



The Government accepts the Sub-Committee's recommendation that Canada advocate a formal WTO procedure that would address the role of amicus curiae briefs in dispute settlement. Any such procedure should include an agreed and standardized procedure to enable panels and the Appellate Body to address unsolicited amicus curiae submissions.

The Government appreciates the Sub-Committee's careful consideration of the accessibility of dispute settlement to non-state actors. The Sub-Committee has noted that panels currently possess the right to seek information and technical advice from any individual or body they deem appropriate. In respect of non-governmental participation by way of amicus submissions, the Government notes the current lack of agreement among Members on the role of amicus or on a standardized procedure for addressing amicus submissions. The Government appreciates concerns raised with the Sub-Committee that any increased rights of intervention for unsolicited amicus curiae submissions be balanced against the relevance these might have to the factual and legal issues under consideration and that they not jeopardize the capacity of the panel and Appellate Body process to deliver to WTO Members prompt settlement of disputes in a manner that satisfies due process requirements.

ANTI-DUMPING, SUBSIDIES AND COUNTERVAIL MEASURES

Recommendation 15

"That the federal government seek a thorough clarification and strengthening of the WTO's trade remedy rules, with the stated objective of curbing the disturbing rise in protectionist abuses. Special focus should be placed on reforming current WTO anti-dumping rules to impose fundamental constraints on trade protectionism."

The Government supports this recommendation. In the current WTO negotiations on anti dumping, the Government will seek clarification and improvement to the rules to promote greater consistency in the application of these measures and reduce unjustified restrictions to Canadian exports. The Government also has an interest in maintaining the effectiveness of anti-dumping measures to address dumping practices that cause injury to Canadian producers. Such measures have proven to be of particular value in the wake of economic shocks that can lead to dumping activity such as during the Asian economic crises.

Canada's prosperity is increasingly associated with reliable access to export markets, and the use of anti-dumping action against Canadian exports can have a significant and sometimes crippling impact on Canadian firms. There are now 64 countries

