

**GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA**

UNSTARRED QUESTION NO:5006
ANSWERED ON:20.12.2002
VIOLATION OF WTO PROVISIONS BY DEVELOPED COUNTRIES
A. VENKATESH NAIK;RAMSHETH THAKUR

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

:

- (a) whether the developing countries have evolved a common stand to take on the developed countries which blatantly violated the provisions of the World Trade Organisation Treaty;
- (b) if so, the details thereof;
- (c) the steps taken by the Government in this regard;
- (d) whether the Government propose to publish white paper on the issue;
- (e) if so, the reaction of the other developing countries in this regard; and
- (f) the other steps taken by the Government to deal with the developed countries which have blatantly violated the provisions of the World Trade Organisation treaty?

Answer

MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI RAJIV PRATAP RUDY)

(a) to (f): For any violation of the provisions of the Agreement under the World Trade Organization (WTO), steps under the Dispute Settlement Mechanism can be taken by any WTO Member country as per the 'Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU)'. The DSU is the central pillar of the WTO system and provides for settlement of the disputes that arise between the Members in a time bound manner. The DSU provides for consultations among Members initially before bringing up the disputes before the Dispute Settlement Body for consideration by a Dispute Settlement Panel or Appellate Body. The DSU system provides for the reports of the Dispute Settlement Panels and the Appellate Body being adopted automatically by the Dispute Settlement Body. The Reports could be rejected only by consensus at the time of their consideration by the Dispute Settlement Body, meaning thereby that the losing WTO Member cannot block consensus for adoption of the reports.

India, like other WTO Members has used the provisions of the DSU to raise disputes with other WTO Members when it perceived violation of its rights under the various multilateral Agreements annexed to the WTO Agreement. A list of disputes raised by India with other WTO Members including the Developed country Members since the inception of the WTO in January 1995 is attached.

Annex referred to in reply to Lok Sabha Unstarred Question No. 5006 for 20 December 2002

S. No. Subject of the Dispute Raised by India Against

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|--------------------------------------------------------------------------------------------|----------------------|
| 1. Quantitative restrictions on imports of textile and clothing products | Turkey |
| 2. Ban on importation of shrimp and shrimp products from these countries imposed by the US | United States |
| 3. Measures affecting imports of Women's and girl's wool coats | United States |
| 4. Transitional safeguard measures affecting imports of woven wool shirts and blouses. | United States |
| 5. Import regime on Automobiles | Poland |
| 6. Application of Cumulative Recovery System (CRS) for India's | European Communities |

exports of rice.

7. Anti-Dumping actions on unbleached European Communities
cotton fabrics (UCF)

8. Anti-Dumping proceedings against import European Communities
of Cotton type Bed-linen.

9. Anti-dumping duties imposed by South South Africa
African Authorities on
imports of anti-biotics from India

10. Anti-dumping duties imposed by US on CTL United States
Steel Plate imports from India

11. Anti dumping duties imposed by Brazil Brazil
on Jute bag imports from India.

12. Argentina Drugs Dispute Argentina

13. US legislation on dumping and subsidy United States
offset (Byrd Amendment)

14. Textiles Rules of Origin United States