GATT 1994. 307 We further recall our findings above that Colombia has not demonstrated that the compound tariff is provisionally justified under Article XX(a) or Article XX(d) of the GATT 1994.

5.153. Given these findings, we <u>do not consider it necessary</u> to examine Colombia's claims on appeal pertaining to the chapeau of Article XX of the GATT 1994. We express no view on the Panel's reasoning in that regard, or the Panel's findings in paragraphs 7.591 and 8.7 of its Report.

6 FINDINGS AND CONCLUSIONS

6.1. For the reasons set out in this Report, the Appellate Body makes the following findings and conclusions.

6.1 Article II:1(a) and (b) of the GATT 1994

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prematurely ceased its analysis under this provision without proceeding to assess the degree of contribution of the measure to its objective, together with the other "necessity" factors in a weighing and balancing exercise.

a.

6.5 Recommendation

6.12. The Appellate Body <u>recommends</u> that Colombia bring its measure, found in this Report, and in the Panel Report as modified by this Report, to be inconsistent with the GATT 1994, into conformity with its obligations under that Agreement.

Signed in the original in Geneva this 12th day of May 2016 by:		
-	Yuejiao Zhang Presiding Member	
	Presiding Member	
Shree Baboo Chekitan Se	ervansing	Peter Van den Bossche
Member	J	Member