

## Submission of Requests for Written Views from Non-Governmental Entities in the Guatemala Labor Enforcement Case, CAFTA-DR

Pursuant to the Dispute Settlement Chapter (Chapter Twenty) and the Model Rules of Procedure of the Dominican Republic – Central America – United States Free Trade Agreement (CAFTA-DR), the arbitral panel in the dispute between the United States and Guatemala will receive requests by non-governmental entities in Guatemala and the United States to submit written views that may assist the panel in evaluating the submissions and arguments of the disputing parties.

A non-governmental entity wishing to make a request must deliver its request in writing, with versions in both the English and Spanish languages, to the Responsible Office in Guatemala (contact information below). The deadline for such requests is expected to be announced by late January 2015; the deadline may be as early as the first two weeks of February 2015. The request (whether the Spanish or English version) shall be single-spaced and typewritten using 12 point Times New Roman type, on paper 8 ½ by 11 inches or A4, with margins of 1 inch or 2.5 centimeters. The request must be signed and dated by a representative of the entity, and must include the entity's address and other contact information. In accordance with the Rules, the request shall:

- 1) contain a description of the entity, including, if applicable, the nature of its activities, membership, legal status, and location in a Party;
- 2) identify the specific issues of fact and law directly relevant to any legal or factual issue under consideration by the panel that the entity will address in its written views;
- 3) explain how the entity's written views will contribute to resolving the dispute and why its views would be unlikely to repeat legal and factual arguments that a participating party has made or can be expected to make, or why it brings a perspective that is different from that of the participating Parties;
- 4) contain a statement disclosing whether the entity has any relationship, direct or indirect, with a Party, as well as whether it has received, or will receive, any assistance, financial or otherwise, from a Party, other government, person, or organization, other than the entity, its members, or its counsel, in the preparation of the entity's request for leave or its written views; and
- 5) be no more than four pages long.

The Responsible Office will promptly provide each timely request to the panel and each participating Party, and will make each such request available to the public. The panel will consider each request and, after consulting the participating Parties, decide within seven days of receipt of the request whether it will grant the entity leave to submit written views in whole or in part. The Responsible Office will promptly (a) notify the entity of the panel's decision, and (b) make the decision available to the participating Parties and the public.

If the panel grants the request, the entity shall submit its views to the Responsible Office by the date the panel determines, which shall not be later than 21 days before the hearing. An entity's written views must be submitted in both English and Spanish, single-spaced and typewritten using 12 point Times New Roman type, on paper 8 ½ by 11 inches or A4, with margins of 1 inch or 2.5 centimeters. The written views must be signed and dated by a representative of the entity, and must include the entity's address and other contact information.

An entity's written views must:

- (1) be no longer than ten pages in length, including any appendices; and
- (2) address only the issues of fact and law that the entity described in its request and the panel agreed to receive.

The Responsible Office will promptly provide any written views that the panel receives to the participating Parties and shall make such written views available to the public.

The panel shall not consider written views that do not comply with the Rules as set out above. The panel may provide additional opportunities for non-governmental entity participation in the panel proceedings if the disputing Parties agree.

**The Responsible Office will receive requests at the following address:**

Clara Luz Marroquín de Lucero  
Oficina Responsable de Guatemala  
Dirección de Administración del Comercio Exterior –DACE–  
Cuarto Nivel  
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