

Mr Phil Hogan
European Commissioner for Trade

Brussels, 27 February 2020

Dear Commissioner Hogan,

AEGIS Europe represents over 20 EU manufacturing sectors in relation to trade in general and trade defence in particular. We work to ensure that EU trade policy is fit for purpose and ensures fairness for EU manufacturing. AEGIS Europe welcomes the references in your Mission Letter to a level playing field for all, the strengthening of Europe's trade tool box to protect its industry from unfair trade practices. We have already lost too many sectors and technologies due to strategic subsidisation and strategic overcapacities in third countries.

The last two years have seen the modernisation of our trade defence laws but there are still many legal and practical challenges ahead in the trade defence field.

Of primary importance is the dedication of sufficient resources to trade defence to allow DG Trade to be able to respond with the necessary quickness and thoroughness to address the ever evolving challenges of the international trade scene, both with regard to the opening of new investigations and with regard to the enforcement of existing measures.

It is critical that your services recognise at an early stage the substantial threat of injury posed by imports, especially when driven by major subsidised overcapacities in third countries. In this regard, we would also welcome a greater use of monitoring, registration and other tools, and increased opportunities for collaboration with industry outside of formal investigations.

We need to work together to identify and apply subsidy 'market economy benchmarks' and defend these benchmarks vigorously in Brussels, Luxembourg and Geneva. New approaches are needed on specificity, transparency, state-controlled enterprise and public bodies. Subsidised investment into the EU must also be tackled.

On Union Interest those objecting to TDI measures should meet a 'standing' threshold like Complainants. If there is a finding of dumping or subsidisation the norm must always be measures.

To help address circumvention, complainants should have easier access to TARIC data, OLAF findings should lead to *ex officio* investigations, and greater use made of best facts available. The burden of proof must be on the exporting producers to show that there is no circumvention.

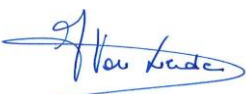
The mandate of the new Chief Enforcement Officer must also include the effective enforcement of trade defence measures with an emphasis on tackling circumvention, absorption and patterns of unfair behaviour that are repeated over time and among different product sectors.

We would welcome the opportunity of meeting with you to discuss in more detail the steps which we believe can be taken within the existing legal framework and highlight those areas where new rules or international agreement might be necessary.

Sincerely

Inès Van Lierde

AEGIS Europe Chair

A handwritten signature in blue ink, appearing to read "Inès Van Lierde", with a horizontal line underneath.

Cc: Per Haugaard, Sabine Weyand, Leopoldo Rubinacci