

AUSTRALIA - MEASURES AFFECTING IMPORTATION OF SALMON

Recourse to Article 21.5 of the DSU by Canada

Communication from the Chairman of the Panel

The following communication, dated 8 December 1999, addressed to the Chairman of the Dispute Settlement Body (DSB), is circulated in accordance with Article 21.5 of the DSU.

Article 21.5 of the DSU stipulates that a panel examining the existence or consistency with a covered agreement of measures taken to comply with the recommendations and rulings by the Dispute Settlement Body (DSB) shall circulate its report within 90 days after referral of the matter to it. Article 21.5 further provides that when a panel considers that it cannot issue its report within 90 days, it shall inform the DSB in writing of the reasons for the delay together with an estimate of the period within which it will issue its report.

At its meeting of 28 July 1999, the DSB decided, in accordance with Article 21.5, to refer to the original panel the matter raised by Canada in WT/DS18/14. I wish to inform you that the Panel will not be able to complete its work within the 90 days provided for in the DSU. Requests from both parties that the time-period be extended, along with the complexity of the matter and the Panel's decision to seek technical and scientific expertise pursuant to Article 11 of the Agreement on Sanitary and Phytosanitary Measures and Article 13 of the DSU, are responsible for this delay.

The Panel intends to finalize its work by early February 2000.
