



Dispute Settlement Body  
23 February 2015

## MINUTES OF MEETING

HELD IN THE CENTRE WILLIAM RAPPARD  
ON 23 FEBRUARY 2015

*Chairman: Mr. Fernando De Mateo (Mexico)*

### Table of Contents

<b>1 SURVEILLANCE OF IMPLEMENTATION OF RECOMMENDATIONS ADOPTED BY THE DSB .....</b>	<b>2</b>
A. United States – Section 211 Omnibus Appropriations Act of 1998: Status report by the United States .....	2
B. United States – Anti-dumping measures on certain hot-rolled steel products from Japan: Status report by the United States .....	6
C. United States – Section 110(5) of the US Copyright Act: Status report by the United States .....	6
D. European Communities – Measures affecting the approval and marketing of biotech products: Status report by the European Union .....	7
E. United States – Anti-dumping measures on certain shrimp from Viet Nam: Status report by the United States .....	7
<b>2 IMPLEMENTATION OF THE RECOMMENDATIONS OF THE DSB .....</b>	<b>8</b>
A. United States – Countervailing duty measures on certain products from China .....	8
B. Argentina – Measures affecting the importation of goods .....	8
<b>3 UNITED STATES – CONTINUED DUMPING AND SUBSIDY OFFSET ACT OF 2000: IMPLEMENTATION OF THE RECOMMENDATIONS ADOPTED BY THE DSB .....</b>	<b>9</b>
A. Statements by the European Union and Japan .....	9
<b>4 CHINA – CERTAIN MEASURES AFFECTING ELECTRONIC PAYMENT SERVICES .....</b>	<b>10</b>
A. Statement by the United States .....	10
<b>5 THAILAND – CUSTOMS AND FISCAL MEASURES ON CIGARETTES FROM THE PHILIPPINES .....</b>	<b>11</b>
A. Statement by the Philippines .....	11
<b>6 CANADA – ANTI-DUMPING MEASURES ON IMPORTS OF CERTAIN CARBON STEEL WELDED PIPE FROM THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU .....</b>	<b>12</b>
A. Request for the establishment of a panel by the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu .....	12
<b>7 CHINA – ANTI-DUMPING MEASURES ON IMPORTS OF CELLULOSE PULP FROM CANADA .....</b>	<b>12</b>
A. Request for the establishment of a panel by Canada .....	12

<b>8 EUROPEAN UNION – COUNTERVAILING MEASURES ON CERTAIN POLYETHYLENE TEREPHTHALATE FROM PAKISTAN</b> .....	<b>13</b>
A. Request for the establishment of a panel by Pakistan .....	13
<b>9 UNITED STATES – CONDITIONAL TAX INCENTIVES FOR LARGE CIVIL AIRCRAFT</b> .....	<b>14</b>
A. Request for the establishment of a panel by the European Union.....	14
<b>10 ELECTION OF CHAIRPERSON</b> .....	<b>15</b>

## **1 SURVEILLANCE OF IMPLEMENTATION OF RECOMMENDATIONS ADOPTED BY THE DSB**

A. United States – Section 211 Omnibus Appropriations Act of 1998: Status report by the United States (WT/DS176/11/Add.146)

B. United States – Anti-dumping measures on certain hot-rolled steel products from Japan: Status report by the United States (WT/DS184/15/Add.146)

C. United States – Section 110(5) of the US Copyright Act: Status report by the United States (WT/DS160/24/Add.121)

D. European Communities – Measures affecting the approval and marketing of biotech products: Status report by the European Union (WT/DS291/37/Add.84)

E. United States – Anti-dumping measures on certain shrimp from Viet Nam: Status report by the United States (WT/DS404/11/Add.32)

1.1. The Chairman said that there were five sub-items under this Agenda item concerning status reports submitted by delegations pursuant to Article 21.6 of the DSU. He recalled that Article 21.6 of the DSU required that: "Unless the DSB decides otherwise, the issue of implementation of the recommendations or rulings shall be placed on the Agenda of the DSB meeting after six months following the date of establishment of the reasonable period of time and shall remain on the DSB's Agenda until the issue is resolved". He invited delegations to provide up-to-date information about compliance efforts and to focus on new developments, suggestions and ideas on progress towards the resolution of disputes. He reminded delegations that, as provided for in Rule 27 of the Rules of Procedure for DSB meetings: "Representatives should make every effort to avoid the repetition of a full debate at each meeting on any issue that has already been fully debated in the past and on which there appears to have been no change in Members' positions already on record". With these introductory remarks, he turned to the first status report under this Agenda item.

### **A. United States – Section 211 Omnibus Appropriations Act of 1998: Status report by the United States (WT/DS176/11/Add.146)**

1.2. The Chairman drew attention to document WT/DS176/11/Add.146, which contained the status report by the United States on progress in the implementation of the DSB's recommendations in the case concerning US Section 211 Omnibus Appropriations Act of 1998.

1.3. The representative of the United States said that his country had provided a status report in this dispute on 12 February 2015, in accordance with Article 21.6 of the DSU. Several bills that had been introduced in the current US Congress would repeal Section 211. These included H.R. 274, H.R. 403, H.R. 635 and H.R. 735 – introduced into the US House of Representatives, on 12 January, 16 January, 2 February and 4 February respectively. Other previously introduced legislation would modify Section 211. The US Administration would continue to work on solutions to implement the DSB's recommendations and rulings and resolve this matter with the EU.

1.4. The representative of the European Union said that the EU thanked the United States for its most recent status report and the statement made at the present meeting. The EU hoped that the US authorities would resolve this matter very soon.

1.5. The representative of Cuba said that, on 1 February 2002, the DSB had adopted the Appellate Body Report pertaining to this dispute. 13 years had passed since the Appellate Body had found that Section 211(a)(2) and (b) of the Omnibus Appropriations Act of 1998 violated the national treatment and most-favoured-nation obligations under the TRIPS Agreement and the Paris Convention. During those 13 years, the United States had been unable to move forward with the amendment of Section 211, in order to bring it into conformity with the WTO Agreements. The continued non-compliance in this dispute could be understood by other Members to mean that there was no need to act promptly to comply with the DSB's recommendations and rulings. It was common knowledge that a growing number of developing country respondents had made efforts to meet their legal obligations and settle disputes. Cuba reiterated that the only satisfactory solution to this dispute was the full repeal of Section 211, which required the end of the unfair policy of economic, commercial and financial blockade against Cuba. The US unilateral policies against Cuba had been denounced in many international forums. The international community had reacted in a positive and encouraging manner following the statements made by the US President in December 2014. On 29 January 2015, a Special Declaration had been adopted by all Latin American and Caribbean Heads of State and Government at the Third Summit of the Community of Latin American and Caribbean States (CELAC), which specifically addressed the need to end the embargo against Cuba. The representatives of the region had endorsed the Declaration, expressing: "their strongest opposition to the coercive economic measures not supported by International Law. [...] In light of the declaration formulated by President Obama, urge [him] to take all actions within his executive powers to substantially modify the blockade against Cuba, and the United States Congress to initiate, as soon as possible, a discussion on removing it. [...] Reiterate their opinion that this blockade is contrary to the principles of the United Nations Charter and International Law. [...] Request the Government of the United States of America to fulfil the successive resolutions adopted by the United Nations General Assembly, and in response to the repeated calls from the countries of Latin America and the Caribbean, to put an end to the economic, commercial and financial blockade against Cuba, which is contrary to International Law, severely and unjustifiably damaging the well-being of the Cuban people, and affecting peace and coexistence among the nations of the Americas". Similarly, during the recent 24th Summit of the African Union (AU), held on 30 and 31 January 2015 in Addis Ababa, Ethiopia, a decision rejecting the embargo against Cuba had been adopted for the sixth time in a row. The Resolution, which was supported by 54 member States of the AU welcomed the decision adopted by Havana and Washington to re-establish diplomatic relations. It called for the lifting of the long-standing and unjust economic, commercial and financial blockade on Cuba, and urged the US President to take all the necessary measures within his executive powers to deal with all outstanding issues regarding the embargo. In Cuba's view, the United States had the institutional capacity and the relevant powers to urge the US Congress to repeal Section 211 and to end this non-compliance, which seriously affected and undermined the equity that Members hoped to obtain through the WTO dispute settlement system.

