

GENERAL AGREEMENT ON

TARIFFS AND TRADE

RESTRICTED

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Committee on Anti-Dumping Practices

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RESPONSES BY THE REPUBLIC OF KOREA TO QUESTIONS RAISED BY THE EUROPEAN COMMUNITIES¹

I

Public interest factors concerning anti-dumping duties are mainly considered when final anti-dumping measures are decided. Among the issues to be considered concerning public interest are impacts on domestic prices, impacts on exports, and impacts on other industries. Consideration of public interest may also be a factor when determining whether or not to initiate anti-dumping investigations as well as determining whether or not to apply provisional measures. However, this is generally not the case. The Korean Government has never rejected the initiation of anti-dumping investigations or the application of provisional measures on the grounds of public interest factors.

II

1. The anti-dumping investigation on imports of polyacrylamide was terminated last February due to the negative results concerning injury to the domestic industry. To determine injury, the investigation was based on gathering positive evidence about the volume of the dumped imports, their effect on prices in the domestic market of like products and the consequential impact of these imports on domestic producers of such products.
2. The rate of anti-dumping duties is to be calculated so that it removes the injury to the domestic industry, it is figured at the level that ensures the state of the domestic industry that would have been achieved had there been no dumped imports. The level of normal profit of like industries is considered at this time. Of course this rate of anti-dumping duties does not exceed the dumping margin.
3. Accounting experts took part in the on-site investigation of imports of polyacrylamide. This was because of a lack of anti-dumping experts available in the Korean Government. But there were no concerns about the breach of confidentiality, as they were employed as government officials, took part in the anti-dumping investigation as government officials, and the Korean Government received a pledge of confidentiality from them. In addition, the exporting companies concerned agreed to the participation of these experts on-site verification.

¹ See document ADP/M/31, paragraphs 25 and 27, 90 and 96.