

# WORLD TRADE ORGANIZATION

**WT/DS105/5**

14 November 1997

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## EUROPEAN COMMUNITIES - REGIME FOR THE IMPORTATION, SALE AND DISTRIBUTION OF BANANAS

### Request to Join Consultations

### Communication from Mexico

The following communication, dated 7 November 1997, from the Permanent Mission of Mexico to the Permanent Delegation of the European Commission, the Permanent Mission of Panama and to the Dispute Settlement Body, is circulated in accordance with Article 4:11 of the DSU.

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On instruction from my authorities and pursuant to Article 4, paragraph 11 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), I hereby wish to inform you that Mexico would like to join the consultations requested by Panama with the European Union under Article XXII of the GATT 1994 (document WT/DS105/1, G/L/199, G/LIC/D/15, S/L/41, G/TRIMS/D/11 of 29 October 1997), it being understood that there has already been a ruling which clearly establishes the inconsistency of the European Communities' Regime for the Importation, Sale and Distribution of Bananas with the provisions of the GATT 1994 and the GATS.

Thus, Mexico will participate in the consultations requested by Panama bearing in mind that the ruling of the Panel and the Appellate Body cannot be reopened or the implementation of their recommendations delayed under any circumstances not expressly provided for in the DSU.

Mexico's only interest in the consultations requested by Panama is to ascertain how the European Communities intend to implement the mentioned ruling in full respect of Panama's rights as a Member of the WTO.