

**EUROPEAN UNION AND A MEMBER STATE – SEIZURE OF GENERIC DRUGS
IN TRANSIT**

Request to Join Consultations

Communication from Ecuador

The following communication, dated 28 May 2010, from the delegation of Ecuador to the delegation of the European Union, the delegation of Brazil and to the Chairman of the Dispute Settlement Body, is circulated in accordance with Article 4.11 of the DSU.

Pursuant to Article 4.11 of the Understanding on Rules and Procedures Governing the Settlement of Disputes ("DSU"), the Government of Ecuador notifies its desire to be joined in consultations requested by Brazil pursuant to Article 4 of the DSU, Article 64.1 of the Agreement on Trade-Related Aspects of Intellectual Property Rights ("TRIPS Agreement"), and Article XXII:1 of the General Agreement on Tariffs and Trade 1994 ("GATT 1994") regarding measures relating to the seizure of shipments of drugs in transit through the territory of the European Union, including the application of those measures to drugs produced in India and destined for Brazil.

Brazil's request for consultations was circulated on 19 May 2010 (WT/DS409/1).

Ecuador has a substantial trade interest in these consultations as shipments of generic drugs destined for Ecuador have been seized in transit in the territory of the European Union in 2008 and 2009. Ecuador is also concerned that these measures could adversely affect the shipment of drugs destined for Ecuador in the future.

We look forward to your positive reply and would be grateful if you could advise us of the timing and venue for the consultations.
