

**UNITED STATES – FINAL DUMPING DETERMINATION ON
SOFTWOOD LUMBER FROM CANADA**

Request from Canada for Arbitration under Article 21.3(c) of the DSU

The following communication, dated 18 October 2004, from the delegation of Canada to the Chairperson of the Dispute Settlement Body, is circulated at the request of that delegation.

On 31 August 2004, the Dispute Settlement Body (DSB) adopted the Appellate Body Report and the Panel Report in *United States – Final Dumping Determination on Softwood Lumber from Canada* (WT/DS264/AB/R and WT/DS264/R).

At the DSB meeting of 27 September 2004, the United States stated that it would require a reasonable period of time to comply with the recommendations and rulings of the DSB. Unfortunately, Canada and the United States have been unable to agree on a reasonable period of time.

As a result, Canada requests that the reasonable period of time be determined through binding arbitration pursuant to Article 21.3(c) of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) within 90 days after the adoption of the recommendations and rulings (i.e., on or before 29 November 2004).

Canada stands ready to enter into consultations with the United States with a view to reaching agreement on an arbitrator within the 10-day period provided for in footnote 12 of the DSU.
