

**DISPUTE SETTLEMENT BODY**

Annual Report (2003)<sup>1</sup>

The present report has been prepared in pursuance of the Procedures for an Annual Overview of WTO Activities and for Reporting under the WTO (WT/L/105), and sets out the actions taken by the Dispute Settlement Body (DSB) in the period since the previous Annual Report and its update.<sup>2</sup> In carrying out its task, the DSB has held 8 meetings since the period covered by the previous report and its update. The minutes of these meetings, which remain the record of the DSB's work, are contained in documents WT/DSB/M/152 – WT/DSB/M/159<sup>3</sup> and should be read in conjunction with this report.

The following subjects are included in the report:

	<u>Page</u>
<b>1. Appointment of Appellate Body members .....</b>	<b>3</b>
<b>2. Indicative list of governmental and non-governmental panelists.....</b>	<b>4</b>
<b>3. Adoption of the 2003 draft Annual Report of the DSB .....</b>	<b>4</b>
<b>4. Recourse to dispute settlement procedures .....</b>	<b>4</b>
(a) Australia.....	4
(i) <i>Certain measures affecting the importation of fresh fruit and vegetables.....</i>	4
(ii) <i>Quarantine regime for imports .....</i>	5
(b) Canada .....	5
(i) <i>Measures relating to exports of wheat and treatment of imported grain .....</i>	5
(c) European Communities.....	6
(i) <i>Anti-dumping duties on malleable cast iron tube or pipe fittings from Brazil.....</i>	6
(ii) <i>Countervailing measures on dynamic random access memory chips from Korea .....</i>	6
(iii) <i>Customs classification of frozen boneless chicken cuts .....</i>	6
(iv) <i>Export subsidies on sugar.....</i>	7
(v) <i>Measures affecting the approval and marketing of biotech products.....</i>	8

<sup>1</sup> The Overview of the State of Play of WTO Disputes since 1 January 1995 to 31 October 2003 prepared by the Secretariat on its own responsibility is included, for practical purposes, in an Addendum to this report.

<sup>2</sup> WT/DSB/29 and Add.1 and Corr.1, which was updated in document WT/DSB/34 to cover work in the first half of 2003 until 24 June.

<sup>3</sup> The present report includes meetings of the DSB covering the period from 11 July to 1 December 2003.

(vi)	<i>Protection of trademarks and geographical indications for agricultural products and foodstuffs</i> .....	8
(d)	Korea.....	9
(i)	<i>Measures affecting trade in commercial vessels</i> .....	9
(e)	Mexico.....	9
(i)	<i>Definitive anti-dumping measures on beef and rice</i> .....	9
(f)	United States.....	10
(i)	<i>Anti-dumping measures on cement from Mexico</i> .....	10
(ii)	<i>Anti-dumping measures on oil country tubular goods (OCTG) from Mexico</i> .....	10
(iii)	<i>Countervailing duties on steel plate from Mexico</i> .....	11
(iv)	<i>Countervailing duty investigation on dynamic random access memory semiconductors (DRAMs) from Korea</i> .....	11
(v)	<i>Measures affecting the cross-border supply of gambling and betting services</i> .....	11
(vi)	<i>Rules of origin for textiles and apparel products</i> .....	12
<b>5.</b>	<b>Surveillance of implementation of recommendations adopted by the DSB</b> .....	<b>12</b>
(a)	Chile.....	12
(i)	<i>Price band system and safeguard measures relating to certain agricultural products</i> .....	12
(b)	Egypt.....	13
(i)	<i>Definitive anti-dumping measures on steel rebar from Turkey</i> .....	13
(c)	United States.....	13
(i)	<i>Anti-Dumping Act of 1916</i> .....	13
(ii)	<i>Anti-dumping measures on certain hot-rolled steel products from Japan</i> .....	14
(iii)	<i>Countervailing measures concerning certain products from the European Communities</i> .....	15
(iv)	<i>Section 211 Omnibus Appropriations Act of 1998</i> .....	15
<b>6.</b>	<b>Other matters</b> .....	<b>16</b>
(a)	United States – Countervailing measures concerning certain products from the European Communities – Statement by the United States.....	16
(b)	European Communities – Measures concerning meat and meat products (hormones) – Communication from the European Communities.....	16
(c)	European Communities – Measures concerning meat and meat products (hormones) – Statement by the European Communities.....	16
(d)	United States – Countervailing measures concerning certain products from the European Communities – Statement by the European Communities.....	17

