

**CHINA – MEASURES RELATED TO THE EXPORTATION
OF VARIOUS RAW MATERIALS**

Joint Communication from the United States and China

The following communication, dated 10 January 2012, from the delegation of the United States and the delegation of China to the Presiding Member of the Division of the Appellate Body hearing this appeal, is circulated at the request of those delegations.

Prior to the initiation of the appeal in the above referenced dispute, the Appellate Body Secretariat requested to meet with the United States and China to discuss scheduling issues relating to a possible appeal. The Secretariat informed the parties that the Appellate Body considered that it would not be possible to circulate the Appellate Body Report in an appeal within the 90-day time limit referred to in Article 17.5 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU"). In light of the complex appeal under consideration by the Appellate Body and the numerous issues likely to arise in an appeal in this dispute, the United States and China agreed to extend the 90-day deadline for completion of the Appellate Body Report.

On 28 October 2011, the Appellate Body informed the DSB of its reasons for the delay in providing its report and stated that the report "will be circulated to Members no later than Tuesday, 31 January 2012". Consistent with past practice, the United States and China hereby confirm that they will each deem an Appellate Body Report in this proceeding, issued no later than 31 January 2012, to be an Appellate Body Report circulated pursuant to Article 17.5 of the DSU.

H.E. Mr. Michael Punke
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Ms. Zhao Hong
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