



**Committee on Anti-Dumping Practices
Committee on Subsidies and Countervailing Measures
Committee on Safeguards**

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS UNDER ARTICLES 18.5, 32.6
AND 12.6 OF THE AGREEMENTS**

**QUESTIONS POSED BY THE UNITED STATES REGARDING
THE NOTIFICATION OF VIET NAM¹**

The following communication, dated 1 October 2020, is being circulated at the request of the delegation of the United States.

The United States thanks Viet Nam for its notification of Circular No. 37/2019/TT-BCT, and poses the following questions:

Question 1

Article 8 states that "if requested by interested parties, the investigating authority shall provide non-confidential summaries" of the specified list of documents.

- Are non-confidential summaries available only by request by interested parties, or do interested parties have access to the public case files, including the non-confidential summaries?
- How are documents provided or made available to the parties? Are they available on-line or are they made available for physical inspection? If made available on-line, please provide the website at which investigation documents and information are made available.
- What documents or information in an investigation case file, if any, are available for review by the general public?
- Please explain what is meant by "notices of acceptance or non-acceptance of commitments" as referenced in Article 8, paragraph 6.
- Will the investigating authority also make available notices issued by the authority regarding site investigations or verification visits?
- Please confirm that the investigating authority will make available all non-confidential documents used as the basis for the investigating authority's findings and conclusions.

Question 2

Article 9, paragraph 2 states that "if a request for protection of confidential information is refused, the Investigating Authority shall provide reasons within 45 days from the date of the receipt of the

¹ G/ADP/N/1/VNM/3 - G/SCM/N/1/VNM/2 - G/SG/N/1/VNM/3 (dated 20 May 2020). For the sake of efficiency, the United States suggests that committee review for all questions be conducted in the Committee on Anti-Dumping Practices.

request." Will the requesting party be given an opportunity to comment or respond to the investigating authority's decision to refuse a request for confidential treatment of information? If so, will the information at issue remain protected during the time that the authority considers the comments from the requesting party?
