The Commission will continue to firmly apply trade defence measures where warranted in order to protect the EU from unfair trade practices. In that respect, the EU has carried out a major reform of its trade defence instruments in 2017 and 2018, which allows the EU to make better use of its trade defence instruments and address in a more effective way rampant and injurious dumping and subsidisation by third countries, including China. This reform mainly consisted of two strands: 1) a new methodology for calculating dumping on imports from countries where significant market distortions exist, together with the possibility to extend the scope of anti-subsidy investigations to cover all subsidies found during the investigation, and 2) an overall modernisation of trade defence instruments that now take into account, for example, distortions related to raw materials.

Moreover, should any trade partner resort to using trade means which would infringe World Trade Organization (WTO) rules and harm the EU’s economic interests, e.g. by unlawfully applying trade defence measures, and should a mutually beneficial solution not be found through negotiation, the Commission will not hesitate to make use of all the instruments available under WTO agreements, including dispute settlement proceedings. In this context, in December 2019, in order to strengthen the EU’s trade toolbox, the Commission unveiled a proposal to amend the existing Enforcement Regulation, which will allow the EU to protect its trade interests despite the recent paralysis of the multilateral dispute settlement system in the WTO.

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2 OJ L 143, 7.6.2018, p.1