WORLD TRADE

ORGANIZATION

INDIA - QUANTITATIVE RESTRICTIONS ON IMPORTS OF
AGRICULTURAL, TEXTILE AND INDUSTRIAL PRODUCTS

Constitution of the Panel Established at the Request of the United States

Note by the Secretariat

1.   At its meeting on 18 November 1997, the Dispute Settlement Body (DSB) established a panel at the request made by the United States (WT/DSB/M/39).

2.   At that meeting, the parties to the dispute agreed that the Panel should have standard terms of reference. The terms of reference are the following:

> "To examine, in light of the relevant provisions of the covered agreements cited by the United States in WT/DS90/8, the matter referred to the DSB by the United States in that document and to make such findings as will assist the DSB in making the recommendations or in giving the rulings provided for in those agreements".

3.   On 10 February 1998, the United States requested the Director-General to determine the composition of the Panel, pursuant to paragraph 7 of Article 8 of the DSU. Paragraph 7 of Article 8 provides:

> "If there is no agreement on the panelists within 20 days after the date of the establishment of a panel, at the request of either party, the Director-General, in consultation with the Chairman of the DSB and the Chairman of the relevant Council or Committee, shall determine the composition of the panel by appointing the panelists whom the Director-General considers most appropriate in accordance with any relevant special or additional rules or procedures of the covered agreement or covered agreements which are at issue in the dispute, after consulting with the parties to the dispute. The Chairman of the DSB shall inform the Members of the composition of the panel thus formed no later than 10 days after the date the Chairman receives such a request".

4.   On 20 February 1998, the Director-General accordingly composed the Panel as follows:

> Chairman: Ambassador Celso Lafer
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> Members: Professor Paul Demaret
> Professor Richard Snape

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