

WORLD TRADE ORGANIZATION

WT/DS323/1
G/L/724
G/AG/GEN/67
G/LIC/D/38
3 December 2004

(04-5280)

Original: English

JAPAN – IMPORT QUOTAS ON DRIED LAVER AND SEASONED LAVER

Request for Consultations by Korea

The following communication, dated 1 December 2004, from the delegation of Korea to the delegation of Japan and to the Chairperson of 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 Government of Japan pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), Article XXIII:1 of the General Agreement on Tariffs and Trade 1994 (GATT 1994), Article 19 of the Agreement on Agriculture, and Article 6 of the Agreement on Import Licensing Procedures regarding Japan's import quotas on dried laver (1212.20-1-(1)) and seasoned laver (2106.90-2-(2)-E-(b)).

The Republic of Korea believes that the extremely restrictive import quotas on dried laver and seasoned laver maintained by Japan are inconsistent with Japan's obligations under Article XI of the GATT 1994 and in particular, but not necessarily exclusively, Article 4.2 of the Agreement on Agriculture. Moreover, these quotas are administered in a partial and unreasonable manner, and in violation of Japan's obligations under Article X:3 of the GATT 1994 and in particular, but not necessarily exclusively, Article 1.2 and 1.6 of the Agreement on Import Licensing Procedures.

Through these violations of WTO rules, the import quotas have created trade distortions between Japan and Korea and undermined important objectives of the GATT 1994 and other relevant WTO agreements.

The Republic of Korea reserves its right to raise further factual claims and legal matters during the course of consultations.

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