

KOREA – MEASURES AFFECTING GOVERNMENT PROCUREMENT

Constitution of the Panel Established at the Request of the United States

Communication from the DSB Chairman

1. At its meeting on 16 June 1999, the DSB established a panel pursuant to the request of the United States (WT/DS163/4), in accordance with Article 6 of the DSU (WT/DSB/M/64).

2. At that meeting, the DSB agreed that the Panel should have standard terms of reference pursuant to Article XXII:4 of the Agreement on Government Procurement. The terms of reference of the Panel are therefore the following:

"To examine, in the light of the relevant provisions of the Agreement on Government Procurement, the matter referred to the DSB by the United States in document WT/DS163/4 and to make such findings as will assist the DSB in making the recommendations or in giving the rulings provided for in that Agreement."

3. On 30 August 1999, the Panel was constituted with the following composition:

Chairman: Mr. Michael Cartland

Members: Mrs. Marie-Gabrielle Ineichen-Fleisch
Mr. Peter-Armin Trepte

4. The European Community and Japan have reserved their rights as third parties to participate in the panel proceedings in relation to the complaint raised by the United States.