1.6. The representative of the Dominican Republic said that his country thanked the United States for its status report on the steps taken to comply with the DSB's recommendations and rulings with regard to the inconsistency of Section 211 with Article 42 of TRIPS. The Dominican Republic, once again, called on the United States to accelerate its internal procedures so as to comply with the DSB's recommendations and rulings. The prolonged situation of non-compliance in this dispute undermined the credibility of the DSB.

1.7. The representative of Jamaica said that her country thanked Cuba, the United States and the EU for their statements, updates and the US status report under this Agenda item. Jamaica noted that the circumstances of this dispute had not changed and that no progress had been reported since the previous DSB meeting. As in past DSB meetings, Jamaica expressed its concern about the continued US failure to implement the DSB's recommendations adopted on 2 February 2002 with respect to Section 211. The US protracted failure to take the necessary steps to comply with its obligations under the DSU provisions was incompatible with the requirement for prompt and effective implementation of the DSB's decisions. This was of particular concern in cases such as this where the failure to meet an obligation had a negative impact on the economic interest of a developing-country Member. Jamaica reiterated its deep concern about the systemic implications of any disregard for DSB decisions. Such disregard could undermine the overall integrity of the dispute settlement system, which remained a key pillar of the WTO. Jamaica believed that, after 13 years since the adoption of the DSB's recommendations in this dispute, it was more than reasonable for Members to expect that this matter be resolved and removed from the DSB's Agenda.

1.8. The representative of Ecuador said that his country supported the statement made by Cuba at the present meeting. Ecuador noted, once again, that Article 21 of the DSU referred specifically to prompt compliance with the DSB's recommendations and rulings, in particular since the interests of a developing-country Member were affected. Ecuador hoped that the United States would step up its efforts and promptly comply with the DSB's rulings and recommendations by repealing Section 211. He noted that 13 years of non-compliance in this dispute highlighted the main shortcomings of the WTO's dispute settlement system.

1.9. The representative of Mexico said that his country thanked the United States for its status report. As had been stated by previous speakers, and as Mexico had stated in the past, Article 21 of the DSU referred to the prompt compliance with the DSB's recommendations and rulings "to the benefit of all Members". Mexico urged the parties to this dispute to adopt the necessary measures to ensure compliance.

1.10. The representative of Nicaragua said that his country supported the statement made by Cuba. Nicaragua reiterated its concern about the prolonged situation of non-compliance with the DSB's rulings and recommendations in this dispute. Nicaragua noted that the US status report did not report on any progress in finding a solution to this dispute. Such non-compliance adversely affected the economic interests of a developing-country Member and undermined the overall integrity of the dispute settlement system, a key pillar of the WTO. Nicaragua supported the statements made by previous speakers who had urged the United States to take the necessary measures to ensure prompt compliance with the relevant DSB's rulings and recommendations.

1.11. The representative of the Russian Federation said that, once again, his country was concerned about the lack of any progress in this long-standing dispute. The lack of compliance in this dispute attracted the attention of many Members as an example of non-compliance with, and disregard of, the DSB's recommendations and rulings. Russia believed that due and timely implementation of the DSB's recommendations and rulings by all Members was essential for maintaining mutual trust and credibility in the WTO system. As it had previously stated, Russia urged the parties to this dispute to address the outstanding issues and to resolve this dispute as soon as possible.

1.12. The representative of Argentina said that his country thanked the United States for its status report and its statement and the EU for its statement. Argentina regretted that there had been no new developments in this dispute. As Argentina had previously stated many times, this lack of progress was inconsistent with the principle of prompt and effective implementation of the DSB's recommendations and rulings, in particular since the interests of a developing-country Member were affected. Argentina supported Cuba and the EU in this dispute and urged the United States to adopt the necessary measures to resolve this matter.

1.13. The representative of the Plurinational State of Bolivia said that, for 13 years, the United States had no new information to report in this dispute. Bolivia, once again, reiterated its concern about the systemic implications of the US non-compliance with the DSB's rulings and recommendations, in particular since this situation affected the economic interests of a small developing-country Member. Bolivia, once again, urged the United States to comply with the DSB's rulings and recommendations and to end the embargo against Cuba, and to remove the restrictions imposed under Section 211. Bolivia supported the statement made by Cuba at the present meeting.

1.14. The representative of Zimbabwe said that his country welcomed the US status report in this dispute. Zimbabwe, once again, continued to witness the flagrant violation of the DSB's rulings and recommendations by the United States. Zimbabwe was concerned that this non-compliance was setting a systemic precedent which could affect other Members, in particular from developing countries. In that regard, Zimbabwe joined previous speakers in supporting Cuba and urged the United States to comply with the DSB's recommendations and rulings.

1.15. The representative of Trinidad and Tobago said that her country thanked Cuba for its update and the United States for its status report under this Agenda item. As it had stated in its previous statements, Trinidad and Tobago once again regretted that there had been no positive movement towards prompt compliance with the DSB's rulings and recommendations regarding Section 211. Article 3.2 of the DSU described the WTO's dispute settlement system as a central element in

providing security and predictability to the multilateral trading system. In order to achieve that security and predictability, the prompt compliance with the DSB's recommendations or rulings, required under Article 21.1 of the DSU was critical as it built confidence in the system and ensured the effective resolution of disputes to the benefit of all Members. Trinidad and Tobago supported the call for prompt compliance with the DSB's rulings and recommendations in this dispute in order to preserve the integrity of the WTO system.

1.16. The representative of the Bolivarian Republic of Venezuela said that her country supported the statement made by Cuba. Venezuela noted with concern that the US status report did not provide any information on progress in the implementation of the DSB's recommendations and rulings in this dispute. Venezuela noted that, since 2002, Section 211 had remained in force and this prolonged non-compliance in this dispute affected the interests of a small developing-country Member, which was inconsistent with WTO rules. The dispute settlement system was one of the key pillars of the multilateral trading system and provided greater efficiency to the system as a whole. In that regard, the continued US non-compliance in this dispute undermined the dispute settlement system as well as the WTO's ability to settle disputes. Venezuela urged the United States to comply with the DSB's recommendations and rulings by repealing Section 211.

