

for a price decrease. This is consistent with the modelled increase in the supply of canned yellowfin to the United States.

6.77. As regards the level of nullification or impairment resulting from our model and its endogenous variables, we recall that the level of nullification or impairment in these proceedings is the difference between the value of total canned tuna exports estimated under the counterfactual and the value of Mexico's actual exports of canned tuna to the United States, with both levels being calculated for the year 2014. Under the counterfactual, we estimate the value for total exports in 2014 of canned tuna from Mexico to the United States (all of it being canned yellowfin) to be equal to USD 185.88 million. The value of Mexican canned tuna actually exported to the United States in 2014 was USD 22.65 million. Taking the difference between the total value of exports of canned tuna from Mexico to the United States under the counterfactual and the total value of actual exports in 2014, we find that Mexico's estimated trade loss in 2014 amounted to USD 163.23 million.

7 CONCLUSION AND AWARD

7.1. For the reasons set out above, the Arbitrator determines that the level of nullification or impairment of benefits accruing to Mexico as a result of the 2013 Tuna Measure is USD 163.23 million per annum. Therefore, in accordance with Article 22.4 of the DSU, Mexico may request authorization from the DSB to suspend concessions or other obligations as indicated in document WT/DS381/29 at a level not exceeding USD 163.23 million per annum.
