

**Dispute Settlement Body Meeting
(25 November 2024)**

Hong Kong, China's intervention

**Item 2. United States – Origin Marking Requirement (Hong Kong, China)
(DS597)**

- Thank you, Chair.
- We are very disappointed by the US' decision to place this agenda item on the table yet again. This action disregards the established procedures of the WTO dispute settlement mechanism and unnecessarily consumes Members' valuable time.
- The panel ruling in DS597 has provided a clear and impartial assessment, comprehensively addressing the relevant issues. If the US disagrees with the panel's findings, the appropriate course of action is to allow the case to proceed to the Appellate Body. Regrettably, the US continues to exploit WTO rules and misuse DSB meeting time for its political purposes. Using the DSB as a platform for a Member's own political rhetoric is not only unproductive but also undermines the principles of fairness, respect, and efficiency upon which the multilateral trading system relies.
- The US' allegations are not only inappropriate and unnecessary, but also groundless and disgraceful.
- Hong Kong is a society underpinned by the rule of law and has always adhered to the principle that "laws must be obeyed and lawbreakers be held accountable". This is well recognised by the international community.
- Our National Security Law has ensured that human rights are respected and protected in safeguarding national security; and our judiciary exercises its judicial power independently. All cases are handled strictly on the basis of evidence and in accordance with the law. All defendants will receive a fair trial strictly in accordance with laws applicable to Hong Kong and as protected by the Basic Law and the Hong Kong Bill of Rights. Any attempt to interfere

with judicial proceedings in Hong Kong by anyone is a blatant affront to the rule of law and an attack on Hong Kong's judicial independence. We urge the US to cease making false and baseless accusations.

- We have no intention of using DSB meetings to defend our inherent rights under international law. However, the US' repeated, unfounded allegations about our national security laws and human rights situation leave us no choice but to set the record straight.
- Chair, this is the 13th time we have been compelled to speak on this subject. We sincerely hope that this would be the last time that the US brings this agenda to the DSB meeting. The US has said before that Hong Kong, China should not have taken the case to the panel in the first place. Yet the panel's ruling in our favour clearly demonstrates that the US' actions lacked legal justification, confirming the legitimacy and appropriateness of our challenge. We urge the US to fully respect the rules of the system, just as what Hong Kong, China does all the time. Last but not least, as far as DS597 is concerned, Hong Kong, China stands ready to go through the due process of appeal should the US lift its blockage to the Appellate Body appointments.
- Thank you.

Item 7. Appellate Body Appointments: Proposal by Afghanistan; Angola; Antigua and Barbuda; Argentina; Australia; Bangladesh; Benin; Plurinational State of Bolivia; Botswana; Brazil; Brunei Darussalam; Burkina Faso; Burundi; Cabo Verde; Cambodia; Cameroon; Canada; Central African Republic; Chad; Chile; China; Colombia; Congo; Costa Rica; Côte d'Ivoire; Cuba; Democratic Republic of Congo; Djibouti; Dominica; Dominican Republic; Ecuador; Egypt; El Salvador; Eswatini; the European Union; Gabon; The Gambia; Ghana; Guatemala; Guinea; Guinea-Bissau; Honduras; Hong Kong, China; Iceland; India; Indonesia; Israel; Kazakhstan; Kenya; Republic of Korea; Lao People's Democratic Republic; Lesotho; Liechtenstein; Madagascar; Malawi; Malaysia; Maldives; Mali; Mauritania; Mauritius; Mexico; Republic of Moldova; Morocco; Mozambique; Myanmar; Namibia; Nepal; New Zealand; Nicaragua; Niger; Nigeria; North Macedonia; Norway; Pakistan; Panama; Paraguay; Peru; the Philippines; Qatar; Russian Federation; Rwanda; Saint Kitts and Nevis; Saint Lucia; Senegal; Seychelles; Sierra Leone; Singapore;

South Africa; Switzerland; the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu; Tanzania; Thailand; Togo; Tunisia; Türkiye; Uganda; Ukraine; United Kingdom; Uruguay; the Bolivarian Republic of Venezuela; Viet Nam; Zambia and Zimbabwe (WT/DSB/W/609/Rev.26)

- Thank you, Chair.
- Hong Kong, China expresses its appreciation to Colombia for presenting this proposal, which has the support of 130 Members. We wish to reaffirm the points raised in our previous statements on this matter and reiterate our firm commitment to the ongoing Dispute Settlement reform process.
- A fully functional dispute settlement system is indispensable for ensuring the fairness and predictability of global trade. While we acknowledge that differences in opinion and varying levels of readiness still exist among Members regarding certain aspects in the reform process, Hong Kong, China remains committed to finding common ground and pursuing a mutually beneficial solution.
- In the interim, we recognize the Multiparty Interim Appeal Arbitration Arrangement (MPIA) as a pragmatic mechanism that fulfills the immediate need for a functioning dispute settlement process. It offers Members who participate in the MPIA access to an independent and credible appeal process.
- We look forward to continued constructive engagement with all Members in our shared pursuit of a fully and well-functioning dispute settlement system that is accessible to all.
- Thank you.
