

(出國類別：開會)

出席印尼對進口合成及人造纖維紗、布
料、窗簾等三案防衛措施調查公聽會
出國報告

服務機關：經濟部國際貿易局

姓名職稱：吳副組長嘯吟

許婕安科員

楊專業研究員健弘

派赴國家/地區：印尼雅加達

出國時間：108年9月29日至10月2日

報告日期：108年11月22日

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壹、目的

印尼政府於本(108)年 9 月 18 日宣布對進口布料、窗簾、合成及人造纖維紗三類產品啟動全球防衛措施調查，窗簾、合成及人造纖維紗兩類產品因我國產品占印尼同類產品進口量比例低(0.57%及 0.61%)，影響程度有限，惟我布料產品於印尼進口市場占比為 5.65%，出口金額約 2 億美元，印尼採行防衛措施將對我布料產業產生影響。

本案係印尼紡織公會(API)代表國內 58 家業者提出申請，經檢視印方申請書，調查期間進口數量增加並未造成印尼布料產業嚴重損害，倘印尼實施防衛措施，可能不符合世界貿易組織(WTO)相關規定。

依據印尼統計局資料顯示，我國係印尼布料第 4 大進口國(前 3 大進口國為中國大陸、韓國、香港)，2017 至 2018 年我國受影響金額分別達 2.38 億、2.48 億美元，占印尼同類產品總進口量比例分別為 7.31%、5.65%。

此外，中國大陸為印尼布料主要進口來源，我國產品並非造成印尼國內產業損害主因。公會及業者表示，印尼成衣代工廠仰賴我國出口之高品質的布料製成機能性衣物，倘實施防衛關稅，成本必然增加，將不利於其成衣產業的外銷競爭力。

為捍衛我國紡織產業及出口商利益，本局依據 WTO 規定向印方爭取窗簾、合成及人造纖維紗兩類產品排除適用防衛措施，並派員出席 9 月 30 日及 10 月 1 日於印尼舉行之共 3 場公聽會，爭取我商出口權益。

貳、公聽會

一、 9月30日上午印尼紡紗防衛調查案公聽會

該公聽會由 KPPI 主席 Mr. Mardjoko 主持，印尼方相關部會，調查申請人印尼紡織協會 (API)、中國、越南、我國官方、廠商 TAICHEN (台丞)、Dunia Tex 等 8 間公司派員與會，但泰國、土耳其市佔率分別為 12.89% 及 7.53%，並未出席本次會議。

- (一) 中國：盼印尼方能重新考量實施本調查之必要性。
- (二) 越南：僅發言詢問 KPPI 是否已妥收書面意見。
- (三) 我國：感謝 KPPI 給予機會表達我廠商之關切，倘印尼採行防衛措施，應依據 WTO 防衛協定第 9.1 條排除我國適用防衛措施，亦重申印尼曾於 2011 年帆布案給予微量豁免之前例。另外，鑑於我國出口並未造成印尼國內產業之損害、課徵防衛稅將對印尼下布料業者造成負面影響等，盼印尼終止本案調查。
- (四) 印尼紡織協會 (API)：發言重申申請書之內容，表示印尼國內紡紗產品因進口貨品的急遽增加，造成國內產量、國內銷售、產能利用率、獲利率及就業率等各方面的嚴重損害，因此呼籲 KPPI 對進口紡紗課徵防衛稅，並建議每公斤紡紗課徵 3 美元防衛稅 (註：據悉目前進口紡紗為一公斤 3 美元)。
- (五) 印尼官方：其工業、貿易部門支持本案調查，以強化石化下游業者競爭力，海關則要求 KPPI 以涉案 HS CODE 六位碼 (2017 年版本) 提出相對應之產品描述，多邊司則要求調查程序應符合國際及國內規範。
- (六) 其他公司發言：TAICHAN 公司表示因印尼本地產能不足必需從國外進口彩色紗線，對此調查案表達反對，Dunia Tex 公司為紗線生產商，支持本調查案。

(七) 主席總結：

1. KPPI 將依照法規及 WTO 協定調查本案，並依據事實與統計分析處數據作為調查依據。
2. KPPI 將會依照 WTO 協定規定在各階段進行通知。
3. 本公聽會意見已錄音將納入調查參考，亦將檢視利害關係人日前提交之書面資料，若有更新資料仍可於本年 10 月 4 日前提交。

二、 9 月 30 日下午印尼布料防衛調查案公聽會

該公聽會由 KPPI 主席 Mr. Mardjoko 主持，出席者包括印尼方相關部會、調查申請人印尼紡織協會 (API)、中國、韓國、我國官方、關聯產業之廠商包括 Hakatex 等 23 家廠商出席。

- (一) 中國：僅簡單發言詢問 KPPI 是否已妥收其書面意見。
- (二) 韓國：由駐印尼大使館經濟參事 Mr. Yangtaek Moon 代表首府發言表達嚴正關切，渠強調本案調查不符合 WTO 防衛協定第 2.1 規定，因並無進口激增，國內產業亦未造成嚴重損害，韓國強調出口之布料係供應印尼成衣出口需求，並未進入印尼國內市場，防衛措施之實施將會損害此類印尼成衣出口商之利益，希望 KPPI 終止調查，以符合 WTO 相關規定，相關論點詳如附件。
- (三) 我國：感謝 KPPI 給予機會陳述我方立場，鑑於我國出口並未造成印尼國內產業之嚴重損害，實施防衛措施恐不符合 WTO 防衛協定。此外，印尼實施布料防衛措施將增加下游成衣廠成本及影響出口競爭力，也會讓轉嫁到本地消費者，盼印尼政府重新考量終止本案調查。
- (四) 廠商發言立場彙整：(1) 廠商經營模式為來料加工為主，考量原料品質、交期等因素，布料主要供應來源為國外進口，故對本調查案表達保留立場，相關發言廠商包括：Bumi A Gung Sentosa, Hakatex, Multi Prima Sejahtera,

Adhi Karya Perkasa, Jaya Mulia Perkasa, Leading Garment Industry, Sipatex Putri, Metro Garment, Master Indo Jaya Abadi。(2) 支持 KPPI 調查本案，反對國外進口低價損害印尼本土布廠利益，相關發言廠商包括：Indo Rama, Dunia Tex, MuliaKnitting, Matarum Tunggal Garment, 印尼紡織進出口公會等。(3) 立場較為中立，盼政府以產業輔導政策強化織布廠競爭力，會提出書面建議，發言廠商如 Sipatex Putri, Lancar Usaha Makmur, Tirta Langeng Utama。(4) 同意調查，但五類產品別應該分開調查，發言廠商為 Sumber Usaha Sentosa。

