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INDIA - ADDITIONAL DUTIES ON CERTAIN PRODUCTS FROM THE UNITED STATES

COMMUNICATION FROM THE PANEL

The following communication, dated 16 December 2021, addressed to the Chairperson of the Dispute Settlement Body (DSB), is circulated in accordance with Article 12.9 of the Dispute Settlement Understanding (DSU).

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 *India – Additional Duties on Certain Products from the United States* (DS585) was established by the DSB on 28 October 2019 and composed on 7 January 2020.

On 2 June 2020, the Panel informed the DSB that it did not expect to issue its report before the second quarter of 2021 due to the complexity of this dispute and the need to postpone the first substantive meeting of the Panel with the parties due to the global pandemic. Since COVID-19-related travel and meeting restrictions continue to be in place, the Panel, in consultation with the parties, has decided to continue to postpone its first substantive meeting until such time as sanitary conditions allow for in-person meetings in Geneva. Bearing in mind that the uncertain evolution of the pandemic makes planning somewhat provisional, the Panel at this stage hopes to be able to issue its Final Report in the second half of 2022.

The report will only be available to the public once it is circulated to the Members in all three working languages of the WTO. The date of circulation depends on completion of translation and the Panel is not in a position to provide an estimated circulation date at this time.

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