**1. Appointment of Appellate Body members (WT/DSB/M/153, 154, 156, 157)**

At the DSB meeting on 21 and 23 July 2003, the Chairman recalled that at the informal DSB meeting on 16 July 2003, he had informed Members of his intention to request the DSB to take a decision on certain matters relating to the process leading up to an eventual decision on four positions on the Appellate Body. Consequently, he proposed that the DSB agree to the following points: (i) to launch, as from the date of the present meeting the process for selecting a new Appellate Body member to replace Mr. Bacchus, and also the process leading up to a decision on the positions held by Messrs. Taniguchi, Abi-Saab and Ganesan; (ii) with respect to the process for selecting a new Appellate Body member to replace Mr. Bacchus, that the DSB follow the procedures set out in the decision of the DSB dated 10 February 1995 (WT/DSB/1), and, in accordance with them, to agree to establish a Selection Committee consisting of the Director-General and the 2003 Chairpersons of the General Council, the Goods Council, the Services Council, the TRIPS Council and the DSB; (iii) with respect to the process of selecting a new Appellate Body member to replace Mr. Bacchus, that the closing date for the nomination of candidates by delegations be Friday, 5 September 2003, and that the Selection Committee make its recommendation to the DSB by 24 October 2003; (iv) that the decisions on the four positions on the Appellate Body be taken by the DSB at its meeting on 7 November 2003; and (v) with regard to the positions currently held by Messrs. Taniguchi, Abi-Saab and Ganesan, to carry out consultations with delegations, over the next three weeks, with a view to informing the DSB, by 15 August 2003, of the results of these consultations.

The representatives of the United States, the European Communities, Egypt, Chile, Japan, India and the Chairman spoke.

The DSB took note of the statements and agreed to the Chairman's proposal.

At the DSB meeting on 18 August 2003, the Chairman recalled that, at its meeting on 21 and 23 July 2003, the DSB had agreed that he should conduct consultations with delegations regarding the positions on the Appellate Body currently held by Messrs. Abi-Saab, Ganesan and Taniguchi. Accordingly, he had invited delegations with an interest in this matter to contact him and, between 23 July and 14 August, he had communicated with all such delegations. On Friday, 15 August 2003, he had informed Members, by fax, of the results of his consultations. He said that no delegation had indicated that it wished to nominate candidates to replace Messrs. Abi-Saab, Ganesan, and Taniguchi, and there were delegations that had indicated their wish to reappoint them. These delegations he had contacted were also all of the view that a decision on reappointment of these three individuals should be taken by the DSB at its meeting on 7 November 2003. In light of the views of Members, he proposed that a decision on reappointment of Messrs. Abi-Saab, Ganesan and Taniguchi be taken by the DSB on 7 November 2003. Subsequently, the Chairman also provided information concerning the process for selecting a new member of the Appellate Body to replace Mr. Bacchus.

The DSB took note of the statement and agreed that a decision on reappointment of Messrs. Abi-Saab, Ganesan and Taniguchi be taken by the DSB at its meeting on 7 November 2003.

At the DSB meeting on 2 October 2003, the Chairman made a statement concerning the selection process for appointment of a new Appellate Body member to replace Mr. Bacchus.

The representative of the United States and the Chairman spoke.

The DSB took note of the statements.

At its meeting on 7 November 2003, the DSB agreed to the recommendation of the Selection Committee to appoint Professor Merit Janow as a member of the Appellate Body for a four-year term of office commencing on 11 December 2003. Furthermore, the DSB also agreed to the following

proposals: (i) to reappoint Mr. Taniguchi for a second four-year term of office commencing on 11 December 2003; (ii) to reappoint Mr. Abi-Saab for a second four-year term commencing on 1 June 2004; and (iii) to reappoint Mr. Ganesan for a second four-year term commencing on 1 June 2004.

The representatives of United States, Canada, Egypt, Japan, the European Communities, India, Australia and the Chairman spoke.

The DSB took note of the statements.

## **2. Indicative list of governmental and non-governmental panelists (WT/DSB/M/153, 155)**

At its meeting on 21 and 23 July 2003, the DSB approved the name contained in document WT/DSB/W/235 proposed for inclusion on the indicative list in accordance with Article 8.4 of the DSU.

