

**UNITED STATES – LAWS, REGULATIONS AND METHODOLOGY FOR
CALCULATING DUMPING MARGINS ("ZEROING")**

Recourse to Article 22.6 of the DSU by the United States

Communication from the Arbitrator

The following communication, dated 2 July 2012, has been received from the Chairman of the Arbitrator with the request that it be circulated to the Dispute Settlement Body.

The Arbitrator has received a joint communication dated 22 June 2012 (attached) from the parties in which they:

- (a) recall their joint communication dated 6 February 2012, informing the Arbitrator of a Memorandum with respect to this dispute, as well as the subsequent communication from the Arbitrator dated 10 February 2012, by which the Arbitrator decided to extend the suspension of its work until 28 June 2012;
- (b) inform the Arbitrator that the European Union has now withdrawn its request under Article 22.2 of the Understanding on Rules and Procedures Governing the Settlement of Disputes ("DSU") and that the United States accordingly no longer makes objections under Article 22.6 of the DSU;
- (c) jointly request that the Arbitrator notify the Dispute Settlement Body that it is not necessary for it to issue a report or an award in this dispute.

In light of the circumstances described in this joint communication, the Arbitrator considers that it is not necessary for it to issue a decision on the matter referred to it. The Arbitrator therefore considers that it has completed its work.

ATTACHMENT

22 June 2012

Mr. Felipe Jaramillo
Chairperson of the Arbitration Panel/Arbitrator¹
*United States – Laws, Regulations and Methodology
for Calculating Dumping Margins ("Zeroing") – Recourse
to Article 22.6 of the DSU by the United States (DS294)*
World Trade Organization
Centre William Rappard
Rue de Lausanne 154
1211 Geneva

Dear Mr. Jaramillo,

The United States and the European Union would like to express our sincere thanks to you and the other Members of the Arbitration Panel/Arbitrator for your service in the above-referenced proceeding.

The United States and the European Union recall their joint communication dated 6 February 2012, informing the Arbitration Panel/Arbitrator of a Memorandum with respect to this dispute, as well as the subsequent communication from the Arbitration Panel/Arbitrator dated 10 February 2012, by which the Arbitration Panel/Arbitrator decided to extend the suspension of its work until 28 June 2012.

The United States and the European Union would like to note that the European Union has now withdrawn its request under Article 22.2 of the Understanding on Rules and Procedures Governing the Settlement of Disputes ("DSU") (WT/DS294/35) and to inform the Arbitration Panel/Arbitrator that the United States accordingly no longer makes objections under Article 22.6 of the DSU. The United States and the European Union therefore respectfully request that the Arbitration Panel/Arbitrator notify the Dispute Settlement Body that it is not necessary for it to issue a report/an award in this dispute.

For the European Union:

(signed)
Angelos Pangratis
Ambassador

For the United States:

(signed)
Michael Punke
Ambassador

¹ The Parties recall that they have different views concerning what is the correct terminology to use in these proceedings, but are resolved that this joint letter should not imply that either Party relinquishes its position of principle with respect to that matter.