

13 January 1997

ORGANIZATION

(97-0079)

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JAPAN - TAXES ON ALCOHOLIC BEVERAGES

Surveillance of Implementation of Recommendations and Rulings

The following communication, dated 24 December 1996, from the Permanent Mission of the United States to the Chairman of the Dispute Settlement Body, is circulated at the request of that delegation.

As you are aware, on 1 November 1996, the Dispute Settlement Body adopted recommendations and rulings in respect of the panel and Appellate Body reports on "Japan - Taxes on Alcoholic Beverages". The United States hereby requests that the "reasonable period of time" for implementation of these recommendations and rulings be determined by binding arbitration pursuant to paragraph 3(c) of Article 21 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), within 90 days after the date of adoption of those recommendations or rulings (i.e., on or before 31 January 1997).

We look forward to discussing the choice of arbitrator with Japan, and with any other of the parties to this dispute which wishes to be joined in the arbitration, under the auspices of the Secretariat within the next ten days. We will immediately initiate a dialogue with Japan to seek agreement on an arbitrator, as foreseen by footnote 12 to the DSU.

Please circulate this request to Members of the Dispute Settlement Body, and request the Secretariat to notify the Council for Trade in Goods.