



Anti-dumping and other Trade Protection Laws of the European Community, 5th Edition

Ivo Van Bael, Jean-francois Bellis

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European trade defense law has expanded sufficiently in the last few years to require a new edition of this definitive work, last revised in 2004. As trade law practitioners and scholars have come to expect from the Brussels law firm Van Bael & Bellis, the fifth edition provides comprehensive, up-to-date analysis and critical commentary on EU trade defense instruments dealing with anti-dumping measures, countervailing measures, and safeguard measures, as well as measures under the Trade Barriers Regulation. It gives detailed attention to all EU cases and other developments at WTO level that have occurred up to December 2010. The emphasis throughout is on practical application of the rules. The authors cover every issue likely to arise in any trade defense matter, including all of the following and more:

determining the dumping and injury margins;

determining the subsidy margin;

determining the causal link between dumping or subsidy and injury;

determining if "Union interest" calls for intervention;

differences between anti-dumping and anti-subsidy legislation;

procedural rules applicable to complaints, initiation of proceedings, investigations, protective measures, reviews, and refunds;

conditions for accepting an undertaking;

measures that may be taken to prevent circumvention of anti-dumping measures;

rules for the determination of permissible adjustments;

rules governing the standing of various interested parties before the European Courts;

rules and procedure applicable to non-market economy countries;

special rules on products originating in a developing country;

allocation and administration of quantitative quotas;

surveillance measures; and

whether and to what extent safeguard measures are subject to judicial review.

For each of the four major categories of trade defense instruments, chapters deal with the substantive rules of the trade defense instruments concerned, the relief that may be ordered under these instruments, and the

procedural provisions. The important changes in the EU decision-making process for trade defense cases to be introduced in March 2011 are taken fully into account. An extensive battery of tables and annexes leads the practitioner to all the essential primary source material in the field. As a detailed and practical commentary on the international trade legislation of the Union as actually applied by the Union Institutions, this is the preeminent work in the field. Lawyers and academics involved with trade contracts or disputes need have no doubt that it is still without peer as a guide to EU trade defense instruments.

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