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SR0025: Suspension Investigation regarding anti-dumping duties on certain hot-rolled flat products of iron, non-alloy steel or other alloy steel from Ukraine

1. Introduction

Tata Steel UK ('TSUK') is the major producer of hot-rolled flat steel products ('HRF') in the UK. Our company was one of the complainants in and cooperated with the original investigation carried out by the European Commission that led to the imposition of the anti-dumping measures in 2017. TSUK has also registered as an interested party in the on-going transition review of the measures in question (TD0026).

At the outset, TSUK submits that our company supports the proposed temporary suspension of the anti-dumping measures with respect to Ukraine. While the measures have been providing the necessary relief to the UK industry from the dumped imports in the last 5 years, TSUK expresses solidarity with the Ukrainian steel industry that has been severely affected by the Russian military invasion.

In the present letter, TSUK provides several considerations which are aimed at reaching a balanced and efficient approach to the proposed suspension of the measures.

2. The period of suspension

TSUK notes that the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 ('the Trade Remedies Regulations') do not contain any provisions related to the minimum period of suspension of the measures. At the same time, according to Article 87(1) of the Trade Remedies Regulation, the period of suspension '*must not exceed nine months commencing on the day after the publication of the public notice*' giving effect to the suspension. According to Article 87(2), the TRA also may, if it is considered appropriate, recommend to extend the suspension up to 21 months.

Our company believes that it is appropriate to provide the Ukrainian industry with initial relief from the measures for any period within the timeframe set out in Article 87(1), i.e. up to 9 months. TSUK also considers that in the course of the initial period of suspension, the TRA should monitor the changing market conditions and their impact on the UK industry. We also respectfully request the TRA to remain open to receiving information on changes in market conditions and their impact from interested parties.

If the TRA receives an application for the extension of the suspension or intends to do so on its own initiative, TSUK submits that interested parties, including the UK industry, must be given an opportunity to provide their views on the potential extension.

3. Reinstatement of the anti-dumping duty

TSUK draws TRA's attention to the fact that it is necessary to ensure that the Ukrainian steel industry is not used by third countries to circumvent trade defence measures and / or sanctions against such countries or individual producers, specifically Russia. While

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this is not a material risk at this stage, it may become more relevant if the Ukrainian steel industry undergoes significant changes either in terms of its ownership structure or supply chain. If during the period of suspension the TRA obtains evidence indicating that the Ukrainian industry is indeed being used for circumvention of trade remedies or sanctions by third countries or individual producers, the TRA should address such practices either through reinstatement of the anti-dumping duty or through additional anti-circumvention measures.

TSUK also respectfully requests the TRA to monitor the impact of the suspension on the UK industry.

TSUK remains at your convenience if you would require any further information. We also reserve our right to provide additional comments on this matter.

Kind regards,

[signature]