(五) 印尼官方工業部、貿易部、統計分析處支持本案調查，以確保布料等石化產業下游廠商之利益，海關支持調查，但 KPPI 要以 HS CODE2017 版提供統計資料。

(六) 主席總結：(同上午場)

三、 10 月 1 日上午印尼窗簾防衛調查案公聽會

該公聽會由 KPPI 主席 Mr. Mardjoko 主持，說明本案調查係依照 WTO 防衛協定，該會具有義務進行通知及舉行公聽會給予利益關係人表達意見之機會。KPPI 已分析原告申請書，基於進口量激增及申請人遭遇嚴重損害或損害之虞，因此啟動調查，並於貿易部及 Bisnis Indonesia 報紙公告啟動調查及通知 WTO。

公聽會出席單位包括：印尼政府相關部會、申請人印尼紡織協會 (API)、新加坡及我國官方代表、PT. Dumaco Chemicals 公司 (名單如附件)。惟出口量第一、三、四名的中國(90.53%)、印度(2.59%)及巴基斯坦(0.90%)，並未派員出席會議。因公聽會限以印尼文發言，爰由許科員代表發言，並由駐館當地雇員協助紀錄，以爭取印尼將我排除於防衛措施之外，以維護我商出口利益。各方發言情形如下：

- (一) 新加坡：由該國駐印尼大使館經濟秘書與會，新加坡為印尼進口窗簾第二大進口來源國，進口占比約 3.64%，出席會議蒐集各方意見。
- (二) 我國：感謝 KPPI 給予機會闡述我方立場，強調我國於調查期間之出口係屬微量（2018 年占比為 0.57%），倘印尼採行防衛措施，盼依據 WTO 防衛協定第 9.1 條排除我國適用，並重申印尼曾於 2011 年帆布案給予微量豁免之前例。另外，我方亦強調，印尼國內產業未遭受嚴重損害、課徵防衛稅將對印尼消費者購買外國產品造成成本增加等負面影響等，盼印尼終止本案調查。
- (三) 印尼進口公會(GINSI)：
1. 反對本案調查，表示業者損失情形應以官方有效數據計算，另從客觀數據上無法判斷原告廠商是否本身也從國外進口窗簾加工，盼 KPPI 公平、透明且符合法規進行調查。
 2. 該公會質疑原告提出之進口增加造成國內損害之因果關係，因為國內進口商需符合政府相關規定，並取得印尼貿易部進口許可證方可購買國外產品，惟窗簾等產品目前並無政府機構監管進口數量，且公會會員亦表示進口成本較自行生產低，爰不贊成實施防衛措施。
- (四) 其他公司參與情形：PT. Dumaco Chemicals（主要製造地毯及壁簾製品）出席會議，但無陳述意見。
- (五) 印尼紡織協會（API）：發言重申申請書之內容，表示印尼國內窗簾產品因進口貨品的急遽增加，造成申請人生產量、國內銷售、生產力、產能利用率、獲利率、就業率及市占率等各方面的嚴重損害。
- (六) 印尼官方：其經濟統籌部、工業、貿易部門支持本案調查，以協助國內產業發展免於國外影響；國家發展計劃部表示盼減少進口改善貿易帳因此亦支持本案；投資協

調委員會 (BKPM) 表示支持，惟需確認國內是否可生產同類產品；海關則提醒 KPPI 要以 HS CODE2017 版提出相對應之產品描述；貿易部國際貿易談判總司則要求調查程序應符合國際及國內規範，並提醒 KPPI 應為回應 WTO 會員國於防衛措施委員會之提問預做準備。

- (七) 主席總結：盼出席會議之利害關係人相信 KPPI 之專業，並感謝與會者參與並提出意見。該會已錄音與紀錄，會將提出之意見納入參考，並依據事實及印尼統計分析處之數據持續進行調查。若針對本案有更新資料仍可於本年 10 月 7 日前提交。

參、拜會情形

一、9月30日中午與當地台丞(TAICHAN)公司處長林先生餐敘

我團於公聽會期間巧遇當地廠商林先生，渠為印尼華僑，曾派駐台灣擔任紡織品業務，與我國紡織研究所有接觸，對我方相當友善。爰邀請渠與本團便餐並請益當地紡品生態。

渠指出，台承係進口紡紗製成布料再行外銷或賣給下游成衣廠，因此不支持本案調查。本件防衛調查主要係在印尼之印度商所提出，該等公司並未受到嚴重損害，盼藉由防衛稅之課徵，迫使下游廠商使用渠等製造之產品。惟該公司進口紡紗主要來自遠東紡織之中國廠，以及中商華孚色紡公司之越南廠。

渠表示，印尼訂有出口退稅制度，倘同一公司進口紡紗製成布料再行出口，或進而製成成衣再行出口，則可辦理出口退稅（包括防衛稅）。然而，倘若將布料販售至印尼下游成衣廠，出口製成之成衣將無法辦理退稅。爰在此模式下，使用進口紡紗製成之成衣將僅供外銷，印尼布料廠或成衣廠會趨向使用本地紡紗及布料。渠表示，該公司因其布料65%供外銷，因此影響幅度較小，未來樂於持續分享有關本案之最新進展。

二、10月1日下午駐印尼代表處陳代表忠接見團員一行

大使關切我國出口產品受相關防衛措施調查之影響，楊研究員說明，我國出口布料占印尼進口的5%，金額約2億美元，紡紗及窗簾則為微量。另補充中國係印尼進口受調產品的第一大出口國，並在書面意見中建議印方對中國實施其他貿易救濟措施，例如反傾銷稅。大使表示中國政府全面實施出口補貼，我方可向印尼政府強調此點，並要求

印方對中國產品展開補貼調查。駐館也會在適當場合向印尼高層反應此事。

楊員補充說明我商主要出口機能性布料，供下游印尼代工廠製作高級品牌衣物（如 Adidas、Under Armor 等），再出口至第三國，較少於印尼國內銷售。此外，據悉印尼採行出口沖退稅制度，倘一公司進口布料及紡紗製成貨品再出口，則進口關稅（包括防衛稅）可退稅。大使詢及此類成品外銷及內銷比率為何？楊員表示與會廠商說明大約六比四，不過我商詳細出口資訊需由紡拓會及相關公會洽詢會員廠商。

