



Schweizerische Eidgenossenschaft
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Embassy of Switzerland in the United Kingdom

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The Embassy of Switzerland in the United Kingdom presents its compliments to the Foreign, Commonwealth & Development Office and has the honour to refer to the Statement of Intended Final Determination (SIFD) in the context of the Extension Review of safeguard measures on certain steel products (case number SE0041), as initiated on 4 September 2023.

The Swiss authorities took note of the SIFD as initiated by the Trade Remedies Authority (TRA) on 21 February 2024. They regret the TRA's recommendation to the Secretary of State to extend the safeguard measures for all product categories for an additional two years, i.e., until 30 June 2026.

According to paragraph 1 of Article 7 of the WTO Agreement on Safeguards, a member shall apply safeguard measures only for such period of time as may be necessary to prevent or remedy serious injury and to facilitate adjustment. Further, according to Article 2 of the Agreement on Safeguards, to which Article 7.2 refers in case of an extension, a member may apply a safeguard measure if the product is being imported in such increased quantities, absolute or relative to domestic production, and under such conditions as to cause or threaten to cause serious injury to domestic industry. The Swiss authorities fail to see how the safeguard measures on several product categories, in which no increase of imports relative to domestic production has taken place, could comply with the requirements of the Agreement on Safeguards.


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The argument brought forward by the TRA in the SIFD that the extension review is a forward-looking assessment for which the legality of the measures at the time of introduction does not matter, is, according to Swiss authorities, not convincing. The argument fails to justify the extension of safeguard measures, particularly for product categories where requirements outlined in the WTO Agreement on Safeguards were not met, as highlighted in the TRA's own Report of Findings of 1 June 2022.

Switzerland repeatedly expressed its concerns with regard to the consistency of the safeguard measures applied by the United Kingdom with the requirements of WTO law, notably at the WTO Committee on Safeguards, in consultations under the WTO Agreement on Safeguards and in bilateral submissions.

In summary, the Swiss authorities consider that the conditions for the present extension of the safeguard measures by the United Kingdom are not met and reiterate their call on the United Kingdom to terminate the measures.

Switzerland reserves all its rights under the WTO Agreements and the Trade Agreement between Switzerland and the United Kingdom.

The Embassy of Switzerland in the United Kingdom avails itself of this opportunity to renew to the Foreign, Commonwealth & Development Office the assurances of its highest consideration. 

London, 7 March 2024

