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Committee on Safeguards

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**NOTIFICATION UNDER ARTICLE 12.4 OF THE AGREEMENT ON
SAFEGUARDS BEFORE TAKING A PROVISIONAL SAFEGUARD
MEASURE REFERRED TO IN ARTICLE 6**

**NOTIFICATION UNDER ARTICLE 12.1(B) OF THE AGREEMENT ON
SAFEGUARDS ON FINDING A SERIOUS INJURY OR THREAT
THEREOF CAUSED BY INCREASED IMPORTS**

**NOTIFICATION PURSUANT TO ARTICLE 9, FOOTNOTE 2
OF THE AGREEMENT ON SAFEGUARDS**

JORDAN

Aluminium Bars, Rods and Profiles

The following communication, dated 22 July 2016, is being circulated at the request of the Delegation of Jordan.

Jordan hereby submits its notification pursuant to Article 12.4 of the Agreement on Safeguards, before taking a provisional safeguard measure against imports of aluminium bars, rods and profiles; and a notification pursuant to Article 9, footnote 2 of the Agreement on Safeguards, on taking a decision not to apply the measure to products originating in developing countries.

**A. NOTIFICATION UNDER ARTICLE 12.4 BEFORE TAKING A PROVISIONAL
SAFEGUARD MEASURE**

1. Specify the product subject to investigation

The product subject to investigation is aluminium bars, rods and profiles, under the tariff heading (7604) of the Jordanian Harmonised Tariff System except which is imported as a production inputs under subheadings (7604.211, 7604.101, 7604.212, 7604.291).

2. Specify the proposed provisional safeguard measure

Imposing a specific surcharge of JD 150 per ton, in addition to the applied tariff duty.

3. Specify the proposed date of introduction of the provisional safeguard measure

The provisional safeguard measure is proposed to enter into force from the date of publication of the Council of Ministers decision in two daily local newspapers.

The Committee shall be notified as soon as the decision is published.

4. Specify the expected duration of the provisional safeguard measure, if any decision on the duration of the measure has been made

The provisional safeguard measure will be applied for a period of 200 days from the date of Publication in two daily local newspapers.

5. Provide the basis for

(i) Making a preliminary determination, as provided for in Article 6, that increased imports have caused or are threatening to cause serious injury

The preliminary investigation by the National Production Protection Directorate (NPPD) in the Ministry of Industry, Trade and Supply on the basis of information, analytical materials and official statistics available, showed that there is an evidence of such an increased imports volume as to cause or threaten to cause serious injury to the domestic aluminium bars, rods and profiles producers of the concerned or directly competitive product.

Absolute and relative increase in imports

Year	2010	2011	2012	2013	2014	2015 First half
Imports volume (tons)	4,144	5,728	6,775	7,509	7,605	3,557
Absolute increase (base year)	-	38%	63%	81%	84%	57%
Relative increase ratio index (imports to domestic production)	100%	115%	121%	127%	130%	127%

The above table shows that there has been a big increase in the imports volume of the product concerned in absolute terms and relative to the domestic production.

Economic impact

• **Production**

Year	2010	2011	2012	2013	2014	2015 First half
Change in domestic production (%) (base year)	-	-14%	-12%	-14%	-18%	-19%

The above table shows that there has been a decrease in the production volume in 2015 (first half) compared to 2010 (first half).

• **Domestic sales**

Year	2010	2011	2012	2013	2014	2015 First half
Change in domestic sales (%) (base year)	-	-23%	-17%	-22%	-11%	-24%

The above table shows that there has been a decrease in the domestic sales volume in 2015 (first half) compared to 2010 (first half).

• **Capacity utilization**

Year	2010	2011	2012	2013	2014	2015 First half
Change in capacity (%) (base year)	-	-3%	0.05%	1%	-10%	-12%

The above table shows that there has been a decrease in the production capacity volume in 2015 (first half) compared to 2010 (first half).

- **Stocks**

Year	2010	2011	2012	2013	2014	2015 First half
Change in stock (%) (base year)	-	45%	45%	60%	21%	21%

The above table shows that there has been an increase in the stocks volume in 2015 (first half) compared to 2010 (first half).

- **Employment**

Year	2010	2011	2012	2013	2014	2015 First half
Change in employment (%) (base year)	-	-26%	-34%	-32%	-35%	-37%

The above table shows that there has been a decrease in the employment volume in 2015 (first half) compared to 2010 (first half).

Causation

In the light of the above, it shows that there is a significant increase in the imports volume in absolute terms or relative to domestic production. Also, the large increase in the imports volume has coincided with the deterioration of the domestic industry indicators which appeared in the decline of the production, employment, capacity utilization rate, sales as well as the large increase in the stock volume. Therefore, the Investigating Authority found that there is sufficient preliminary evidence on the existence of the causal link between the serious injury caused to the domestic industry and the increase in imports of aluminium bars, rods and profiles.

