



13 March 2015

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**CHINA – MEASURES IMPOSING ANTI-DUMPING DUTIES ON  
HIGH-PERFORMANCE STAINLESS STEEL SEAMLESS TUBES ("HP-SSST")  
FROM THE EUROPEAN UNION**

**JOINT REQUEST BY CHINA AND THE EUROPEAN UNION  
FOR A DECISION BY THE DSB**

The following communication, dated 12 March 2015, from the delegation of China and the delegation of the European Union to the Chairperson of the Dispute Settlement Body (DSB), is circulated at the request of those delegations.

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Taking into account the current workload of the Appellate Body, the European Union and the People's Republic of China would like to request the Dispute Settlement Body (DSB) to adopt the draft decision attached to this letter with respect to the dispute *China — Measures Imposing Anti-Dumping Duties on High-Performance Stainless Steel Seamless Tubes ("HP-SSST") from the European Union* (WT/DS460). We consider that the draft DSB decision, if adopted, would provide greater flexibility in scheduling any possible appeal of the panel report in this dispute, which was circulated to WTO Members on 13 February 2015. Attached to the letter you will also find the text of the procedural agreement between the parties to the dispute.

We would be grateful if you could circulate this notification including its attachments to the Members of the DSB.

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Draft Decision of the DSB

The DSB agrees that, upon a request by the European Union or the People's Republic of China, the DSB shall no later than 20 May 2015 adopt the report of the panel in the dispute *China — Measures Imposing Anti-Dumping Duties on High-Performance Stainless Steel Seamless Tubes ("HP-SSST") from the European Union* (WT/DS460) unless (i) the DSB decides by consensus not to do so or (ii) either party to the dispute notifies the DSB of its decision to appeal pursuant to Article 16.4 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*.

Confirmed Procedures between the European Union and the People's Republic of China regarding  
the Time Period under Article 16.4 of the DSU

1. In order to take into account the current workload of the Appellate Body, the above parties have decided that the 60-day time period in Article 16.4 of Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), as applicable to the above dispute, will be extended to 20 May 2015, and that a decision of the Dispute Settlement Body (DSB) on this extension will be sought at the meeting of the DSB to be held on 25 March 2015.
2. The parties decide to seek this extension on the understanding that the rights of the parties to the dispute with respect to adoption or appeal of the panel report panel in the dispute *China — Measures Imposing Anti-Dumping Duties on High-Performance Stainless Steel Seamless Tubes ("HP-SSST") from the European Union* (WT/DS460) are preserved, as if such adoption or appeal had been requested within the 60-day time period specified in Article 16.4 of the DSU.
3. Neither party will file a notice of appeal of the panel report before 20 May 2015, provided the DSB decision set out in paragraph 1 is obtained.
4. If for any reason neither party files a notice of appeal and appellant submission on 20 May 2015, the report would be presented for adoption at the DSB meeting to be held on that date.

For the People's Republic of China

For the European Union

H.E. Mr YU Jianhua  
Ambassador  
Permanent Representative of China  
to the WTO

H.E. Mr Angelos PANGRATIS  
Ambassador  
Permanent Representative of  
the European Union to the WTO

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