

**THAILAND – CUSTOMS AND FISCAL MEASURES ON CIGARETTES
FROM THE PHILIPPINES**

Constitution of the Panel Established at the Request of the Philippines

Note by the Secretariat

1. At its meeting on 17 November 2008, the Dispute Settlement Body (DSB) established a panel in accordance with Article 6 of the DSU (WT/DSB/M/259), with standard terms of reference, to examine the matter referred to the DSB by the Philippines in document WT/DS371/3.
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 the Philippines in document WT/DS371/3 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. On 16 February 2009, the parties agreed to the following composition of the Panel:

Chairman: Mr. Roberto Carvalho de Azevedo

Members: Mr. Richard Gottlieb
Mr. Alvaro Hansen
4. Australia, China, the European Communities, India, Chinese Taipei and the United States have reserved their rights to participate in the Panel proceedings as a third party.