

UNITED STATES – SUBSIDIES ON UPLAND COTTON

Recourse by the United States to Article 22.6 of the DSU
and Article 7.10 of the SCM Agreement

Communication from the Arbitrator

The following communication, dated 21 November 2005 and addressed to Mr Darius Rosati, Chairman of the Arbitrator, has been received from the delegation of Brazil and the delegation of the United States.

Brazil and the United States wish to thank you and the other arbitrators for accepting to serve in the above-referenced proceeding.

On 6 October 2005, Brazil requested authorization from the Dispute Settlement Body ("DSB") to take countermeasures in connection with the dispute *United States – Subsidies on Upland Cotton* (WT/DS267/26). The United States objected to Brazil's request on 17 October 2005 (WT/DS267/27). The matter has been referred to arbitration pursuant to Article 22.6 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU").

Noting that the United States reaffirmed in the DSB's meeting of 18 October 2005, its commitment to implement the recommendations and rulings of the DSB in this dispute, and in light of the preference for WTO-consistent solutions mutually acceptable to the parties to a dispute set out in DSU Article 3.7, the United States and Brazil request that the Article 22.6 arbitration proceedings be suspended until either party subsequently requests their resumption.

Brazil and the United States have agreed that, if either party decides to request resumption of the arbitration proceedings, that party will provide the other party with 30 days' advance notice before making such a request.

In accordance with the joint request by the parties, the Arbitrator has suspended the arbitration proceedings.
