



20 February 2019

(19-0963)

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**Dispute Settlement Body**  
**22 June 2018**

## MINUTES OF MEETING

HELD IN THE CENTRE WILLIAM RAPPARD  
ON 22 JUNE 2018

*Chairperson: Ms. Sunanta Kangvalkulkij (Thailand)*

### *Corrigendum\**

Item 5, paragraph 5.34 should read as follows:

"The representative of New Zealand said that his country thanked the United States for the detailed explanation of its concerns. It was helpful to better understand the reasons behind the US position, and hopefully try to find a way forward. In New Zealand's view, adherence to the time-frames, set out in Article 17.5 of the DSU, was important for ensuring the prompt settlement of disputes. For this reason, Members had set the time-frames in the first place. New Zealand thus considered that these time-frames should only be exceeded in exceptional circumstances and not as a matter of course, although, in the current situation, the WTO Membership needed to bear in mind the resourcing difficulties facing the Appellate Body. However, while a failure to meet these time-frames was undesirable, it did not, in New Zealand's view, call into question the legitimacy of an Appellate Body report. New Zealand did not consider that a report issued outside the time-frames in Article 17.5 of the DSU ceased to be an Appellate Body report, or that this should affect the method of adoption. New Zealand had heard several points made at the present meeting about how the Appellate Body might function in particular cases, but more importantly, New Zealand had also heard the reminders that Members needed to be very careful in the way that they compiled the record on appeals before the Appellate Body so that these timeframes could be met. New Zealand stood ready to work constructively with other delegations to try and find solutions to this and other concerns that had been raised."

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\* In English only.