

JAPAN – MEASURES AFFECTING THE IMPORTATION OF APPLES

Request by Japan for Arbitration under Article 22.6 of the DSU

Communication from the Arbitrator

The following communication, dated 19 July 2005, has been received from the Delegation of Japan and the Delegation of the United States and addressed to Mr. Michael Cartland, Chairman of the Arbitrator.

On 20 July 2005, the report of the Panel in *Japan – Measures Affecting the Importation of Apples: Recourse to Article 21.5 of the DSU by the United States* (WT/DS245/RW) will be considered for adoption by the Dispute Settlement Body ("DSB").

In response to the request of the parties pursuant to paragraph 6 of the "Confirmed Procedures between Japan and the United States under Articles 21 and 22 of the Dispute Settlement Understanding in the follow-up to the dispute in *Japan – Measures Affecting the Importation of Apples*" of 30 June 2004 (WT/DS245/10), the Arbitrator has suspended its proceedings under DSU Article 22.6, as communicated through WT/DS245/16 dated 10 August 2004, until the adoption by the DSB of the Article 21.5 compliance panel report. In order to permit time for further consultations, Japan and the United States have agreed to request that the arbitration proceedings remain suspended until 31 August 2005.

Accordingly, Japan and the United States request that the arbitration proceedings be suspended until 31 August 2005.

In accordance with the joint request by the parties, the Arbitrator has suspended the arbitration proceeding.
