



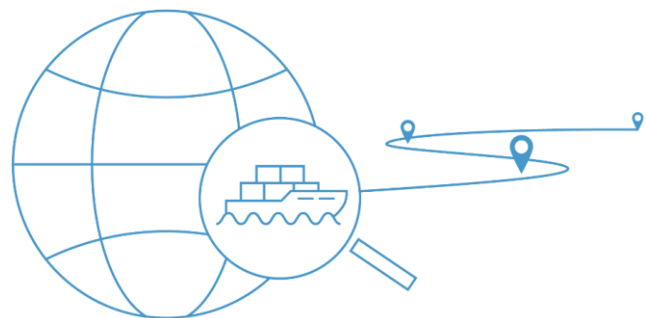
Australian Government  
Department of Industry,  
Science and Resources

**Anti-Dumping  
Commission**

# International Trade Remedies Forum Meeting Minutes

Thursday 28 November 2024

**Anti-Dumping Commission website:**  
[adcommission.gov.au](https://adcommission.gov.au)



## Agenda Item 1 – Introduction and Welcome

Meeting commenced 10.00am.

The acting Commissioner of the Anti-Dumping Commission opened the meeting, thanked ITRF members for attending and made an Acknowledgement of Country. The acting Commissioner passed on Minister Husic's apologies for not being able to attend the meeting.

The acting Commissioner welcomed the alternative representative from the Australian Manufacturing Workers' Union and called for any members to declare additional interests beyond those of their organisations.

In alphabetical order, ITRF members then introduced themselves to the Forum (*see Attachment A for an attendee list*).

## Agenda Item 2 – Action Items Update

The Assistant Director, Outreach and Engagement discussed and closed all the outstanding action items from the May 2024 meeting.

## Agenda Item 3 – Terms of Reference Update

The acting Commissioner advised that the Minister approved the Terms of Reference (ToR) with one amendment, to clarify that all ITRF members may provide voting statements to support their views, rather than only ITRF members who vote against or abstain.

The acting Commissioner also thanked all ITRF members for their work and contributions towards the ToR and encouraged members to familiarise themselves with the document.

## Agenda Item 4 – ITRF Sub-Committee Co-chairs' Report: Strengthening the Anti-Dumping System

The acting Commissioner initiated the session by thanking the Strengthening the Anti-Dumping System Sub-committee for its work over the past two years and acknowledging the contributions of the broader ITRF membership in advancing the co-chair's report to this point.

The acting Commissioner confirmed with the Secretariat that a quorum was present.

The acting Commissioner then announced the confirmed proxies for the vote and explained that ITRF government members, including the Presiding Member, will abstain from the vote due to it being an industry-driven document with recommendations for the Minister's consideration.

The acting Commissioner explained the voting process to members as outlined in the ITRF ToR, and noted that agreement requires support of the bare majority, that is half of non-government members plus one.

*Vote 1 discussion:* The Sub-committee co-chairs presented their argument for why the proposed reforms should be considered as a package and not individually. ITRF members were then invited to share their final thoughts before initiating the first vote. Six of 22 non-government ITRF members spoke, expressing views in favour and against considering the reforms as a package and not individually.

### Vote 1: consider the report as a whole package

- Outcome – 18 votes in support; 4 against; and 0 abstained.

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The acting Commissioner confirmed with the Secretariat it was a majority vote in favour of considering the report as a package and announced the second vote would proceed.

*Vote 2 discussion:* The acting Commissioner then summarised the ITRF member consultation that had occurred throughout the year and invited the co-chairs to speak to the package prior to Vote 2.

After the co-chairs had provided their closing remarks, the acting Commissioner asked ITRF members if they had any final questions or comments. None were made. The acting Commissioner then moved to the second vote.

### **Vote 2: submit the report to the Minister**

- Outcome – 18 votes in support; 3 against; and 1 abstained.

At the conclusion of the second vote, the acting Commissioner acknowledged the outcome as an important milestone for both the ITRF and the Sub-committee. ITRF members were informed that voting statements are due by Thursday 12 December, noting that the statements provide members with the opportunity to inform the Minister of their views.

## **Agenda Item 5 – Anti-Dumping Commission update**

### **Workload**

The acting Commissioner updated ITRF members on trends in the commission's workload, noting an increase in applications for new investigations, the most significant number since 2020. Ten cases have been received with 8 being new commodities.

