



CHINA - MEASURES CONCERNING TRADE IN GOODS AND SERVICES

REQUEST TO JOIN CONSULTATIONS

Communication from Japan

The following communication, dated 10 February 2022, from the delegation of Japan 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 wish to refer to the consultations requested by the European Union (EU) with the Government of the People's Republic of China (China) pursuant to Articles 1 and 4 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU"), in conjunction with Article XXII:1 of the *General Agreement on Tariffs and Trade 1994* ("GATT 1994"), Article 24.8 of the *Trade Facilitation Agreement* ("TFA"), Article 11 of the *Agreement on the Application of Sanitary and Phytosanitary Measures* ("SPS Agreement") and Article XXII of the *General Agreement on Trade in Services* ("GATS") in the communication circulated to WTO Members on 31 January 2022 titled "*China – Measures Concerning Trade in Goods and Services*" (WT/DS610/1, G/L/1426, G/TFA/D4/1, G/SPS/GEN/1988, S/L/435). My authorities have instructed me to notify the consulting Members and the Dispute Settlement Body ("DSB") of the desire of Japan to be joined in these consultations, pursuant to paragraph 11 of Article 4 of the DSU.

China is Japan's major partner of trade in goods. According to the statistics of the Ministry of Finance of Japan, in 2021, the total amount of trade in goods between Japan and China is approximately 350 billion US dollar, nearly one fourth of Japan's total trade value. China is also Japan's important partner of trade in services, next to the United States and the EU in terms of value.

Japan observes that the measures at issue and legal basis of the complaint identified in the EU's request for consultations are broad, including issues concerning the administration of customs clearance, SPS measures, acts of state-owned enterprises and other measures affecting the trade in goods and services with China. Japan also notes that the measures at issue concern the predictability and transparency of China's implementation of its obligations under the WTO Agreement.

Further, the measures at issue might have impact on global supply chains that are becoming increasingly complex. Considering also the fact that the EU is Japan's major partner in trade in goods and services, Japan is clearly one of the stakeholders in this case.

In light of the large scale of trade relationship between Japan and China, the broad nature of the measures at issue and legal basis of the EU's complaint as well as their potential impact on global supply chains involving the businesses of Japan, Japan has a substantial trade interest in the consultations, and respectfully requests that it be accepted to join the consultations in this dispute.
