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CANADA – MEASURES CONCERNING TRADE IN COMMERCIAL AIRCRAFT

COMMUNICATION FROM THE PANEL

The following communication, dated 26 November 2020, was received from the Chairperson of the Panel with the request that it be circulated to the Dispute Settlement Body.

Article 12.8 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) provides that the period in which a panel shall conduct its examination, from the date that the composition and terms of reference of the panel have been agreed upon until the date the final report is issued to the parties to the dispute, shall, as a general rule, not exceed six months.

Article 12.9 of the DSU provides that, when a panel considers that it cannot issue its report within six months, it shall inform the Dispute Settlement Body (DSB) in writing accordingly and indicate the reasons, together with an estimate of the period within which it will issue its report.

The Panel on *Canada – Measures Concerning Trade in Commercial Aircraft* (DS522) was established by the DSB on 29 September 2017 and composed on 6 February 2018.

At the request of Brazil, the Panel suspended its work on 25 November 2019 until 15 April 2020.¹ Subsequently, on 9 April 2020 Brazil requested that the Panel continue to suspend its work until 4 November 2020², and on 29 October 2020 Brazil requested that the Panel continue to suspend its work until 23 November 2020³. The Panel resumed its work on 23 November 2020. Given this suspension and the scale and complexity of the dispute, the Panel does not currently expect that it will be in a position to complete its work before the third quarter of 2021.

I would be grateful if you would circulate this letter to the DSB.

¹ See WT/DS522/18.

² See WT/DS522/19.

³ See WT/DS522/21.