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Decisions of the Appellate Body of the World Trade Organization

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WTO Appellate Body Report: *Canada — Measures Affecting the Importation of Milk and the Exportation of Dairy Products*, AB-1999-4, WT/DS103/AB/R, WT/DS113/AB/R (99-4270) adopted by Dispute Settlement Body, 27 October 1999. Canada, Appellant; New Zealand and United States, Appellees. Division: Matsushita, Feliciano and Lacarte-Muró.

Major Topics Addressed by Appellate Body: Subsidies Provisions of Agreement on Agriculture; Qualifications of Tariff Schedules.

WTO Appellate Body Report: *Turkey — Restrictions on Imports of Textile and Clothing Products*, AB-1999-5, WT/DS34/AB/R (99-4546), adopted by Dispute Settlement Body, 19 November 1999. Turkey, Appellant; India, Appellee; Third Participants: Hong Kong; China; Japan; and the Philippines. Division: Beeby, Bacchus and El-Naggar.

Major Topics Addressed by Appellate Body: Article XXIV of GATT 1994; Understanding on the Interpretation of Article XXIV of the General Agreement on Tariffs and Trade 1994; Customs Unions.

WTO Appellate Body Report: *Brazil — Export Financing Programme for Aircraft*, AB-1999-1, WT/DS46/AB/R (99-3216), adopted by Dispute Settlement Body, 20 August 1999. Brazil, Appellant/Appellee; Canada, Appellant/Appellee; European Communities and United States, Third Participants. Division: Bacchus, Ehlermann and El-Naggar.

Major Topics Addressed by Appellate Body: Agreement on Subsidies and Countervailing Measures; Export Subsidies; Illustrative List of Export Subsidies; Export Credit Programs and OECD Arrangement; Special and Differential Treatment of Developing Countries.

WTO Appellate Body Report: *Canada — Measures Affecting the Export of Civilian*

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Aircraft, AB–1999–2, WT/DS70/AB/R (99–3221), adopted by Dispute Settlement Body, 20 August 1999. Canada, Appellant/Appellee; Brazil, Appellant/Appellee; European Communities and United States, Third Participants. Division: Bacchus, Feliciano and Matsushita.

Major Topics Addressed by Appellate Body: Agreement on Subsidies and Countervailing Measures; Confidential Business Information; Duty of States to Provide Evidence; Definition of ‘Export Subsidy’; Definition of ‘Benefit’.

WTO Appellate Body Report: *India — Quantitative Restrictions on Imports of Agricultural, Textile and Industrial Products*, AB–1999–3, WT/DS90/AB/R (99–1329), adopted by Dispute Settlement Body, 22 September 1999. India, Appellant; United States, Appellee. Division: Ehlermann, El-Naggar and Matsushita.

Major Topics Addressed by Appellate Body: Article XVIII:B, Understanding on the Balance-of-Payments Provisions of the GATT 1994; balance-of-payments justifications; scope of judicial review.

WTO Appellate Body Report: *Korea — Taxes on Alcoholic Beverages*, AB–1998–7, WT/DS75/AB/R; WT/DS84/AB/R (99–0010), adopted by Dispute Settlement Body, 17 February 1999. Korea, Appellant; European Communities and the United States, Appellees; Mexico, Third Participant. Division: Matsushita, Ehlermann and Feliciano.

Major Topics Addressed by Appellate Body: Discrimination under Art. III:2 of GATT; directly competitive or substitutable products.

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