

**UNITED STATES – ANTI-DUMPING MEASURES ON  
CERTAIN HOT-ROLLED STEEL PRODUCTS FROM JAPAN**

Surveillance of Implementation of Recommendations and Rulings

*Appointment of Arbitrator under Article 21.3(c) of the  
Understanding on Rules and Procedures Governing the Settlement of Disputes*

The following communication, dated 6 December 2001, from the Permanent Mission of the United States and the Permanent Mission of Japan to the Director-General, is circulated pursuant to Article 21.3(c) of the DSU.

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We wish to refer to the communication from the Government of Japan, dated 20 November 2001 (WT/DS184/9), whereby the latter requested binding arbitration under Article 21.3(c) of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) in order to determine the "reasonable period of time" for the United States of America to implement the recommendations and rulings of the Dispute Settlement Body (DSB) in the above proceeding, adopted on 23 August 2001.

The Parties to the dispute, the United States and Japan, have agreed on an arbitrator, Mr. Florentino P. Feliciano, pursuant to footnote 12 to Article 21.3(c) of the DSU. The purpose of this letter is to request you to officially convey to Mr. Feliciano our request for him to act as arbitrator in this proceeding. We also request that the staff of the WTO Appellate Body Secretariat assist Mr. Feliciano in his functions as arbitrator.

With respect to the time-period for the binding arbitration, the parties to the dispute have already agreed that the award of the arbitrator is to be made no later than 19 February 2002, and that it shall be deemed to be the award of the arbitrator for the purpose of Article 21.3(c) of the DSU in determining the "reasonable period of time" for the United States to implement the recommendations and rulings of the DSB. We confirm herewith this agreement, as contained in the communication from the United States and Japan dated 21 November 2001 (WT/DS184/10).

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