

Statement by the United States at the Meeting of the WTO Dispute Settlement Body

Geneva, June 17, 2015

AGENDA ADOPTION

- The United States is pleased to have cooperated with Mexico to find a way forward. Mexico's withdrawing the original request is appropriate given Mexico's desire to revise that request. Following circulation of a revised request, the United States would object to that request. This sequence of steps ensures that there is no confusion about what request has been presented to the DSB for action, ensures compliance with the DSB's 10-day advance notice rule, and clarifies which request is subject to the objection and referral by the responding party.

1. UNITED STATES – CERTAIN COUNTRY OF ORIGIN LABELLING (COOL) REQUIREMENTS

A. RECOURSE TO ARTICLE 22.2 OF THE DSU BY CANADA (WT/DS384/35)

- Mr. Chairman, on June 16th, the United States submitted an objection to Canada's request for authorization to suspend the application to the United States of concessions or other obligations.
- The United States notes that, pursuant to the U.S. objection on June 16 to Canada's request, this matter was thereby referred to arbitration pursuant to Article 22.6 of the DSU.
- In this circumstance, there was no need for today's DSB meeting as there is no action the DSB may take with respect to Canada's request. Nevertheless, while not an efficient use of the resources of the WTO and of Members, we have no objection if the DSB wishes to take note of that fact and confirm that it may not consider Canada's request for authorization, which is the agenda item today, since the matter has been referred to arbitration.
- Turning briefly to the U.S. objection, the United States strongly disagrees with Canada's specific proposal for the suspension of concessions. Although these matters will be considered in detail during the arbitration, the United States would emphasize that the level of Canada's request is quite excessive.