

## 中華民國常駐世界貿易組織代表團 函

受文者：經濟部國際貿易局

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密等及解密條件或保密期限：

附件：Morocco-Welded Tubes (G-SG-N-6-MAR-12-Suppl 1件，Morocco-Welded Tubes (G-SG-N-8-MAR-8) 1件 (1687774440\_Morocco-Welded、Tubes、(G-SG-N-6-MAR-12-Suppl. 1). pdf、1687774440\_Morocco-Welded、Tubes、(G-SG-N-8-MAR-8). pdf)

主旨：世貿組織秘書處於本（2023）年6月23日公布摩洛哥通知針對延長對「鋼鐵製焊接管」（welded tubes and pipes, of iron or steel）之防衛措施展開複查（如附件一，文件代號G/SG/N/6/MAR/12/Suppl.1），敬請查照。

說明：

一、摩國原在2020年9月16日通知（如附件二，文件代號G/SG/N/8/MAR/8）對旨揭產品展開為期3年之防衛措施。受限產品之稅則號列如附件二第5段所述；該防衛措施以額外之25%從價稅（additional ad valorem duty）方式實施，在每實施滿一年後減少1%之稅率。根據其通知第10段，我國當時被列入排除本措施適用之開發中國家名單內。

二、根據旨揭通知，摩國產業貿易部自本年6月13日起展開複查。因摩國之稅則自2022年起轉版，本案受限相關產品在

轉版後之稅則如通知第2段第3節所述。

三、摩國在通知中表示，已將本次複查之問卷送予已知之出口商；其餘廠商如擬填答以參與本次調查，應在展開調查起之15日內向其主管機關（Ministry of Industry and Trade, Directorate-General of Trade, Trade Defence and Regulation Directorate, Email: ddc-svg-tbty@mcinet.gov.ma）索取問卷。擬被列為「利害關係方」（interested parties）之廠商，或擬對本次複查表示意見之廠商，應在展開調查起之30日內向上述之摩國主管機關表達。

正本：經濟部國際貿易局

副本：行政院經貿談判辦公室、外交部(均含附件)





16 June 2023

(23-4125)

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Committee on Safeguards

Original: French

**NOTIFICATION ON INITIATION OF A REVIEW  
PURSUANT TO ARTICLE 7.2 REGARDING THE EXTENSION  
OF A SAFEGUARD MEASURE**

MOROCCO

*Welded tubes and pipes, of iron or steel*

*Supplement*

The following communication, dated and received on 15 June 2023, is being circulated at the request of the delegation of Morocco.

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Pursuant to Article 7.2 of the Agreement on Safeguards, Morocco hereby notifies the initiation of a review investigation regarding extension of the current safeguard measure on imports of welded tubes and pipes, of iron or steel.

**1 DATE OF INITIATION OF THE INVESTIGATION**

The Ministry of Industry and Trade (hereinafter "the Ministry") has decided to initiate a review investigation on the extension of the safeguard measure applied to imports of welded tubes and pipes, as from 13 June 2023.

Public notice concerning the initiation of the investigation has been given on the Ministry's website (<https://www.mcinet.gov.ma/fr/avis-sauvegarde>) and in two newspapers authorized to publish legal announcements, namely: L'OPINION (Issue No. 19,952) published on 14 June 2023 and LE MATIN (Issue No. 17,757) published on 13 June 2023.

**2 DESCRIPTION OF THE PRODUCTS INVOLVED**

The products under consideration and subject to review are welded tubes and pipes, of iron or steel, conical or pyramidal, of circular, square or rectangular cross-section.

The product concerned was covered by the original investigation of the following HS tariff headings: 7306191090; 7306199900; 7306301099; 7306309900; 7306501090; 7306509900; 7306611000; 7306619000; 7306691000; 7306699900; 7306901090; 7306909900.

In the edition of the customs tariffs dated 1 January 2022, the product concerned now falls under the following tariff headings: 7306191090; 7306199900; 7306301099; 7306309900; 7306501090; 7306509900; 7306611010; 7306611090; 7306619000; 7306691000; 7306699900; 7306902012; 7306902019; 7306902022; 7306902029; 7306902039; 7306909019; 7306909099.

The review concerns all the products subject to the existing measure.

