

Compliance Panel established 8.30.21 to determine if China complied with the TRQ decision of 2019 (case initially filed by Obama).

DS-517 --China — Tariff Rate Quotas for Certain Agricultural Products

China submitted its second request for a dispute panel to determine whether it has complied with a 2019 ruling concerning its administration of TRQs for certain agricultural products. The DSB agreed to the establishment of the panel. China's first request was blocked at the 26 July meeting of the DSB.

China reiterated that it has fully implemented the rulings and recommendations of the DSB in this dispute and that, while it was reluctant to request the establishment of a compliance panel, it is doing so as a consequence of the United States decision to request authorization to suspend concessions or other obligations with respect to China under Article 22.2 of the Dispute Settlement Understanding. China said it was deeply concerned about the systemic implications of the US approach and emphasized that, despite its request for a compliance panel, the burden to prove the WTO-inconsistency of China's compliance measures remains with the US.

The United States said it does not agree that China has complied with the WTO ruling. It noted that there is a lack of transparency and fairness in China's administration of TRQ measures. The US further said that it has paused the arbitration of its request to suspend concessions to China. The US said it is willing to work with China to reach a resolution.

The DSB agreed to the establishment of a panel. Australia, Brazil, Canada, the European Union, Guatemala, India, Japan, the Russian Federation, Chinese Taipei, and the United Kingdom reserved their rights to participate as third parties in the proceedings.