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Page: 1/1

**UNITED STATES – MEASURES CONCERNING THE IMPORTATION, MARKETING AND SALE
OF TUNA AND TUNA PRODUCTS**

RECOURSE TO ARTICLE 21.5 OF THE DSU BY THE UNITED STATES

**UNITED STATES – MEASURES CONCERNING THE IMPORTATION, MARKETING AND SALE
OF TUNA AND TUNA PRODUCTS**

SECOND RECOURSE TO ARTICLE 21.5 OF THE DSU BY MEXICO

COMMUNICATION FROM THE APPELLATE BODY

The following communication, dated 14 December 2018, from the Chair of the Appellate Body to the Chair of the Dispute Settlement Body, is being circulated to Members.

It is my honour to provide to you the Report of the Appellate Body in *United States – Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products – Recourse to Article 21.5 of the DSU by the United States* and *United States – Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products – Second Recourse to Article 21.5 of the DSU by Mexico* (WT/DS381/AB/RW/USA, WT/DS381/AB/RW2). The Report will be circulated to Members of the World Trade Organization at approximately 5 p.m. today, and is confidential until circulation. The three Members of the Appellate Body who served on this appeal were Mr Thomas Graham and Ms Hong Zhao, as Members, and myself, as Presiding Member of the Division.
