

**UNITED STATES – MEASURES RELATING TO ZEROING  
AND SUNSET REVIEWS**

Recourse to Article 22.6 of the DSU by the United States

*Communication from the Arbitrator*

The following communication has been received, on 13 December 2010, from the Chairperson of the Arbitrator, with the request that it be circulated to the Dispute Settlement Body.

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The United States and Japan have jointly requested the Arbitrator to suspend its work, in the context of informal discussions with respect to implementation (see the request attached).

On the basis of this request, the Arbitrator has decided to suspend its work.

The suspension can be terminated at any time at the written request of either Party and upon such termination the Arbitrator's work will resume.

The suspension will be automatically terminated and the Arbitrator's work will resume on 8 September 2011, unless Japan submits a written communication to the contrary to the Arbitrator by 7 September 2011.

The suspension is without prejudice to any of the Parties' claims and arguments in these dispute settlement proceedings

The suspension will not otherwise affect the rights and obligations of either Party under the Marrakesh Agreement Establishing the World Trade Organization or in these dispute settlement proceedings.

**Communication dated 10 December 2010,  
Addressed to Mr Jose Antonio Buencamino, Chairperson of the Arbitrator,  
from the delegations of the United States and Japan**

The United States and Japan (the "Parties") wish to thank you and the other members of the Arbitrator for agreeing to serve in the above-referenced proceeding.

The United States would like to inform the Arbitrator that it has sought informal discussions with Japan with respect to implementation. In that context, the United States respectfully requests the Arbitrator to suspend its work. In light of that, Japan joins the United States in making such request, subject to the following conditions.

The Parties hereby confirm the following matters, which they request the Arbitrator to incorporate expressly or by reference in any decision by the Arbitrator to suspend:

- the suspension may be terminated at any time at the written request of either Party and upon such termination the work of the Arbitrator will resume;
  - the suspension will be automatically terminated and the work of the Arbitrator will resume on 8 September 2011, unless Japan submits a written communication to the contrary to the Arbitrator by 7 September 2011;
  - the suspension is without prejudice to any of the Parties' claims and arguments in these dispute settlement proceedings; and
  - the suspension will not otherwise affect the rights and obligations of either Party under the *Marrakesh Agreement Establishing the World Trade Organization* or in these dispute settlement proceedings."
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