### **3 REFERENCE TO THE WTO DOCUMENT CONTAINING THE MOST RECENT ARTICLE 12.1(C) NOTIFICATION**

The WTO document containing the most recent Article 12.1 notification is document G/SG/N/8/MAR/8 - G/SG/N/10/MAR/8 - G/SG/N/11/MAR/8/Suppl.1, published on 16 September 2020, and its corrigendum G/SG/N/8/MAR/8/Corr.1 - G/SG/N/10/MAR/8/Corr.1 - G/SG/N/11/MAR/8/Suppl.1/Corr.1, published on 22 September 2020.

### **4 REASONS FOR THE INITIATION OF THE REVIEW**

The review investigation on extension of the safeguard measure applied to imports of welded tubes and pipes, of iron or steel, was initiated by the Ministry following a petition submitted by the Moroccan Association of Manufacturers of Steel Tubes and Profiles (*Association de Fabricants de Tubes et de Profilés en Acier du Maroc*) on behalf of the domestic industry for these products.

The review was initiated for the following reasons:

- The injury caused to the domestic industry has not yet been fully remedied and the measure continues to be necessary to remedy and prevent such injury;
- The domestic industry is in the process of introducing adjustments so as to improve its competitiveness; and
- Without a safeguard measure, import pressure could rise due to the increase in global production capacity for steel products, and the introduction of safeguard measures by several countries to protect their domestic producers.

### **5 DEADLINES FOR EXPORTERS AND OTHER INTERESTED PARTIES TO SUBMIT COMMENTS IN WRITING**

The Ministry will send questionnaires to the exporters identified in the petition. Other concerned parties wishing to receive a questionnaire and participate in the investigation should request the questionnaire within 15 days of the date of initiation of the investigation.

Replies to the investigation questionnaires must reach the Ministry within the time limits laid down in the questionnaires, and any party requesting an extension of these time limits must show good cause.

Parties that consider that the investigation concerns them have a period of 30 days from the date of initiation of the investigation to make themselves known as interested parties.

In addition to their questionnaire replies, concerned parties may send their views and comments on the initiation of the investigation, in writing, within 30 days of the date of initiation.

To submit replies and comments or to request information about the investigation procedure, parties should contact the Ministry at:

**Ministère de l'Industrie et du Commerce (Ministry of Industry and Trade)**

**Direction Générale du Commerce (Directorate-General of Trade)**

**Direction de la Défense et de la Réglementation Commerciale (Trade Defence and Regulation Directorate)**

Parcelle 14, Business center, aile Nord bd Riad,

Hay Riad. BP 610, Rabat Chellah, Morocco

Tel.: (+212) 537.70.18

Fax: (+212) 537.72.71

Email: [ddc-svg-tbty@mcinet.gov.ma](mailto:ddc-svg-tbty@mcinet.gov.ma)

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16 September 2020

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Committee on Safeguards

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

**NOTIFICATION UNDER CHAPTER 12.1(C) OF THE AGREEMENT ON SAFEGUARDS  
ON TAKING A DECISION TO APPLY A SAFEGUARD MEASURE**

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

MOROCCO

*Tubes and pipes of iron or steel*

The following communication, dated 7 September 2020, is being circulated at the request of the delegation of Morocco.

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Morocco hereby confirms the results of the preliminary determination in the safeguards investigation concerning imports of tubes and pipes of iron or steel, as notified in document [G/SG/N/6/MAR/12-G/SG/N/7/MAR/5-G/SG/N/11/MAR/8](#) on the application of a provisional safeguard measure.

The above-mentioned provisional safeguard measure was published in Official Journal No. 6838 of 12 December 2019 in the form of Joint Order No. 3032.19 of 4 Safar 1441 (3 October 2019) of the Minister of Industry, Investment, Trade and the Digital Economy and the Minister of the Economy and Finance.

In accordance with Article 12.1(b) and 12.1(c) of the Agreement on Safeguards, Morocco hereby notifies a finding of serious injury to the domestic industry producing tubes and pipes of iron or steel, and the definitive safeguard measure proposed. This notification contains all pertinent information relating to the proposed safeguard measure, in accordance with Article 12.2 of the Agreement on Safeguards, and an offer to consult with Members having a substantial interest as exporters of the product concerned, in accordance with Article 12.3 of the Agreement.

