

**CHINA – COUNTERVAILING AND ANTI-DUMPING DUTIES ON GRAIN ORIENTED
FLAT-ROLLED ELECTRICAL STEEL FROM THE UNITED STATES**

Communication from the Appellate Body

The following communication, dated 18 September 2012, from the Chair of the Appellate Body addressed to the Chair 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*.

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 the Dispute Settlement Body (the "DSB") of 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.

China notified the DSB on 20 July 2012 of its decision to appeal certain issues of law covered in the Panel Report and legal interpretations developed by the Panel in this case. Due to the time required for completion and translation of the Report, the Appellate Body has not been able to circulate its Report by the end of the 60-day period, which expires on Tuesday, 18 September 2012. We estimate that the Appellate Body Report in this appeal will be circulated to WTO Members no later than Thursday, 18 October 2012, which is 90 days after the appeal was filed in this case.
