

# WORLD TRADE ORGANIZATION

**WT/DS361/3**  
**G/L/818/Add.1**  
12 November 2012  
(12-6214)

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**[WT/DS27, WT/DS361, WT/DS364, WT/DS16,  
WT/DS105, WT/DS158, WT/L/616 and WT/L/625]**

*8 November 2012*

European Communities – Regime for the Importation, Sale and Distribution of Bananas (Guatemala; Honduras; Mexico; United States) (DS16)  
European Communities – Regime for the Importation, Sale and Distribution of Bananas (Ecuador; Guatemala; Honduras; Mexico; United States) (DS27)  
European Communities – Regime for the Importation, Sale and Distribution of Bananas (Panama) (DS105)  
European Communities – Regime for the Importation, Sale and Distribution of Bananas (Guatemala; Honduras; Mexico; Panama; United States) (DS158)  
European Communities – Regime for the Importation of Bananas (Colombia) (DS361)  
European Communities – Regime for the Importation of Bananas (Panama) (DS364)  
European Communities – The ACP-EC Partnership Agreement – Recourse to Arbitration pursuant to the Decision of 14 November 2001 (Brazil; Colombia; Costa Rica; Ecuador; Guatemala; Honduras; Nicaragua; Panama and Venezuela) (WT/L/616)  
European Communities – The ACP-EC Partnership Agreement – Second Recourse to Arbitration pursuant to the Decision of 14 November 2001 (Brazil; Colombia; Costa Rica; Ecuador; Guatemala; Honduras; Nicaragua and Panama) (WT/L/625)<sup>1</sup>

## Notification of a Mutually Agreed Solution

The following communication, dated 8 November 2012, from the delegation of the European Union and the delegations of Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama and Venezuela to the Chairman of the Dispute Settlement Body, is circulated pursuant to Article 3.6 of the DSU.

The European Union and the Governments of Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama and Venezuela (hereinafter "the Latin American MFN banana suppliers") notify the DSB that they have reached a mutually agreed solution with respect to the disputes WT/DS16; WT/DS27; WT/DS105; WT/DS158; WT/DS361; WT/DS364; WT/L/616 and WT/L/625 on the terms set out in the attached Geneva Agreement on Trade in Bananas. Having regard to that Agreement, and to the Certification of the EU tariff line on bananas on

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<sup>1</sup> On 1 December 2009, the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community (done at Lisbon, 13 December 2007) entered into force. On 29 November 2009, the WTO received a Verbal Note (WT/L/779) from the Council of the European Union and the Commission of the European Communities stating that, by virtue of the Treaty of Lisbon, as of 1 December 2009, the European Union replaces and succeeds the European Community.

27 October 2012 (document reference WT/Let/868), the aforementioned disputes are settled as of 27 October 2012.

This letter is without prejudice to the WTO rights and obligations of the EU and the Latin American MFN banana suppliers<sup>2</sup>.

For the European Union

For the Government of Brazil

For the Government of Colombia

For the Government of Costa Rica

For the Government of Ecuador

For the Government of Guatemala

For the Government of Honduras

For the Government of Mexico

For the Government of Nicaragua

For the Government of Panama

For the Government of Venezuela

  

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<sup>2</sup> The settlement of these disputes does not affect any party's right to initiate a new dispute under the DSU, or future rights under the procedures of Articles XXIV and XXVIII of the GATT 1994.