1.17. The representative of El Salvador said that her country thanked the United States for its status report and Cuba for its update in this dispute. Like previous speakers, El Salvador noted with concern the lack of compliance in this dispute, which affected the interests of a country with a small and vulnerable economy. The non-compliance in this dispute also undermined the multilateral trading system. EL Salvador urged the parties to this dispute to resolve this dispute as soon as possible.

1.18. The representative of China said that his country thanked the United States for its status report and the statement made at the present meeting. The prolonged situation of non-compliance in this dispute was highly inconsistent with the principle of prompt compliance required under the DSU provisions, in particular since the interests of a developing-country Member were affected. China urged the United States to implement the DSB's rulings and recommendations without any further delay.

1.19. The representative of India said that his country shared the concerns raised by previous speakers about the lack of progress in the implementation of the DSB's recommendations. India recalled that, in 2002, the United States had informed the DSB of its intention to implement the DSB's recommendations and rulings in this dispute. However, the recommendations still remained not implemented. India renewed its systemic concerns about the continuation of non-compliance as this undermined the confidence the Members reposed in a rules-based system, especially in the context of a developing country seeking compliance. India urged the United States to report compliance to the DSB.

1.20. The representative of Viet Nam said that her country thanked the United States for its status report. Viet Nam supported Cuba's statement and the statements made by previous speakers expressing their concerns about the lack of progress in this dispute. 13 years of non-compliance was a long period of time and, therefore, Viet Nam urged the United States to step up its compliance with the DSB's recommendations and rulings.

1.21. The representative of Brazil said that his country thanked the United States for its status report concerning the surveillance of implementation in this dispute, which had been initiated many years ago. However, the status report regrettably did not report on any substantial progress achieved in this matter. Brazil, once again, shared the concerns expressed by previous speakers about the lack of compliance and urged the United States to take concrete steps towards meaningful compliance. Such compliance would certainly strengthen the multilateral rules.

1.22. The representative of Uruguay said that his country thanked the United States for its status report and in particular for its indication that the pertinent legislative texts had been presented to the 14th session of the US Congress. Uruguay wished that this information was sufficient. However, Uruguay wished to know when this item would no longer be on the DSB's Agenda.

1.23. The representative of Kenya said that his country had been following this issue with keen interest. Kenya was concerned that this dispute had remained an outstanding issue on the DSB's

Agenda. Kenya joined previous speakers in urging the United States to expedite the repeal of Section 211 so as to comply with the DSB's recommendations.

1.24. The representative of Angola said that his country thanked the United States for its status report regarding Section 211. Angola remained concerned that this matter had not yet been resolved and that Cuba, a country with a small vulnerable economy, continued to be adversely affected. Angola called for an appropriate and prompt resolution of this dispute. In Angola's view, defending one Member's interests should not be to the detriment of other Members. Such a situation could create a systemic precedent that could undermine the dispute settlement system, which was recognized as one of the main achievements of the WTO. Angola reiterated its support for Cuba and encouraged the parties to this dispute to find a mutual solution as soon as possible. Angola urged the United States to show its commitment to resolve this matter by taking more concrete actions towards compliance.

1.25. The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

#### **B. United States – Anti-dumping measures on certain hot-rolled steel products from Japan: Status report by the United States (WT/DS184/15/Add.146)**

1.26. The Chairman drew attention to document WT/DS184/15/Add.146, which contained the status report by the United States on progress in the implementation of the DSB's recommendations in the case concerning US anti-dumping measures on certain hot-rolled steel products from Japan.

1.27. The representative of the United States said that his country had provided a status report in this dispute on 12 February 2015, in accordance with Article 21.6 of the DSU. The United States had addressed the DSB's recommendations and rulings with respect to the calculation of anti-dumping margins in the hot-rolled steel anti-dumping duty investigation at issue. With respect to the recommendations and rulings of the DSB that had yet to be addressed, the US Administration would continue to work with the US Congress with respect to appropriate statutory measures that would resolve this matter.

1.28. The representative of Japan said that his country thanked the United States for its statement and its status report submitted on 12 February 2015. Japan referred to its previous statements that this issue should be resolved as soon as possible.

1.29. The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

#### **C. United States – Section 110(5) of the US Copyright Act: Status report by the United States (WT/DS160/24/Add.121)**

1.30. The Chairman drew attention to document WT/DS160/24/Add.121, which contained the status report by the United States on progress in the implementation of the DSB's recommendations in the case concerning Section 110(5) of the US Copyright Act.

1.31. The representative of the United States said that his country had provided a status report in this dispute on 12 February 2015, in accordance with Article 21.6 of the DSU. The US Administration would continue to confer with the European Union, and to work closely with the US Congress, in order to reach a mutually satisfactory resolution of this matter.

1.32. The representative of the European Union said that the EU thanked the United States for its status report and its statement made at the present meeting. The EU referred to its previous statements regarding its wish to resolve this dispute as soon as possible.

1.33. The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

#### **D. European Communities – Measures affecting the approval and marketing of biotech products: Status report by the European Union (WT/DS291/37/Add.84)**

1.34. The Chairman drew attention to document WT/DS291/37/Add.84, which contained the status report by the European Union on progress in the implementation of the DSB's recommendations in the case concerning measures affecting the approval and marketing of biotech products.

1.35. The representative of the European Union said that, in recent DSB meetings, the EU had already reported on authorisation decisions and other actions towards approval decisions taken up to January 2015. The Appeal Committee of 6 February 2015 had voted on a draft decision for authorisation of a soybean<sup>1</sup> product for food and feed use. The Committee had rendered no opinion. Four GM food and feed draft authorization decisions would most probably be voted in the Standing Committee in March 2015<sup>2</sup>. Two draft authorization decisions for non-food and non-feed uses would most probably be voted in the Standing committee in March<sup>3</sup>. The products just referred to were identified in the written version of the EU's statement. As had been stated many times before, the EU recalled that the EU approval system was not covered by the DSB's recommendations and rulings.

1.36. The representative of the United States said that his country thanked the EU for its status report and its statement made at the present meeting. The EU measures affecting the approval of biotech products were seriously disrupting trade in agricultural products between the United States and the EU. The EU had failed to approve a single new biotech product since November 2013. Having received positive evaluations by the EU's scientific authority, 13 applications were currently pending before the EU College of Commissioners awaiting final, political approval. Furthermore, based on public statements by EU officials, it appeared that the EU had decided not to make any further approvals until the EU conducts yet another re-examination of EU biotech approval measures. The United States failed to see how a re-examination of existing approval measures could provide a scientific basis for not making biotech product approvals. Indeed, many of the long-pending products had successfully passed comprehensive safety assessments by the EU's scientific authority. The United States urged the EU to address these delays immediately.

1.37. The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

#### **E. United States – Anti-dumping measures on certain shrimp from Viet Nam: Status report by the United States (WT/DS404/11/Add.32)**

1.38. The Chairman drew attention to document WT/DS404/11/Add.32, which contained the status report by the United States on progress in the implementation of the DSB's recommendations in the case concerning US anti-dumping measures on certain shrimp from Viet Nam.

