

WORLD TRADE ORGANIZATION

WT/DS27/22
9 September 1998

(98-3543)

Original: English

EUROPEAN COMMUNITIES – REGIME FOR THE IMPORTATION, SALE AND DISTRIBUTION OF BANANAS

Request to Join Consultations

Communication from Jamaica

The following communication, dated 8 September 1998, from the Permanent Mission of Jamaica to the Chairman of the Dispute Settlement Body, is circulated pursuant to the procedure provided for under Article 21.5 of the DSU.

The Permanent Mission of Jamaica to the World Trade Organisation presents its compliments to the Permanent Delegation of the European Communities to the World Trade Organisation and hereby informs it that the Government of Jamaica takes note of the request of the Governments of Ecuador, the United States, Guatemala, Honduras and Mexico, as circulated in document WT/DS27/18 of 31 August 1998, for the holding of consultations with the European Communities on its compliance with the recommendations and rulings in *European Communities – Regime for the Importation, Sale and Distribution of Bananas*. The decision of the Arbitrator, Dr. El-Naggar provides for a reasonable period of time until 1 January 1999 for the EC to comply with the DSB rulings and recommendations.

The Permanent Mission of Jamaica is informed that the amendments to Regulation (EEC) No. 404/93 on the common organization of the market on bananas as a consequence of the adoption of Council Regulation (EC) No. 1637/98 of 20 July 1998 does not include provisions on the distribution of licenses. In short the EC has not yet completed the incorporation of all measures in its regulations which could constitute the basis for any assessment as to compliance or conformity. The request for consultations by the five members in question is at best premature.

The Permanent Mission of Jamaica, notwithstanding and in light of its significant and substantial interest in the matter, evidenced by its participation along with Members of the African, Caribbean and Pacific Group of Countries as Third Parties in the adjudication by each of the panels established by the GATT and WTO, requests to be joined in these consultations. This request is without prejudice to the validity of the arguments adduced as set out in WT/DS27/18 which remain to be decided by the DSB.

The Permanent Mission of Jamaica to the World Trade Organisation avails itself of this opportunity to renew to the Permanent Delegation of the European Communities to the World Trade Organisation, the assurances of its highest consideration.
