

EUROPEAN COMMUNITIES - CUSTOMS CLASSIFICATION OF
CERTAIN COMPUTER EQUIPMENT

Constitution of the Panel at the Request of the United States

Note by the Secretariat

1. At its meeting of 25 February 1997, the DSB established a panel in accordance with the request made by the United States in document WT/DS62/4.

2. At that DSB meeting, parties agreed that the Panel should have standard terms of reference. The agreed terms of reference of the Panel were the following:

"To examine, in the light of the relevant provisions of the covered agreements cited by the United States in document WT/DS62/4, the matter referred to the DSB by the United States in that document 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. At its meeting of 20 March 1997, the DSB agreed to modify, at the request of the parties to the dispute, the terms of reference of the Panel established at its meeting on 25 February 1997 so that the panel requests by the United States contained in documents WT/DS67/3 and WT/DS68/2 might be incorporated into the mandate of the existing Panel.

4. The modified terms of reference of the Panel are as follows:

"To examine, in light of the relevant provisions in the GATT 1994, the matters referred to the DSB by the United States in documents WT/DS62/4, WT/DS67/3 and WT/DS68/2, and to make such findings as will assist the DSB in making the recommendations or in giving the rulings provided for in that agreement."

5. The parties to the dispute agreed on 18 April 1997 to the following composition of the Panel:

Chairman: Mr. Crawford Falconer

Members: Mr. Ernesto de la Guardia
Mr. Carlos Antonio da Rocha Paranhos

6. India, Japan, Korea and Singapore reserved their rights as third parties to the dispute.