

**COMPREHENSIVE ECONOMIC PARTNERSHIP AGREEMENT (CEPA) BETWEEN THE GOVERNMENT OF THE
REPUBLIC OF INDIA AND THE GOVERNMENT OF THE UNITED ARAB EMIRATES (UAE)**

**CHAPTER-7
TRADE REMEDIES**

KEY HIGHLIGHTS

S.No.	Provision Number	Particulars
<u>ANTI-DUMPING AND COUNTERVAILING MEASURES</u>		
1.	Article 7.2-2A	No anti-dumping or countervailing duty shall be imposed on the same goods during one (1) year after the termination of the previous investigation or measure, if that other Party is the only subject country involved, except in Exceptional Circumstances.
2.	Article 7.2-3(b)	No later than ten (10) days before initiating an investigation, the Party shall provide written notification of its receipt of the application to the other Party.
	Article 7.2-3(c)	As soon as possible and no later than ten (10) days, after receiving the notification of the receipt of the application, the exporting Party may request pre-initiation consultations with the importing Party,
	Article 7.2-3(e)	In any proceeding in which the investigating authority determines to conduct an in-person verification of information that is provided by a respondent, the investigating authority shall promptly notify each respondent of its intent, and, in normal circumstances: <ul style="list-style-type: none">• provide to each respondent ten (10) days advance notice of the dates on which the authorities intend to conduct an in-person verification of the information;• five (5) days prior to an in-person verification, provide to the respondent a document that sets out the topics the respondent should be prepared to address during the verification and that describes the types of supporting documentation to be made available for review;• after the verification is completed, prepare a written report describing the methods and procedures that it followed.

		<ul style="list-style-type: none"> • Adequate opportunity to address the deficiencies exist in the information provided by respondents. • before a final determination is made, the investigating authority shall inform the Parties participating in the investigation of the essential facts that form the basis of the decision whether to apply definitive measures. And adequate opportunity to present arguments on reports and disclosures.
<u>BILATERAL SAFEGUARD MEASURES</u>		
3.	Article 7.3	<ul style="list-style-type: none"> • Parties agree that neither tariff rate quotas nor quantitative restrictions are permissible forms of bilateral safeguard measures. <p><i>Notification and Consultation</i></p> <ul style="list-style-type: none"> • A Party proposing to apply a definitive safeguard measure shall provide adequate opportunity for prior consultations with the other Party as far in advance, of taking any such measure, with a view to reviewing the information arising from the investigation, exchanging views on the measure and reaching an agreement on the compensation. <p><i>Conditions and Limitations</i></p> <ul style="list-style-type: none"> • A Party shall apply a safeguard measure only following an investigation by the Party's competent authorities in accordance with the Safeguards Agreement. • Each Party shall ensure that its competent authorities complete any such investigation within eight (8) months of its date of initiation which may be extended up to one (1) year by the competent authority. • Neither Party may apply a bilateral safeguard measure: <ul style="list-style-type: none"> (a) except to the extent, and for such time, as may be necessary to prevent or remedy serious injury and to facilitate adjustment; or (b) for a period exceeding two (2) years, except that the period may be extended by up to two (2) years if the competent authorities of the importing Party determine, in conformity with the procedures specified in this Article, that the measure continues to be necessary to prevent or remedy serious injury and to facilitate adjustment and that there is evidence that the industry is adjusting, provided that the total period of application of a bilateral safeguard measure, including the period of initial application and any extension thereof, shall not exceed four (4) years. • No bilateral safeguard measure shall be applied to the import of an originating good for a period of one (1) year from the date of commencement of tariff reduction or tariff elimination for that originating good provided for under this Agreement. <p><i>Provisional Measures</i></p> <ul style="list-style-type: none"> • In critical circumstances where delay would cause damage that would be difficult to repair, a Party may apply a bilateral safeguard measure on a provisional basis.

		<ul style="list-style-type: none"> • In a Party's competent authorities make a preliminary determination, the Party shall make such determination available to interested parties, and shall provide interested parties at least fifteen (15) days to comment and submit their arguments with respect to such determinations. • The duration of any provisional measure shall not exceed two hundred (200) Days. • The Party shall promptly refund any tariff increases if the investigation described in paragraph 6 does not result in a finding that the requirements of paragraph 1 are met. <p><i>Compensation</i></p> <ul style="list-style-type: none"> • No later than thirty (30) days after it applies a bilateral safeguard measure, a Party shall afford an opportunity for the other Party to consult regarding appropriate trade liberalizing compensation in the form of concessions having substantially equivalent trade effects or equivalent to the value of the additional duties expected to result from the bilateral safeguard measure. The applying Party shall provide such compensation as the Parties mutually agree. • If the Parties are unable to agree on compensation within thirty (30) days in the consultations, the Party against whose originating good the measure is applied may suspend the application of concessions with respect to originating goods of the applying Party that have trade effects substantially equivalent to the bilateral safeguard measure.
4.	Article 7.4	Neither Party shall apply, with respect to the same good, at the same time: (a) a bilateral safeguard measure as provided in Article 7.3 (Bilateral Safeguard Measures); and (b) a measure under Article XIX of the GATT 1994 and the Safeguards Agreement
5.	Article 7.5	The Parties agree to establish a Subcommittee on Trade Remedies (TR Committee) under the CTG, consisting of government representatives of each Party's competent authorities.