1.39. The representative of the United States said that his country had provided a status report in this dispute on 12 February 2015, in accordance with Article 21.6 of the DSU. As the United States had noted at past DSB meetings, in February 2012 the US Department of Commerce had modified its procedures in a manner that addressed certain findings in this dispute. The United States would continue to consult with interested parties as it worked to address the other recommendations and rulings of the DSB.

1.40. The representative of Viet Nam said that her country thanked the United States for its status report which did not contain any new information. Viet Nam strongly requested the United States to comply with the DSB's recommendations and rulings in this dispute as soon as possible. Viet Nam hoped to continue its discussions with the United States in an effort to find a solution towards implementation.

1.41. The representative of Cuba said that her country reiterated its support for Viet Nam. Cuba, once again, called on the United States to comply with the DSB's recommendations and rulings in

<sup>1</sup> MON87769 soybean.

<sup>2</sup> MON531 cotton, MON1445 cotton, MON531xMON1445 cotton, MON15985 cotton.

<sup>3</sup> Carnations IFD-25958-3 and IFD-26407-2 (cut flowers).

this dispute. Cuba noted that the prolonged situation of non-compliance had a negative impact on Viet Nam, a developing-country Member.

1.42. The representative of the Bolivarian Republic of Venezuela said that her country fully supported the statement made by Viet Nam. Venezuela stressed the importance of prompt and effective implementation of the DSB's rulings and recommendations. Venezuela urged the United States to promptly resolve this dispute.

1.43. The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

## **2 IMPLEMENTATION OF THE RECOMMENDATIONS OF THE DSB**

### **A. United States – Countervailing duty measures on certain products from China**

#### **B. Argentina – Measures affecting the importation of goods**

2.1. The Chairman recalled that, in accordance with the DSU provisions, the DSB was required to keep under surveillance the implementation of recommendations and rulings of the DSB in order to ensure effective resolution of disputes to the benefit of all Members. In that respect, Article 21.3 of the DSU provided that the Member concerned shall inform the DSB, within 30 days after the date of adoption of the panel or Appellate Body report, of its intentions in respect of implementation of the recommendations and rulings of the DSB. He proposed that the two sub-items to which he had just referred be considered separately.

#### **A. United States – Countervailing duty measures on certain products from China**

2.2. The Chairman recalled that, at its meeting on 16 January 2015, the DSB had adopted the Appellate Body Report in the dispute on: "United States – Countervailing Duty Measures on Certain Products from China" and the Panel Report on the same matter, as modified by the Appellate Body Report. As Members were aware, the 30-day time-period in this dispute had expired on 15 February 2015, and on 13 February 2015, the United States had informed the DSB in writing of its intentions with respect to implementation of the recommendations and rulings of the DSB. The relevant communication was contained in document WT/DS437/12. He invited the United States to make a statement.

2.3. The representative of the United States said that, on 16 January 2015, the DSB had adopted the Reports of the Panel and the Appellate Body in the dispute: "United States – Countervailing Measures on Certain Products from China" (DS437). In this dispute, the 30-day period of time described in Article 21.3 of the DSU had expired before the next regularly scheduled DSB meeting. In those circumstances, China had agreed with the United States that it was appropriate for the United States to inform the DSB of US intentions by letter, rather than at a special meeting of the DSB. Accordingly, on 13 February 2015, the United States had informed the DSB by letter that it intended to implement the recommendations and rulings of the DSB in a manner that respected US WTO obligations. As the United States had noted in its letter, it would need a reasonable period of time in which to implement the DSB's recommendations and rulings. In accordance with Article 21.3(b) of the DSU, the United States would seek to reach agreement with China on the period of time for implementation.

2.4. The representative of China said that his country thanked the United States for stating its intention to comply both in writing in the communication dated 13 February 2015 and orally in its statement made at the present meeting. China recalled that the findings of the Appellate Body and the Panel in this dispute constituted an emphatic rejection of the USDOC's entire analytical framework for determining the existence of alleged input subsidies. China hoped that the United States would implement the DSB's recommendations and rulings as early as possible. China stood ready to discuss with the United States the reasonable period of time for compliance with the DSB's recommendations and rulings.

2.5. The DSB took note of the statements, and of the information provided by the United States regarding its intentions in respect of implementation of the DSB's recommendations.



## B. Argentina – Measures affecting the importation of goods

2.6. The Chairman recalled that, at its meeting on 26 January 2015, the DSB had adopted the Appellate Body Reports in the disputes on: "Argentina – Measures Affecting the Importation of Goods" and the Panel Reports on the same matter, as modified and upheld by the respective Appellate Body Reports. He invited Argentina to inform the DSB of its intentions in respect of implementation of the DSB's recommendations.

2.7. The representative of Argentina said that, at its meeting on 26 January 2015, the DSB had adopted the recommendations and rulings concerning the following disputes: WT/DS438; WT/DS444; and WT/DS445 in relation to the complaints brought by the EU, the United States and Japan, respectively. Argentina intended to implement these recommendations and conclusions, in conformity with its WTO obligations, and was in the process of evaluating and analysing the most appropriate way to do so. The implementation would require a reasonable period of time and Argentina was willing to discuss the matter with the three co-complainants.

2.8. The representative of the European Union said that the EU thanked Argentina for stating its intention to comply. The EU recalled the clear verdict made by the Panel and the Appellate Body. Argentina had acted illegally under WTO law by forcing local importers or foreign firms to respect various trade-related requirements (TRRs) as a condition for importing goods into the country – requirements that would continue to be imposed "until and unless the policy is repealed or modified", as stated by the Panel. Argentina had acted illegally under WTO law by devising the DJAI procedure, which, since February 2012, required firms to secure the approval by its authorities before importing goods. The EU considered that Argentina should no longer require importers to offset the value of their imports with equivalent exports, to limit their imports in volume or in value, to use certain amount of Argentine content in their products, to invest in Argentina and/or keep their profits there, as a condition or conditions to engage in the importation of goods into that country. Argentina should also refrain from requiring importers to secure an approval for their imports. The EU stood ready to discuss with Argentina with a view to agreeing to a reasonable period of time for compliance with the DSB's recommendations and rulings.

2.9. The representative of the United States said that his country thanked Argentina for its statement made at the present meeting indicating that it intended to implement the DSB's recommendations and rulings in this dispute. The WTO-inconsistent measures in this dispute continued to be of significant concern, and the United States continued to receive reports regarding their application by Argentine authorities. The United States therefore looked forward to Argentina moving promptly to bring its measures into compliance with its obligations. The United States stood ready to discuss with Argentina, under Article 21.3(b) of the DSU, a reasonable period of time for implementation of the DSB's recommendations and rulings.

2.10. The representative of Japan said that his country thanked Argentina for its intention to implement the DSB's recommendations and rulings as expressed in its statement made at the present meeting. In order to ensure prompt settlement of this dispute, Japan expected Argentina to take necessary actions for prompt implementation of the recommendations and rulings. Japan was willing to discuss this matter, including an appropriate reasonable period of time, with Argentina together with the EU and the United States in good faith.

2.11. The DSB took note of the statements, and of the information provided by Argentina regarding its intentions in respect of implementation of the DSB's recommendations.

