

Brussels, 1<sup>st</sup> of August 2018

**To the attention of Commissioner Malmström**

Dear Commissioner Malmström,

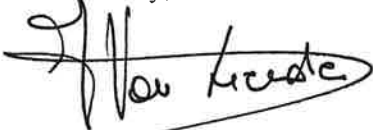
AEGIS Europe has become aware of and is deeply concerned by the approach taken by DG Trade in disclosing its intention not to open expiry reviews of the existing anti-dumping and anti-subsidy measures on imports of photovoltaic modules and cells originating in the PR China, which of course would have as a consequence the immediate expiry of these measures on 03 September.

In particular, we see no legal basis for and consider it to be an extremely dangerous precedent for the Commission essentially to consider itself bound by the Union interest compromise arrived at in March 2017, and is requiring as a condition for EU producers to obtain the initiation of the expiry reviews a change of circumstances in relation to the Union interest considerations underlying the March 2017 extension of the measures.

Indeed, we believe the provisions of the Basic AD and AS Regulations are very clear about the conditions to be met for the initiation of an expiry review, and Union interest considerations are not among them.

Although we understand that EU producers have in fact also shown recent changes of circumstances of major importance in their sector, it is the DG Trade portrayal of the legal requirements for the opening of an expiry review which cause greatest concern. We respectfully ask you therefore that as Trade Commissioner you take immediate steps to ensure that no decision is made to refuse the initiation of the expiry reviews in question on the basis of Union interest considerations, let alone those arrived at in March 2017.

Sincerely,

A handwritten signature in black ink, appearing to read "Inés Van Lierde", enclosed within a hand-drawn oval shape.

Inés Van Lierde  
Chair of AEGIS Europe

cc.: Léon Delvaux

**ABOUT AEGIS EUROPE**

*AEGIS Europe is a grouping of nearly 30 industrial associations dedicated to ensuring that EU policymakers work towards free and fair international trade. AEGIS members are leaders in sustainable manufacturing and account for more than €500 billion in annual turnover and millions of jobs across the EU. To find out more about AEGIS Europe please visit [www.aegiseurope.eu](http://www.aegiseurope.eu).*