

BRAZIL - MEASURES AFFECTING DESICCATED COCONUT

Communication from the Appellate Body

The following communication, dated 12 February 1997, from the Chairman of the Appellate Body addressed to the Chairman of the Dispute Settlement Body, is circulated in accordance with Article 17.5 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*.

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I am writing to you pursuant to Article 17.5 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* which stipulates that, as a general rule, the Appellate Body will circulate its report no later than 60 days after the appellant has formally notified its decision to appeal. Article 17.5 states, furthermore, that when the Appellate Body considers that it cannot provide its report within 60 days, it shall inform the DSB in writing of the reasons for the delay together with an estimate of the period within which it will submit its report.

Brazil notified the Dispute Settlement Body of its decision to appeal certain issues of law covered in the Panel Report and legal interpretations developed by the Panel in this case on 16 December 1996, with the result that the 60-day period will expire on Friday, 14 February 1997. In light of (i) the extension of the time periods for the filing of written submissions in response to a joint request by the participants due to the Christmas holiday period at the WTO, and (ii) the time required for translation of the report, the Appellate Body is not able to circulate its report by 14 February 1997. We estimate that the report will be circulated to WTO Members no later than Friday, 28 February 1997.