

**UNITED STATES – SUNSET REVIEWS OF ANTI-DUMPING MEASURES
ON OIL COUNTRY TUBULAR GOODS FROM ARGENTINA**

Recourse by the United States to Article 22.6 of the DSU

Communication from the Arbitrator

The following communication, dated 21 June 2007, has been received from the Delegation of Argentina and the Delegation of the United States and addressed to Mr. Paul O'Connor, Chairman of the arbitrators:

"Argentina and the United States wish to thank you and the other arbitrators for accepting to serve in the above-referenced proceeding.

On May 21, 2007, Argentina requested authorization from the WTO Dispute Settlement Body (DSB) to suspend the application to the United States of tariff concessions and related obligations under the General Agreement on Tariffs and Trade (GATT) 1994 (WT/DS268/24), pursuant to Article 22.2 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU").

On June 1, 2007, the United States objected to the level of suspension of concessions and other obligations proposed by Argentina (WT/DS268/25). In accordance with Article 22.6 of the DSU, the matter was referred to arbitration.

Article 3.7 of the DSU provides that a "solution mutually acceptable to the parties to a dispute and consistent with the covered agreements is clearly to be preferred." In light of the US statement at the 4 June 2007 meeting of the DSB that 'on Thursday, May 31, 2007, the US International Trade Commission made a negative determination of likelihood of continuation or recurrence of injury in its sunset review concerning Oil Country Tubular Goods from Argentina' and that '[t]he antidumping order will therefore be revoked,' Argentina and the United States jointly request that the Article 22.6 arbitration proceeding be suspended until either party subsequently requests its resumption.

Argentina and the United States have agreed that, if either party decides to request resumption of the arbitration proceeding, that party will provide the other party with 30 days' advance notice before making such a request."

In accordance with the parties' joint request, the arbitrators have suspended the arbitration proceeding, until either party subsequently requests its resumption. The arbitrators have also taken note of the parties' agreement that, if either party decides to request resumption of the arbitration proceeding, that party will provide the other party with 30 days' advance notice before making such a request.
