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CHINA – TARIFF RATE QUOTAS FOR CERTAIN AGRICULTURAL PRODUCTS

RECOURSE TO ARTICLE 22.6 OF THE DSU BY CHINA

The following communication, dated 23 July 2021, from the delegation of China to the Chairperson of the Dispute Settlement Body, is circulated pursuant to Article 22.6 of the DSU.

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1. Regarding the United States' recourse to Article 22.2 of the Understanding on Rules and Procedures Governing the Settlement of Disputes ("DSU") in the dispute *China - Tariff Rate Quotas for Certain Agricultural Products* (WT/DS517), my authorities have instructed me to inform you that China disagrees with the United States' allegation that China has failed to bring its measures into compliance with its WTO obligations. As detailed in its communication on 17 February 2020, China has brought its relevant domestic measures into full compliance with the DSB's rulings and recommendations.¹
 2. China maintains that any disagreement regarding the consistency of its measures taken to comply with the DSB's rulings and recommendations must be resolved in proceedings under Article 21.5 of the DSU, before any level of suspension of concessions or obligations can be assessed under Article 22 of the DSU.
 3. In these circumstances, and pursuant to Article 22.6 of the DSU, China objects to the level of suspension of concessions and related obligations with respect to "the General Agreement on Tariffs and Trade 1994 or other agreements listed in Annex IA of the WTO Agreement" as proposed by the United States in document WT/DS517/19.
 4. Accordingly, as required by Article 22.6 of the DSU, the matter shall be referred to arbitration.²

¹ Status Report Regarding Implementation of the DSB Recommendations and Rulings by China WT/DS517/12.

² DSU, Article 22.6 ("if the Member concerned objects to the level of suspension proposed, ...the matter shall be referred to arbitration").