

**EUROPEAN COMMUNITIES AND CERTAIN MEMBER STATES –
MEASURES AFFECTING TRADE IN LARGE CIVIL AIRCRAFT**

Communication from the Chairman of the Panel

The following communication, dated 13 April 2006, 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 *European Communities and Certain Member States – Measures Affecting Trade in Large Civil Aircraft* (WT/DS316) was established by the DSB on 20 July 2005 and composed on 17 October 2005.

It will not be possible for the Panel to complete its work in six months in light of the substantive and procedural complexities involved in this dispute, including the process of developing information concerning serious prejudice under Annex V of the *SCM Agreement*, another request for consultations by the United States¹, the Panel's subsequent agreement, at the parties' request, to set aside the original timetable for the dispute until an unspecified date in the future, and another request for the establishment of a panel by the United States.²

The Panel expects to complete its work in 2007.

¹ Circulated in document WT/DS316/1/Add. 1, dated 7 February 2006.

² Circulated in document WT/DS316/6, dated 11 April 2006. See also the United States request in document WT/DS316/5, dated 11 April 2006.