

**KOREA – TAXES ON ALCOHOLIC BEVERAGES**

Surveillance of Implementation of Recommendations and Rulings

*Appointment of Arbitrator under Article 21.3(c) of the  
Understanding on Rules and Procedures Governing the Settlement of Disputes*

The following communication, dated 23 April 1999, from the Permanent Mission of Korea, the Permanent Delegation of the European Commission and the Permanent Mission of the United States, to the Chairman of the Dispute Settlement Body, is circulated pursuant to Article 21.3(c) of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*.

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Our governments take note of the requests by the United States and the European Communities dated 9 April in WT/DS75/13 and WT/DS75/14 that the reasonable period of time for implementing the rulings and recommendations in the above-referenced matter be determined by binding arbitration pursuant to Article 21.3(c) of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU).

Our governments would like to inform you that we have agreed on Mr. Claus-Dieter Ehlermann of the Appellate Body as the arbitrator for determining the reasonable period of time in the above-referenced proceeding. We would appreciate it if you could consult with Mr. Ehlermann to determine his availability to serve as arbitrator.

In addition, we note that a period of 90 days is set forth in DSU Article 21.3(c) for completion of arbitration proceeding and the issuance of an arbitration award. The panel report in this dispute was adopted by the Dispute Settlement Body on 17 February. We would request that this period be extended for a period of 20 additional days and that Mr. Ehlermann issue his arbitration award no later than 7 June 1999.

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