

**AUSTRALIA – CERTAIN MEASURES CONCERNING TRADEMARKS
AND OTHER PLAIN PACKAGING REQUIREMENTS APPLICABLE TO
TOBACCO PRODUCTS AND PACKAGING**

Request to Join Consultations

Communication from the European Union

The following communication, dated 26 March 2012, from the delegation of the European Union to the delegation of Australia, the delegation of Ukraine and to the Chairperson of the Dispute Settlement Body, is circulated in accordance with Article 4.11 of the DSU.

This letter relates to a communication circulated to WTO Members on 15 March 2012 (WT/DS434/1, IP/D/30, G/TBT/D/39, G/L/985) entitled *Australia – Certain Measures concerning Trademarks and other Plain Packaging Requirements Applicable to Tobacco Products and Packaging*, by which Ukraine requests to hold consultations with Australia.

The consultations will touch upon issues concerning the balance between health and other interests in domestic measures, under the prism of three WTO agreements: the TRIPS Agreement, the TBT Agreement, and the GATT 1994. The European Union attaches great importance to the pursuit of policies aimed at tackling the negative health effects of tobacco consumption and it has adopted measures in that regard. At the same time, the European Union is the world's leading importer of raw tobacco, it imports significant volumes of manufactured tobacco, and it is the largest exporter of cigars and cigarettes.

In view of the foregoing, and pursuant to Article 4.11 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*, the European Union hereby notifies the Governments of Australia, of Ukraine and the Dispute Settlement Body that, in the light of the substantial trade interest of the European Union, it desires to be joined in the consultations requested by Ukraine.
