



14 April 2020

(20-2906)

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Original: English

CANADA – MEASURES CONCERNING TRADE IN COMMERCIAL AIRCRAFT

COMMUNICATION FROM THE PANEL

The following communication, dated 14 April 2020, was received from the Chairperson of the Panel with the request that it be circulated to the Dispute Settlement Body.

On 7 November 2019, Brazil requested the Panel to suspend its work in the above referenced dispute pursuant to Article 12.12 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) until 15 April 2020. On 25 November 2019, the Panel informed the Dispute Settlement Body (DSB) of its decision to grant Brazil's request and suspend its work effective 25 November 2019 until 15 April 2020.

On 9 April 2020, Brazil made a further request, pursuant to Article 12.12 of the DSU, that the Panel extend the suspension of its work on this dispute until 4 November 2020 due to the severe crisis caused by COVID-19 and the measures that are being adopted to combat this global threat. Canada stated that it does not oppose Brazil's request to extend the suspension period.

Article 12.12 of the DSU provides that the Panel may suspend its work at any time at the request of the complaining party for a period not exceeding 12 months. This provision also indicates that if the work of the Panel has been suspended for more than 12 months, the authority for establishment of the Panel shall lapse.

The Panel hereby informs the DSB of its decision to accept Brazil's further request for suspension with effect as of 15 April 2020. The Panel's work therefore remains suspended until 4 November 2020. The Panel has also taken note of Brazil's statement included in its communication of 9 April 2020 as follows: "In the event that Brazil requests that the Panel resume its work prior to 4 November 2020, Brazil commits to inform the Panel and Canada of its request at least four weeks in advance of the date of the proposed resumption."
