

WORLD TRADE ORGANIZATION

RESTRICTED

WT/DS19/1

18 October 1995

(95-3127)

Original: English

POLAND - IMPORT REGIME FOR AUTOMOBILES

Request for Consultations by India

The following communication, dated 28 September 1995, from the Permanent Mission of India to the Permanent Mission of the Republic of Poland is circulated at the request of the Permanent Mission of India in accordance with Article 4:4 of the DSU.

On instructions from my authorities, I wish to convey the request of India for consultations with Poland pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) and Article XXIII:1 of the General Agreement on Tariffs and Trade 1994 regarding its import regime for automobiles and in this context, to modifications introduced by Poland on 1 January 1992 to the structure of its tariff on motor cars and also to the duty free quota provided to the European Communities for automobiles in terms of the provisions of the Interim Agreement on Trade Related Matters entered into between the EEC and the Republic of Poland, which entered into force on 1 March 1992.

In India's view, these measures by Poland are inconsistent with the obligations of Poland under the General Agreement on Tariffs and Trade 1994 and the Understanding on the Interpretation of Article XXIV of the General Agreement on Tariffs and Trade 1994. The provisions of GATT 1994 with which the measure taken by Poland are inconsistent include, but are not limited to the following:

- (i) Article I of GATT 1994; and
- (ii) Article XXIV of GATT 1994 read with the Interpretation of Article XXIV of the General Agreement on Tariffs and Trade 1994.

These measures nullify or impair the benefits accruing to India directly or indirectly under the General Agreement on Tariffs and Trade.

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

In the light of this request by India for consultations with Poland pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes and Article XXIII:1 of the General Agreement on Tariffs and Trade 1994 regarding Poland's import regime for automobiles, India intends¹ to withdraw its complaint under GATT 1947 on the same issue against Poland.

¹Secretariat note: see document DS40/4 containing India's letter of withdrawal dated 13 October 1995.