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**TURKEY – CERTAIN MEASURES CONCERNING THE PRODUCTION,
IMPORTATION AND MARKETING OF PHARMACEUTICAL PRODUCTS**

**COMMUNICATION FROM THE EUROPEAN UNION AND TÜRKİYE CONCERNING
ARTICLE 21.3(C) OF THE DSU**

The following communication, received on 14 November 2022, from the delegation of the European Union and the delegation of Türkiye to the Chairperson of the Dispute Settlement Body, is circulated at the request of these delegations.

The European Union and the Republic of Türkiye ("Türkiye") would like to request the circulation of the communication presented below to the Members of the DSB:

"In its communication of 22 August 2022 (WT/DS583/15), Türkiye notified the DSB that it intends to implement the recommendations and rulings of the Arbitrators and the Panel in this dispute in a manner that respects its WTO obligations. Türkiye also stated that it would need a reasonable period of time for implementation ("RPT"). At the meeting of the Dispute Settlement Body ("DSB") held on 29 August 2022, Türkiye reiterated its intentions regarding implementation and the DSB took note of this information provided by Türkiye and of the recommendations and rulings of the Arbitrators and the Panel in the dispute Türkiye – Certain measures concerning the production, importation and marketing of pharmaceutical products.

Article 21.3(c) of the DSU provides that, in the absence of an agreement between the parties regarding the RPT, the RPT shall be determined "through binding arbitration within 90 days after the date of adoption of the recommendations and rulings".

In light of ongoing discussions, in order to allow sufficient time for the parties to discuss a mutually agreed period, the European Union and Türkiye (i) agreed that, in the event an arbitration under Article 21.3(c) of the DSU is requested, it shall be completed no later than 60 days after the date of the appointment of the arbitrator, unless the arbitrator, following consultation with the parties, considers that additional time is required; and (ii) hereby confirm their common understanding that any award of the arbitrator (including an award which is not made within the 90-day deadline set out in Article 21.3(c) of the DSU) will constitute an award of the arbitrator for the purposes of Article 21.3(c) of the DSU in determining the reasonable period of time for Türkiye to implement the recommendations and rulings of the Arbitrators and the Panel.

We respectfully request that you circulate this communication to the Members of the DSB."
