

**THAILAND – CUSTOMS AND FISCAL MEASURES ON  
CIGARETTES FROM THE PHILIPPINES**

Communication from the Chairman of the Panel

The following communication, dated 3 September 2009, addressed to the Chairman of the Dispute Settlement Body (DSB), is circulated in accordance with Article 12.9 of the Dispute Settlement Understanding (DSU).

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Article 12.8 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) provides that the period in which a panel shall conduct its examination, from the date that the composition and terms of reference of the panel have been agreed upon until the date the final report is issued to the parties to the dispute, shall, as a general rule, not exceed six months.

Article 12.9 of the DSU provides that when a panel considers that it cannot issue its report within six months, it shall inform the Dispute Settlement Body (DSB) in writing of the reasons for the delay together with an estimate of the period within which it will issue its report.

The Panel in *Thailand – Customs and Fiscal Measures on Cigarettes from the Philippines* (WT/DS371) was established by the DSB on 17 November 2008 and composed on 16 February 2009.

Due to the complexity of the dispute, and the administrative and procedural matters involved, the Panel is not able to complete its work in six months. Based on the current assessment of the process, the Panel would expect to issue its final report to the parties in the course of March 2010.

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