The acting Commissioner followed up on an email sent in August asking for input from ITRF members into what types of reporting information they would like to receive. She then shared an example of a sample report which included caseload applications on hand, the number of new applications, measures in force by commodity type, and average case lengths. Going forward, this information will be provided twice a year, and based on data ending 30 June and 31 December, subject to scheduled ITRF meeting dates.

The acting Commissioner also advised that the commission has been working to improve the information contained within the status report where a preliminary affirmative determination (PAD) is not undertaken at day 60.

The acting Commissioner advised samples of these reports would be provided to ITRF members for review prior to the Christmas 2024 / New Year 2025 shutdown period.

### **Duty Assessments Reporting**

The acting Commissioner advised that the commission had noted and responded to feedback from ITRF members (included in the proposed reforms package) that greater transparency was needed on duty assessments.

The acting Commissioner advised a newsletter was distributed to subscribers on Thursday 21 November, advising of changes to the Monthly Status Report from 14 December 2024. From this date, the Monthly Status Report will be altered to include: whether a positive or negative determination has been made; refund percentage; and the operative variable that was used in determining the decision. This update to reporting will not disclose any commercial-in-confidence information.

This further information will provide greater transparency regarding how measures are operating in practice.

**TRINDEX update**

The acting Commissioner acknowledged challenges with the TRINDEX report's ability to accurately report on commodities that have measures in place. The acting Commissioner advised that to ensure TRINDEX remains fit for purpose and to understand the priority and value of this service for industry end users, ITRF members will be contacted prior to the Christmas 2024 / New Year 2025 shutdown period and asked to provide feedback on the utility of an accurate TRINDEX system, so that the commission can prioritise and determine next steps.

**Investigations update**

The acting Deputy Commissioner, Investigations, provided ITRF members with an update on the commission's current caseload and verifications. As at 31 October, the commission had 32 cases on hand. The majority are investigations, and the remainder are a mix of case types. There are 62 dumping or subsidy measures in force covering 26 different goods from 16 countries. From 1 May to 31 October of this year 1 measure expired and 1 measure was revoked.

**Verifications update**

The acting Deputy Commissioner said in financial year 2023-2024, the commission conducted 9 onsite exporter verifications. These were held in China, Indonesia, Korea, Malaysia, Sweden and Thailand. Two virtual verifications were conducted with exporters in China and Malaysia.

**New forms and updates to lodgements**

The acting Deputy Commissioner reminded ITRF members about the recent changes to application forms, lodgement methods and applications received outside of business hours and that Anti-Dumping Notices 2024/075 and 2024/076 explain these changes in full and can be accessed from the commission's website.

**Legal and dispute settlement update**

The acting Deputy Commissioner, Legal and Dispute Settlement, outlined the short and long-term goals for providing enhanced support to the Investigations Branch.

**Engagement update**

The acting Deputy Commissioner, Strategy and Operations, outlined the commission's stakeholder engagements since the May ITRF meeting with Australian industry, international counterparts and government partners.

Domestic engagements included presenting to members of the International Forwarders and Customs Brokers Association of Australia as well as members of the National Farmers' Federation.

International engagements included presenting at the Seoul International Forum on Trade Remedies in South Korea, and the annual international webinar on trade remedies hosted by Japan's Ministry of Economy, Trade and Industry. In June, the commission conducted a staff exchange with the United Kingdom's Trade Remedies Authority to deepen expertise and share their respective learnings. In October, the commission accompanied DFAT at the WTO Trade Remedies Week, in Geneva.

The acting Deputy Commissioner also advised that the commission has developed specific RSS feeds that will provide real-time Anti-Dumping Commission notifications. ITRF members will be provided with instructions should they wish to subscribe to the RSS feeds.

## Agenda Item 6 – Government updates

### Department of Industry, Science and Resources (DISR)

The DISR Deputy Secretary provided updates on:

- The Commissioner appointment process – an announcement is expected imminently.
- The Carbon Leakage Review – the second consultation led by the Department of Climate Change, Energy, the Environment and Water and Professor Frank Jotzo closes on 3 December 2024. It is anticipated the final advice to government will be provided by the end of 2024.
- Green Metals – this continues to be part of the Future Made in Australia program as it is an area of significant focus. An advisory panel on both green metals and industrial decarbonisation has been created and is actively providing advice to the government.

