

**EUROPEAN COMMUNITIES – ANTI-DUMPING DUTIES ON IMPORTS
OF COTTON-TYPE BED-LINEN FROM INDIA**

Request for Consultations from India

The following communication, dated 3 August 1998, from the Permanent Mission of India to the Permanent Delegation of the European Commission and the Dispute Settlement Body, is circulated in accordance with Article 4.4 of the DSU.

My authorities have instructed me to request consultations with the European Commission (EC) pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes, Article XXIII of the General Agreement on Tariffs and Trade 1994 (GATT 1994) and Article 17 of the Agreement on Implementation of Article VI of GATT 1994 regarding Commission Regulation (EC) N°2398/97 of 28 November 1997 on imports of cotton-type bed-linen from India.

2. The EC initiated anti-dumping proceedings against the import of cotton type bed linen from India by publishing a notice of initiation in September 1996.¹ Provisional anti-dumping duties were imposed by EC Commission Regulation N°.1069/97 dated 12 June 1997. This was followed by the imposition of final duties by the above-mentioned EC Council Regulation of 28 November 1997.

3. The Government of India considers that the determination of standing, the initiation, the determination of dumping and injury as well as the explanations of the EC authorities' findings are inconsistent with WTO law. India is also of the view that EC authorities' establishment of the facts was not proper and that EC's evaluation of facts was not unbiased and objective. Moreover, the EC authorities have not taken into account the special situation of India as a developing country.

4. The Government of India considers that infringements of the following provisions have taken place:

(i) The following provisions of the Agreement on Implementation of Article VI of GATT 1994:

- (a) Article 2.2.2,
- (b) Article 3, specially Articles 3.1, 3.2, 3.4 and 3.5,
- (c) Article 4.1(i), and Article 5.4, alone and both in conjunction with Article 3,

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¹ Published in the Official Journal of the European Communities C266/2 of 13.9.96.

- (d) Article 5, specially Articles 5.2, 5.3, 5.4 and 5.8,
- (e) Article 15,
- (f) (a) through (e), each alone and in conjunction with Article 12,

as well as,

- (g) Article 12, including Article 12.2.2,
 - (h) Article 6;
- (ii) Article VI of GATT 1994;
 - (iii) Article I of GATT 1994.

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