



5 March 2025

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UNITED STATES – ADDITIONAL TARIFF MEASURES ON GOODS FROM CHINA

REQUEST FOR CONSULTATIONS BY CHINA

Addendum

The following communication, dated 4 March 2025, from the delegation of China to the delegation of the United States, is circulated to the Dispute Settlement Body in accordance with Article 4.4 of the DSU.

1. My authorities have instructed me to request consultations with the Government of the United States of America pursuant to Articles 1 and 4 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU"), and Article XXIII of the *General Agreement on Tariffs and Trade 1994* ("GATT 1994") with respect to the United States' measures that increase the additional tariffs on goods originating in China from 10% to 20%. This addendum supplements and does not replace China's request for consultations dated 4 February 2025¹.

I. MEASURES AT ISSUE

2. Subsequent to the above mentioned request for consultations, the United States issued the Executive Order² of 3 March 2025, which amends the Executive Order³ of 1 February 2025 and increases the additional ad valorem tariffs imposed on all imported products originating in China from 10% and 20%. The measures at issue are applied to products of Chinese origin only and are in excess of the United States' bound rates in its Schedule of Concessions and Commitments annexed to the GATT 1994. The measures at issue not only violate WTO rules, but are discriminatory and protectionist in nature.

3. The measures at issue include, *inter alia*:

- Section 1702(a)(1)(B) of the International Emergency Economic Powers Act;
- Fact Sheet: President Donald J. Trump Imposes Tariffs on Imports from Canada, Mexico and China⁴;
- Executive Order of 1 February 2025: Imposing Duties to Address the Synthetic Opioid Supply Chain in the People's Republic of China;

¹ The request for consultations was circulated on 5 February 2025 in document WT/DS633/1, G/L/1561.

² Executive Order of 3 March 2025, entitled Further Amendment to Duties Addressing the Synthetic Opioid Supply Chain in the People's Republic of China, see <https://www.whitehouse.gov/presidential-actions/2025/03/further-amendment-to-duties-addressing-the-synthetic-opioid-supply-chain-in-the-peoples-republic-of-china/>.

³ Executive Order of 1 February 2025, entitled Imposing Duties to Address the Synthetic Opioid Supply Chain in the People's Republic of China, see <https://www.whitehouse.gov/presidential-actions/2025/02/imposing-duties-to-address-the-synthetic-opioid-supply-chain-in-the-peoples-republic-of-china/>.

⁴ See <https://www.whitehouse.gov/fact-sheets/2025/02/fact-sheet-president-donald-j-trump-imposes-tariffs-on-imports-from-canada-mexico-and-china/>.

- Federal Register notice described in section 2(d) of the Executive Order of 1 February 2025⁵.
- Executive Order of 3 March 2025: Further Amendment to Duties Addressing the Synthetic Opioid Supply Chain in the People's Republic of China

4. The supplemental request for consultations also includes any amendments, supplements, or extensions to the measures specified above, as well as any closely connected, subsequent, replacement or implementing measures.

II. LEGAL BASIS OF THE COMPLAINT

5. The measures at issue appear to be inconsistent with the United States' obligations under the following provisions of the GATT 1994, including:

- Article I:1 of the GATT 1994, because the measures at issue fail to extend immediately and unconditionally to China an "advantage, favour, privilege or immunity" granted by the United States "[w]ith respect to customs duties and charges of any kind imposed on or in connection with" the importation of products originating in the territory of other Members.
- Article II:1(a) and (b) of the GATT 1994, because the United States imposes additional tariffs on all imported products originating in China as identified in measures above that are in excess of United States bound rates in its Schedule of Concessions and Commitments annexed to the GATT 1994, and therefore fails to accord to the products originating in China and imported into the United States treatment no less favourable than that provided for in the United States' Schedule of Concessions and Commitments annexed to the GATT 1994.

6. In addition, and as a consequence of the foregoing, the measures at issue appear to nullify or impair benefits accruing to China, directly or indirectly, under the cited agreements.

7. China reserves the right to raise additional measures and claims regarding the matters identified herein during the course of consultations and in any future request for the establishment of a panel.

8. China looks forward to receiving the reply of the United States to this request and to setting a mutually convenient date for consultations.

⁵ See <https://www.federalregister.gov/documents/2025/02/05/2025-02293/implementation-of-additional-duties-on-products-of-the-peoples-republic-of-china-pursuant-to-the>.