

Notice of Public Oral Hearing before the WTO Appellate Body in the Dispute:
United States – Continued Suspension of Obligations in the EC – Hormones Dispute (WT/DS 320)

The Office of the United States Trade Representative (“USTR”) today announced that the Appellate Body of the World Trade Organization (“WTO”) has decided, in response to requests from the United States, Canada and the European Communities, to hold its first-ever public hearing in an appeal. This historic event will occur for the oral hearing in the dispute *United States – Continued Suspension of Obligations in the EC – Hormones Dispute (WT/DS320)*. The appeal in this dispute has been consolidated with the appeal in the WTO dispute *Canada – Continued Suspension of Obligations in the EC – Hormones Dispute (WT/DS321)*. The Appellate Body decision in these appeals follows the approach taken by both of the panels in these disputes. These panels had also been the first in WTO history to hold public hearings. These decisions came after sustained, long-term efforts by the United States to open up WTO dispute settlement to all WTO Members and the public.

The Appellate Body’s oral hearing on these disputes will be held on July 28 and 29, 2008 at the WTO in Geneva, Switzerland. The public will be able to observe the hearing through a closed-circuit broadcast into a public observation room and will be able to see and hear the oral statements and answers to questions provided by the parties (the United States, Canada, and the European Communities) and by those third parties who wish to permit the public to view their statements and answers. The third parties in these disputes are Australia, Brazil, China, India, Mexico, New Zealand, Norway and the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (“Chinese Taipei”). The third parties are to inform the Appellate Body by July 18 as to whether they will permit public viewing of their statements and answers. Of these, Australia, New Zealand, and Norway had previously indicated that they are likely to permit such a public viewing.

Should practical considerations not allow simultaneous broadcast of the oral hearing, a deferred showing of the video recording of the oral hearing will be used instead.

Notice of the oral hearing will also be provided to the general public through the WTO website: <http://www.wto.org>. Any updates will be provided through this website as well.

Viewing of the public session will be on the WTO premises in Geneva, Switzerland. Any person interested in viewing the public session is required to register in advance with the WTO Secretariat.

Details about the dispute may be found at:
http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds320_e.htm.

Further information about this dispute, including U.S. submissions to the Panel and the Appellate Body, may be found at:
http://www.ustr.gov/Trade_Agreements/Monitoring_Enforcement/Dispute_Settlement/WTO/Dispute_Settlement_Index_-_Pending.html.

In accordance with USTR’s request for public comment on this dispute, found at <http://a257.g.akamaitech.net/7/257/2422/01jan20051800/edocket.access.gpo.gov/2005/pdf/05-3368.pdf>, USTR will accept public comments during the appeal.