

February 9, 2023

Dr. Chang-Fa Lo  
Permanent Representative  
Permanent Mission of the Separate Customs Territory  
of Taiwan, Penghu, Kinmen, and Matsu to the WTO  
Avenue de Tournay 7  
1292 Genève

Dear Dr. Lo:

The United States has received your letter of January 3, 2023, requesting to join in the consultations requested by China as circulated in document WT/DS615/1.

Article 4.11 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* (“DSU”) provides that a Member that considers it has a substantial trade interest in the consultations shall be joined in the consultations “provided that the Member to which the request for consultations was addressed agrees that the claim of substantial interest is well-founded.” The United States notes that the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu (“TPKM”) refers to its semiconductor industries’ 26 percent share of global semiconductor revenue in 2021 and close bilateral trade ties with the United States.

Pursuant to Article 4.11 of the DSU, and without prejudice to WTO rules that issues of national security are not susceptible to review or capable of resolution by WTO dispute settlement,<sup>1</sup> the United States is accepting your request to join these consultations.

Sincerely,

H.E. Ms. María L. Pagán  
Ambassador

cc: H.E. Mr. Li Chenggang, Permanent Mission of the People’s Republic of China  
H.E. Dr. Athaliah Lesiba Molokomme, Chairperson, Dispute Settlement Body

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<sup>1</sup> See Article XXI of the *General Agreement on Tariffs and Trade 1994*; Article XIV bis of the *General Agreement on Trade in Services*; and Article 73 of the *Agreement on Trade-Related Aspects of Intellectual Property Rights*.