



**INDIA – MEASURES CONCERNING THE IMPORTATION OF  
CERTAIN AGRICULTURAL PRODUCTS**

**COMMUNICATION FROM THE APPELLATE BODY**

The following notification, dated 25 March 2015, from the Chair of the Appellate Body addressed to the Chair of the Dispute Settlement Body, is circulated to Members in accordance with Article 17.5 of the Understanding on Rules and Procedures Governing the Settlement of Disputes.

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I am writing to you pursuant to Article 17.5 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), which stipulates that, as a general rule, the Appellate Body will circulate its report no later than 60 days after the appellant has formally notified the Dispute Settlement Body (DSB) of its decision to appeal. Article 17.5 states, furthermore, that when the Appellate Body considers that it cannot provide its report within 60 days, it shall inform the DSB in writing of the reasons for the delay together with an estimate of the period within which it will submit its report.

India notified the DSB on 26 January 2015 of its decision to appeal certain issues of law covered in the Panel Report and legal interpretations developed by the Panel in this case, with the result that the 60-day period expires on Friday, 27 March 2015. For the reasons expressed below, the Appellate Body will not be able to circulate its report by this date, or within the 90-day timeframe provided for in the last sentence of Article 17.5 of the DSU.

The Appellate Body has faced a substantial workload in the first half of 2015, with several appeals proceeding in parallel, and there has been overlap in the composition of the Divisions hearing these different appeals during this period. Due to the scheduling issues arising from these circumstances and the number and complexity of the issues raised in this and concurrent appeal proceedings, together with the demands that these concurrent appeals place on the WTO Secretariat's translation services, the Appellate Body will not be able to circulate its report in this dispute within the 90-day timeframe provided for in Article 17.5 of the DSU.

For these reasons, we estimate that the Appellate Body report in this appeal will be circulated to WTO Members no later than Thursday, 4 June 2015.

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