

**EUROPEAN COMMUNITIES - ANTI-DUMPING DUTIES ON IMPORTS
OF COTTON-TYPE BED LINEN FROM INDIA**

Understanding between India and the European Communities
Regarding Procedures under Articles 21 and 22 of the DSU

The following communication, dated 13 September 2001, from the Permanent Mission of India and the Permanent Delegation of the European Commission to the Chairman of the Dispute Settlement Body, is circulated in accordance with Articles 21 and 22 of the DSU.

**Agreed Procedures between India and the European Communities
under Articles 21 and 22 of the Understanding on Rules and Procedures
Governing the Settlement of Disputes (DSU) in the follow-up to the dispute
"European Communities - Anti-Dumping Duties on Imports of Cotton-Type Bed Linen from
India"**

1. On 12 March 2001, the Dispute Settlement Body (DSB) adopted the Appellate Body report and the Panel report as modified by the Appellate Body report in this dispute.
2. On 26 April 2001, pursuant to Article 21.3(b) of the DSU, the European Communities (EC) and India agreed on the reasonable period of time for implementation of the DSB recommendations and rulings (WT/DS141/10). As per the terms of the Agreement, the implementation process was to be completed by 14 August 2001.
3. On 7 August 2001 the EC adopted Council Regulation (EC) No 1644/2001 amending Regulation (EC) No 2398/97 imposing a definitive anti-dumping duty on imports of cotton-type bed linen originating in Egypt, India and Pakistan and suspending its application with regard to imports originating in India. This regulation entered into force on 14 August 2001.
4. The EC considers that by adopting Regulation 1644/2001 it has fully implemented the DSB recommendations and rulings in the dispute "EC - Anti-Dumping Duties on Imports of Cotton-Type Bed Linen from India" (WT/DS141). India has made known to the EC that it is in disagreement as to whether Regulation 1644/2001 constitutes full implementation of the DSB recommendations and rulings in the above mentioned dispute.
5. In spite of this divergence of views, the parties agree however that:

"If on the basis of the results of proceedings under Article 21.5 of the DSU that might be initiated by India no later than 31 March 2002, India decides to initiate proceedings under Article 22 of the DSU, the EC will not assert that India is precluded from obtaining DSB authorization because India's request was made outside the 30 day time-period specified in the first sentence of Article 22.6 of the DSU."

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