

CANADA – MEASURES AFFECTING THE EXPORT OF CIVILIAN AIRCRAFT

Recourse by Brazil to Article 21.5 of the DSU

Communication from the Appellate Body

The following communication, dated 15 June 2000, from the Chairman of the Appellate Body addressed to the Chairman of the Dispute Settlement Body, is circulated in accordance with Article 4.9 of the *Agreement on Subsidies and Countervailing Measures*.

I am writing to you pursuant to Article 4.9 of the *Agreement on Subsidies and Countervailing Measures*, which stipulates that the Appellate Body shall circulate its report within 30 days from the date when a party to the dispute formally notifies its intention to appeal. Article 4.9 states, furthermore, that when the Appellate Body considers that it cannot provide its report within 30 days, it shall inform the Dispute Settlement Body in writing of the reasons for the delay together with an estimate of the period within which it will submit its report.

Brazil notified the Dispute Settlement Body of its decision to appeal certain issues of law covered in the Panel Report and legal interpretations developed by the Panel in this case on Monday, 22 May 2000 with the result that the 30-day period specified in Article 4.9 will expire on Wednesday, 21 June 2000. Due to the time required for completion and translation of its Report, the Appellate Body will not be able to circulate its Report by Wednesday, 21 June 2000. We estimate that the Appellate Body Report in this appeal will be circulated to WTO Members no later than Friday, 21 July 2000.
