

24th November, 2016

Antigua and Barbuda's DSB Statement

**WT/DS285: United States – Measures Affecting the Cross-Border
Supply of**

Gambling and Betting Services.

Thank you Mr Chair and good morning to all.

My government very much regrets that once again we have to appear before this body on the matter of “Measures affecting the cross-border supply of Gambling and Betting Services, WT/DS285”.

It has been 12 long years since an Arbitration panel, established under the rules and procedures of this body, issued a decision that found the United States of America in violation of international obligations under the General Agreement on Trade in Services.

It was a decision upheld by several Appeal panels.

Over that entire 12-year period, my small country with a Gross Domestic Product of just \$1 billion has been deprived of trade revenues which now exceed \$250 million.

For my country's tiny economy, \$250 million is a meaningful sum of money.

Its loss has significantly retarded our economic growth and social development.

By the same token, \$250 million represents the paltry sum of point nought, nought, nought, three per cent (.0003%) of only one year of the US' Gross Domestic Product.

Further, over the last 12 years, the United States has enjoyed a balance of trade surplus with my small country of over \$1 billion.

Over all this time my government has patiently engaged in good faith consultations with the Government of the United States in the genuine hope that the harm done to our economy by US action would be repaired through a settlement that recognizes justice and fairness.

Alas, the US has not been able to propose terms for a settlement that would even remotely compensate for the harm that has been done to our economy and continues to impact it negatively.

And while the US continues to act in contradiction of the rulings and recommendations stipulated by DSB concerning my country, it remains the most active user of the institution's Dispute Settlement System.

The United States' continued non-compliance in this matter should concern every Member of this esteemed organization.

Each of us – and all of us – are equally responsible for upholding and safeguarding the WTO's institutional integrity.

Consequently, the protracted failure by the US to settle this matter, despite the fact that it is not compliant with WTO rules, has the potential to collapse confidence in the efficacy and credibility of the rules-based trading system.

Antigua and Barbuda, one of the smallest economies in the world is yet to reap any benefit from having prevailed against the United States through the rulings and recommendations of the DSB.

My government has almost exhausted its patient efforts to reach a settlement with the US.

This is regrettable since, on our side, we have always conducted our relations with the US at a high level of regard and cooperation.

We advise this body that we are now engaged in a final effort with representatives of the US Trade Representative's Office to reach an agreed settlement.

We hope that a sense of right will prevail.

But, we cannot go beyond the end of this year.

Our economic growth and social development has been materially and adversely affected by the loss of substantial trade revenues.

In light of the above, Antigua and Barbuda now informs the DSB that, if an appropriate and beneficial settlement is not reached with the US by year-end, the

government will be compelled to take action to enforce the suspension of copyright on the sale of US intellectual property, consistent with the award of the DSB.

My Government is obliged to uphold the authority of this Organization

It also has a duty of care to the people of our country who have suffered as a result of non-compliance by the US with the rules of this body.

Thank you.