

KOREA – TAXES ON ALCOHOLIC BEVERAGES

Surveillance of Implementation of Recommendations and Rulings

Request for Arbitration by the United States

The following communication, dated 9 April 1999, from the Permanent Mission of the United States to the Chairman of the Dispute Settlement Body, is circulated pursuant to Article 21.3(b).

On 17 February 1999, the Dispute Settlement Body (DSB) adopted recommendations and rulings in respect of the panel and Appellate Body reports in "Korea - Taxes on Alcoholic Beverages". On 19 March 1999, Korea reconfirmed to the DSB "Korea's commitment to meet its obligations under the DSU with respect to this matter."

Since 10 March 1999, pursuant to Article 21.3(b) of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), we have attempted to reach agreement with Korea on a "reasonable period of time" for its implementation of the DSB rulings and recommendations. Although we have held several bilateral discussions, our governments have not been able to reach agreement. Accordingly, the United States hereby requests that the "reasonable period of time" be determined by binding arbitration pursuant to Article 21.3 (c) of the DSU. Pursuant to footnote 12 of the DSU, the United States will immediately open discussions with the other Members concerned with a view to achieving agreement on an arbitrator within the next ten days.
