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**RUSSIAN FEDERATION - ADDITIONAL DUTIES ON CERTAIN PRODUCTS  
FROM THE UNITED STATES**

**REQUEST FOR THE ESTABLISHMENT OF A PANEL BY THE UNITED STATES**

The following communication, dated 22 November 2018, from the delegation of the United States to the Chairperson of the Dispute Settlement Body, is circulated pursuant to Article 6.2 of the DSU.

On 27 August 2018, the United States requested consultations with the Russian Federation ("Russia") pursuant to Article 4 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU") and Article XXIII of the *General Agreement on Tariffs and Trade 1994* ("GATT 1994") with respect to Russia's imposition of additional duties with respect to certain products originating in the United States ("additional duties measure").<sup>1</sup> The United States held consultations with Russia on 9 November 2018. Unfortunately, these consultations did not resolve the dispute.

Russia does not impose the additional duties measure on like products originating in the territory of any other WTO Member. Russia also appears to be applying rates of duty to US imports greater than the rates of duty set out in Russia's schedule of concessions.

The legal instruments through which Russia imposes the additional duties measure include the following:

- *Government of the Russian Federation Decree No. 788 On Approval of Rates for Import Customs Duties for Individual Commodities Originating in the United States of America*, July 6, 2018;

as well as any amendments, replacements, related measures or implementing measures.

The additional duties measure appears to be inconsistent with:

- Article I:1 of the GATT 1994, because Russia fails to extend to products of the United States an advantage, favor, privilege, or immunity granted by Russia with respect to customs duties and charges of any kind imposed on or in connection with the importation of products originating in the territory of other Members;
- Article II:1(a) of the GATT 1994, because Russia accords less favorable treatment to products originating in the United States than that provided for in Russia's schedule of concessions; and
- Article II:1(b) of the GATT 1994 because Russia imposes duties or charges in excess of those set forth in Russia's schedule.

The additional duties measure appears to nullify or impair the benefits accruing to the United States directly or indirectly under the GATT 1994.

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<sup>1</sup> WT/DS566/1.

Accordingly, the United States respectfully requests pursuant to Article 6 of the DSU that the Dispute Settlement Body establish a panel to examine this matter, with the standard terms of reference as set out in Article 7.1 of the DSU.

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