

**CHILE – PRICE BAND SYSTEM AND SAFEGUARD MEASURES
RELATING TO CERTAIN AGRICULTURAL PRODUCTS**

Surveillance of Implementation of Recommendations and Rulings

*Agreement on an Arbitrator under Article 21.3(c) of the
Understanding on Rules and Procedures Governing the Settlement of Disputes*

The following communication, dated 16 December 2002, from the Permanent Mission of Argentina and the Permanent Mission of Chile to Mr. John Lockhart, is circulated to WTO Members.

We refer to the communication from Chile (WT/DS207/9), dated 6 December 2002, requesting binding arbitration under Article 21.3(c) of the Understanding on Rules and Procedures for the Settlement of Disputes ("DSU") to determine the reasonable period of time for Chile to implement the recommendations and rulings of the Dispute Settlement Body ("DSB") in the matter "*Chile – Price Band System and Safeguard Measures Relating to Certain Agricultural Products*" (WT/DS207/R and WT/DS207/AB/R).

The parties to the dispute, Argentina and Chile, have agreed on your name as an Arbitrator, pursuant to Footnote 12 to Article 21.3(c) of the DSU. In that sense, we are writing to convey our request for you to act as Arbitrator in this matter.

Pursuant to the attached joint communication, the parties to this dispute have also agreed to extend the period of time for this binding arbitration, which shall be completed no later than 90 days after the date of the appointment of the Arbitrator. The parties to this dispute agree that the award of the arbitrator, made within the agreed time period, shall be deemed to be the award of the arbitrator for the purposes of Article 21.3(c) of the DSU in determining the reasonable period of time for Chile to implement the recommendations and rulings of the DSB.

Thanking you in advance for your contribution on this matter, we take this opportunity to express the assurances of our highest consideration.

NOTE: The "attached joint communication" referenced in the above communication is found at WT/DS207/10.