

MEXICO – DEFINITIVE ANTI-DUMPING MEASURES ON BEEF AND RICE

Complaint with Respect to Rice

Status Report by Mexico

The following communication, dated 7 December 2006, from the delegation of Mexico to the Chairman of the Dispute Settlement Body, is circulated pursuant to Article 21.6 of the DSU.

Status Report Regarding Implementation of the DSB Recommendations and Rulings in the Dispute
Mexico – Definitive Anti-Dumping Measures on Beef and Rice
(WT/DS295)

Mexico submits this report in accordance with Article 21.6 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*.

On 20 December 2005, the Dispute Settlement Body (DSB) adopted its recommendations and rulings in *Mexico – Definitive Anti-Dumping Measures on Beef and Rice* (WT/DS295). At that meeting, Mexico expressed disagreement with the findings and conclusions of the Panel and the Appellate Body, but nevertheless expressed its political readiness to comply with its WTO obligations by agreeing to the adoption of the reports concerned.

On 19 January 2006, Mexico reaffirmed to the DSB its intention to implement the recommendations and rulings of the DSB in this dispute in a manner that respects its WTO obligations, and to that end Mexico and the United States notified the DSB, on 18 May 2006, of the reasonable period agreed pursuant to Article 21.3(b) of the DSU, and concluded that:

- (a) With regard to the definitive anti-dumping measure (paragraphs 8.1 and 8.2 of the final Panel report and paragraphs 350 (b) and (c) of the final Appellate Body report), the reasonable period would be eight months; and
- (b) with regard to Articles 64, 68, 89D, 93V and 97 of the Mexican Foreign Trade Act (paragraph 8.5 of the Panel report and paragraph 350 of the Appellate Body report), the reasonable period would be twelve months.

Thus, we wish to state that, on 11 September 2006, Mexico published a resolution¹ eliminating the anti-dumping quota on rice that had been declared inconsistent with Mexico's obligations under the Anti-Dumping Agreement. Mexico has thereby complied with its first set of obligations in this case.

Furthermore, with respect to the articles of the Foreign Trade Act, the Government of Mexico has already tabled an initiative in its Congress to bring them into conformity with the recommendations and rulings of the DSB. In that connection, the draft reforms have already been approved by the Senate on 23 November 2006 and are currently awaiting approval by the Chamber of Deputies. Before they are submitted to the plenary chamber, they must be approved by the Foreign Trade Commission, and this approval is expected to be given in the next few days.

Despite a recent change of government, the Executive is doing its utmost, together with the Congress, to complete the legislative process and approve the necessary amendments before expiry of the reasonable period allowed us in this case, so as to contribute, through this attitude of compliance, to the strengthening of the WTO dispute settlement mechanism and the multilateral trade framework as a whole. We stand ready to continue holding consultations and to remain in constant communication with the complaining Party in this dispute with respect to any matter relating thereto.

¹ Final resolution on review of the anti-dumping investigation on imports of long-grain white rice, classified under tariff heading 1006.30.01 of the Tariff established under the General Import and Export Duty Law, originating in the United States, irrespective of the country of provenance, on the basis of the conclusions and recommendations of the Panel and the Appellate Body of the WTO Dispute Settlement Body.