肆、觀察與評估

- 一、 印尼紡織產業發展歷史悠久，以供應歐美市場，若在成衣廠保稅區加工或採取出口沖退稅制度，則未來如實施防衛措施將對部分進口業者衝擊較小，此節宜請紡拓會進一步蒐集我布料出口商印尼客戶之經營模式，以便評估對我商可能影響。
- 二、 韓國對於本調查案在 WTO 之適法性提出挑戰，相關論點待我方進一步分析後，假如合理，或許可與韓方合作於 WTO 防衛委員會共同向印尼提出本案之貿易關切，盼印尼改進及終止調查。此外，韓國主張紡紗案並無進口激增之情形，然觀察申請書上之數據，2018 較 2016 進口增加 73%，似有進口激增情形，爰我方並未爭議此點。此外，韓國掌握印尼下游廠商接單增加情形，顯示其對於印尼產業情蒐甚詳。韓國另提出有關產品分類之細節性問題，我方似可參考之，並在未來的案件中斟酌提出此類主張。
- 三、 現場與會人員告以，本次纖維紗、布料及窗簾等防衛措施調查，係在萬隆投資之印度紡織投資者提出，旨在藉此排除外來進口品之競爭，以提升市場佔有，但因為本地生產者品質、性價及交貨速度均無法與外貨競爭，未來如實施課徵防衛稅，將會影響內銷成衣業者來料成本。
- 四、 我國係唯一從首府派員參加公聽會之國家，且三場會議都由首府發言。會後我團並與 KPPI 主席致意，表示我方非常重視此案。此外，我國與韓國在公聽會上提出 WTO 法律適法性（韓國僅參加布料案），未來似可進一步合作於 WTO 提出貿易關切。

- 五、我團積極與其他國家代表、當地廠商認識與交流，深入瞭解當地紡織品生態、商業模式及進出口狀況。也可以瞭解印尼國內廠商支持及反對的立場，並進一步瞭解防衛調查公聽會進行方式與氣氛。
- 六、公聽會模式簡約但有效率，KPPI 尊重各單位出席人員的發言權，讓到場的所有利害關係人發言，無論其公司之規模、與會人員之層級大小。

伍、附件

一、行程

日期 Date	時間 Time	活動內容 Activities
9/29 (日)	07:00	自行赴桃園國際機場報到
	09:00 13:20	搭乘長榮 BR237 班機前往印尼雅加達 (飛行 5 時 00 分) 地點：桃園機場(TPE)第二航廈(T2) 抵達：雅加達國際機場(CGK)第三航廈(T3)
	下午	辦理入宿登記 Four Points by Sheraton Jakarta, Thamrin 地址：Jl. M.H. Thamrin No.Kav 9, RT.8/RW.4, Gondangdia, Jakarta, Kota Jakarta Pusat, Daerah Khusus Ibukota Jakarta 10350, Indonesia 電話: +62 21 3902226
	晚餐	與駐印尼代表處經濟組召開工作會議
	夜宿	Four Points by Sheraton Jakarta, Thamrin
9/30 (一)	09:00	大廳集合出發
	09:00 09:30	車程前往印尼貿易部印尼防衛措施委員會(KPPI)
	10:00 12:00	出席合成及人造纖維紗案公聽會
	中午	與印尼紡織業者餐敘
	14:00 16:00	出席布料案公聽會
	晚間	返回旅館並與經濟組討論案情
	夜宿	Four Points by Sheraton Jakarta, Thamrin
	10/1 (二)	09:00 09:30

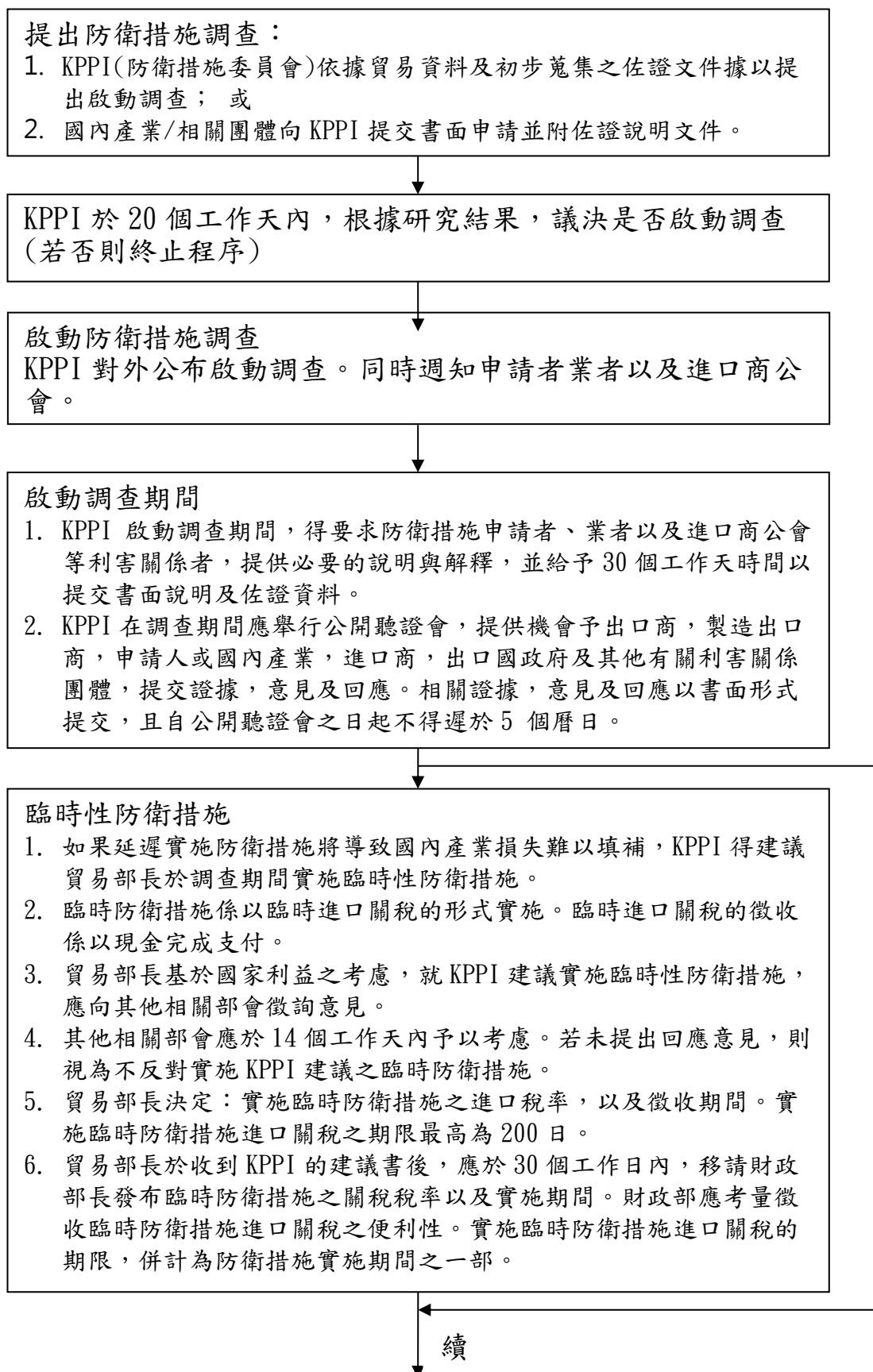
日期 Date	時間 Time	活動內容 Activities
	10:00 12:00	出席窗簾案公聽會
	中午	赴駐印尼代表處 (備註:吳副組長嘯吟 14:00 搭機返臺)
	13:30 17:00	與經濟組討論案情、拜會大使
	夜宿	Four Points by Sheraton Jakarta, Thamrin
10/2 (六)	10:00	赴機場 Check in
	14:10 20:45	楊專業研究員健弘及許科員婕安搭乘長榮 BR238 班機 返台 (飛行 5 時 25 分) 地點：雅加達國際機場(CGK)第三航廈(T3) 抵達：桃園機場(TPE)第一航廈(T2)

