

EUROPEAN COMMUNITIES - REGIME FOR THE IMPORTATION,  
SALE AND DISTRIBUTION OF BANANAS

Communication from the Appellate Body

The following communication, dated 8 August 1997, from the Chairman of the Appellate Body addressed to the Chairman of the Dispute Settlement Body, is circulated in accordance with Article 17(5) of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*.

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I am writing to you pursuant to Article 17.5 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*, which stipulates that, as a general rule, the Appellate Body will circulate its report no later than 60 days after the appellant has formally notified its decision to appeal. Article 17.5 states, furthermore, that when the Appellate Body considers that it cannot provide its report within 60 days, it shall inform the DSB in writing of the reasons for the delay together with an estimate of the period within which it will submit its report.

The European Communities notified the Dispute Settlement Body of their decision to appeal certain issues of law covered in the Panel Report and legal interpretations developed by the Panel, on 11 June 1997, with the result that the 60-day period will expire on Monday, 11 August 1997. In light of the extraordinary complexity of this case, the unprecedented number of issues under appeal and the large number of participants and third participants involved, the Appellate Body will not be able to circulate its report by 11 August 1997. We estimate that the Appellate Body Report in this appeal will be circulated to WTO Members by Tuesday, 9 September 1997.