## 1 DETERMINATION OF SERIOUS INJURY CAUSED BY INCREASED IMPORTS

### Overview of indicators pertaining to the domestic industry producing tubes and pipes of iron or steel

	2014	2015	2016	2017	2018	2019
Imports (tonnes)	6,037	14,653	18,103	16,670	15,356	34,959
Production (tonnes)	59,244	63,318	79,518	85,125	79,314	71,031
Share of imports in relation to domestic production	10.19%	23.14%	22.77%	19.58%	19.36%	49.22%
Market share taken by imports	7%	14%	15%	13%	14%	29%
Sales (tonnes)	64,162	72,013	76,056	88,032	77,250	72,712
Productivity (tonnes/employee)	274	304	384	364	335	292
Capacity utilization rate	31%	33%	40%	43%	40%	37%
Profits (MAD thousand)	22,819	23,369	51,262	22,958	19,708	11,470
Number of employees	216	208	207	234	237	243

Source: Foreign Exchange Board and data from the domestic industry.

- **Market share taken by imports:** As indicated in the above table, the market share taken by imports increased from 7% in 2014 to 15% in 2016. The share then fell back 2 percentage points between 2016 and 2017 before recovering slightly between 2017 and 2018. It then rose by 15 percentage points in 2019, to the detriment of the market share taken by the domestic industry.
- **Sales:** Sales improved between 2014 and 2017 before falling in 2018 and 2019. The year-on-year increases were 12.24% in 2015, 5.61% in 2016 and 15.75% in 2017. In the downturn that followed, sales contracted by 12.25% between 2017 and 2018 and by 5.87% between 2018 and 2019.
- **Production:** Although the production of tubes and pipes of iron or steel grew between 2014 and 2017, it then shrank by 10.35% between 2017 and 2018 and by 10.44% between 2018 and 2019.
- **Productivity:** Productivity per employee grew until 2016, in line with the growth in production. However, the productivity rate declined by 5.21% in 2017, 7.97% in 2018 and 12.84% in 2019, following the downturn in production.
- **Capacity utilization rate:** During the investigation period, the capacity utilization rate peaked in 2017, at 43%, before deteriorating in 2018 and 2019.
- **Employment:** Despite the decline in production and sales in the local market in 2018 and 2019, employment rose during the same period. According to the data from the investigation, the disconnect between employment levels on the one hand and production and sales on the other is due to the increased use of temporary workers as a result of uncertainties linked to market trends.
- **Profitability:** Despite the domestic industry's profitability gains up to and including 2016, profitability has fallen considerably since 2017. Specifically, productivity fell by 55.21% between 2016 and 2017, 14.16% between 2017 and 2018 and 41.80% between 2018 and 2019.

In short, the analysis of various injury factors shows that the domestic industry is in crisis. Consequently, the Ministry has definitively concluded that there has been serious injury, as defined in Article 53 of Law No. 15-09 and Article 45 of Decree No. 2-12-645, to the domestic industry producing tubes and pipes of iron or steel.

## 2 DETERMINATION OF THE EXISTENCE OF A MASSIVE INCREASE IN IMPORTS

### 2.1 Absolute increase in imports

In absolute terms, imports of tubes and pipes of iron or steel grew significantly by 143% in between 2014 and 2015, then by 24% in 2016. These imports then contracted by 8% in both 2017 and 2018 before growing significantly by 128% between 2018 and 2019. For the reporting period 2014-2019, imports of tubes and pipes of iron or steel grew by 479%.

	2014	2015	2016	2017	2018	2019
Imports (tonnes)	6,037	14,653	18,103	16,670	15,356	34,959
Trend	-	+142.72%	+23.54%	-7.92%	-7.88%	+127.66%

Source: Data from the Foreign Exchange Board

### 2.2 Increase in imports in relative terms compared to domestic production

Imports of the product under consideration relative to domestic production grew significantly between 2014 and 2015, by 127%, before declining slightly between 2016 and 2018. The share of imports in relation to production, which was 10% in 2014, reached 49% in 2019, rising by a massive 154% between 2018 and 2019. Between 2014 and 2019, the growth rate of imports in relative terms compared to production was 383%.

	2014	2015	2016	2017	2018	2019
Share of imports in relation to domestic production	10.19%	23.14%	22.77%	19.58%	19.36%	49.22%

Source: Data from the Foreign Exchange Board and the domestic industry

## 3 UNFORESEEN DEVELOPMENTS

The Ministry's definitive view is that the massive increase in imports of tubes and pipes of iron or steel is due to Morocco's GATT commitments and to a confluence of unforeseen developments as defined by Article 52 of Law No. 15-09 and Article 2.1 of the Agreement on Safeguards.