二、 團員名單

No 序號	Company 公 司	Position 職 稱	Name 姓 名
1	Bureau of Foreign Trade, Ministry of Economic Affairs 經濟部國際貿易局	Deputy Director 副組長	Mr. Hsiao-Yin Wu 吳嘯吟
2	Taipei Economic and Trade Office Economic Division, Jakarta, Indonesia 駐印尼代表處經濟組	Economic Secretary 經濟秘書	Mr. Kenward Tsai 蔡京樺
3	Bureau of Foreign Trade, Ministry of Economic Affairs 經濟部國際貿易局	Associate Trade Officer 科員	Ms. Chieh-An Hsu 許婕安
4	Bureau of Foreign Trade, Ministry of Economic Affairs 經濟部國際貿易局	Senior Trade Specialist 專業研究員	Mr. Chien-Hung Yang 楊健弘
5	Taipei Economic and Trade Office Economic Division, Jakarta, Indonesia 駐印尼代表處經濟組	Staff 雇員	Mr. Aldo Joelius 鍾侑運

三、 印尼防衛措施程序

駐印尼代表處經濟組



接上頁

KPPI 若無發現相關文件資料足以顯示進口商品激增對國內產業造成嚴重損害或有嚴重損害之威脅，則終止調查程序並向貿易部長報告，並對外公布及週知申請者業者以及進口商公會。

KPPI 判斷結果若進口商品激增確有嚴重損害或有嚴重損害之威脅，即向貿易部長建議實施防衛措施。

倘若最終調查報告顯示並未有嚴重損害或有嚴重損害之威脅，則已繳交臨時防衛措施相關稅金者，可申請要求退還，財政部應於收到申請後 30 個工作天內予以回復。

實施防衛措施

1. 貿易部長基於國家利益之考慮，就 KPPI 建議實施防衛措施，應向其他相關部會徵詢意見。
2. 其他相關部會應於 14 個工作天內予以考量。
3. 若未提出回應意見，則視為不反對實施 KPPI 建議實施之防衛措施。
4. 貿易部長決定：實施防衛措施之進口徵收關稅稅率以及/或是數量限額；以及徵收進口稅率以及/或是限額數量之實施期間。
5. 貿易部長於收到 KPPI 的建議書後，應於 30 個工作天內，移請財政部長發布。
6. 若防衛措施係以進口徵收關稅稅率方式實施，財政部應於 30 個工作天內，完成設定防衛措施之關稅及實施期間。倘若防衛措施進口徵收關稅稅率與臨時防衛措施進口徵收關稅稅率，兩者不同，則其差額不予退還，惟亦無須補繳。

防衛措施實施期間

1. 防衛措施實施期間為至多 4 年，屆滿後得延長至多 4 年，屆滿後得再延長至多 2 年。
2. 防衛措施實施超過 3 年者，應進行期中檢討。

期中檢討

1. KPPI 得建議貿易部長終止實施防衛措施或降低防衛措施之進口徵收關稅稅率以及/或是增加限額數量。
2. 貿易部長基於國家利益之考慮，就 KPPI 之期中檢討建議，應向其他相關部會徵詢意見。
3. 其他相關部會應於 14 個工作天內予以考量。
4. 若未提出回應意見，則視為不反對 KPPI 之建議。

- 備註：1. 對於進口比例少於 3% 之開發中國家，或總計 9% 以下者，不列入實施。
2. 防衛措施結束後，相同商品於 2 年後可再次提出申請；但防衛措施實施未超過 180 天者，於 1 年後可再次提出申請。

四、 書面意見書與發言內容

合成及人造纖維紗案

WRITTEN SUBMISSION OF THE GOVERNMENT OF TAIWAN ON THE SAFEGUARD INVESTIGATION AGAINST YARN PRODUCTS BY THE INDONESIAN SAFEGUARDS COMMITTEE

The government of Taiwan is deeply concerned about the safeguard investigation against imports of yarn products by the Indonesian Safeguards Committee (KPPI), (WTO Notification Document No. G/SG/N/6/IDN/32).

It is the Taiwan government's position that imposition of the provisional and final safeguard measures are not warranted under the WTO rules, and that it would not be in Indonesia's public interest to impose these safeguard measures on yarn products. With the support of the Taiwan Textile Federation and Taiwan Man-Made Fiber Industries Association, we respectfully submit our written comments below.

I. ANY INJURY SUFFERED BY THE INDONESIAN DOMESTIC MARKET HAS NOT BEEN CAUSED BY TAIWAN

First, it appears that the increase of import volume from China was far greater than that of imports from the other countries being investigated. As stated in Table 3 of the Application, imports from China increased by 112% from 2016 to 2018. Also, the Chinese products accounted for 67.42% of import share in 2018. In contrast, Taiwanese products only accounted for 0.61% of total imports during the same time period.

Thus, it is Taiwan's position that any injury suffered by the Indonesian domestic market during the period of investigation was not caused by Taiwan, but rather by imports from China. We urge the KPPI to consider other options to trade remedy measures against Chinese products, such as imposing anti-dumping duties.

II. THE DOMESTIC INDUSTRY DID NOT SUFFER SERIOUS INJURY OR THREATS OF SERIOUS INJURY FROM IMPORTED YARNS

Second, the imposition of safeguard measures in this case is not warranted under Article XIX:1(a) of the General Agreement on Tariffs and Trade 1947 ("GATT 1947") and the WTO Agreement on Safeguards. Under such rules, safeguard measures can only be justified when, as a result of unforeseen developments and of the effect of obligations incurred, a product is being

imported in such increased quantities and under such conditions as to cause or threaten to cause serious injury to the domestic industry that produces like or directly competitive products.

