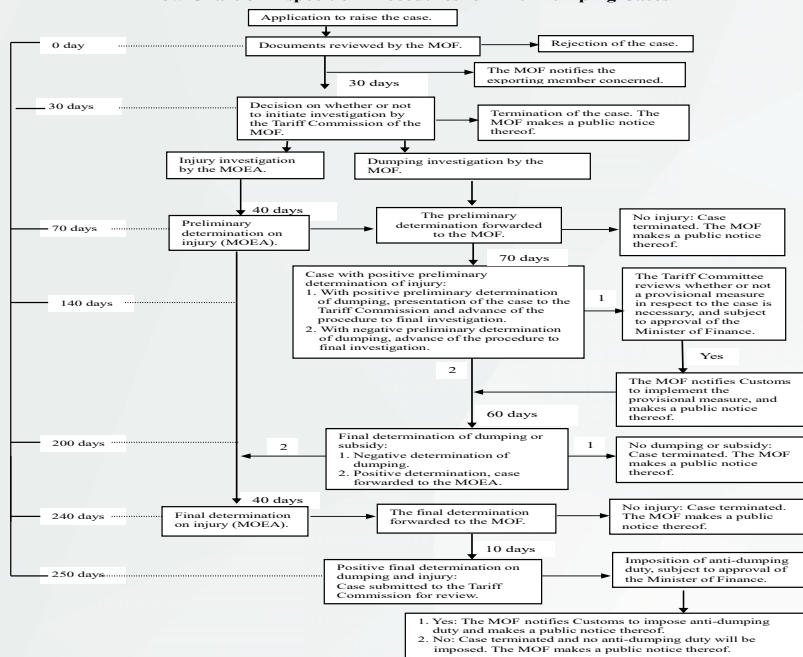
The Deliberation and Decision

- Tariff Commission, Ministry of Finance (MOF)



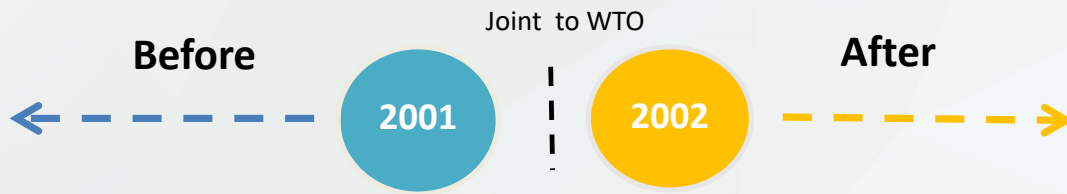
2. Disposition Procedures

Flow Chart of Disposition Procedures for Anti-Dumping Cases



3. Analysis Practice of Taiwan

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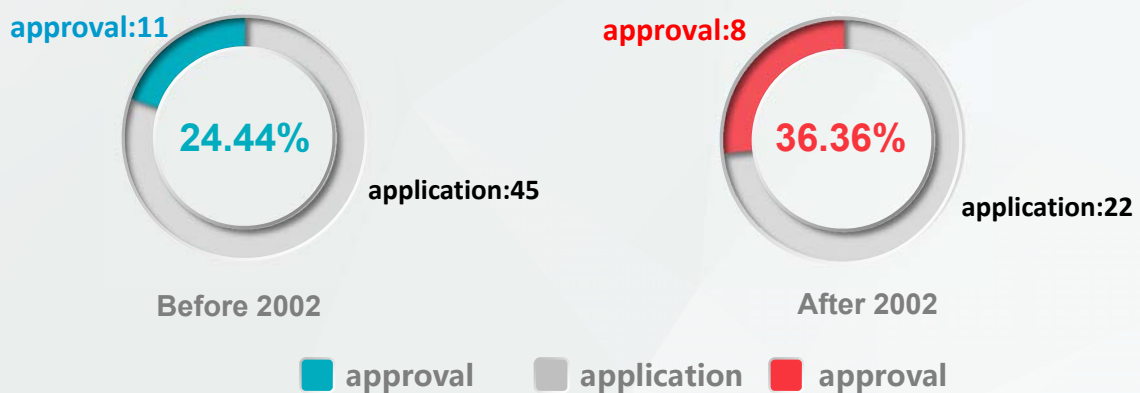


1. The ratio of approval
2. The affected country
3. Sunset Review



3.1 The ratio of approval is increase

30 24



Source: Customs Administration, MOF This research is organized



3.1 The rate of approval is increase

25

1. Make regulation well

Amend Regulation 6 times comprehensively ↑

2. Promote the project

Promote the "Trade Remedy Firewall" ↑



3.2 The affected country concentrates on China

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Statistics of affected country in Anti-dumping Measures of Taiwan

