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CHINA – ADDITIONAL DUTIES ON CERTAIN PRODUCTS FROM THE UNITED STATES

COMMUNICATION FROM THE PANEL

The following communication, dated 17 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 in *China – Additional Duties on Certain Products from the United States* (DS558) was established by the DSB on 21 November 2018 and composed on 25 January 2019.

On 15 December 2020, the Panel informed the DSB that it expected to issue its report by the second half of 2021. However, the uncertainty related to the COVID-19 pandemic and restrictions to travel and in-person meetings caused additional delays to the proceedings.

After consulting with the parties, taking into account the current uncertainty about the pandemic's evolution into 2022, the Panel will tentatively proceed to arrange further meetings with the parties by virtual means. The Panel expects to issue its final report to the parties not earlier than 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.