## **3 UNITED STATES – CONTINUED DUMPING AND SUBSIDY OFFSET ACT OF 2000: IMPLEMENTATION OF THE RECOMMENDATIONS ADOPTED BY THE DSB**

### **A. Statements by the European Union and Japan**

3.1. The Chairman said that this item was on the Agenda of the present meeting at the request of the European Union and Japan. He invited the respective representatives to speak.

3.2. The representative of the European Union said that, once again, the EU requested the United States to stop transferring anti-dumping and countervailing duties to the US industry. Every disbursement that still took place was clearly an act of non-compliance with the DSB's

recommendations and rulings. The EU renewed its call on the United States to abide by its clear obligation under Article 21.6 of the DSU to submit status reports in this dispute.

3.3. The representative of Japan said that since the distributions under the CDSOA had been continuing, Japan, once again, urged the United States to stop the illegal distributions in order to resolve this long-standing dispute. As it had stated in previous meetings, Japan was of the view that the United States was under obligation to provide the DSB with a status report in this dispute in accordance with Article 21.6 of the DSU.

3.4. The representative of India said that his country shared the concerns of the EU and Japan. The WTO-inconsistent disbursements continued unabated to the US domestic industry. India agreed that the Byrd Amendment should continue to remain subject to the DSB's surveillance until the United States ceased to administer it. India was also of the view that this item should continue to remain on the DSB's Agenda until such time that full compliance was achieved in this dispute.

3.5. The representative of Brazil said that his country, as one of the parties to these disputes, thanked the EU and Japan for keeping this item on the DSB's Agenda. As it had stated in previous DSB meetings, Brazil was of the view that the United States was under an obligation to discontinue any disbursements made pursuant to the Byrd Amendment. The fact that the current disbursements may be related to investigations initiated before the repeal of the Act did not mean that they were somehow excluded from compliance obligations. On the contrary, the confirmation of the illegal nature of some of its features by the DSB and the repeal of the Act by the United States made it even more egregious to continue to disburse substantial amounts to petitioners on the basis of a provision found to be inconsistent with the Anti-Dumping Agreement. Only with the discontinuation of the disbursements would compliance be achieved and the United States would be released from its obligation to submit status reports in this dispute.

3.6. The representative of Canada said that his country referred to its previous statements made on this issue. Canada's position had not changed.

3.7. The representative of the United States said that, as his country had noted at previous DSB meetings, the Deficit Reduction Act, which included a provision repealing the Continued Dumping and Subsidy Offset Act of 2000, was enacted into law in February 2006. Accordingly, the United States had taken all actions necessary to implement the DSB's recommendations and rulings in these disputes. The United States recalled, furthermore, that the EU, Japan, and other Members had acknowledged that the Deficit Reduction Act did not permit the distribution of duties collected on goods entered after 1 October 2007, which was over seven years ago. The United States, therefore, did not understand the purpose for which the EU and Japan had inscribed this item on the Agenda of the present meeting. With respect to comments regarding further status reports in this matter, as it had already explained at previous DSB meetings, the United States failed to see what purpose would be served by further submission of status reports which would repeat, again, that the United States had taken all actions necessary to implement the DSB's recommendations and rulings in these disputes. Indeed, as these very WTO Members had demonstrated repeatedly when they had been responding parties in disputes, there was no obligation under the DSU to provide further reports once a Member announced that it had implemented those DSB recommendations and rulings, regardless of whether the complaining party disagreed about compliance. In fact, one Member that used to call for US status reports was not currently supplying such reports itself in another matter being raised at the present meeting under Agenda item 5, given its position that it had taken all actions necessary to comply.

3.8. The DSB took note of the statements.

## **4 CHINA – CERTAIN MEASURES AFFECTING ELECTRONIC PAYMENT SERVICES**

### **A. Statement by the United States**

4.1. The Chairman said that this item was on the Agenda of the present meeting at the request of the United States. He invited the representative of the United States to speak.

4.2. The representative of the United States said that his country continued to have serious concerns that China had failed to bring its measures into conformity with its WTO obligations more

than one and a half years after the end of its period of time for compliance. The situation unfortunately had not changed since the United States had first begun raising this matter in the DSB and despite repeated interactions between the United States and China. China continued to maintain a ban on foreign suppliers of electronic payment services ("EPS") by imposing a licensing requirement on them, while at the same time providing no procedures to obtain that license. As a result, an enterprise located in China remained the only EPS supplier that could operate in China's domestic market. To comply with China's WTO obligations, and despite China's assertions in previous DSB statements, China must adopt the regulations necessary for allowing foreign EPS suppliers to operate in China. Nearly four months had now passed since China's State Council had announced that China would open the EPS market to qualified suppliers, but foreign enterprises remained barred from operating in China. The United States, therefore, continued to call on China to issue promptly the regulations needed to follow through on the announcement by the State Council.

4.3. The representative of China said that his country regretted that the United States brought this matter before the DSB once again. China referred to its statements made under this Agenda item at previous DSB meetings. China had taken all necessary actions and had fully implemented the DSB's recommendations and rulings in this dispute. China had also further explained that the actions being sought by the United States were beyond the scope of China's compliance obligations. China reiterated that the regulation mentioned by the United States was not relevant to the implementation of the DSB's recommendations and rulings in this dispute and that the DSB meeting was not an appropriate forum to discuss that regulation. China hoped that the United States would reconsider the systemic implications of its position.

4.4. The DSB took note of the statements.

## **5 THAILAND – CUSTOMS AND FISCAL MEASURES ON CIGARETTES FROM THE PHILIPPINES**

### **A. Statement by the Philippines**

5.1. The Chairman said that this item was on the Agenda of the present meeting at the request of the Philippines. He invited the representative of the Philippines to speak.

5.2. The representative of the Philippines said that her country continued to be concerned about a series of outstanding compliance issues in this dispute that were, by now, well known to the DSB, and were important for Philippine economic interests and on a systemic level. Without prejudice to the other issues of concern it had raised at previous DSB meetings, the Philippines noted at the present meeting, two outstanding issues in particular. First, the Philippines recalled the Thai Attorney General's recent confirmation of his decision to prosecute an importer of Philippine cigarettes for alleged under-declaration of customs value, threatening the existence of the importer itself as well as the imprisonment of individuals. The WTO Panel had ruled that Thailand enjoyed no legitimate grounds to reject the customs values that Thailand now sought to criminalize. In addition, Thai Customs' Board of Appeals had explicitly accepted those customs values, in a ruling heralded by Thailand itself as a measure taken to comply. Second, the Philippines noted recent developments concerning a separate Board of Appeals ruling rejecting transaction value for 210 entries from Indonesia that had been covered by the DSB's rulings and recommendations in the original proceedings in this dispute. Thailand had submitted the Board of Appeals' ruling as a declared measure taken to comply. The Philippines had previously noted that the ruling was riddled with WTO inconsistencies, and set out a methodology that put Thailand on the wrong course regarding customs valuation of related party transactions. The Philippines was encouraged to learn that the Thai Tax Court had recently struck down Thai Customs' initial assessments as contrary to Thai law, thus nullifying the Board of Appeals' ruling and subsequent assessments. In contrast, the Philippines was disturbed to learn that, in appealing the tax court's ruling, Thai Customs had reverted to arguments that Thailand had made and had lost in the WTO proceedings, and had explicitly advised the Thai court that it did not need to follow the WTO ruling because it supposedly bound only the Philippines, as the party that had brought the dispute, and did not bind Thailand. Thailand had repeatedly stated that it had done all it was required to do to secure full compliance with the DSB's recommendations and rulings. It was difficult to reconcile that statement, with the two actions just described. This was the time for Thailand to bring its actions in Thailand and its words in the DSB into alignment, to prove that its commitment to

compliance was real, and to rise to its role as a responsible and important WTO Member. If that was not possible, the Philippines would take recourse to its rights under the DSU.

