



16 January 2020

(20-0446)

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Original: English

**UNITED STATES – COUNTERVAILING MEASURES ON CERTAIN
HOT-ROLLED CARBON STEEL FLAT PRODUCTS FROM INDIA**

RECOURSE TO ARTICLE 21.5 OF THE DSU BY INDIA

JOINT COMMUNICATION FROM INDIA AND THE UNITED STATES

The following communication, dated 14 January 2020, was received from the delegation of India and the delegation of the United States with the request that it be circulated to the Dispute Settlement Body (DSB).

India and the United States wish to inform the Dispute Settlement Body of their engagement in relation to the dispute *US-Countervailing Measures on Certain Hot-Rolled Steel Flat Products from India: Recourse to Article 21.5 of the DSU by India*. The parties continue to engage in good faith discussions to seek a positive solution to this dispute. On December 18, 2019, the United States notified the Dispute Settlement Body of its decision to appeal the report by the compliance panel. The United States did not file a notice of appeal or an appellant submission because at this time no Division of the Appellate Body can be established to hear this appeal.

The parties understand that the United States will submit a notice of appeal and an appellant submission once a Division can be established and that India may file its own appeal on alleged errors in issues of law covered in the panel report and legal interpretations developed by the panel at that point of time. The parties recognize that each party has the right to request the adoption of the compliance panel report (WT/DS436/RW and WT/DS436/RW/Add.1) and appellate report after an Appellate Body Division can be established to hear and complete any appeal in this matter, as provided in Article 16.4 of the DSU.
