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## *Decisions of the Appellate Body of the World Trade Organization*

Joel Trachtman\*

WTO Appellate Body Report: *United States—Imposition of Countervailing Duties on Certain Hot-Rolled Lead and Bismuth Carbon Steel Products Originating in the United Kingdom*, AB-2000-1, WT/DS138/AB/R (00-1896), adopted by Dispute Settlement Body, 7 June 2000. United States, Appellant; European Communities, Appellee; Brazil and Mexico, Third Participants. Division: Matsushita, El-Naggar and Lacarte-Mur.

Major topics addressed by Appellate Body: ‘*Amicus Curiae*’ Briefs; Agreement on Subsidies and Countervailing Measures; Definition of ‘Subsidy’; Definition of ‘Benefit’.

WTO Appellate Body Report: *Canada—Certain Measures Affecting the Automotive Industry*, AB-2000-2, WT/DS139/AB/R, WT/DS142/AB/R (00-2170), adopted by Dispute Settlement Body, 19 June 2000. Canada, Appellant/Appellee; European Communities, Appellant/Appellee; Japan, Appellant/Appellee; Korea and United States, Third Participants. Division: Ehlermann, Bacchus and Feliciano.

Major topics addressed by Appellate Body: Definition of ‘MFN’ under GATT 1994; definition of ‘subsidy’ and of ‘export subsidy’ under the Agreement on Subsidies and Countervailing Measures; coverage of GATS.

WTO Appellate Body Report: *Chile—Taxes on Alcoholic Beverages*, AB-1999-6, WT/DS87/AB/R, WT/DS110/AB/R, (99-5414), adopted by Dispute Settlement Body, 12 January, 2000. Chile, Appellant; European Communities, Appellee; Third Participants: Mexico and United States. Division: Feliciano, Ehlermann and Lacarte-Muró.

Major topics addressed by Appellate Body: De Facto Discrimination under Article III(2) of GATT 1994.

WTO Appellate Body Report: *United States: Tax Treatment for ‘Foreign Sales Corporations’*, AB-1999-9, WT/DS108/AB/R (00-00675), adopted by Dispute Settlement Body, 20 March 2000. United States, Appellant/Appellee; European

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Communities, Appellant/Appellee; Canada and Japan, Third Participants. Division: Lacarte-Muró, Bacchus and Feliciano.

Major topics addressed by Appellate Body: Export Subsidies under GATT, the Agreement on Subsidies and Countervailing Measures and the Agreement on Agriculture.

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