5.3. The representative of Thailand said that her country took note of the Philippines' statement made at the present meeting. As stated in its previous status reports and at the DSB meetings, Thailand had taken all actions necessary to implement the DSB's recommendations and rulings in this dispute. This was without prejudice to any other rights of the Philippines under the DSU. Thailand reiterated that it had been and remained, available to discuss the specific concerns of the Philippines bilaterally, including those not addressed in the DSB's recommendations and rulings.

5.4. The DSB took note of the statements.

## **6 CANADA – ANTI-DUMPING MEASURES ON IMPORTS OF CERTAIN CARBON STEEL WELDED PIPE FROM THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU**

### **A. Request for the establishment of a panel by the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (WT/DS482/2)**

6.1. The Chairman drew attention to the communication from the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu contained in document WT/DS482/2, and invited the representative of that delegation to speak.

6.2. The representative of Chinese Taipei said that her delegation wished to formally request that the DSB establish a panel to examine the anti-dumping measures imposed by Canada, and the relevant Canadian laws. In its view, these measures, and the laws *per se*, were not consistent with the WTO Agreements. Therefore, trade in carbon steel welded pipe was being seriously affected. Chinese Taipei and Canada had previously held consultations on this issue on two occasions, on 24 July and 4 December 2014 respectively. While these consultations had resulted in some clarification of certain aspects of the measures and the laws concerned, regrettably they had failed to produce a mutually agreed solution. Throughout the anti-dumping investigation, the treatment given to Chinese Taipei exporters with *de minimis* dumping margins had been totally inconsistent with the provisions of the GATT 1994 and the Anti-Dumping Agreement. For example, the investigating authority had failed to terminate the investigation of these exporters, and had continued to impose provisional and definitive measures on their imports. With respect to the determination of "all other rates" and the calculation of dumping margins for cooperative exporters of new models, the action taken by the authority had again been inconsistent with the Agreements. Furthermore, Canada's actions were based entirely on the relevant provisions in its own laws, the Special Import Measures Act (SIMA) and the Special Import Measures Regulations (SIMR). This subject had also been thoroughly discussed in the previous consultations, and remained to be challenged in this dispute. In the circumstances, and with the continuation of the said measures and laws, Chinese Taipei was left with no choice but to request the establishment of a panel to examine this dispute.

6.3. The representative of Canada said that his country was disappointed that Chinese Taipei had decided to request a panel with respect to Canada's anti-dumping measures on imports of certain carbon steel welded pipe. As had been indicated, on 24 July and again on 4 December 2014, Canada and Chinese Taipei had held consultations concerning the measures at issue. During those meetings, Canada had engaged constructively with Chinese Taipei to explain aspects of Canada's trade remedy system. Canada was confident that its measures were consistent with its WTO obligations. Accordingly, Canada was not in a position to agree to the establishment of a panel at the present meeting.

6.4. The DSB took note of the statements and agreed to revert to this matter.

## **7 CHINA – ANTI-DUMPING MEASURES ON IMPORTS OF CELLULOSE PULP FROM CANADA**

### **A. Request for the establishment of a panel by Canada (WT/DS483/2)**

7.1. The Chairman drew attention to the communication from Canada contained in document WT/DS483/2, and invited the representative of Canada to speak.

7.2. The representative of Canada said that, on 6 February 2013, China's Ministry of Commerce, MOFCOM, had initiated an investigation into the alleged dumping of cellulose pulp originating from Canada, the United States and Brazil. MOFCOM had made preliminary and final determinations of dumping and injury on 6 November 2013, and 4 April 2014, respectively, resulting in the imposition of anti-dumping duties of up to 23.7% on imports of cellulose pulp from Canada. As outlined in its request for the establishment of a panel, Canada considered that China's measures were inconsistent with its obligations under the Anti-Dumping Agreement and the GATT 1994. In particular, Canada considered that China had violated its obligations under these agreements by improperly determining dumping margins, making injury determinations and conducting the underlying investigation. The duties imposed as a result of China's anti-dumping determinations were having a negative impact on Canadian dissolving pulp producers in various Canadian provinces. Canada had held consultations with China on these measures on 2 November 2014. While Canada appreciated the opportunity to raise its concerns, unfortunately, a mutually satisfactory solution could not be found. Consequently, Canada was now requesting that a WTO panel be established to examine this matter with standard terms of reference. Canada remained open nonetheless to continuing its dialogue with China in order to find a way to address its concerns.

7.3. The representative of China said that his country regretted that Canada had requested the DSB to establish a panel in this dispute. During the consultations, China had provided relevant information and detailed explanations as Canada had asked for, and had made utmost efforts to seek a mutually agreed solution to settle this dispute. It was China's wish that the dispute could be settled through consultation. With regard to the measure identified in the panel request, the Chinese Investigating Authority had found that the imports of the product concerned originating in Canada was dumped and that the dumped imports caused material injury to the domestic industry of China. As a result, the anti-dumping measure was imposed by the Chinese Investigating Authority. China was convinced that the measure was consistent with its WTO obligations. Thus, China did not agree with Canada's request that a panel be established at the present meeting.

7.4. The DSB took note of the statements and agreed to revert to this matter.

## **8 EUROPEAN UNION – COUNTERVAILING MEASURES ON CERTAIN POLYETHYLENE TEREPHTHALATE FROM PAKISTAN**

### **A. Request for the establishment of a panel by Pakistan (WT/DS486/2)**

8.1. The Chairman drew attention to the communication from Pakistan contained in document WT/DS486/2 and invited the representative of Pakistan to speak.

8.2. The representative of Pakistan said that his country wished to request the DSB to establish a panel to examine the countervailing measures imposed by the EU on imports of certain polyethylene terephthalate, commonly called PET products, from Pakistan. The measures at the heart of this dispute were EU Commission regulations No. 473/2010 and 857/2010, imposing provisional and definitive countervailing duty measure respectively on imports of PET from Pakistan. Pakistan was of the view that first, some aspects of the investigations that led to the imposition of the countervailing measure were inconsistent with the EU's obligations under the SCM Agreement. Second, some aspects of the determination or calculation of the countervailing duty were also inconsistent with the EU's obligations under the SCM Agreement. Since 2010, given the importance of the PET industry for Pakistan, this matter had been extensively raised by Pakistan with the EU at different levels. On 17 December 2014, Pakistan had held consultations with the EU. Pakistan sincerely acknowledged the efforts and thanked the EU for its active engagement throughout the consultative process. These consultations had helped to clarify some points. However, they had failed to resolve the matter and no mutual agreement had been reached between Pakistan and the EU. In light of that, Pakistan requested that the DSB establish a panel to examine its complaint.

