

# WORLD TRADE ORGANIZATION

WT/DS200/7  
26 June 2000

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Original: Spanish

## UNITED STATES – SECTION 306 OF THE TRADE ACT OF 1974 AND AMENDMENTS THERETO

### Request to Join Consultations

#### *Communication from Guatemala*

The following communication, dated 22 June 2000, from the Permanent Mission of Guatemala to the Permanent Mission of the United States, the Permanent Delegation of the European Commission and to the Chairman of the Dispute Settlement Body, is circulated in accordance with Article 4.11 of the DSU.

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My authorities have instructed me to request, pursuant to Article 4.11 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), that Guatemala be joined in the consultations requested by the European Communities (EC) with the United States under Article 4 of the DSU and Article XXII of GATT 1994 in document WT/DS200/1, circulated on 13 June 2000.

The consultations requested by the EC concern the European Communities – Regime for the Importation, Sale and Distribution of Bananas complaint, in which Guatemala is an original complaining party. Furthermore, my country took part in the two disputes concerning the same issue under GATT, and has yet to obtain a satisfactory result to date. The consultations requested by the EC seek wrongfully to restrict the right to apply the legal recourses available to the complaining party under WTO rules. For systemic reasons that are valid for any dispute taking place within the WTO, my country supports all attempts to strengthen the rights of the complaining party in the face of refusal or delay to comply with rulings, because otherwise the dispute settlement system is weakened and its effectiveness as a means of resolving trade disputes undermined.

The substantial trade interest that Guatemala has in this issue derives, as is well known, from the fact that bananas are its third most important export product, generating tremendous social and economic benefits for the country. In view of this, and in its capacity as co-complainant in the banana case, the rights of which could be affected by the results of these consultations, if a decision were eventually to be taken to apply similar measures under Article 22 of the DSU, Guatemala requests to participate in them as a third party.

I should be obliged if you would kindly inform us of the date of the consultations.

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