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**Council for Trade in Goods
Committee on Safeguards**

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**IMMEDIATE NOTIFICATION UNDER ARTICLE 12.5 OF THE AGREEMENT ON
SAFEGUARDS TO THE COUNCIL FOR TRADE IN GOODS OF PROPOSED
SUSPENSION OF CONCESSIONS AND OTHER OBLIGATIONS
REFERRED TO IN PARAGRAPH 2 OF ARTICLE 8
OF THE AGREEMENT ON SAFEGUARDS**

INDIA

The following communication, dated and received on 27 August 2021, is being circulated at the request of the delegation of India.

Pursuant to Article 12.5 of the Agreement on Safeguards, and in accordance with the agreed format for notifications (G/SG/1, 1 July 1996; amended on 19 October 2009, G/SG/1/Rev.1 - G/SG/N/6/Rev.1 - G/SG/89) the Government of India provides the immediate notification to the Council for Trade in Goods of proposed suspension of concessions and other obligations referred to in paragraph 2 of Article 8.

1. Which Member is proposing suspension of concessions and other obligations referred to in Article 8.2

India.

2. Specify the measure, the product subject to the measure, the WTO document that notified the safeguard measure, and the Member imposing the measure in relation to which the Member is proposing suspension of concessions and other obligations referred to in Article 8.2 of the Agreement on Safeguards.

The measures at issue are the definitive safeguard measures adopted by the European Union (EU) on certain steel products. The measures imposed by the EU consist of tariff-rate quotas imposed on 26 steel product categories with an out-of-quota duty of 25%. The definitive measures were imposed on 1 February 2019 through Regulation (EU) 2019/159 and have been extended through Regulation (EU) 2021/1029.

The EU notified the imposition of the definitive measure to the WTO in document G/SG/N/8/EU/1/Suppl.1 - G/SG/N/10/EU/1/Suppl.1 - G/SG/N/11/EU/1/Suppl.2 dated 7 February 2019.

The EU recently notified the extension of the measure for three years, in document G/SG/N/8/EU/1/Suppl.2 - G/SG/N/10/EU/1/Suppl.11 - G/SG/N/11/EU/1/Suppl.8 dated 11 June 2021.

3. Describe the proposed suspension of concessions and other obligations referred to in Article 8.2, and the proposed date from which it will come into effect.

India provides this written notification to safeguard its rights to suspend the application of substantially equivalent concessions or other obligations pursuant to Article 8 of the Agreement on Safeguards. India also reserves the right to withdraw, modify, supplement or replace this notification, and/or make a further notification or notifications, should it deem appropriate, including in light of any subsequent developments.

India hereby notifies the Council for Trade in Goods of its decision to suspend concessions or other obligations under the General Agreement on Tariffs and Trade 1994 (GATT 1994) that are substantially equivalent to the amount of trade affected by the measures of the EU.

The substantially equivalent level of concessions or other obligations under the GATT 1994 were calculated by assessing the impact of the safeguard measure on India's exports of the products concerned to the EU between 2017 (the year before the measures were applied) and 2020. India estimated that the safeguard measures have resulted in the decline of exports to the tune of EUR 1.168 billion on which the duty collection would be EUR 292.01 million. Accordingly, India's proposed suspension of concessions would result in an equivalent amount of duty collected from products originating in the EU.

The proposed suspension of substantially equivalent concessions and other obligations under the GATT 1994 to the trade of the EU would be in the form of an increase in duty on the selected products originating in the EU. The details of the suspension of concessions and other obligations will be provided to the Council for Trade in Goods before their application.

The suspension of concessions and other obligations will continue to apply until the safeguard measures of the EU are lifted.