8.3. The representative of the European Union said that the EU took note of Pakistan's decision to request a panel regarding the EU's countervailing measures on imports of PET products from Pakistan, and with respect to certain aspects of the investigation underlying those measures. The EU had imposed the countervailing duties based on the grounds that imports from Pakistan were receiving trade distorting subsidies and had generated an injury to the European PET industry. The



EU was convinced that these measures were in conformity with the WTO Agreements. Moreover, Pakistan and the EU had agreed to continue discussions on a technical level as regards these measures. Against this backdrop, the EU considered the request premature and did not agree to the establishment of a panel at the present meeting.

8.4. The DSB took note of the statements and agreed to revert to this matter.

## **9 UNITED STATES – CONDITIONAL TAX INCENTIVES FOR LARGE CIVIL AIRCRAFT**

### **A. Request for the establishment of a panel by the European Union (WT/DS487/2)**

9.1. The Chairman drew attention to the communication from the European Union contained in document WT/DS487/2 and invited the representative of the European Union to speak.

9.2. The representative of the European Union said that, in 2013, Washington State had decided to extend until the end of 2040 very significant tax breaks, already found to be illegal in 2012. The amount of the subsidies under the new Washington State measure was very high – US\$8.7 billion – and created a massive disadvantage to European aircraft industry. The subsidies scheme was also conditional upon the use of domestic over imported goods, as the Washington State tax incentives had been made contingent upon: (i) siting production of the wings and final assembly for a new commercial aircraft model or variant in Washington State; and (ii) maintaining all wing assembly and final assembly of such commercial aircraft exclusively in Washington State. The EU believed that the 2013 Washington State measure was inconsistent with the WTO Agreement on Subsidies and Countervailing Measures and in particular with the *per se* prohibition of subsidies contingent upon the use of domestic over imported goods. The consultations in this dispute had taken place on 2 February 2015 and could not resolve the dispute. The EU was, therefore, left with no choice but to request the immediate establishment of a panel in this dispute. As regards the reference to "immediate establishment", the EU drew attention to Article 4.4 of the SCM Agreement.

9.3. The representative of the United States said that his country was disappointed that the EU had chosen to request the establishment of a panel with regard to this matter. As the United States had explained to the EU, the measures identified in its request were fully consistent with US obligations under the relevant WTO agreements. The United States was therefore prepared to engage in these proceedings, and to explain to the Panel that the EU had no legal basis for its claims. However, the United States had to express its strong view that the EU's actions should not be allowed to delay further the first aircraft dispute - "EC – Large Civil Aircraft" (or the "Airbus" dispute) - which had already suffered significant delays. The compliance proceeding had been pending for nearly three years, and written submissions had been finished for some time. In fact, responses to the last full set of panel questions had been submitted in October 2013, and comments on responses to six follow-up questions had been submitted in May 2014. The subsidies that the EU continued to provide, contrary to the recommendations and rulings of the DSB, were continuing to cause great harm to the United States.

9.4. The United States also questioned whether the initiation of a new aircraft dispute at this time was the best use of already strained WTO resources. This should be an issue of concern for all Members. If the EU's decision to initiate a new aircraft dispute was allowed to delay the Airbus dispute, this would prolong the time that the current and substantial secretariat resources were devoted to that dispute. Conversely, the sooner that dispute was resolved, the sooner those resources could be freed up and allocated to other disputes. To be clear, the EU's request was a brand new, free-standing WTO dispute on large commercial aircraft. There was no basis to accept the EU's construction that this new, free-standing dispute was merely a new procedural step or somehow a continuation of the current disputes. The compliance panel in the "US – Aircraft" dispute had already considered those arguments, and had rejected them. It had found that the arguments the EU sought to make were new and different from the claims in the compliance proceeding. Ultimately, the EU had the right to choose, as did any Member, to seek resolution of its concerns through WTO dispute settlement. However, the choice made by one Member should not be allowed to delay the right of another Member to seek resolution of its concerns through these same means.

9.5. The representative of the European Union said that the EU wished to react to the systemic comments made by the United States. In the EU's view, there was a simple solution to any allegation of burdening the system, the withdrawal of the subsidies. The EU noted that there were two ongoing aircraft disputes and not just one.

9.6. The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 4.4 of the SCM Agreement and Article 6 of the DSU, with standard terms of reference.

9.7. The representatives of Brazil, China, India, Japan, Korea and the Russian Federation reserved their third-party rights to participate in the Panel's proceedings.

## 10 ELECTION OF CHAIRPERSON

10.1. The outgoing Chairman said that it had been a privilege for him to have chaired the DSB, a vital part of the most successful international dispute settlement system. Never before had international public law seen such a highly developed and genuinely efficient system. The WTO dispute settlement system was the most successful dispute settlement system in the world. He said that he had been fortunate to have been a part of the DSB and that it was a privilege for him to have served as the Chairman. He noted that there were some challenging matters in the past year which all Members had managed to resolve successfully. He was proud to have been the Chairman of the DSB for the past year. He recalled that, at its meeting on 20 February 2015, the General Council had endorsed the appointment of his successor, Ambassador of Norway, Mr. Harald Neple. Ambassador Neple was a great professional, a career diplomat and a genuine expert. The DSB was one of the most active and interesting Bodies in the WTO. The challenges facing the dispute settlement system were great and there were great expectations and demands put on it. That was why he was sure that the next few months would be essential and vital in resolving the problems facing the dispute settlement system. There had been around 500 disputes submitted in the 20 years of the WTO's existence. This, in his view, was clear evidence of the confidence that Members had in this system and the challenge facing the dispute settlement system in meeting Members' expectations. The dispute settlement system was perhaps the most vital pillar and one of the reasons why the crisis in 2009 and 2011 did not result in what happened in the 1930s. There were a number of new protectionist measures but not to the extent of what could have been otherwise. In Latin there was a saying: *ubi ius, ibi remedium*, which meant "wherever there is a right, there is a remedy": Members must ensure that the DSB addressed many of the disputes of non-compliance and that Members respect their obligations. Finally, he thanked the Secretariat for its support over the past year. He then proposed that the DSB elect by acclamation H.E. Mr. Harald Neple of Norway as the Chairman of the DSB.

10.2. The DSB so agreed.

10.3. The incoming Chairman thanked Members for his election and said that it would be an honour for him to chair the DSB. He supported the outgoing Chair's remarks about the importance of the dispute settlement system for the overall multilateral trading system as well as the credibility of international rules. The DSB's experience and results was extremely important in upholding the WTO rules and that was why he appreciated the opportunity to chair the DSB. He thanked the outgoing Chairman, Ambassador De Mateo for a job well done over the past year. He had heard nothing but positive feedback on Ambassador De Mateo's role as the DSB Chairman and so it was an honour and a challenge to take over from him. He said that he was an economist like his predecessor and had worked on trade-policy issues. His first Ministerial meeting was in 1988 so he had a fairly long experience in trade policy.

10.4. The representative of the Kingdom of Saudi Arabia said that his country congratulated Ambassador Neple for the trust that all Members had put in him in chairing the DSB. Saudi Arabia assured him of its full support. Saudi Arabia also thanked Ambassador De Mateo for his highly appreciated role played by him during his term. Saudi Arabia wished him all the success as the Chairman of the General Council.

