

**EUROPEAN COMMUNITIES – REGIME FOR THE IMPORTATION,
SALE AND DISTRIBUTION OF BANANAS**

Recourse to Article 21.5 of the DSU by Ecuador

Request to Join Consultations

Communication from Dominica

The following communication, dated 30 November 2006, from the delegation of Dominica to the delegation of the European Communities, the delegation of Ecuador and to the Chairman of the Dispute Settlement Body, is circulated in accordance with Article 4.11 of the DSU.

Member States of the WTO were notified in WT/DS27/65 of 20 November 2006, entitled *European Communities – Regime for the Importation, Sale and Distribution of Bananas, Recourse to Article 21.5 of the DSU by Ecuador*, that Ecuador requested consultations with the European Communities, pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) and Article XXIII of the GATT regarding compliance of the EC measures with Articles I, II and XIII of the GATT 1994. In its revised note, WT/DS27/65/Rev.1 of 29 November 2006, Ecuador submitted a new request superseding the former, for consultations under Article XXII relative to consultations, indicating that it did not "intend[ed] to exclude participation by other interested parties in the consultations".

The content of the request for consultations indicates, without any doubt, that it is the preferential regime from which the Commonwealth of Dominica, the Windward Islands and other Caribbean producers, as Members of ACP banana-exporting States benefit, which is essentially being contested by Ecuador.

You are well aware of the significance to the economies of the ACP banana-producing States and to the economy of the Commonwealth of Dominica and we thus have a substantial interest in the EC banana trade. Thus, in accordance with Article 4.11 of the Dispute Settlement Understanding, on behalf of the Commonwealth of Dominica, I formally advise you of the interest of the ACP States of which my country is a member, to participate fully in the consultations which will be held between the European Communities and Ecuador.

I look forward to your support and approval of our formal request to participate in these consultations.
