

**UNITED STATES – ANTI-DUMPING ACT OF 1916**

Recourse by the United States to Article 22.6 of the DSU

*Communication from the Arbitrators*

The following communication, dated 19 September 2003 and addressed to Mr. Dimitrij Grčar, Chairman of the Arbitrators, has been received from the Permanent Delegation of the European Commission.

"By Communication WT/DS136/18 of 4 March 2002 from the Arbitrator in the above proceeding it was announced that the arbitration proceeding had been suspended in accordance with the joint request by the parties. In the communication, the Arbitrator took note of the parties' agreement that the arbitration proceeding may be reactivated at the request of either party after 30 June 2002 if no substantial progress has been made in resolving the dispute by that date.

The request for the suspension of the arbitration proceeding was made in consideration that a proposal to repeal the 1916 Act and to terminate cases pending under the Act had been introduced in the US Congress. However, up until now, no act has been adopted to repeal the 1916 Act and to terminate the cases pending before US courts.

In light of these circumstances, the European Communities wishes to reactivate the arbitration proceeding."

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In accordance with the terms of the joint request for suspension contained in document WT/DS136/18 whereby the arbitration proceeding may be reactivated at the request of either party after 30 June 2002, the suspension is now terminated and the Arbitrators will resume their work.

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