10.5. The representative of Argentina said that his country congratulated Ambassador Neple for his election and welcomed him as the new Chairman of the DSB. Argentina was looking forward to working with him in the DSB, an important Body in the WTO, and assured him of its support.

Argentina also congratulated Ambassador De Mateo for his contribution to the DSB's work over the past year and wished him success in his new role as Chairman of the General Council, in particular during such an important year, with the post-Bali work programme to be completed by the end of July and the Ministerial Conference in December.

10.6. The representative of the United States said that his country congratulated Ambassador Harald Neple on his election, and welcomed him to the DSB as he assumed the Chairmanship of the DSB. The United States very much looked forward to working with him over the coming year. The United States also thanked Ambassador De Mateo for his many contributions to the work of the DSB during the past year.

10.7. The representative of the European Union said that the EU extended its warm welcome to Ambassador Neple and was certain that the DSB would be in good hands. The EU looked forward to working with him in the coming year. The EU also thanked Ambassador De Mateo for the smooth operation of the DSB over the past year and was sure that the General Council would be in good hands.

10.8. The representative of Japan said that his country congratulated Ambassador Neple on his election as the new Chairman of the DSB and looked forward to working with him in the coming year. Japan thanked Ambassador De Mateo for his efforts in the DSB and wished him the best in his new challenging task as the Chairman of the General Council.

10.9. The representative of Canada said that his country thanked Ambassador De Mateo for his service to the DSB over the past year. It had been a busy year for the DSB and Ambassador De Mateo had handled it all with grace and efficiency. Canada wished him all the best in his new responsibility with the General Council during what was obviously going to be an important year for the WTO. Canada congratulated Ambassador Neple on his appointment as Chairman of the DSB and welcomed him to the DSB. As he had said at the appointment of Ambassador De Mateo the previous year, he personally knew Ambassador Neple from his time as Ambassador to the OECD. In that organization, Ambassador Neple had distinguished himself also as an effective Chairman and mediator as Ambassador De Mateo had before him. Canada could count on those qualities serving as well in what could be a year with many challenges for the DSB.

10.10. The representative of Chile said that his country welcomed Ambassador Neple and wished him full success in his endeavours. Chile also thanked Ambassador De Mateo and wished him full success as the Chairman of the General Council.

10.11. The representative of China said that his country joined previous speakers in thanking Ambassador De Mateo for his active role in the past year as the Chairman of the DSB. China also welcomed the appointment of Ambassador Neple as the new DSB Chairman. China assured him of its support and cooperation and wished him a successful year.

10.12. The representative of India said that his country congratulated Ambassador Neple for taking over the Chairmanship of the DSB. In that regard, India offered him its full support. India also joined previous speakers in congratulating Ambassador De Mateo for the thoroughly professional and impartial role he had exercised as the Chairman of the DSB. At times, he had lightened up the rather dull proceedings that Members had to go through. India appreciated his role and wished him the best for the next professional role he was undertaking in the General Council.

10.13. The representative of Chinese Taipei said that Chinese Taipei congratulated Ambassador Neple for being elected as the DSB Chair and looked forward to working closely with him. Chinese Taipei also thanked Ambassador De Mateo for his hard work and excellent contribution over the past year. Chinese Taipei appreciated his efforts.

10.14. The representative of Mexico said that his country welcomed Ambassador Neple as the new Chairman of the DSB. Mexico wished him full success, especially in what would be a challenging year. Mexico also thanked Ambassador De Mateo for his work and was confident that he would be very successful in his new role as Chairman of the General Council.



10.15. The representative of Pakistan said that his country joined previous speakers in congratulating Ambassador Neple for his appointment as Chairman of the DSB. It was indeed a daunting challenge for him and Pakistan assured him of its support. With his acumen and qualifications, Pakistan was sure that the DSB would be under good leadership. Pakistan was, at the same time, impressed by how Ambassador De Mateo had, at times, steered through difficult moments. Pakistan was pleased to note the number of qualifications, an economist, a diplomat and a negotiator, and all three were quite rewarding and quite difficult. Pakistan was also pleased to note that Ambassador De Mateo had been promoted to the General Council as its new Chairman and was sure that Members were in good hands.

10.16. The representative of Colombia said that his country congratulated and welcomed Ambassador Neple on his election as the new Chairman of the DSB. Colombia wished him full success in his new endeavour. Colombia thanked Ambassador De Mateo for his work over the past year and wished him full success in his new role.

10.17. The representative of Kenya said that his country welcomed Ambassador Neple as the new DSB Chairman and looked forward to working closely with him during his tenure. Kenya also thanked Ambassador De Mateo for his diligence and commitment to the work of the DSB during his tenure as Chairman. Kenya particularly thanked Ambassador De Mateo for his support during Kenya's bid to host the 10th Ministerial Conference. Kenya congratulated Ambassador De Mateo on his election as the Chairman of the General Council and looked forward to working closely with him in the course of the year.

10.18. The representative of Brazil said that Members knew how important and sometimes complex the issues handled in the DSB could be. It was therefore only fair to thank Ambassador De Mateo for the good work he had conducted in the past year. Brazil wished Ambassador Neple all the best in 2015.

10.19. The representative of New Zealand said that her country thanked Ambassador De Mateo for his Chairmanship and excellent guidance over the past year. New Zealand congratulated Ambassador Neple for his election as Chairman of the DSB. New Zealand looked forward to working with him and assured him of its full support and cooperation. New Zealand wished both the outgoing and incoming Chairmen the best in their new roles.

10.20. The representative of Egypt said that his country congratulated Ambassador Neple on his appointment as Chairman of the DSB. Egypt had had the great honour of working with him as Chairman of the Committee on Trade and Development. Egypt congratulated Ambassador De Mateo for the excellent work he had done throughout the year and also congratulated him on his appointment as Chairman of the General Council.

10.21. The representative of Korea said that his country thanked Ambassador De Mateo for his guidance over the past year and wished him the best in his new role as Chairman of the General Council. Korea joined previous speakers in congratulating Ambassador Neple on his election as the new Chairman of the DSB and looked forward to working closely with him. Korea assured him of its full support.

10.22. The representative of the Russian Federation said that his country joined previous speakers in congratulating Ambassador Neple on his appointment as Chairman of the DSB. Russia wished Ambassador Neple all the best in his new responsibilities. Russia thanked Ambassador De Mateo for his outstanding work over the past year.

10.23. The representative of Indonesia said that her country congratulated Ambassador Neple on his appointment and wished him full success in chairing the DSB. Indonesia thanked Ambassador De Mateo for the excellent professionalism in chairing the DSB and wished him full success in his role as the General Council Chairman during this important year.

10.24. The representative of Viet Nam said that her country thanked Ambassador De Mateo for his great contribution to the DSB and wished him continued success as the General Council Chairman. Viet Nam congratulated Ambassador Neple on his election and wished him a successful term as the DSB Chairman.

10.25. The incoming Chairman thanked all Members for their warm welcome and looked forward to working with them and with the Secretariat. He said that he would need their full support and was of the view that 2015 would be an active year. There would be challenges but an effort would have to be made to resolve issues in mutual cooperation.

10.26. The DSB took note of the statements.

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