

**DOMINICAN REPUBLIC – MEASURES AFFECTING
THE IMPORTATION AND INTERNAL SALE OF CIGARETTES**

Constitution of the Panel Established at the Request of Honduras

Note by the Secretariat

1. At its meeting on 9 January 2004, the DSB established a panel in accordance with Article 6 of the DSU to examine the matter referred to the DSB by Honduras (WT/DS302/5).

2. At that meeting, the parties to the dispute also agreed that the Panel should have standard terms of reference. The terms of reference are, therefore, the following:

"To examine, in the light of the relevant provisions of the covered agreements cited by Honduras in document WT/DS302/5, the matter referred by Honduras to the DSB in that document, and to make such findings as will assist the DSB in making the recommendations or in giving the rulings provided for in those agreements".

3. On 17 February 2004, the parties agreed to the following composition of the Panel:

Chairman: Mr. Elbio ROSSELLI

Members: Mr. Tae Yul CHO

Mr. Cristian ESPINOSA CAÑIZARES

4. Chile, China, El Salvador, the European Communities, Guatemala, Nicaragua and the United States reserved their third-party rights.
