

DISPUTE SETTLEMENT 490

Indonesia — Safeguard on Certain Iron or Steel
Products



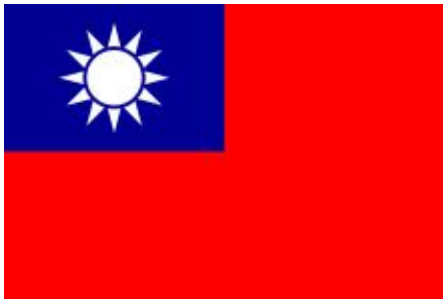
KEY FACTS

Short title:	Indonesia — Iron or Steel Products (Chinese Taipei)
Complainant:	Chinese Taipei
Respondent:	Indonesia
Third Parties:	Australia; China; European Union; India; Japan; ; Russian Federation; Ukraine; Viet Nam; United States
Agreements cited: (as cited in request for consultations)	GATT 1994: Art. I:1, XIX:1, XIX:2 Safeguards: Art. 2.1, 3.1, 4.1(a), 4.1(b), 4.1(c), 4.2(a), 4.2(b), 4.2(c), 12.2, 12.3
Request for Consultations received:	12 February 2015
Panel Report circulated:	18 August 2017



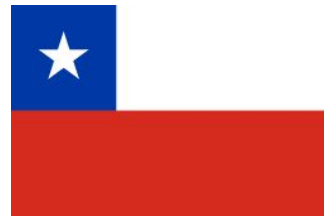
CONSULTATIONS

- 12 February 2015 – Chinese Taipei requested consultations with Indonesia regarding a safeguard measure imposed by Indonesia on imports of certain flat-rolled iron or steel products and the investigation and determinations leading thereto. Chinese Taipei claims that the measures are inconsistent with:
 - 1) Articles I:1, XIX:1(a) and XIX:2 of the GATT 1994; and
 - 2) Articles 2.1, 3.1, 4.1(a), 4.1 (b), 4.1(c), 4.2(a), 4.2 (b), 4.2(c), 12.2 and 12.3 of the Agreement on Safeguards



PANEL AND APPELLATE BODY PROCEEDINGS

- 20 August 2015 – Chinese Taipei requested the establishment of a panel
- 28 September 2015 – the DSB established a panel



OVERALL CONCLUSIONS AND RECOMMENDATIONS

- The specific duty applied by Indonesia on imports of galvalume by means of Regulation No. 137.1/PMK.011/2014 does not constitute a safeguard measure within the meaning of Article 1 of the Agreement on Safeguards
- The application of the specific duty on imports of galvalume originating in all but the 120 countries listed in Regulation No. 137.1/PMK.011/2014 is inconsistent with Indonesia's obligation to afford MFN-treatment under Article I:1 of the GATT 1994.
- 28 September 2017 – Indonesia notified the DSB of its decision to appeal to the Appellate Body certain issues of law and legal interpretations in the panel report.

