



**UNITED STATES – MEASURES CONCERNING THE IMPORTATION, MARKETING AND SALE
OF TUNA AND TUNA PRODUCTS**

SECOND RECOURSE TO ARTICLE 21.5 OF THE DSU BY MEXICO

CONSTITUTION OF THE PANEL ESTABLISHED AT THE REQUEST OF MEXICO

NOTE BY THE SECRETARIAT

1. At its meeting on 22 June 2016, the Dispute Settlement Body (DSB) decided, in accordance with Article 21.5 of the Dispute Settlement Understanding (DSU), to refer to the original panel the matter raised by Mexico in document WT/DS381/38.

2. The Panel's terms of reference are the following:

"To examine, in the light of the relevant provisions of the covered agreements cited by the parties to the dispute, the matter referred to the DSB by Mexico in document WT/DS381/38 and to make such findings as will assist the DSB in making the recommendations or in giving the rulings provided for in those agreements."

3. Due to the unavailability of the chairperson of the original panel, the parties agreed on a replacement. The panel was composed on 11 July 2016 as follows:

Chairperson: Mr Stefán Jóhannesson

Members: Ms Elizabeth Chelliah
Mr Franz Perrez

4. Australia, Brazil, Canada, China, Ecuador, the European Union, Guatemala, Japan, the Republic of Korea, New Zealand, and Norway have reserved their rights to participate in the Panel proceedings as third parties.