### Australian Border Force (ABF)

The ABF representative provided the following update:

- ABF is continuing to undertake activities to explore and understand areas of vulnerability in the trade enforcement environment related to dumping duties. This includes ensuring goods are classified correctly for the purpose of duties collection.
- Aluminium extrusions and hollow structural sections continue to have the highest detection rate by goods type for the first quarter of the 2024-25 financial year.
- Commodities of interest and current investigations underway include steel pallet racking and hollow structural steel.
- Subject to industry demand and internal resourcing, the Goods Compliance Update will be issued 3-4 times in 2025.

### Department of Foreign Affairs and Trade (DFAT)

DFAT representatives provided an update on:

- The Third Australia-Vietnam High Level Dialogue (HLD) on Trade Remedies, which took place on 25-26 June 2024. The HLD provided the opportunity to share policy and practice and increase the transparency of both systems. Topics discussed included experiences managing anti-dumping and countervailing cases, approaches to anti-circumvention, and trade remedies developments at the WTO and beyond. The commission also delivered well-received training sessions.
- The next round of HLDs will likely be held in the second half of 2025 with China and Indonesia (subject to confirmation).
- WTO Rules Week was held in Geneva from 28 October – 1 November 2024. Commission and DFAT representatives attended the Subsidies, Anti-Dumping and Safeguards Committee meetings and related working groups. The 2025 WTO Rules Weeks have been confirmed for late April and late October, and there is still an intention to hold a biennial ‘heads of trade remedies authorities’ meeting in April alongside Rules Week.
- Related international developments on industrial policy.
- Trade remedies disputes involving Australia including the three disputes where Australia is a third party. A general update on current international disputes was also provided.

## **Agenda Item 7 – Other business**

An ITRF member asked about the standard language used in status reports and how industry interprets it, and suggested using language that would be considered more neutral. The acting Commissioner agreed to take this conversation offline to better understand the concern and see how it could be addressed. This will be organised in early 2025.

The acting Commissioner encouraged ITRF members to consider using the next meeting to discuss the future of the forum, topics for discussion and advice for the Minister.

With the ToR now endorsed by the Minister, some members raised the possibility of continuing the work of past sub-committees: compliance and anti-circumvention; and small and medium sized business access, as well as next steps for the Strengthening the System Sub-committee. ITRF members were encouraged to give thought to future pieces of Sub-committee work, with discussions to be picked up in 2025 and/or progressed via email proposal to the ITRF Secretariat.

Two ITRF members noted that presentations from the International Trade Remedies Advisory Service (ITRA) had occurred in the past and were valuable. The acting Commissioner advised the ITRA would be invited to the next meeting to provide an update.

## **Agenda Item 8 – Next meeting and closing remarks**

The acting Commissioner thanked ITRF members for attending and reflected on the achievements and progress made in 2024. The acting Commissioner advised attendees that the Secretariat will schedule the next meeting for either April or May 2025.

The acting Commissioner confirmed the meeting actions items (see Appendix B) and requested voting statements by 12 December. She then wished ITRF members well for the festive season and called the meeting to a close.

**Meeting closed at 12.30pm**

## Attachment A – meeting attendance summary

### Anti-Dumping Commission

#### *In person*

- Isolde Lueckenhausen, Acting Commissioner and Presiding Member
- Esther Harvey, Acting Deputy Commissioner, Strategy and Operations
- Justin Wickes, Acting Deputy Commissioner, Investigations
- Katrina Gunn, Acting Deputy Commissioner, Legal and Dispute Settlement
- Tom Keary, Assistant Director, Outreach and Engagement (*ITRF Secretariat*)
- Sarah Salter, Senior Engagement Officer, Outreach and Engagement (*ITRF Secretariat*)

#### *Virtual*

- Jason Fitts, Director, Outreach and Engagement (*ITRF Secretariat*)
- Phillipa Crouch, Acting Director, Operational Policy and Practice
- Cameron Just, Assistant Director, Outreach and Engagement
- Athena Padelidis, Assistant Director, Investigations
- An Chew, Assistant Director, Quality Assurance and Verification
- Jeremy Latcham, Assistant Director, Investigations
- Nick Hannah, Investigator