	Before 2002	After 2002
1 st	Korea, Republic of (5)	China(8)
2 nd	Japan(5)	Korea, Republic of (3)
3 rd	Brazil(2)	Brazil, Indonesia (1)

Source: Customs Administration, MOF This research is organized



3.2 The affected country concentrates on China 27

1. China has strengthened its economy after joining WTO

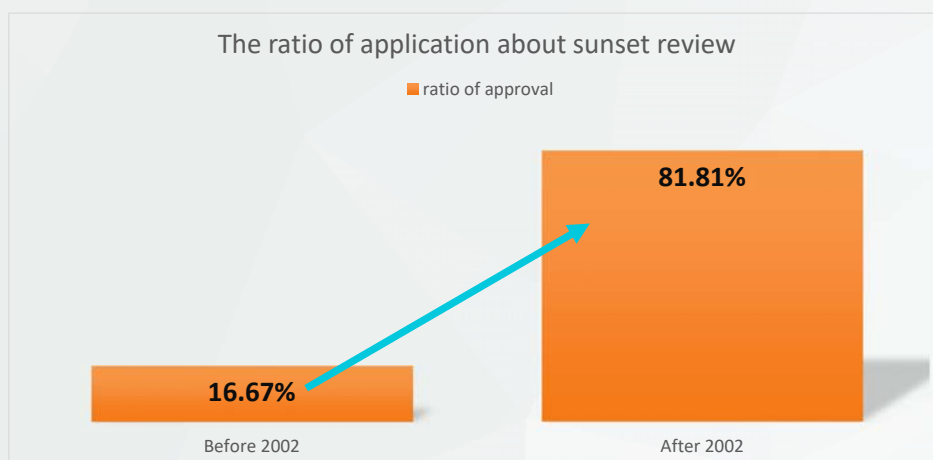
Foreign capital flow in and Production technology introduce into ↑

2. China has the "Non-Market Economy" status

Dumping is identified easier ↑



3.3 The ratio of application sunset review is rise 29

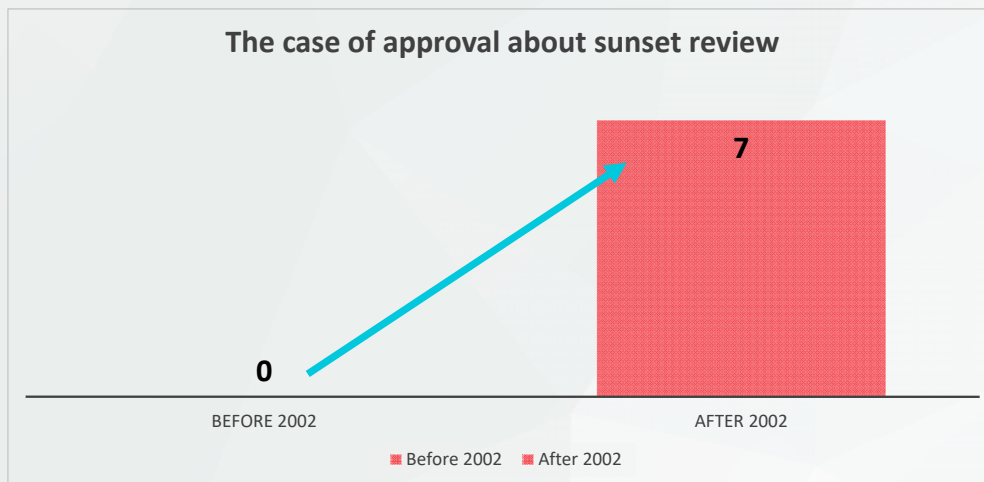


Source: Customs Administration, MOF This research is organized



3.3 The case of approval sunset review is surge

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Source: Customs Administration, MOF This research is organized



3.3 The Sunset Review mechanism

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1. Protection Concept is insisted on deeply

Domestic industry convinced dumping protective effect ↑

2. The application and procedural requirements are looser

1 time determination ↑





04 Conclusion and Suggestion



»» 4-1. Conclusion

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1

**Well-making regulation and professional guidance
Increase the ratio of anti-dumping approval**

2

**Changing in trade structure and special status
Affected country changed from Korea, Japan to China**

3

**The rise of protective concept
The ratio of sunset review approval is high**



»» 4-2. Suggestion

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Domestic Industry

1. Self-optimization
2. Diversified innovation and advancement

Competent Agency

1. Protect fairly
2. Counsel actively and comprehensively



Thank you