The economic indicator in the Application did not show serious injury of domestic industries. The economic indicators of domestic sales, profit/loss, and employment collectively decreased an average of less than 4% from 2016 to 2018. In addition, the economic indicators of domestic production, productivity, installed capacity, and used capacity collectively maintained the same level from 2016 to 2018. *See* Table 4 of the Application.

As for the threat of serious injury, the KPPI must focus on facts and not merely on allegations, conjectures or remote possibilities. Thus, we submit that the conditions for serious injury or threat of serious injury were not met.

Accordingly, since the Application did not show injury or threat of injury to Indonesian domestic industries, imposition of the provisional and final safeguard measures is not warranted under WTO rules.

III. IMPOSITION OF SAFEGUARD MEASURES WILL HARM THE INTERESTS OF INDONESIAN DOWNSTREAM TEXTILE MANUFACTURES

Third, imposition of definitive safeguard measures will impede downstream Indonesian textile manufactures from being able to purchase high-quality foreign yarn products at reasonable prices. In other words, downstream textile manufactures will have to pay extra costs in purchasing foreign yarn to meet their domestic demand if the KPPI imposes the safeguard measures.

These costs will, in turn, transfer to Indonesian downstream manufactures and make their textile products more expensive. As a result, Indonesian textile products will lose the advantage of competitive prices when their products are exported to other countries. Therefore, in the interests of Indonesian textile manufactures, the Taiwan government urges the KPPI to terminate the safeguard investigation on yarn products immediately.

IV. INDONESIA MAY FACE TRADE COMPENSATION OR RETALIATION FROM AFFECTED WTO MEMBERS IF THE SAFEGUARD MEASURES ARE APPLIED

Fourth, once the final safeguard measures are applied, Indonesia would likely face trade compensation and trade retaliation requests from WTO Members affected by such measures pursuant to Article 8 of the Agreement on Safeguards. If no trade compensation agreement is reached within 30 days of consultation, affected Members have the right to trade retaliation – raising tariffs on other types of products exported from Indonesia – under Article 8.2 of the

Agreement on Safeguards. Consequently, other types of products, such as machinery, raw materials, and chemicals, exported from Indonesia would risk higher tariffs from retaliating Members, and these products would find it hard to compete with like products from other countries.

Thus, it would not be in the Indonesia's public interest if the KPPI imposes the definitive safeguard measures.

V. TAIWAN SHOULD BE EXEMPTED FROM SAFEGUARD MEASURES PURSUANT TO ARTICLE 9.1 OF THE AGREEMENT ON SAFEGUARDS

Finally, pursuant to Article 9.1 of the Agreement on Safeguards, safeguard measures shall not be applied against a product originating in a developing country Member as long as its share of imports of the product concerned in the importing Member does not exceed 3% (*de minimis*). In this case, yarn products imported by Indonesia from Taiwan accounted for an average of only 0.44 of Indonesia's total imports from 2016 to 2018. *See* Table 3 of the Application.

Since our accession to the WTO in 2002, our developing country status has been repeatedly confirmed by Indonesia and other WTO Members, such as Malaysia, the Philippines, Thailand, Brazil, South Africa, etc. In safeguard cases, Taiwan has been exempted as a developing country from safeguard investigations by Indonesia in the past, such as the case of tarpaulins, awnings and sunblind of synthetic fibers (WTO Notification No. G/SG/N/8/IDN/10/Suppl.1)

Accordingly, since imports from Taiwan are well below the *de minimis* level, if the KPPI decides to impose the final safeguard measures, we urge the KPPI to exclude Taiwanese yarn products from the safeguard measures.

In light of the aforementioned explanations, the government of Taiwan respectfully urges the KPPI to take into full consideration the recommendations in this statement to 1) terminate the safeguard investigation against yarn products; and 2) exempt Taiwanese yarn products from the safeguard measures if the KPPI makes the final decision to impose the provisional and final safeguard measures.

PERNYATAAN LISAN DARI PEMERINTAH TAIWAN MENGENAI
INVESTIGASI TINDAKAN PENGAMANAN SAFEGUARD OLEH KPPI
INDONESIA TERHADAP PRODUK BENANG

- **Assalamualaikum, Selamat siang, Bapak dan Ibu yang terhormat,**
- **Atas nama Pemerintah Taiwan, saya ingin mengucapkan terima kasih kesempatan ini untuk menyampaikan keprihatinan pengusaha Taiwan pada kasus ini. Pengajuan tertulis sudah kami serahkan dan sebagai pendapat yang lengkap.**
- **Kami berada pada posisi pemberlakuan tindakan safeguard sementara dan tetap tidak sesuai dengan peraturan WTO, dan tidak akan menjadi kepentingan publik Indonesia.**

Jika KPPI memutuskan memberlakukan tindakan pengamanan safeguard, TAIWAN HARUS DIKECUALIKAN DARI TINDAKAN tersebut

- **BERDASARKAN Safeguards Agreement PASAL 9 Ayat 1, Pengecualian pengenaan dapat diberikan pada negara berkembang yang jumlah importnya kurang dari 3%**
- **Sejak 2016 hingga 2018, produk benang yang diimpor oleh Indonesia dari Taiwan rata-rata hanya menempati 0,44% dari total impor Indonesia. Angka itu masih jauh di bawah 3%(de minimis)**
- **Apa lagi, Taiwan sebelumnya telah dibebaskan dari penyelidikan tindakan safeguard sebagai negara berkembang oleh Indonesia, seperti kasus kain terpal pada tahun 2011.**

#Di sisi lain, atas dukungan dari Federasi Tekstil Taiwan, maka dengan hormat kami meminta KPPI memberhentikan penyelidikan ini.

I. Taiwan tidak menyebabkan KERUGIAN YANG DIDERITA OLEH PASAR DOMESTIK INDONESIA

- **Berdasarkan data dalam Bukti Awal dari Pemohon, produk-produk Tiongkok menempati 67,42% dari pangsa impor. Sebaliknya, produk Taiwan hanya menempati 0,61% dari totalnya pada tahun 2018.**

II. Indikator ekonomi dalam Bukti Awal dari Pemohon tidak menunjukkan kerugian serius pada industri dalam negeri. Maka pemberlakuan tindakan pengamanan safeguard dalam kasus ini tidak diberlakukan sesuai dengan ketentuan dalam Pasal XIX GATT 1947 dan Safeguards Agreement.

III. PEMBERLAKUAN TINDAKAN *SAFEGUARD* AKAN MENRUGIKAN MANUFAKTUR HILIR TEKSTIL INDONESIA

- Pemberlakuan tindakan tersebut akan menghambat manufaktur hilir tekstil Indonesia dari pembelian produk benang asing dengan harga yang wajar.

