

INDIA - QUANTITATIVE RESTRICTIONS ON IMPORTS OF
AGRICULTURAL, TEXTILE AND INDUSTRIAL PRODUCTS

Request for Consultations by New Zealand

The following communication, dated 16 July 1997, from the Permanent Mission of New Zealand to the Permanent Mission of India and to the Dispute Settlement Body, is circulated in accordance with Article 4.4 of the DSU.

My authorities have instructed me to request consultations with India pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), Article 19 of the Agreement on Agriculture, Article 6 of the Agreement on Import Licensing Procedures and Article XXII:1 of the General Agreement on Tariffs and Trade 1994 (GATT 1994) with regard to the quantitative restrictions maintained by India on the importation of a large number of agricultural and industrial products.

New Zealand considers that the quantitative restrictions maintained by India on the more than 2,700 agricultural and industrial product tariff lines notified to the WTO in Annex I, Part B of WT/BOP/N/24 dated 22 May 1997 and the licensing and administrative procedures applicable to those restrictions are inconsistent with the GATT 1994, the Agreement on Agriculture and the Agreement on Import Licensing Procedures. The provisions of these agreements with which the restrictions and related procedures would appear to be inconsistent include the following:

- Articles XI:1 and XVIII:11 of GATT 1994;
- Article 4.2 of the Agreement on Agriculture; and
- Article 3 of the Agreement on Import Licensing Procedures.

New Zealand also considers that the restrictions and related procedures nullify or impair benefits accruing to New Zealand under GATT 1994 within the meaning of Article XXIII:1(b) of GATT 1994.

New Zealand reserves the right to raise additional factual matters and legal claims during the course of the consultations.

We look forward to receiving your reply to the present request and to fixing a mutually convenient date for the consultations.