



21 November 2016

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**UNITED STATES – MEASURES CONCERNING THE IMPORTATION, MARKETING, AND SALE
OF TUNA AND TUNA PRODUCTS**

RECOURSE TO ARTICLE 21.5 OF THE DSU BY THE UNITED STATES

COMMUNICATION FROM THE PANEL

The following communication, dated 18 November 2016, was received from the Chairperson of the Panel with the request that it be circulated to the Dispute Settlement Body.

Article 21.5 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) provides that the panel shall circulate its report within 90 days after the date of referral of the matter to it.

Article 21.5 of the DSU further provides that, when a panel considers that it cannot provide its report within this time frame, it shall inform the Dispute Settlement Body (DSB) in writing of the reasons together with an estimate of the period within which it will submit its report.

On 9 May 2016, the DSB referred the dispute *United States – Measures Concerning the Importation, Marketing, and Sale of Tuna and Tuna Products, Recourse to Article 21.5 of the DSU by the United States* (WT/DS/381) to the original panel, if possible. The Panel was composed on 27 May 2016.¹ Due to the unavailability of the chairperson of the original panel, the parties agreed on Mr Stéfan Haukur Jóhannesson as chairperson.

Due to the complexity of the issues in dispute, as well as the arbitration proceedings being held in this matter under Article 22.6 of the DSU, in which the panelists in these Article 21.5 proceedings are also serving, the Panel expects to issue its final report to the parties by mid-May 2017.

¹ See WT/DS381/37.