

**UNITED STATES – INVESTIGATION OF THE INTERNATIONAL
TRADE COMMISSION IN SOFTWOOD LUMBER FROM CANADA**

Recourse to Article 21.5 of the DSU by Canada

Constitution of the Panel

Note by the Secretariat

1. At its meeting on 25 February 2005, the Dispute Settlement Body (DSB) referred this dispute, if possible, to the original Panel in accordance with Article 21.5 of the Dispute Settlement Understanding (DSU) to examine the matter referred to the DSB by Canada in document WT/DS277/8.

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

"To examine, in the light of the relevant provisions of the covered agreements cited by Canada in document WT/DS277/8, the matter referred to the DSB by Canada 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 2 March 2005, the Panel was composed as follows:

Chairman: Mr Hardeep Singh Puri

Members: Mr Paul O'Connor
Ms Luz Elena Reyes de la Torre

4. China and the European Communities have reserved their rights to participate in the Panel proceedings as third parties.
