

Original: English

**FTAA - COMMITTEE OF GOVERNMENT REPRESENTATIVES ON THE PARTICIPATION  
 OF CIVIL SOCIETY**

**COVER SHEET**

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<b>Country (ies) / Region (s)</b>	The Hemisphere

<b>Number of Pages</b>	3	<b>Language</b>	English / Spanish
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**ISSUES ADDRESSED** (Check all that apply)

Agriculture		<b>Subsidies, Antidumping and Countervailing Duties</b>	<b>x</b>
Competition Policy		Civil Society	
Dispute Settlement		Electronic Commerce	
Government Procurement		Smaller Economies	
Intellectual Property Rights		The FTAA Process	
Investment		Other:	
Market Access			
Services			

**EXECUTIVE SUMMARY** – 2 pages maximum – (see Open Invitation):

### **APPROVED RECOMMENDATIONS**

The following recommendations are made to governments:

1. The FTAA negotiations should refer to the WTO framework. The members of the FTAA must observe the WTO rules, through the introduction of structures intended to apply rules and procedures to combat unfair trading practices.
2. Provide the private sector with regulations and defence mechanisms that allow for the correction of subsidies and identified dumping practices.
3. Be consistent with the international treaties approved under GATT 94 on subsidies and the elimination of subsidies in effect today.
4. Establish communication systems to report to the private sector on progress in negotiations. The governments must prepare transparent mechanisms for the dissemination of information to their own private sectors.
5. Develop and implement exchanges, education and training programs, for both government officials and the private sector, intended to facilitate the preparation, investigation, evaluation and decision making processes.
6. Give consideration to the private sector's suggestions regarding the administration of each country's regulations, improving the mechanisms for consultation and participation.
7. Establish clear and transparent provisions that allow for the uniform interpretation of the FTAA agreement on anti-dumping, subsidies and countervailing duties.
8. Create of a hemisphere-wide information system on anti-dumping and subsidies that allows for the co-ordination of public sector agencies in charge of the administration of solutions.
9. Define of procedures for undertaking legal proceedings against a third member country that is importing dumped goods in cases in which there is no identical or similar local product, thereby jeopardizing the exports of another member country to the same market.
10. Limit the use of "best available information" that confers discretionary powers of evaluation, in order to prevent its abuse.

### **BUSINESS FACILITATION MEASURES**

The recommendations made in numbers 2, 4, and 5 are considered to be business facilitation measures.

### **AREAS OF DIVERGENCE**

The recommendations that follow did not have the unanimous approval of all of the participants:

The practices to be applied in the FTAA must be clearly understood by the private sector in each country, so that the sector can contribute to their analysis. An in-depth study should be performed of all forms, procedures and documentation required to apply for anti-dumping correctives or countervailing duties.

The governments should follow a definite timetable in investigations and in each of their stages. Elimination of the application of countervailing duties applied as a result of subsidies granted in the past by governments to former state businesses that have been privatized through a transparent process in accordance with free-market rules, and which no longer receive subsidies.

Chair: Dagoberto Lima Godoy, Brazil Vice-Chair: Hernan Pitto, Chile  
Rapporteur: Luis Iturbe, Canada Vice-Rapporteur: Rosario Solari, Argentina