#Akhirnya, pemerintah Taiwan meminta KPPI mempertimbangkan sepenuhnya untuk 1) menghentikan penyelidikan safeguard terhadap produk benang; dan 2) mengecualikan produk benang Taiwan dari tindakan pengamanan jika KPPI memutuskan untuk mengenakan tindakan safeguard sementara dan tetap.

#Terima kasih

布料案

WRITTEN SUBMISSION OF THE GOVERNMENT OF TAIWAN ON THE SAFEGUARD INVESTIGATION AGAINST FABRIC PRODUCTS BY THE INDONESIAN SAFEGUARDS COMMITTEE

The government of Taiwan is deeply concerned about the safeguard investigation against imports of fabric products by the Indonesian Safeguards Committee (KPPI) (WTO Notification Document No. G/SG/N/6/IDN/31).

It is the Taiwan government's position that imposition of the provisional and final safeguard measures are not warranted under the WTO rules, and that it would not be in Indonesia's public interest to impose these safeguard measures on fabric products. With the support of the Taiwan Textile Federation, Taiwan Weaving Industry Association and Taiwan Silk & Filament Weaving Industrial Association, we respectfully submit our written comments below.

VI. ANY INJURY SUFFERED BY THE INDONESIAN DOMESTIC MARKET HAS NOT BEEN CAUSED BY TAIWAN

First, it appears that the increase of import volume from China was far greater than that of imports from the other countries being investigated. As stated in Table 4 of the Application, imports from China increased by 92% from 2016 to 2018. Also, the Chinese products accounted for 67.86% of import share in 2018. In contrast, Taiwanese products only accounted for 5.65% of total imports during the same period.

Thus, it is Taiwan's position that any injury suffered by the Indonesian domestic market during the period of investigation was not caused by Taiwan, but rather by imports from China. We urge the KPPI to consider other options to trade remedy measures against Chinese products, such as imposing anti-dumping duties.

VII. THE DOMESTIC INDUSTRY DID NOT SUFFER SERIOUS INJURY OR THREATS OF SERIOUS INJURY FROM IMPORTED FABRICS

Second, the imposition of safeguard measures in this case is not warranted under Article XIX:1(a) of the General Agreement on Tariffs and Trade 1947 ("GATT 1947") and the WTO Agreement on Safeguards. Under such rules, safeguard measures can only be justified when, as a result of unforeseen developments and of the effect of obligations incurred, a product is being imported in such increased quantities and under such conditions as to cause or

threaten to cause serious injury to the domestic industry that produces like or directly competitive products.

The economic indicator in the Application did not show serious injury of domestic industries. The economic indicators of domestic production, domestic sales, productivity, installed capacity, used capacity and employment collectively decreased an average of less than 5% from 2016 to 2018. *See* Table 5 of the Application.

As for the threat of serious injury, the KPPI must focus on facts and not merely on allegations, conjectures or remote possibilities. Thus, we submit that the conditions for serious injury or threat of serious injury were not met.

Accordingly, since the Application did not show injury or threat of injury to Indonesian domestic industries, imposition of the provisional and final safeguard measures is not warranted under WTO rules.

VIII. IMPOSITION OF SAFEGUARD MEASURES WILL HARM THE INTERESTS OF INDONESIAN CONSUMER DOWNSTREAM APPAREL MANUFACTURES

Third, Indonesia is the 8th largest apparel-exporting country. However, the fabric made in Indonesia cannot fully meet the demands of downstream apparel manufactures. More than 60% fabrics used by Indonesian manufactures rely on imports from Taiwan and other countries to fully meet their domestic demands. The imposition of provisional and final safeguard measures will impede downstream apparel manufactures from being able to purchase high-quality foreign fabric products from Taiwan at reasonable prices.

Also, Taiwanese fabrics are generally of high quality. Many world-famous brand companies designated Taiwanese fabrics as the materials in making for outdoor and functional apparel by Indonesian OEM apparel manufactures. This kind of business model reflect the domestic demand of the imported fabrics and highly unlikely caused injury to the domestic industry.

If the KPPI decides to impose the provisional and final safeguard measures against fabrics, Indonesian apparel manufactures will have to pay extra costs in purchasing Taiwanese fabrics. These costs will, in turn, transfer to Indonesian consumers and make apparel more expensive. Also, Indonesian apparel will lose the advantage of competitive prices when their products are exported to other countries.

Therefore, in the interests of Indonesian apparel manufactures and consumers, the Taiwan government urges the KPPI to terminate the safeguard investigation on fabric products immediately.

IX. INDONESIA MAY FACE TRADE COMPENSATION OR RETALIATION FROM AFFECTED WTO MEMBERS IF THE SAFEGUARD MEASURES ARE APPLIED

Finally, once the final safeguard measures are applied, Indonesia would likely face trade compensation and trade retaliation requests from WTO Members affected by such measures pursuant to Article 8 of the Agreement on Safeguards. If no trade compensation agreement is reached within 30 days of consultation, affected Members have the right to trade retaliation – raising tariffs on other types of products exported from Indonesia – under Article 8.2 of the Agreement on Safeguards. Consequently, other types of products, such as machinery, raw materials, and chemicals, exported from Indonesia would risk higher tariffs from retaliating Members, and these products would find it hard to compete with like products from other countries.

In light of the aforementioned explanations, the government of Taiwan respectfully urges the KPPI to terminate the safeguard investigation against fabric products.

**PERNYATAAN LISAN DARI PEMERINTAH TAIWAN MENGENAI
INVESTIGASI TINDAKAN PENGAMANAN SAFEGUARD OLEH KPPI
INDONESIA TERHADAP PRODUK KAIN**

- **Assalamualaikum, Selamat siang, Bapak dan Ibu yang terhormat,**
- **Atas nama Pemerintah Taiwan, saya ingin mengucapkan terima kasih untuk kesempatan ini menyampaikan pernyataan singkat tentang penyelidikan safeguard terhadap produk kain dari Taiwan. Pengajuan tertulis sudah kami serahkan dan sebagai pendapat yang lengkap.**
- **Atas dukungan dari Federasi Tekstil Taiwan, kami berada pada posisi pemberlakuan tindakan safeguard sementara dan tetap yang tidak sesuai dengan peraturan WTO, dan tidak akan menjadi kepentingan publik Indonesia dalam kasus ini.**

I. Taiwan tidak menyebabkan KERUGIAN YANG DIDERITA OLEH PASAR DOMESTIK INDONESIA

- Berdasarkan data dalam Bukti Awal dari Pemohon, produk-produk Tiongkok menempati 67,86% dari pangsa impor. Sebaliknya, produk Taiwan hanya menempati 5,65% dari totalnya pada tahun 2018.