(ii) Determining that there are critical circumstances where delay would cause damage which it would be difficult to repair

When examining the injury factors, the Investigating Authority found a significant decline in the economic indicators of the domestic industry (production, domestic sales, capacity utilization, and employment) as well as the large increase in the stock volume.

Two factories were closed during the period (2010-2015) due to the increase of imports.

The problem experienced by the domestic industry is one of the critical conditions where delay may result in a damage which would be difficult to repair. Article 6 of the Agreement on Safeguards permits the right to take provisional safeguard measures in such circumstances.

6. Members are encouraged to provide the following information

(i) The major exporting Members of imports of the product involved:

United Arab Emirates, Kingdom of Bahrain, China, Egypt, Kingdom of Saudi Arabia and Qatar

(ii) If there are Members to which the measure does not apply for any reason other than the application of Article 9.1, the names of such exporting Members and reasons for non-application of the measure:

N.A

7. Offer of consultations under Article 12.4

Consistent with Article 12.4 of the Agreement on Safeguards, Jordan is prepared to consult on the provisional safeguard measure with those members having a substantial interest of the subject product.

8. Point of contact for correspondence

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B. NOTIFICATION UNDER ARTICLE 9.1 FOOTNOTE 2 OF THE AGREEMENT ON SAFEGUARDS ON NON-APPLICATION OF PROVISINAL SAEGUARD MEASURE TAKEN TO THE IMPORTS ORIGINATING IN DEVELOPING COUNTRIES:**1. Specify the measure**

The Safeguard measure is described in Jordan's notification under Article 12.4 of the Agreement on Safeguards.

2. Specify the product subject to the measure

Product subject to the measure is described in Jordan's notification under Article 12.4 of the Agreement on Safeguards.

3. Specify the developing countries to which the measure is not applied under Article 9.1 of the Agreement on Safeguards

The developing countries concerned are the following:

List of Developing Countries			
Afghanistan	Albania	Algeria	American Samoa
Angola	Anguilla	Antigua and Barbuda	Argentina
Armenia	Aruba	Azerbaijan	Bahamas
Bangladesh	Barbados	Belarus	Belize
Benin	Bhutan	Bolivia, Plurinational State of	Bosnia and Herzegovina
Botswana	Brazil	Brunei Darussalam	Burkina Faso
Burundi	Cabo Verde	Cambodia	Cameroon
Central African Republic	Chad	Chile	Colombia
Comoros	Congo	Cook Islands	Costa Rica
Côte d'Ivoire	Croatia	Cuba	Democratic Republic of Congo
Djibouti	Dominica	Dominican Republic	East Timor
Ecuador	El Salvador	Equatorial Guinea	Eritrea
Ethiopia	Fiji	Gabon	The Gambia
Georgia	Ghana	Gibraltar	Greenland
Grenada	Guam	Guatemala	Guinea
Guinea-Bissau	Guyana	Haiti	Honduras
Hong Kong, China	Iran	Iraq	Israel
Jamaica	Kazakhstan	Kenya	Kiribati
Korea, Democratic Republic	Kuwait, the State of	Kyrgyz Republic	Lao PDR
Latvia	Lebanon	Lesotho	Liberia
Libya	Lithuania	Macao	Madagascar
Malawi	Malaysia	Maldives	Mali
Marshall Islands	Martinique	Mauritania	Mauritius
Mayotte	Micronesia, Fed Sts.	Midway Is.	Moldova, Republic of
Mongolia	Montserrat	Morocco	Mozambique
Mexico	Myanmar	Namibia	Nauru
Nepal	Netherlands Antilles	New Caledonia	Nicaragua
Niger	Nigeria	Niue Island	Norfolk Island
Northern Mariana Islands	Oman	Palau	Pakistan
Palestine	Panama	Papua New Guinea	Paraguay
Peru	Philippines	Pitcairn	Reunion

List of Developing Countries			
Rwanda	St Helena and dependencies	St Kitts and Nevis	Saint Lucia
St Pierre and Miquelon	St Vincent and the Grenadines	Samoa	Sao Tomé and Príncipe
Senegal	Serbia & Montenegro	Seychelles	Sierra Leone
Singapore	Slovak Republic	Slovenia	Solomon Islands
Somalia	South Africa	Sri Lanka	Sudan
Suriname	Swaziland	Syrian Arab Republic	Chinese Taipei
Tajikistan	Tanzania	Thailand	Togo
Tokelau	Tonga	Trinidad and Tobago	Tunisia
Turkey	Turkmenistan	Turks and Caicos Islands	Tuvalu
Uganda	Ukraine	Uruguay	Uzbekistan
Vanuatu	Yemen	Yugoslavia, Fed. Rep.	Venezuela, Bolivarian Republic of
Viet Nam	Zambia		