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BOOK REVIEW

Dumping e Antidumping – Una guida per le imprese di fronte alle sfide della globalizzazione,
by Farah Paolo e Soprano Roberto*

*Reviewed by Giacomo Gattinara***

The guide is a useful instrument to clarify and better explain several aspects of dumping and antidumping duties, as concretely perceived and routinely applied. More than a scientific analysis, the book is a concrete guide to the multifarious world of antidumping, which is often misunderstood in media and business practice. Conceived as a practical tool for Italian undertakings, the text is also a thought-provoking and valid reference for further reflection.

The first part of the book contains a rather deep analysis of dumping and its surroundings; the legal concept is clearly distinguished from its economic notion and from a growing neighbourhood of mushrooming words, such as social dumping, currency dumping, or environmental dumping. Taking this wide look is indeed useful in the current international trade competition framework made up of developing countries with a rather steep growth trend and industrialized countries, which are the first to feel the side effects of such competition.

The book is also a useful instrument to closely follow and monitor the evolution of dumping and its economic aspects in recent times, because of a well-crafted statistical analysis and a concise presentation of trade and industry data. In the same vein, such technical panoply also allows for a better clarification of the role played by trade defence measures in the recent global crisis.

The second part of the book is a valuable instrument to better understand the European regulation of dumping and antidumping measures, placed in the international legal context of the articulated World Trade Organization (WTO) rules. If some technicalities on transposition of these rules in the European Union (EU) are sometimes deliberately neglected, this goes to the benefit of a terse explanation of the very substance of dumping, such as the calculation of antidumping margins, the prejudice, the causation link, the setup of the duties. The way these concepts are presented is all the more intriguing because the authors always keep an eye on the European and international trade practice.

* Milano: Gruppo Isole24ore, 2009, 180 pp., ISBN 978-88-6345-058-3, EUR 2,400.

** Brussels. Views and opinions are purely personal to the author.

This is particularly useful to see how sometimes rules are better understood in light of dispute settlement decisions, as is the case for the method of ‘zeroing’ and its recourse to calculate the margin of dumping. The result is a lucid presentation of widely used and, to some extent, abused notions.

The final part is a brilliant and concise introduction into the procedural rules. A strong accent is put on the introductory phase of complaints. The indication of the elements the complainant has to support is enriched with a presentation of documents and explanatory notes issued by the European Commission.

This results in a good instrument to understand whether and how effectively operators can draw the attention of the EU on allegedly unfair trade practices. A specific – and useful indeed – focus is kept on the elements that the Commission looks at when assessing the injury to European industry. A rather interesting clarification is related to the review of duties and to the thorny issue of elusive practices, such as duties’ absorption in exporters’ prices. A detailed bibliography lists out meticulously the unavoidable texts to read and know on this subject.

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Article submissions must contain a (150 words) abstract and a table of contents showing the primary subject headings. A bibliography showing book, journal and case citations is welcome, as is a brief biographical notation for the author to be used in the introductory note. Footnotes are preferred to endnotes and must be accurate and consistent in form to be considered for publication. Style guidelines for the journal are available upon request and on the web site of the Amsterdam Center for International Law (ACIL).

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