

CHINA – MEASURES AFFECTING IMPORTS OF AUTOMOBILE PARTS

Constitution of the Panel Established at the Requests of the European Communities, the United States and Canada

Note by the Secretariat

1. At its meeting on 26 October 2006, the Dispute Settlement Body (DSB) established a single Panel pursuant to the requests of the European Communities in document WT/DS339/8, the United States in document WT/DS340/8 and Canada in document WT/DS342/8 in accordance with Article 9 of the Dispute Settlement Understanding (DSU) (WT/DSB/M/156).

2. The Panel's terms of reference are the following:

"To examine, in the light of the relevant provisions of the covered agreements cited by the European Communities in document WT/DS339/8, the United States in documents WT/DS340/8 and Canada in document WT/DS342/8, the matter referred to the DSB by the European Communities, the United States, and Canada in those documents, and to make such findings as will assist the DSB in making the recommendations or in giving the rulings provided for in those agreements."

3. On 19 January 2007, the European Communities, the United States and Canada requested the Director-General to determine the composition of the Panel, pursuant to paragraph 7 of Article 8 of the DSU. This paragraph provides:

"If there is no agreement on the panelists within 20 days after the date of the establishment of a panel, at the request of either party, the Director-General, in consultation with the Chairman of the DSB and the Chairman of the relevant Council or Committee, shall determine the composition of the panel by appointing the panelists whom the Director-General considers most appropriate in accordance with any relevant special or additional rules or procedures of the covered agreement or covered agreements which are at issue in the dispute, after consulting with the parties to the dispute. The Chairman of the DSB shall inform the Members of the composition of the panel thus formed no later than 10 days after the date the Chairman receives such a request."

4. On 29 January 2007, the Director-General accordingly composed the Panel as follows:

Chairman: Mr Julio Lacarte-Muró

Members: Mr Ujal Singh Bhatia
Mr Wilhelm Meier

5. Argentina, Australia, Brazil, Japan, Mexico, Chinese Taipei and Thailand have reserved their rights to participate in the Panel proceedings as third parties.
