



24 February 2023

(23-1299)

Page: 1/1

Original: English

**EUROPEAN UNION AND CERTAIN MEMBER STATES – CERTAIN MEASURES
CONCERNING PALM OIL AND OIL PALM CROP-BASED BIOFUELS**

COMMUNICATION FROM THE PANEL

The following communication, dated 22 February 2023, 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 *EU and certain Member States – Palm Oil (Malaysia)* (DS600) was established by the DSB on 28 May 2021 and composed on 29 July 2021. On 7 February 2022, the Panel communicated to the DSB that it estimated that it would issue the final report to the parties not before the third quarter of 2022. In light of the complexity of the legal and factual issues that have arisen in this dispute, the Panel wishes to advise that it now expects to issue its final report to the parties not before the third quarter of 2023.

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.
