

**UNITED STATES – FINAL DUMPING DETERMINATION ON  
SOFTWOOD LUMBER FROM CANADA**

Recourse to Article 21.5 of the DSU by Canada

*Communication from the Chairman of the Panel*

The following communication, dated 16 September 2005, addressed to the Chairman of the Dispute Settlement Body (DSB), is circulated pursuant to Article 21.5 of the Dispute Settlement Understanding (DSU).

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Article 21.5 of the DSU stipulates that a panel considering the existence or consistency with a covered agreement of measures taken to comply with the recommendations and rulings of the DSB shall circulate its report within 90 days after the date of referral of the matter to it.

Article 21.5 of the DSU further states that when a panel considers that it cannot provide its report within this time frame, it shall inform the DSB in writing of the reasons for the delay together with an estimate of the period within which it will submit its report.

The matter *United States – Final Dumping Determination on Softwood Lumber from Canada - Recourse to Article 21.5 of the DSU by Canada (DS264)* was referred to the original Panel by the DSB on 1 June 2005, with the formalities in composing the Panel being completed on 3 June 2005.

It will not be possible for the Panel to complete its work in 90 days in light of the withdrawal of the Chairman of the Panel and consequent need to appoint a new Chairman, and scheduling conflicts.

The Panel expects to complete its work in February 2006.

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