### Non-Government Members

#### *In person*

- Ross Becroft, Principal, Law Council of Australia
- Mark Cain, Chief Executive, Australian Steel Institute
- Matt Condon, Manager Trade Development, InfraBuild Steel
- Marc Cousins, International Trade Affairs Manager, BlueScope
- Luke Hawkins, Divisional General Manager, Capral Limited
- Marghanita Johnson, CEO, Australian Aluminium Council
- Faisal Mian, Senior Manager Commercial, Orica (observer capacity)
- Louise McGrath, Head of Industry Development and Policy, Australian Industry Group
- Travis Wacey, National Policy Research Officer, Construction, Forestry, and Maritime Employees Union
- Russell Weise, Director CGT Law (on behalf of the Freight Trade Alliance)

#### *Virtual*

- Dillan Amin, Director, Global Trade, Rio Tinto
- Chris Barnes, Head of Business Development and International Affairs, Australian
- David Buchanan, Chief Executive Officer, Australian Steel Association
- Mel Cheesman, Head, Government and Regulation, Orica
- Robyn Fortescue, Assistant National Secretary, Australian Manufacturing Workers' Union
- Andrew Hudson, Lawyer, Rigby Cooke Lawyers (on behalf of the Food and Beverage
- Richard Hyett, Deputy CEO - Director of Policy, Australian Forest Products Association
- Corné Kritzinger, CEO, Oceania Glass

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- Bernard Lee, Director, Net Zero Transition and Policy, Chemistry Australia
- Thomas Mortimer, National Policy Director, Australian Workers' Union
- Chris Young, General Manager, Trade and Economics, National Farmers Federation

### Department of Industry, Science and Resources

#### *In person*

- Julia Pickworth, Deputy Secretary, Industry and Commercialisation Group
- Lucas Rutherford, General Manager, Industry Policy

#### *Virtual*

- Karl Brennan, Manager, Anti-Dumping Policy Section
- Julian Stockwell, Assistant Manager, Anti-Dumping Policy Section
- Maria Themistocleous, Assistant Manager, Anti-Dumping Policy Section
- Lachlan Kelley, Assistant Manager, Anti-Dumping Policy Section
- Sanjay Sharma, Assistant Manager, International Trade Remedies Advisory Service

### Australian Border Force

#### *Virtual*

- Mark Lang, Inspector, Trusted Trader and Compliance Branch

### Department of Foreign Affairs and Trade

#### *In person*

- Alan McGuinness, Director, Market Access and Trade Remedies Section
- Sam Alexander, Director, Subsidies and Trade Remedies Law Section

#### *Virtual*

- Andrew Jacenko, Assistant Secretary, Goods and Market Access Branch
- Rachel Price, Director, Trade Disputes and Litigation Section
- Sarah Grant, Assistant Director, Market Access and Trade Remedies Section
- Ilona Krolikowska, Assistant Director, Market Access and Trade Remedies Section
- Tara Leaney, Policy Officer, Market Access and Trade Remedies Section
- Jacinta Evans, Policy Officer, Market Access and Trade Remedies Section

### Apologies

- Clare Middlemas, Senior International Officer, Australian Council of Trade Unions (*Travis Wacey, CFMEU, is Proxy Member*)
- Brad Leonard, Manager Border and Biosecurity, International Forwarders and Customs Brokers Association of Australia (*Andrew Hudson, FBIA, is Proxy Member*)



## Appendix A – Action Items

1. ITRF members to provide voting statements via the ITRF Secretariat by Thursday 12 December 2024.
2. Commission to progress the Sub Committee Co-Chair's report on Strengthening the Anti-Dumping System to the Minister including received voting statements (early 2025).
3. Commission to provide sample reporting information to members and include at future ITRF meetings as part of the commission's update in an ongoing capacity prior to the Christmas 2024 / New Year 2025 shutdown period.
4. Commission to contact ITRF members to consult and gain feedback on of the utility of the TRINDEX service prior to the Christmas 2024 / New Year 2025 shutdown period.
5. Commission to send instructions to ITRF members on how to subscribe to the developed RSS feed for real time Anti-Dumping Commission case updates.
6. ITRF members to consider next steps for dormant sub-committees and raise as part of 'other business' at the next ITRF meeting.
7. Commission to have an offline conversation in early 2025 with the ITRF member who asked about the language used in status reports.
8. Invite international Trade Remedies Advisory (ITRA) services to provide an update at a future ITRF meeting.