

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

Surveillance of Implementation of Recommendations and Rulings

*Acceptance of the Appointment as Arbitrator under Article 21.3(c) of the  
Understanding on Rules and Procedures Governing the Settlement of Disputes*

The following communication, dated 17 December 2002, from Mr. John Lockhart to the Permanent Mission of Argentina and the Permanent Mission of Chile is circulated to WTO Members.

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I have the honour to refer to your letter of 16 December 2002 (WT/DS207/11), and to confirm that I accept the appointment as arbitrator to determine, pursuant to Article 21.3(c) of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* (the "DSU"), the reasonable period of time for the Republic of Chile to implement the recommendations and rulings of the DSB in *Chile – Price Band System and Safeguard Measures Relating to Certain Agricultural Products* (WT/DS207).

With respect to the time-period for the arbitration, Article 21.3(c) of the DSU provides that the reasonable period of time for implementation be determined through binding arbitration within 90 days after the date of adoption of the recommendations and rulings by the DSB. This adoption took place on 23 October 2002 (WT/DS207/8). Consequently, the deadline for concluding this arbitration normally would be 21 January 2003. However, I note that both participants to this dispute have agreed, in the letter of 16 December 2002, to extend the period of time such that this arbitration be concluded no later than 90 days after my appointment as Arbitrator, and that the report issued thereunder be deemed to be the award of the arbitrator pursuant to Article 21.3(c) of the DSU. Accordingly, and in order to ensure that all parties have an opportunity to present their arguments fully, and that I have the time to consider carefully the arguments of the parties, I propose to issue the award not later than Monday, 17 March 2003, which is 90 days from today.

I understand that both participants have agreed to meet with staff of the Appellate Body Secretariat on 18 December 2003, commencing at 9:30 a.m., to discuss matters related to the scheduling of various aspects of this arbitration proceeding. Following this meeting, I will issue a working schedule for this arbitration proceeding.

If you have any questions about the conduct of this arbitration, please contact Mr. Arun Venkataraman of the Appellate Body Secretariat, at 022 739 5588.

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