

US

CHECK AGAINST DELIVERY

4. EUROPEAN COMMUNITIES AND ITS MEMBER STATES - TARIFF TREATMENT OF CERTAIN INFORMATION TECHNOLOGY PRODUCTS

A. REQUEST FOR THE ESTABLISHMENT OF A PANEL BY THE UNITED STATES, JAPAN AND THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU (WT/DS375/8 - WT/DS376/8 - WT/DS377/6)

- As described in the joint panel request before the DSB today, the United States, together with Japan and Chinese Taipei, is concerned about the duties the European Communities is imposing on certain information technology products. Three products are involved in this dispute. The first product is set top boxes with a communication function – in other words, cable and satellite boxes that can access the Internet. The second product is flat panel computer monitors. And the third product is certain multifunctional digital machines – in other words, computer peripherals that can scan, print, copy and/or fax.
- These products were included within the Information Technology Agreement, and the EC incorporated the relevant commitments into its Schedules following the conclusion of the ITA. As Members know, the ITA is widely regarded as a major success of the WTO. A little over one year ago, participants in the ITA gathered in Geneva to celebrate the tenth anniversary of its signing. At that time, many Members lauded the agreement for creating new opportunities for trade and economic growth for developed and developing Members alike.
- Unfortunately, the EC appears increasingly to impose duties on ITA products covered by its existing duty-free tariff commitments. As described in detail in the joint panel request, imports to the EC of the products at issue in this dispute are subject to ordinary customs duties, or other duties and charges, in excess of those in the EC's WTO Tariff Schedules, and commerce is accorded treatment less favorable than that provided in the EC Schedules. The United States, therefore, considers that these duties are inconsistent with the obligations of the EC and its member States under Article II:1(a) and (b) of the GATT 1994.
- The United States has discussed these issues extensively with the EC over the past two years, including most recently during the consultations that we held in June and July. Regrettably, those consultations did not resolve this dispute.
- Accordingly, the United States, together with Japan and Chinese Taipei, requests that the DSB establish a panel to examine the matter set out in our panel request, with standard terms of reference.