At its meeting on 29 August 2003, the DSB approved the name contained in document WT/DSB/W/239 proposed for inclusion on the indicative list, in accordance with Article 8.4 of the DSU.

## **3. Adoption of the 2003 draft Annual Report of the DSB (WT/DSB/M/159)**

At the DSB meeting on 1 December 2003, the Chairman submitted for adoption a draft text of the 2003 Annual Report of the DSB contained in WT/DSB/W/244 and Add.1. He proposed that, following the adoption of the Annual Report, the Secretariat be authorized to update this Report under its own responsibility in order to include the actions taken by the DSB at the 21 November meeting and at the present meeting. He said that the updated Annual Report would be submitted for consideration by the General Council at its meeting on 15 December 2003.

The DSB took note of the statement and adopted the draft Annual Report contained in WT/DSB/W/244 and Add.1 on the understanding that it would be further updated by the Secretariat, as proposed by the Chairman.

## **4. Recourse to dispute settlement procedures**

(a) Australia

(i) *Certain measures affecting the importation of fresh fruit and vegetables (WT/DSB/M/153, 155)*

At its meeting on 21 and 23 July 2003, the DSB considered a request by the Philippines for the establishment of a panel to examine its complaint with regard to Australia's measures affecting the importation of fresh fruit and vegetables (WT/DS270/5/Rev.1).

The representatives of the Philippines and Australia spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 29 August 2003, the DSB again considered this matter.

The representatives of the Philippines and Australia spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of China, Ecuador, the European Communities, India, Thailand and the United States reserved their third-party rights to participate in the Panel's proceedings.<sup>4</sup>

(ii) *Quarantine regime for imports (WT/DSB/M/156, 157)*

At its meeting on 2 October 2003, the DSB considered a request by the European Communities for the establishment of a panel to examine its complaint with regard to Australia's quarantine regime for imports (WT/DS287/7).

The representatives of the European Communities and Australia spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 7 November 2003, the DSB considered a request by the European Communities for the establishment of a panel to examine its complaint with regard to Australia's quarantine regime for imports (WT/DS287/7/Rev.1).

The representatives of the European Communities, Australia and the Chairman spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of Canada, Chile, China, India, the Philippines, Thailand and the United States reserved their third-party rights to participate in the Panel's proceedings.

(b) Canada

(i) *Measures relating to exports of wheat and treatment of imported grain (WT/DSB/M/152)*

At its meeting on 11 July 2003, the DSB considered a request by the United States for the establishment of a panel to examine its complaint with regard to Canada's measures relating to exports of wheat and treatment of imported grain (WT/DS276/9).

The representatives of the United States, Canada, the European Communities, Japan, Chile, Mexico, Korea, the Chairman and a representative of the Secretariat spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of Australia, Chile, China, the European Communities, Japan and Chinese Taipei reserved their third-party rights to participate in the Panel's proceedings.<sup>5</sup>

---

<sup>4</sup> After the meeting, Chile reserved its third-party rights to participate in the Panel's proceedings.

<sup>5</sup> After the meeting, Mexico reserved its third-party rights to participate in the Panel's proceedings.

(c) European Communities

(i) *Anti-dumping duties on malleable cast iron tube or pipe fittings from Brazil (WT/DSB/M/154, 155, 156)*

In July 2001<sup>6</sup>, the DSB agreed to establish a panel to examine the complaint by Brazil with regard to this matter. In April 2003, Brazil notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel (WT/DS219/7).

At its meeting on 18 August 2003, the DSB considered the Appellate Body Report contained in WT/DS219/AB/R and the Panel Report contained in WT/DS219/R pertaining to this matter.

The representatives of Brazil, the European Communities, Chile and the United States spoke.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS219/AB/R and the Panel Report contained in WT/DS219/R, as modified by the Appellate Body Report.

At the DSB meeting on 29 August 2003, the representative of Brazil sought information from the European Communities as to when and how the EC intended to comply with the provisions of Article 21.3 of the DSU in relation to this dispute.

The representatives of Brazil and the European Communities spoke.

The DSB took note of the statements.

At the DSB meeting on 2 October 2003, the representative of the European Communities informed the DSB of the EC's intentions in respect of implementation of the DSB's recommendations in this dispute, pursuant to Article 21.3 of the DSU.

The representatives of the European Communities and Brazil spoke.

