

**EUROPEAN UNION – ANTI-DUMPING MEASURES ON  
CERTAIN FOOTWEAR FROM CHINA**

Joint Request by China and the European Union  
for a Decision by the DSB

The following communication, dated 6 December 2011, from the delegation of China and the delegation of the European Union to the Chairperson of the Dispute Settlement Body, is circulated at the request of those delegations.

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The People's Republic of China and the European Union would like to request that the Dispute Settlement Body (DSB) adopt the enclosed draft decision with respect to the dispute *European Union – Anti-Dumping Measures on Certain Footwear from China* (WT/DS405) at its meeting to be held on 19 December 2011. We consider that the decision would provide greater flexibility in scheduling given the heavy workload on the Appellate Body at this time. 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 request including its attachments to WTO Members.

Draft decision of the DSB:

"The DSB agrees that, upon a request by the People's Republic of China or the European Union, the DSB shall no later than 22 February 2012, adopt the report of the panel in the dispute *European Union – Anti-Dumping Measures on Certain Footwear from China* (WT/DS405/R) unless (i) the DSB decides by consensus not to do so or (ii) the People's Republic of China or the European Union 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*."

**Procedural Agreement between the People's Republic of China and the European Union  
regarding the Time Period under Article 16.4 of the DSU in**

*European Union – Anti-Dumping Measures  
on Certain Footwear from China (WT/DS405)*

1. In order to take into account the current workload of the Appellate Body, the above parties agree 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 22 February 2012, 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 19 December 2011.
2. The parties agree to this extension on the understanding that the rights of the parties to the dispute with respect to adoption or appeal of the panel report (WT/DS405/R) 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 February 2012, provided the DSB decision set out in paragraph 1 is obtained.

For the People's Republic of China

For the European Union

YI Xiaozhun  
Ambassador  
Permanent Representative to the WTO

Angelos Pangratis  
Ambassador  
Permanent Representative to the WTO

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