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From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	18 October 2016
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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Subject:	ANNEX to the COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL Towards a robust trade policy for the EU in the interest of jobs and growth

Delegations will find attached document COM(2016) 690 final - Annex 1.

Encl.: COM(2016) 690 final - Annex 1



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ANNEX 1

ANNEX

to the

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE EUROPEAN COUNCIL AND THE COUNCIL**

Towards a robust trade policy for the EU in the interest of jobs and growth

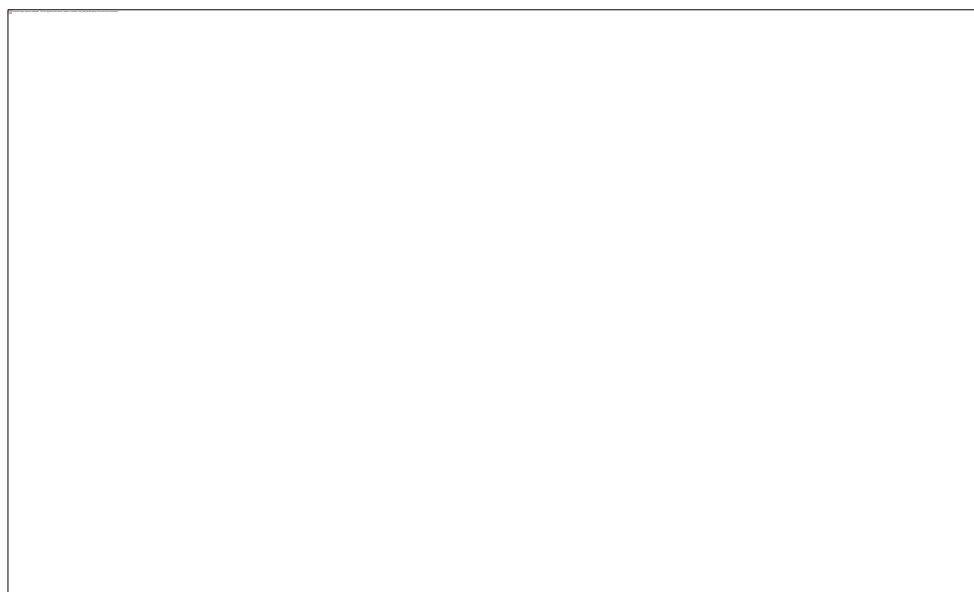
ANNEX

REFORM OF THE LESSER DUTY RULE: THE BACKGROUND

1. Countries applying the lesser duty rule

The EU's systematic application of the lesser duty rule goes beyond the basic obligations set out in the WTO Anti-Dumping Agreement. The vast majority of other WTO Members (including the United States) do not exercise this type of self-restraint. Among the countries that use trade defence instruments, only India, Turkey, Brazil and Australia are users of some form of lesser duty rule.

2. Comparison of number of Anti-Dumping measures/share in world imports



Source: WTO, World Trade Report 2015

3. EU - US comparison

Comparison of duties EU and US duties on imports from China¹.

EU / US (comparable products)	EU average duty (in %)	US average duty (in %)	Difference
High fatigue performance steel concrete reinforcement bars / Steel concrete reinforcing bars	21,3%	133%	111,7%
Stainless steel cold rolled flat products / Certain corrosion resistant products	24,9%	255,8%	230,9%
Cold rolled flat steel products / Certain cold rolled flat steel products	21,1%	265,8%	244,7%

¹ Product scope might not be fully identical