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

RECOURSE TO ARTICLE 22.6 OF THE DSU BY THE UNITED STATES

The following communication, dated 22 March 2016, from the delegation of the United States to the Chairperson of the Dispute Settlement Body, is circulated pursuant to Article 22.6 of the DSU.

Regarding Mexico's recourse to Article 22.2 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU") in the dispute *United States – Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products* (DS381), my authorities have instructed me to inform you that, pursuant to Article 22.6 of the DSU, the United States objects to the level of suspension of concessions or other obligations under the *General Agreement on Tariffs and Trade 1994* proposed by Mexico in document WT/DS381/29.¹

Accordingly, as required by Article 22.6 of the DSU² the matter has been referred to arbitration

¹ Mexico's request in document WT/DS381/29 is limited to suspension of "tariff concessions and other related obligations in the goods sector under GATT 1994." Accordingly, any proposed suspension of concessions or obligations in another sector or under another agreement would not follow the principles and procedures set forth in Article 22.3 of the DSU.

² Pursuant to Article 22.6 of the DSU, "if the Member concerned objects to the level of suspension proposed, or claims that the principles and procedures set forth in paragraph 3 have not been followed where a complaining party has requested authorization to suspend concessions or other obligations pursuant to paragraph 3(b) or (c), the matter shall be referred to arbitration."