

**EUROPEAN COMMUNITIES AND ITS MEMBER STATES – TARIFF TREATMENT
OF CERTAIN INFORMATION TECHNOLOGY PRODUCTS**

Communication from the European Union¹

The following communication, dated 13 October 2010, from the delegation of the European Union to the Chairman of the Dispute Settlement Body (DSB), is circulated at the request of the European Union.

At its 21 September 2010, meeting, the Dispute Settlement Body ("DSB") adopted recommendations and rulings in the dispute *European Communities and its Member States – Tariff Treatment of Certain Information Technology Products* (WT/DS375, WT/DS376, WT/DS377). My authorities have instructed me to advise the DSB of the intentions of the European Union with respect to implementation of the recommendations and rulings of the DSB, as is our responsibility under Article 21.3 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU"). The United States, Japan and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu have agreed that the European Union would inform the DSB of the EU intentions by letter rather than at a special meeting of the DSB.

The European Union intends to implement the recommendations and rulings of the DSB in this dispute in a manner that respects its WTO obligations; we are consulting internally on the options for doing so. The European Union will need a reasonable period of time in which to do this. My delegation stands ready to discuss this matter with the United States, Japan and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, in accordance with Article 21.3(b) of the DSU.

The EU kindly requests that you circulate this communication to the Members of the DSB.

¹ On 1 December 2009, the *Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community* (done at Lisbon, 13 December 2007) entered into force. On 29 November 2009, the WTO received a Verbal Note (WT/L/779) from the Council of the European Union and the Commission of the European Communities stating that, by virtue of the *Treaty of Lisbon*, as of 1 December 2009, the European Union replaces and succeeds the European Community.