The DSB took note of the statements and of the information provided by the European Communities regarding its intentions in respect of implementation of the DSB's recommendations.

(ii) *Countervailing measures on dynamic random access memory chips from Korea (WT/DSB/M/159)*

At its meeting on 1 December 2003, the DSB considered a request by Korea for the establishment of a panel to examine its complaint with regard to the EC's countervailing measures on dynamic random access memory chips from Korea (WT/DS299/2).

The representatives of Korea and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter.

(iii) *Customs classification of frozen boneless chicken cuts (WT/DSB/M/156, 157, 158)*

At its meeting on 2 October 2003, the DSB considered a request by Brazil for the establishment of a panel to examine its complaint with regard to the EC's customs classification of frozen boneless chicken cuts (WT/DS269/3).

---

<sup>6</sup> WT/DSB/M/107.

The representatives of Brazil and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 7 November 2003, the DSB again considered this matter.

The representatives of Brazil and the European Communities spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of Chile, China, Thailand and the United States reserved their third-party rights to participate in the Panel's proceedings.

At its meeting on 7 November 2003, the DSB considered a request by Thailand for the establishment of a panel to examine its complaint with regard to the EC's customs classification of frozen boneless chicken cuts (WT/DS286/5).

The representatives of Thailand and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 21 November 2003, the DSB again considered this matter.

The representatives of Thailand, the European Communities, Chile, the United States and the Chairman spoke.

The DSB took note of the statements and agreed that the request by Thailand for the establishment of a panel with standard terms of reference is accepted. The DSB further agreed that, as provided for in Article 9.1 of the DSU, in respect of procedures for multiple complainants, the Panel established at the 7 November DSB meeting to examine the complaint by Brazil contained in WT/DS269/3 would also examine the complaint by Thailand contained in WT/DS286/5.

The Chairman confirmed that those delegations who had reserved their third-party rights to participate in the proceedings of the Panel established on 7 November at the request of Brazil were considered as third parties in the single Panel established at the present meeting. Subsequently, the representatives of Brazil, Chile and Colombia reserved their third-party rights to participate in the Panel's proceedings.

(iv) *Export subsidies on sugar (WT/DSB/M/153, 155)*

At its meeting on 21 and 23 July 2003, the DSB considered a request by Australia (WT/DS265/21), a request by Brazil (WT/DS266/21) and a request by Thailand (WT/DS283/2) for the establishment of a panel to examine their complaints with regard to the EC's export subsidies on sugar.

The representatives of Australia, Brazil, Thailand, the European Communities and Mauritius, on behalf of the ACP sugar supplying countries, spoke.

The DSB took note of the statements and agreed to revert to these matters.

At its meeting on 29 August 2003, the DSB again considered these matters.

The representatives of Australia, Brazil, Thailand and the European Communities spoke.

The DSB took note of the statements and agreed to establish a single panel pursuant to Article 9.1 of the DSU with standard terms of reference.

The representatives of Barbados, Canada, China, Colombia, Jamaica, Mauritius, New Zealand, Trinidad and Tobago and the United States reserved their third-party rights to participate in the Panel's proceedings.<sup>7</sup>

(v) *Measures affecting the approval and marketing of biotech products (WT/DSB/M/154, 155)*

At its meeting on 18 August 2003, the DSB considered a request by the United States (WT/DS291/23), a request by Canada (WT/DS292/17) and a request by Argentina (WT/DS293/17) for the establishment of a panel to examine their complaints with regard to the EC's measures affecting the approval and marketing of biotech products.

The representatives of the United States, Canada, Argentina and the European Communities spoke.

The DSB took note of the statements and agreed to revert to these matters.

At its meeting on 29 August 2003, the DSB again considered these matters.

The representatives of the United States, Canada, Argentina, the European Communities and Mexico spoke.

The DSB took note of the statements and agreed to establish a single panel pursuant to Article 9.1 of the DSU with standard terms of reference.

The representatives of Australia, Chile, China, Colombia, El Salvador, Honduras, New Zealand, Norway, Peru, Chinese Taipei, Thailand, and Uruguay reserved their third-party rights to participate in the Panel's proceedings.<sup>8</sup>

(vi) *Protection of trademarks and geographical indications for agricultural products and foodstuffs (WT/DSB/M/155, 156)*

At its meeting on 29 August 2003, the DSB considered a request by the United States (WT/DS174/20) and a request by Australia (WT/DS290/18) for the establishment of a panel to examine their complaints against the EC with regard to protection of trademarks and geographical indications for agricultural products and foodstuffs.

