

**EUROPEAN COMMUNITIES - ANTI-DUMPING DUTIES ON  
IMPORTS OF COTTON TYPE BED LINEN FROM INDIA**

Recourse by India to Article 21.5 of the DSU

Constitution of the Panel established

Note by the Secretariat

*This document has been prepared under the Secretariat's own responsibility and without prejudice to the positions of Members and to their rights and obligations under the WTO*

1. At its meeting on 22 May 2002, the DSB referred this dispute to the original Panel in accordance with Article 21.5 of the DSU to examine the matter referred to the DSB by India (WT/DS141/13/Rev.1).

2. At that DSB meeting, the parties to the dispute also agreed that the Panel should have standard terms of reference. The terms of reference are, therefore, the following:

"To examine, in the light of the relevant provisions of the covered agreements cited by India in document WT/DS141/13/Rev.1, the matter referred by India to the DSB in that document, 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. A member of the original Panel was unable to participate in these proceedings.

4. On 25 June 2002, the parties agreed on a replacement panelist, and as a result the Panel was composed as follows:

Chairman: Mr. Dariusz ROSATI

Members: Mr. Paul O'CONNOR

Mr. Virachai PLASAI

5. Korea and the United States reserved their third-party rights.