



What is a **Subsidy**?

Definition, Types, and Government Schemes in India



The Subsidy

John W. Owens



The Subsidy:

The WTO Law of Subsidies Marc Benitah, 2019-05-23 Subsidies are arguably the dominant theme in International Economic Law. A prolific case law has been elaborated by WTO Panels and Appellate Body in response to the multitude of complaints lodged in the past two decades. Softwood Lumber, Airbus, Boeing, etc. Unfortunately, it is possible to be overwhelmed by the complexity of this case law. This book provides a comprehensive approach in response to this complexity. First, it avoids unnecessary legal jargon, making it accessible to a large public. Second, it adopts a comprehensive and progressive approach where legal subtleties are not avoided but presented at the right moment and the right place. The reader is therefore not overwhelmed from the outset by a multitude of details. The first Part of the book adopts the perspective of a WTO Member seeking to counter an alleged subsidy granted by another Member. To this end, this first Part scans and analyzes in detail all WTO Agreements containing cumulative disciplines and remedies relating to subsidies. Therefore, it is not only the SCM Agreement that is scanned and analyzed but also the Agreement on Agriculture, AoA, GATT 1994, and even the 1980 Agreement on Trade in Civil Aircraft, ATCA. The second Part of the book adopts the perspective of a WTO Member accused of granting subsidies violating subsidies disciplines. To this end, an original classification is offered of the various strategies that can be used by this Member. For this purpose, a distinction is made between the threshold strategy where the existence of a challengeable subsidy is recused from the outset, the denying violation of disciplines strategy, the exemption or exception strategy, the procedural and evidentiary strategy, and finally the implementing strategy. The last Part of this book, which could turn out to be the most useful for the community of agents concerned by subsidies, offers an original examination of pending legal issues. To this end, a relevant distinction is established between pending legal issues partially answered by present case law and pending legal issues not still answered by present case law. This case law and the norms disciplining subsidies in WTO Agreements are of utmost importance, first for International Trade Ministries, Parliaments, and International Institutions, OECD, CNUCED, FAO, etc. However, Non-Governmental Organizations, World Wide Fund, etc. are also directly concerned by this topic, regarding for example fisheries subsidies and their impact on overexploitation of marine resources. The private sector, fishing fleets, fishermen, extractive industries, etc. is also affected by this topic, particularly regarding future investments. Law firms involved in subsidies cases are naturally at the forefront of the community of agents concerned by this topic.

Legislative Proposals of the Subsidized Lines United States. Congress. House Merchant Marine and Fisheries, 1963

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Hearings, Reports and Prints of the House Committee on Interior and Insular Affairs United States. Congress. House. Committee on Interior and Insular Affairs, 1981

Annual Report of the Department of Railways and Canals Canada. Department of Railways and Canals, 1889

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