The representatives of the United States, Australia and the European Communities spoke.

The DSB took note of the statements and agreed to revert to these matters.

---

<sup>7</sup> After the meeting, Australia, Belize, Brazil, Cuba, Fiji, Guyana, India, Kenya, Madagascar, Malawi, Paraguay, St. Kitts and Nevis, Swaziland, Tanzania and Thailand reserved their third-party rights to participate in the Panel's proceedings.

<sup>8</sup> After the meeting, Argentina, Brazil, Canada, Mexico, Paraguay and the United States reserved their third-party rights to participate in the Panel's proceedings.



At its meeting on 2 October 2003, the DSB again considered these matters.

The representatives of the United States, Australia and the European Communities spoke.

The DSB took note of the statements and agreed to establish a single panel pursuant to Article 9.1 of the DSU, with standard terms of reference, to examine the complaint by the United States contained in WT/DS174/20 and the complaint by Australia contained in WT/DS290/18.

The representatives of Australia, Colombia, Guatemala, India, Mexico, New Zealand, Chinese Taipei, Turkey and the United States reserved their third-party rights to participate in the Panel's proceedings.<sup>9</sup>

(d) Korea

(i) *Measures affecting trade in commercial vessels (WT/DSB/M/153)*

At its meeting on 21 and 23 July 2003, the DSB considered, for the second time, a request by the European Communities for the establishment of a panel to examine its complaint with regard to Korea's measures affecting trade in commercial vessels (WT/DS273/2). In addition to its panel request, the European Communities also requested that the DSB initiate the procedures provided for in Annex V of the SCM Agreement and designate a representative to serve the function of facilitating the information-gathering process under Annex V (WT/DS273/3).

The representatives of the European Communities, Korea, Japan, United States, Brazil and the Chairman spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Articles 4.4 and 7.4 of the SCM Agreement and Article 6 of the DSU with standard terms of reference.

The representatives of China, Japan, Mexico, Norway, Chinese Taipei and the United States reserved their third-party rights to participate in the Panel's proceedings.

Also at that meeting the DSB agreed, pursuant to the request by the European Communities, to initiate the procedures under paragraph 2 of Annex V of the SCM Agreement. Furthermore, the DSB agreed to designate Mr. Andras Szepesi as a representative to serve the function of facilitating the information-gathering process, pursuant to paragraph 4 of Annex V of the SCM Agreement.

(e) Mexico

(i) *Definitive anti-dumping measures on beef and rice (WT/DSB/M/156, 157)*

At its meeting on 2 October 2003, the DSB considered a request by the United States for the establishment of a panel to examine its complaint with regard to Mexico's definitive anti-dumping measures on beef and rice (WT/DS295/2).

The representatives of the United States and Mexico spoke.

The DSB took note of the statements and agreed to revert to this matter.

---

<sup>9</sup> After the meeting, Argentina, Brazil, Canada, China and Norway reserved their third-party rights to participate in the Panel's proceedings.

At its meeting on 7 November 2003, the DSB again considered this matter.

The representatives of the United States and Mexico spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of China, the European Communities and Turkey reserved their third-party rights to participate in the Panel's proceedings.

(f) United States

(i) *Anti-dumping measures on cement from Mexico (WT/DSB/M/154, 155)*

At its meeting on 18 August 2003, the DSB considered a request by Mexico for the establishment of a panel to examine its complaint with regard to US anti-dumping measures on cement from Mexico (WT/DS281/2).

The representatives of Mexico and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 29 August 2003, the DSB again considered this matter.

The representatives of Mexico, the United States and Canada spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of China, the European Communities, Japan and Chinese Taipei reserved their third-party rights to participate in the Panel's proceedings.<sup>10</sup>

(ii) *Anti-dumping measures on oil country tubular goods (OCTG) from Mexico (WT/DSB/M/154, 155)*

At its meeting on 18 August 2003, the DSB considered a request by Mexico for the establishment of a panel to examine its complaint with regard to US anti-dumping measures on oil country tubular goods (OCTG) from Mexico (WT/DS282/2).

The representatives of Mexico and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 29 August 2003, the DSB again considered this matter.