II. Indikator ekonomi dalam Bukti Awal dari Pemohon tidak menunjukkan kerugian serius pada industri dalam negeri, contohnya, produksi, penjualan domestik, produktivitas, kapasitas terpasang, kapasitas terpakai, dan ketenagakerjaan secara kolektif menurun dengan rata-rata kurang dari 5% sejak tahun 2016 hingga 2018.

Maka pemberlakuan tindakan safeguard dalam kasus ini tidak diberlakukan sesuai dengan ketentuan dalam Pasal XIX GATT 1947 dan Agreement on Safeguards.

III. PEMBERLAKUAN TINDAKAN SAFEGUARD AKAN MERUGIKAN KONSUMEN DAN MANUFAKTUR HILIR PAKAIAN INDONESIA

- Indonesia adalah negara pengeksport pakaian terbesar ke-8. Tetapi, Lebih dari 60% kain yang digunakan oleh pabrik-pabrik Indonesia bergantung pada impor dari Taiwan dan negara-negara lain untuk memenuhi permintaan domestik.

- Pemberlakuan tindakan safeguard akan menghambat produksi hilir pakaian dari pembelian produk kain Taiwan yang berkualitas dengan harga yang wajar.
- Di samping itu, banyak perusahaan merek terkenal di dunia menetapkan kain Taiwan sebagai bahan pembuatan pakaian luar dan fungsional oleh manufaktur pakaian OEM Indonesia.
- Model bisnis jenis ini mencerminkan permintaan domestik dari kain impor **sangat tidak** memungkinkan untuk menyebabkan kerugian pada industri dalam negeri.
- Jika KPPI memutuskan memberlakukan tindakan safeguard terhadap produk kain, manufaktur pakaian Indonesia harus membayar biaya tambahan yang akhirnya akan dialihkan kepada konsumen. Apa lagi, pakaian Indonesia akan kehilangan keuntungan dari harga yang kompetitif ketika bersaing dengan negara lain.

#Dengan demikian, pemerintah Taiwan meminta KPPI untuk segera menghentikan investigasi tindakan safeguard terhadap produk kain.

#Terima kasih

窗簾案

WRITTEN SUBMISSION OF THE GOVERNMENT OF TAIWAN ON THE SAFEGUARD INVESTIGATION AGAINST CURTAIN PRODUCTS BY THE INDONESIAN SAFEGUARDS COMMITTEE

The government of Taiwan is deeply concerned about the safeguard investigation against imports of curtain products by the Indonesian Safeguards Committee (KPPI) (WTO Notification Document No. G/SG/N/6/IDN/33).

It is the Taiwan government's position that imposition of the provisional and final safeguard measures is not warranted under the WTO rules, and that it would not be in Indonesia's public interest to impose these safeguard measures on curtains. With the support of the Taiwan Textile Federation, we respectfully submit our written comments below.

I. ANY INJURY SUFFERED BY THE INDONESIAN DOMESTIC MARKET HAS NOT BEEN CAUSED BY TAIWAN

First, the increase of import volume from China was far greater than that of imports from the other countries being investigated. As stated in Table 3 of the Application, imports from China significantly increased by 812% from 2016 to 2018. Also, the Chinese products accounted for 90.53% of import share in 2018. In contrast, Taiwanese products only accounted for 0.57% of total imports during the same.

Thus, it is Taiwan's position that any injury suffered by the Indonesian domestic market during the period of investigation, was not caused by Taiwan, but rather by imports from China. We urge the KPPI to consider other options to trade remedy measures against Chinese products, such as imposing anti-dumping duties.

II. THE DOMESTIC INDUSTRY DID NOT SUFFER SERIOUS INJURY OR THREATS OF SERIOUS INJURY FROM IMPORTED CURTAINS

Second, the imposition of safeguard measures in this case is not warranted under Article XIX:1(a) of the General Agreement on Tariffs and Trade 1947 ("GATT 1947") and the WTO Agreement on Safeguards. Under such rules, safeguard measures can only be justified when, as a result of unforeseen developments and of the effect of obligations incurred, a product is being imported in such increased quantities and under such conditions as to cause or threaten to cause serious injury to the domestic industry that produces like or

directly competitive products.

The economic indicator in the Application did not show serious injury of domestic industries. The economic indicators of domestic production, domestic sales and used capacity collectively decreased an average of less than 8% from 2016 to 2018. In addition, the economic indicators of productivity increased by 12.83% from 2016 to 2018. *See* Table 4 of the Application.

As for the threat of serious injury, the KPPI must focus on facts and not merely on allegations, conjectures or remote possibilities. Thus, we submit that the conditions for serious injury or threat of serious injury were not met.

Accordingly, since the Application did not show injury or threat of injury to Indonesian domestic industries, imposition of the provisional and final safeguard measures is not warranted under WTO rules.

III. IMPOSITION OF SAFEGUARD MEASURES WILL HARM THE INTERESTS OF INDONESIAN CONSUMER

Third, if the KPPI decides to impose the provisional and final safeguard measures against curtains, Indonesian consumers will have to pay extra costs in purchasing high-quality foreign curtains. Therefore, in the interests of Indonesian consumers, the Taiwan government urges the KPPI to terminate the safeguard investigation on curtain products immediately.

IV. TAIWAN SHOULD BE EXEMPTED FROM SAFEGUARD MEASURES PURSUANT TO ARTICLE 9.1 OF THE AGREEMENT ON SAFEGUARDS

Fourth, pursuant to Article 9.1 of the Agreement on Safeguards, safeguard measures shall not be applied against a product originating in a developing country Member as long as its share of imports of the product concerned in the importing Member does not exceed 3% (*de minimis*). In this case, curtain products imported by Indonesia from Taiwan accounted for an average of only 0.87% of Indonesia's total imports from 2016 to 2018. *See* Table 3 of the Application.

Since our accession to the WTO in 2002, our developing country status has been repeatedly confirmed by Indonesia and other WTO Members, such as Malaysia, the Philippines, Thailand, Brazil, South Africa, etc. In safeguard cases, Taiwan has been exempted as a developing country from safeguard investigations by Indonesia in the past, such as the case of tarpaulins, awnings and sunblind of synthetic fibers (WTO Notification No. G/SG/N/8/IDN/10/Suppl.1)

Accordingly, since imports from Taiwan are well below the *de minimis* level, if the KPPI decides to impose the final safeguard measures, we urge the KPPI to exclude Taiwanese curtain products from the safeguard measures.

