



**UNITED STATES – MEASURES AFFECTING THE PRODUCTION  
AND SALE OF CLOVE CIGARETTES**

**RECOURSE TO ARTICLE 22.6 OF THE DSU BY THE UNITED STATES**

*Communication from the Arbitrator*

The following communication, dated 8 October 2014, has been received from the Chairperson of the Arbitrator with the request that it be circulated to the Dispute Settlement Body.

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The Arbitrator has received a joint communication dated 3 October 2014 (attached) from the parties, in which they:

- a. indicate that they have reached a mutually agreed solution in this dispute, which they have jointly notified to the DSB;
- b. inform the Arbitrator that Indonesia has withdrawn its request under Article 22.2 of the DSU (WT/DS406/12) and that the United States has withdrawn its objection to that request (WT/DS406/13); and
- c. jointly request that the Arbitrator notify the Dispute Settlement Body that it is not necessary for the Arbitrator to issue a decision in this proceeding and that its work has been completed.

In light of the circumstances described in this joint communication, the Arbitrator considers that it is not necessary for it to issue a decision on the matter referred to it. The Arbitrator therefore considers that it has completed its work.

**Communication dated 3 October 2014**  
**Addressed to H.E. Mr Ronald Saborío Soto, Chairperson of the Arbitrator,**  
**from the delegations of Indonesia and the United States**

The United States and Indonesia would like to express our sincere thanks to you and the other Members of the Arbitrator for your service in the above-referenced proceeding.

The United States and Indonesia are pleased to inform you that, in accordance with Article 3.6 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU"), Indonesia and the United States have reached a mutually agreed solution to the matter raised by the Government of Indonesia in *United States – Measures Affecting the Production and Sale of Clove Cigarettes* (WT/DS406). We have jointly notified this mutually agreed solution to the Dispute Settlement Body ("DSB").

In light of the mutually agreed solution, Indonesia has withdrawn its request to the DSB (circulated as WT/DS406/12) pursuant to Article 22.2 of the DSU for authorization to suspend the application to the United States of concessions and other obligations under the *General Agreement on Tariffs and Trade 1994*, the *Agreement on Technical Barriers to Trade*, and the *Agreement on Import Licensing Procedures*. Indonesia having withdrawn its request under Article 22.2 of the DSU, the United States has withdrawn its objection to that request (circulated as WT/DS406/13).

The United States and Indonesia therefore respectfully request that the Arbitrator notify the DSB that it is not necessary for the Arbitrator to issue a decision in this proceeding and that its work has been completed.

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