The representatives of Mexico, the United States and Canada spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

---

<sup>10</sup> After the meeting, Canada reserved its third-party rights to participate in the Panel's proceedings.

The representatives Argentina, China, the European Communities, Japan, Chinese Taipei and Venezuela reserved their third-party rights to participate in the Panel's proceedings.<sup>11</sup>

(iii) *Countervailing duties on steel plate from Mexico (WT/DSB/M/154, 155)*

At its meeting on 18 August 2003, the DSB considered a request by Mexico for the establishment of a panel to examine its complaint with regard to US countervailing duties on steel plate from Mexico (WT/DS280/2).

The representatives of Mexico and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 29 August 2003, the DSB again considered this matter.

The representatives of Mexico, the United States and Canada spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of China, the European Communities and Chinese Taipei reserved their third-party rights to participate in the Panel's proceedings.<sup>12</sup>

(iv) *Countervailing duty investigation on dynamic random access memory semiconductors (DRAMs) from Korea (WT/DSB/M/159)*

At its meeting on 1 December 2003, the DSB considered a request by Korea for the establishment of a panel to examine its complaint with regard to the US countervailing duty investigation on dynamic random access memory semiconductors (DRAMs) from Korea (WT/DS296/2).

The representatives of Korea and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter.

(v) *Measures affecting the cross-border supply of gambling and betting services (WT/DSB/M/153)*

At its meeting on 21 and 23 July 2003, the DSB considered, for the second time, a request by Antigua and Barbuda to examine its complaint with regard to US measures affecting the cross-border supply of gambling and betting services (WT/DS285/2).

The representatives of Antigua and Barbuda and the United States spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of Canada, the European Communities, Mexico and Chinese Taipei reserved their third-party rights to participate in the Panel's proceedings.<sup>13</sup>

---

<sup>11</sup> After the meeting, Canada reserved its third-party rights to participate in the Panel's proceedings.

<sup>12</sup> After the meeting, Canada reserved its third-party rights to participate in the Panel's proceedings.

<sup>13</sup> After the meeting, Japan reserved its third-party rights to participate in the Panel's proceedings.

(vi) *Rules of origin for textiles and apparel products (WT/DSB/M/153)*

In June 2002<sup>14</sup>, the DSB agreed to establish a panel to examine the complaint by India with regard to this matter.

At its meeting on 21 and 23 July 2003, the DSB considered the Panel Report contained in WT/DS243/R and Corr.1 pertaining to this matter.

The representatives of the United States, India, the Philippines and China spoke.

The DSB took note of the statements and adopted the Panel Report contained in WT/DS243/R and Corr.1.

**5. Surveillance of implementation of recommendations adopted by the DSB**

Matters considered by the DSB under this item are included on the agenda pursuant to Article 21.6 of the DSU which provides that: "Unless the DSB decides otherwise, the issue of implementation of the recommendations or rulings shall be placed on the agenda of the DSB meeting after six months following the date of establishment of the reasonable time-period pursuant to paragraph 3 and shall remain on the DSB's agenda until the issue is resolved. At least 10 days prior to each such DSB meeting, the Member concerned shall provide the DSB with a status report in writing of its progress in the implementation of the recommendations or rulings."

(a) Chile

(i) *Price band system and safeguard measures relating to certain agricultural products (WT/DSB/M/156, 157, 159)*

At its meeting on 2 October 2003, the DSB considered the status report by Chile on its progress in the implementation of the DSB's recommendations on this matter (WT/DS207/15).

The representatives of Chile, Argentina and Bolivia spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 7 November 2003, the DSB considered the status report by Chile on its progress in the implementation of the DSB's recommendations on this matter (WT/DS207/15/Add.1).

The representatives of Chile and Argentina spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 1 December 2003, the DSB considered the status report by Chile on its progress in the implementation of the DSB's recommendations on this matter (WT/DS207/15/Add.2).

The representatives of Chile, Argentina and Brazil spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

---

<sup>14</sup> WT/DSB/M/128.

(b) Egypt

(i) *Definitive anti-dumping measures on steel rebar from Turkey (WT/DSB/M/153, 155)*

At its meeting on 21 and 23 July 2003, the DSB considered the status report by Egypt on its progress in the implementation of the DSB's recommendations on this matter (WT/DS211/7/Add.2).