In light of the aforementioned explanations, the government of Taiwan respectfully urges the KPPI to take into full consideration the recommendations in this statement to 1) terminate the safeguard investigation against curtain products; and 2) exempt Taiwanese curtain products from the safeguard measures if the KPPI makes the final decision to impose the provisional and final safeguard measures.

**PERNYATAAN LISAN DARI PEMERINTAH TAIWAN MENGENAI
INVESTIGASI TINDAKAN PENGAMANAN SAFEGUARD OLEH KPPI
INDONESIA TERHADAP PRODUK TIRAI**

- **Assalamualaikum, Selamat siang, Bapak dan Ibu yang saya hormati,**
- **Atas nama Pemerintah Taiwan, saya ingin mengucapkan terima kasih atas kesempatan untuk menyampaikan pernyataan singkat tentang penyelidikan safeguard terhadap produk gorden dari Taiwan. Pandangan tertulis sudah kami serahkan dan sebagai pendapat yang lengkap.**
- **Kami berada pada posisi pemberlakuan tindakan safeguard sementara dan tetap tidak sesuai dengan peraturan WTO, dan tidak akan menjadi kepentingan publik Indonesia.**
- **Jika KPPI memutuskan memberlakukan tindakan safeguard, TAIWAN HARUS DIKECUALIKAN DARI TINDAKAN tersebut**
- **BERDASARKAN Agreement on Safeguard PASAL 9 Ayat 1, Pengecualian pengenaan dapat diberikan pada negara berkembang yang jumlah importnya kurang dari 3%**
- **Sejak 2016 hingga 2018, produk gorden yang diimpor oleh Indonesia dari Taiwan rata-rata hanya menempati 0,87% dari total impor Indonesia. Angka itu masih jauh di bawah 3%(de minimis)**
- **Tambahan pula, Taiwan sebelumnya telah dibebaskan dari penyelidikan tindakan safeguard sebagai negara berkembang oleh Indonesia, seperti kasus kain terpal pada tahun 2011.**

#Di sisi lain, atas dukungan dari Federasi Tekstil Taiwan dan Asosiasi terkait, kami dengan hormat meminta KPPI memberhentikan penyelidikan ini.

I. Taiwan tidak menyebabkan KERUGIAN YANG DIDERITA OLEH PASAR DOMESTIK INDONESIA

- **Berdasarkan data dalam Bukti Awal dari Pemohon, produk-produk Tiongkok menempati 90,53% dari pangsa impor, Sebaliknya, produk Taiwan hanya menempati 0,57% dari totalnya pada tahun 2018.**

II. Indikator ekonomi dalam Bukti Awal dari Pemohon tidak

menunjukkan kerugian serius pada industri dalam negeri

- Contohnya, produksi, penjualan domestik, dan kapasitas terpakai secara kolektif menurun dengan rata-rata kurang dari 8% sejak tahun 2016 hingga 2018.
- maka tindakan safeguard tidak diberlakukan sesuai dengan ketentuan dalam Pasal XIX GATT 1947 dan Agreement on Safeguard.

III. PEMBERLAKUAN TINDAKAN SAFEGUARD AKAN

MERUGIKAN KONSUMEN INDONESIA

- karena konsumen Indonesia harus bayar biaya tambahan untuk tirai luar negeri yang berkualitas.

#Kesimpulannya, pemerintah Taiwan meminta KPPI mempertimbangkan sepenuhnya untuk 1) menghentikan penyelidikan safeguard terhadap produk tirai; dan 2) mengecualikan produk tirai Taiwan dari tindakan pengamanan jika KPPI membuat keputusan akhir untuk mengenakan tindakan safeguard.

#Terima kasih

五、利害關係人名單

合成及人造纖維紗(Yarn)公聽會與會單位

編號	單位	備註
1	中國駐印尼大使館	進口國
2	越南駐印尼大使館	
3	駐印尼臺北經濟貿易代表處/經濟部 國際貿易局	
4	印尼進口公會(GINSI)	未發言
5	印尼紡織協會(API)	本案提案單位
6	PT. Duniatex	印尼業者
7	PT. INDO TAICHEN TEXTILE INDUSTRY	
8	印尼經濟統籌部	印尼官方機構
9	印尼工業部化工、紡織及其他行業 總司	
10	印尼財政部國庫署	
11	印尼財政部關務署	
12	印尼貿易部貿易政策分析暨發展局	
13	印尼貿易部國際貿易談判總司	
14	印尼國家發展計畫部	
15	印尼統計分析處	

布料(Fabric)公聽會與會單位

編號	單位	備註
1	中國駐印尼大使館	進口國
2	韓國駐印尼大使館	
3	駐印尼臺北經濟貿易代表處/經濟部國際貿易局	
4	印尼進出口公會	
5	印尼紡織協會(API)	本案提案單位
6	PT. Bumi Agung Sentosa	印尼業者
7	PT. Hakatex	
8	PT. Multi Prima Sejahtera	
9	PT. Adhi Karya Perkasa	
10	PT. Jaya Mulia Perkasa	
11	PT. Leading Garment Industry	
12	PT. Sipatex Putri	
13	PT. Metro Garment	
14	PT. Master Indo Jaya Abadi	
15	PT. Indo Rama	
16	PT. Duniatex	
17	PT. MuliaKnitting	
18	PT. Matarum Tunggal Garment	
19	PT. Sipatex Putri	
20	PT. Lancar Usaha Makmur	
21	PT. Tirta Langeng Utama	
22	PT. Sumber Usaha Sentosa	
23	印尼經濟統籌部	
24	印尼工業部化工、紡織及其他行業總	

	司	
25	印尼財政部關務署	
26	印尼貿易部貿易政策分析暨發展局	
27	印尼貿易部國際貿易談判總司	
28	印尼國家發展計畫部	
29	印尼統計分析處	

窗簾(Curtains)公聽會與會單位

編號	單位	備註
1	新加坡駐印尼大使館	進口國
2	駐印尼臺北經濟貿易代表處/經濟部國際貿易局	
3	印尼進口公會(GINSI)	
4	印尼紡織協會(API)	本案提案單位
5	PT. Dumaco Chemicals	印尼業者
6	印尼經濟統籌部	印尼官方機構
7	印尼工業部化工、紡織及其他行業總司	
8	印尼投資協調委員會(BKPM)	
9	印尼財政部關務署	
10	印尼貿易部貿易政策分析暨發展局	
11	印尼貿易部國際貿易談判總司	
12	印尼國家發展計畫部	
13	印尼統計分析處	

六、活動照片



公聽會情形



9月30日上午紡紗防衛調查案公聽會及許科員婕安發言情形



印尼防衛措施委員會(KPPI)主席 Mr. Mardjoko (中)



我團員與印尼貿易部同仁合影