

# GENERAL AGREEMENT ON

# TARIFFS AND TRADE

RESTRICTED

DS40/1

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POLAND - DUTY EXEMPTIONS FOR AUTOMOBILES ORIGINATING  
IN THE EUROPEAN COMMUNITIES

Request for Consultations under Article XXII:1 by India

The following communication, dated 20 May 1993, sent by the Permanent Mission of India to the Permanent Mission of the Republic of Poland, is circulated in accordance with paragraph C.3 of the CONTRACTING PARTIES' 1989 Decision on Improvements to the GATT Dispute Settlement Rules and Procedures (BISD 36S/62).

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On instructions from my authorities, I wish to convey the request of India for consultations under Article XXII:1 of the General Agreement on Tariffs and Trade concerning 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 on the modifications introduced by Poland on 1 January 1992 to the structure of its tariff on motor cars.

2. The increase in the incidence of duties on cars made effective just before the interim agreement for a free trade area came into force appears to be inconsistent with Poland's obligations under the General Agreement and India believes that as a result of the action, the benefits accruing to India under the GATT have been nullified or impaired.

3. India, therefore, seeks consultations with Poland in terms of paragraph 1 of Article XXII with a view to finding a satisfactory adjustment of the matter.