The representatives of Egypt and Turkey spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 29 August 2003, the DSB considered the status report by Egypt on its progress in the implementation of the DSB's recommendations on this matter (WT/DS211/7/Add.3).

The representatives of Egypt, Turkey and Mexico spoke.

The DSB took note of the statements.

(c) United States

(i) *Anti-Dumping Act of 1916 (WT/DSB/M/153, 155, 156, 157, 159)*

At its meeting on 21 and 23 July 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS136/14/Add.17 – WT/DS162/17/Add.17).

The representatives of the United States, the European Communities and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 29 August 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS136/14/Add.18 – WT/DS162/17/Add.18).

The representatives of the United States, the European Communities and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 2 October 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS136/14/Add.19 – WT/DS162/17/Add.19).

The representatives of the United States, the European Communities and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 7 November 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS136/14/Add.20 – WT/DS162/17/Add.20).

The representatives of the United States, the European Communities, Japan and Mexico spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 1 December 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS136/14/Add.21 – WT/DS162/17/Add.21).

The representatives of the United States, the European Communities and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

(ii) *Anti-dumping measures on certain hot-rolled steel products from Japan (WT/DSB/M/153, 155, 156, 157, 159)*

At its meeting on 21 and 23 July 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS184/15/Add.10).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 29 August 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS184/15/Add.11).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 2 October 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS184/15/Add.12).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 7 November 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS184/15/Add.13).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 1 December 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS184/15/Add.14).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

(iii) *Countervailing measures concerning certain products from the European Communities (WT/DSB/M/157)*

At its meeting on 7 November 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS212/13).

The representatives of the United States, the European Communities and Mexico spoke.

The DSB took note of the statements.

(iv) *Section 211 Omnibus Appropriations Act of 1998 (WT/DSB/M/153, 155, 156, 157, 159)*

At its meeting on 21 and 23 July 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS176/11/Add.10).

The representatives of the United States, the European Communities and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 29 August 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS176/11/Add.11).

The representatives of the United States, the European Communities and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 2 October 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS176/11/Add.12).

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 7 November 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS176/11/Add.13).

The representatives of the United States, the European Communities and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 1 December 2003, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations on this matter (WT/DS176/11/Add.14).

The representatives of the United States, the European Communities and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

## **6. Other matters**

- (a) United States – Countervailing measures concerning certain products from the European Communities – Statement by the United States (WT/DSB/M/153)

At the DSB meeting on 21 and 23 July 2003, the representative of the United States made a statement informing the DSB of developments in connection with US implementation in the so-called "Privatization" dispute (WT/DS212). He said that on 23 June 2003, the US Department of Commerce, after receiving and analysing public comments, had published a notice of modifications to Commerce's privatization methodology so as to render the application of that methodology consistent with the SCM Agreement.

The representatives of the United States, the European Communities and Mexico spoke.

The DSB took note of the statements.

- (b) European Communities – Measures concerning meat and meat products (hormones) – Communication from the European Communities (WT/DSB/M/157)

At the DSB meeting on 7 November 2003, the representative of the European Communities made a statement informing the DSB that on 14 October 2003, as indicated in its communication (WT/DS26/22 – WT/DS48/20), a new Directive (2003/74/EC) had entered into force regarding the prohibition on the use in stockfarming of certain hormones. He said that the EC considered that with the entry into force of this Directive, it was in conformity with the DSB's recommendations in the "Hormones" dispute and expected that the United States and Canada should terminate their suspension of concessions to the EC in relation to this dispute.

The representatives of the European Communities, the United States and Canada spoke.

The DSB took note of the statements.

- (c) European Communities – Measures concerning meat and meat products (hormones) – Statement by the European Communities (WT/DSB/M/159)

At the DSB meeting on 1 December 2003, the representative of the European Communities made a further statement concerning the implementation of the DSB's recommendations in the "Hormones" dispute.

The representatives of the European Communities, Canada and the United States spoke.

The DSB took note of the statements.



- (d) United States – Countervailing measures concerning certain products from the European Communities – Statement by the European Communities (WT/DSB/M/159)

At the DSB meeting on 1 December 2003, the representative of the European Communities stated that the EC had concerns with regard to some aspects of the implementation by the United States of the DSB's recommendations in the "Privatization" dispute.

The representatives of the European Communities, the United States and Brazil spoke.

The DSB took note of the statements.

---