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CHINA - MEASURES CONCERNING TRADE IN GOODS AND SERVICES

REQUEST TO JOIN CONSULTATIONS

Communication from the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu

The following communication, dated 9 February 2022, from the delegation of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu to the delegation of China, and the delegation of the European Union, is circulated to the Dispute Settlement Body in accordance with Article 4.11 of the DSU.

I would like to refer to the consultations requested by the European Union in the communication circulated to WTO Members on 31 January 2022 (WT/DS610/1, G/L/1426, G/TFA/D4/1, G/SPS/GEN/1988, S/L/435) on *China – Measures Concerning Trade in Goods and Services*.

Pursuant to Article 4.11 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu hereby notifies the consulting Members and the Dispute Settlement Body of its desire to be joined in these consultations.

The Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu has a substantial trade interest in the matter under consideration. China's restrictions challenged by the European Union include: (i) error messages on the IT systems used to input data necessary to secure customs clearance from China's customs authorities; (ii) containers being blocked in China's ports pending customs clearance; (iii) failures on the part of China's customs authorities to process requests for customs clearance in due time or at all. Since the same China's customs IT system and its customs clearance are used for imports from other WTO Members, the industries and exports of the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu could be directly or indirectly affected by the measures challenged by the European Union in its request for consultations. These measures also affect the supply chains both within and outside the European Union and accordingly affect our external trade. The Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu therefore has a clear trade interest in ensuring that the challenged trade measures which affect the supply chains are consistent with WTO obligations.

I look forward to receiving confirmation of acceptance of this request, as well as advice regarding the time and venue for these consultations.
