



20 February 2017

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Original: Spanish

**COLOMBIA – MEASURES RELATING TO THE IMPORTATION OF  
TEXTILES, APPAREL AND FOOTWEAR**

**RECOURSE TO ARTICLE 22.6 OF THE DSU BY COLOMBIA**

The following communication, dated 17 February 2017, from the delegation of Colombia to the Chairperson of the Dispute Settlement Body, is circulated pursuant to Article 22.6 of the DSU.

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With reference to *Colombia – Measures Relating to the Importation of Textiles, Apparel and Footwear* (WT/DS461) and pursuant to Article 22.6 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), Colombia challenges the request submitted by Panama to the Dispute Settlement Body (DSB) in document WT/DS461/16 for authorization to suspend the application to Colombia of concessions or other obligations under the covered agreements.

The level of suspension proposed by Panama is not equivalent to the level of nullification or impairment within the meaning of Article 22.7 of the DSU. The request does not follow the principles and procedures set forth in Article 22.3 of the DSU. In accordance with Article 22.6, the matter shall therefore be submitted to arbitration. Accordingly, we would ask you to refer the case to the arbitral procedure provided for in the said article.

I have also been instructed by my authorities to repeat that the measure that is the subject of the DSB's recommendations and rulings is no longer in force, and that the new tariff applicable to imports of apparel and footwear – prior to the expiry of the reasonable period of time – does not exceed the limit established for those products in Colombia's schedule, so that Colombia fully complied with the DSB's recommendations and rulings within the reasonable period of time. Consequently, the situation mentioned in Article 22.2 of the DSU does not exist, nor is there any nullification or impairment within the meaning of Article 22.4 of the DSU.

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