

**CHINA – MEASURES AFFECTING TRADING RIGHTS AND
DISTRIBUTION SERVICES FOR CERTAIN PUBLICATIONS
AND AUDIOVISUAL ENTERTAINMENT PRODUCTS**

Communication from the Chairman of the Panel

The following communication, dated 28 May 2009, addressed to the Chairman of the Dispute Settlement Body (DSB), is circulated in accordance with Article 12.9 of the Dispute Settlement Understanding (DSU).

Article 12.8 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) provides that the period in which a panel shall conduct its examination, from the date that the composition and terms of reference of the panel have been agreed upon until the date the final report is issued to the parties to the dispute, shall, as a general rule, not exceed six months.

Article 12.9 of the DSU provides that, when a panel considers that it cannot issue its report within six months, it shall inform the Dispute Settlement Body (DSB) in writing of the reasons for the delay, together with an estimate of the period within which it will issue its report.

The Panel on *China – Measures Affecting Trading Rights and Distribution Services for Certain Publications and Audiovisual Entertainment Products* (WT/DS363) was established by the DSB on 27 November 2007, and composed on 27 March 2008. On 22 September 2008, the Panel informed the DSB that it would not be able to complete its work within six months from the date of the Panel's composition, and that the estimated date for the issuance of the final report to the parties to the dispute was February 2009. On 26 February 2009, the Panel informed the DSB that, due in particular to the need to have recourse to an outside expert to address various translations issues, it estimated to issue its final report in May 2009.

The complexity of the matter and the length of the report has resulted in some additional delays, including so as to give the parties sufficient time to review the interim report. The Panel now estimates that it will issue its final report to the parties in the second half of June 2009.
