

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

Joint Request by Indonesia and the United States  
for a Decision by the DSB

The following communication, dated 15 September 2011, from the delegation of Indonesia and the delegation of the United States to the Chairperson of the Dispute Settlement Body (DSB), is circulated at the request of those delegations.

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Taking into account the current workload of the Appellate Body, the Republic of Indonesia and the United States of America would like to request that the Dispute Settlement Body (DSB) adopt the draft decision attached to this letter with respect to the dispute *United States – Measures Affecting the Production and Sale of Clove Cigarettes* (WT/DS406). We consider that the draft DSB decision, if adopted, would provide greater flexibility in scheduling any possible appeal.

We respectfully request that you circulate this request to Members of the DSB.

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Draft Decision of the DSB

The DSB agrees that, upon a request by the Republic of Indonesia or the United States of America, the DSB shall no later than January 20, 2012 adopt the report of the panel in the dispute *United States – Measures Affecting the Production and Sale of Clove Cigarettes* (WT/DS406) unless (i) the DSB decides by consensus not to do so or (ii) either party to the dispute notifies the DSB of its decision to appeal pursuant to Article 16.4 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*.

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