## 4 CAUSAL LINK

In accordance with the requirements of Article 54 of Law No. 15-09 and Article 46 of its implementing Decree, the Ministry examined the correlation between the massive increase in imports and serious injury, and the effects of other factors that might cause serious injury to the domestic industry.

As a result, the Ministry's definitive conclusion is that there is a causal link between the massive increase in imports of tubes and pipes of iron or steel and the serious injury to the domestic industry. This causal link is not affected by the existence of other injury factors, especially as none of these factors is likely to cause or threaten to cause serious injury to the domestic industry.

## 5 DESCRIPTION OF THE PRODUCT SUBJECT TO THE SAFEGUARD MEASURE

The products subject to the definitive safeguard measure are tubes and pipes of iron or steel. These products are imported under the following Moroccan tariff headings and subheadings: 7306.19.10.90; 7306.19.99.00; 7306.30.10.99; 7306.30.99.00; 7306.50.10.90; 7306.50.99.00; 7306.61.10.00; 7306.61.90.00; 7306.69.10.00; 7306.69.99.00; 7306.90.10.90; and 7306.90.99.00.

Tubes and pipes of a diameter exceeding 406.4 mm, covered by section 7305 of the customs nomenclature, were excluded from the scope of the investigation.

## 6 DESCRIPTION OF THE PROPOSED MEASURE

The definitive safeguard measure consists of an additional *ad valorem* duty of 25%.

## **7 PROPOSED DATE OF INTRODUCTION OF THE MEASURE**

The proposed definitive safeguard measure will enter into force on the day immediately following the date of publication in Morocco's Official Journal of the joint order imposing the measure.

## **8 EXPECTED DURATION OF THE MEASURE**

The expected duration of the proposed measure is three years.

## **9 EXPECTED TIMETABLE FOR PROGRESSIVE LIBERALIZATION OF THE MEASURE**

In order to satisfy the requirement under Article 65 of Law No. 15-09 for the progressive liberalization of the measure following its first year of application, the additional *ad valorem* duty of 25% will be reduced by 1 percentage point each year.

## **10 DEVELOPING COUNTRIES EXCLUDED FROM THE DEFINITIVE SAFEGUARD MEASURE UNDER ARTICLE 9.1 OF THE AGREEMENT ON SAFEGUARDS**

Albania; Angola; Antigua and Barbuda; Argentina; Armenia; Bahrain, Kingdom of; Bangladesh; Barbados; Belize; Benin; Bolivia; Botswana; Brazil; Brunei Darussalam; Burkina Faso; Burundi; Cabo Verde; Cambodia; Cameroon; Central African Republic; Chad; Chile; Colombia; Congo; Costa Rica; Côte d'Ivoire; Cuba; Democratic Republic of the Congo; Djibouti; Dominica; Dominican Republic; Ecuador; Egypt; El Salvador; Eswatini; Fiji; Gabon; Gambia; Georgia; Ghana; Grenada; Guatemala; Guinea; Guinea-Bissau; Guyana; Haiti; Honduras; India; Indonesia; Jamaica; Jordan; Kazakhstan; Kenya; Korea, Republic of; Kuwait; Kyrgyz Republic; Lao People's Democratic Republic; Lesotho; Macao, China; Madagascar; Malawi; Malaysia; Maldives; Mali; Mauritania; Mauritius; Mexico; Moldova, Republic of; Mongolia; Montenegro; Mozambique; Myanmar; Namibia; Nepal; Nicaragua; Niger; Nigeria; North Macedonia; Oman; Pakistan; Panama; Papua New Guinea; Paraguay; Peru; Philippines; Qatar; Rwanda; Saint Kitts and Nevis; Saint Lucia; Saint Vincent and the Grenadines; Samoa; Saudi Arabia, Kingdom of; Senegal; Sierra Leone; Singapore; Solomon Islands; South Africa; Sri Lanka; Suriname; Chinese Taipei; Tajikistan; Tanzania; Thailand; Togo; Tonga; Trinidad and Tobago; Tunisia; Uganda; United Arab Emirates; Uruguay; Vanuatu; Venezuela, Bolivarian Republic of; Viet Nam; Yemen; Zambia; Zimbabwe.

## **11 OFFER OF CONSULTATIONS UNDER ARTICLE 12.3**

In accordance with Article 12.3 of the Agreement on Safeguards, Morocco is ready to consult on the proposed safeguard measure with those Members having a substantial interest as exporters of the products concerned.

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