

**MEXICO – CERTAIN PRICING MEASURES FOR CUSTOMS VALUATION
AND OTHER PURPOSES**

Communication from Guatemala

The following communication, dated 29 August 2005, from the delegation of Guatemala to the Chairman of the Dispute Settlement Body, is circulated at the request of Guatemala.

I have the honour to inform you that on 22 July 2003 the Government of Guatemala requested consultations with the Government of Mexico pursuant to Article 4 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), Article XXIII of the General Agreement on Tariffs and Trade 1994 (GATT 1994), Article 19 of the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 (Agreement on Customs Valuation) and Article 19 of the Agreement on Agriculture, with respect to the following measures:

1. Mexico's Customs Law as well as the regulations of, and supplementary provisions and/or amendments to, that Law relating to prices and customs valuation.
2. The Mexican regulatory framework providing for application of the mechanism of estimated prices, including:
 - (a) The Resolution establishing the mechanism to guarantee the payment of duties on goods subject to estimated prices by the Ministry of Finance and Public Credit; and
 - (b) the Resolution containing the Annex to the Resolution establishing the mechanism to guarantee the payment of duties on goods subject to estimated prices by the Ministry of Finance and Public Credit, published in the Official Journal of the Federation of 28 February 1994.
3. The application of the above rules and procedures for the determination of customs value, and the administrative practices of the Mexican customs authorities, including the methodology used for calculating customs value.

As a result of the consultations held on 14 August and 9 October 2003 in Geneva and Guatemala City, respectively, Guatemala and Mexico reached agreement on a mutually satisfactory solution concerning footwear and brushes, two areas that were severely affected by the measures imposed by Mexico. The agreement also provides that, should any other case arise, the two countries will hold new consultations with a view to seeking solutions that neither restrict nor impede trade, so as to ensure compliance with the WTO rules.

In view of the foregoing, we request that case WT/DS298 be closed.