

## **VIII. CONCLUSIONS AND RECOMMENDATIONS**

8.1 In the light of our findings above concerning the EC' s definitive countervailing measure imposed on imports of DRAMs from Korea, we consider that the EC acted in a manner inconsistent with its WTO obligations under:

- (h) Article 15.5 of the *SCM Agreement* because the EC failed to demonstrate the requisite causal link between Hynix imports and injury, while accepting Korea's claim concerning the non-attribution aspect of the causation analysis, as st

implementation of our recommendation are, in the first place, for the EC to determine. In this regard, we note Article 21.3 of the