COMMENTS

—Brief History on Anti-dumping Duties (ADDs) and Japan—

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1   Japan as a "target" of ADDs

 1.1   Before 1990s : experiences solely as a "target" exporter

- Is dumping Japan's chronic disease?
  - "Social Dumping" debate (1930s)
  - Japan's accession to GATT and "market disruption" (mid-1950s)
- ADD investigations against Japanese products 1970s though 80s
  - 1/3 in 1970s
  - 1/10 in 1980s   out of all the world's initiations

 1.2   Japan's attitude toward ADDs at that time

- ADDs was perceived as "protectionism"
  - ➡ orientated to more stringent discipline on ADDs
- GATT-WTO cases to combat abuse of ADDs:
  - *EEC—Parts & Components* (1990)
  - *EC—Audio Cassette* (1995)
  - *US—Hot-rolled Steel* (2001)
  - *US—Zeroing* (2007)   etc.
- Rule Negotiation in Doha Round: Organizing and play a leading role in "AD Friends" to reinforce AD Agreement
- Inactive user : 3 petitions filed but eventually withdrawn in 1980s,
  - ➡ no formal investigation initiated

2   (Dynamic?) Policy change: from "target" exporter to active user

 2.1   Turning point : *Provisional Safeguards Measure on Welsh Onion, Shiitake Mushroom and Tatami-Omote* (2001)

- Background: constant trade deficit with China since late 1980's

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and increase competitiveness of Chinese products

> First-time expression of robust political will to utilize trade remedies including ADDs

2.2 Turning to active user

> Investigations increased…?

> Reforming rules to activate ADDs

✦ 2009 Amendment for accelerating investigation procedure and ensuring due process

- institutionalizing preliminary determination and "facts available" in AD Decree

- limiting evidence required for application to information "reasonably available the applicant ", etc.

3 ADDs in the era of regional economic integration

> Japan's 15 EPAs are now in force

> TPP has been almost done

> Resulting in increased vulnerability of Japan's industries to dumping ➡need to reassess significance of ADDs