

WORLD TRADE ORGANIZATION

WT/DSB/39
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DISPUTE SETTLEMENT BODY

Annual Report (2005)¹

The present report has been prepared in pursuance of the Procedures for an Annual Overview of WTO Activities and for Reporting under the WTO (WT/L/105), and sets out the actions taken by the Dispute Settlement Body (DSB) in the period since its previous annual report.²

In carrying out its tasks, the DSB has held 21 meetings since the period covered by the previous report. The minutes of these meetings, which remain the record of the DSB's work, are contained in documents WT/DSB/M/179 – WT/DSB/M/199³ and should be read in conjunction with this report.

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¹ The overview of the state of play of WTO disputes since 1 January 1995 to 30 September 2005 prepared by the Secretariat on its own responsibility is included, for practical purposes, in an Addendum to this report.

² WT/DSB/37.

³ The present report includes meetings of the DSB starting from the 13 December 2004 DSB meeting until the 18 October 2005 DSB meeting.

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1. Election of Chairperson (WT/DSB/M/183)

At its meeting on 17 February 2005, the DSB elected Amb. Eirik Glenne (Norway) as Chairperson of the DSB by acclamation.

The outgoing and the incoming Chairpersons spoke.

The DSB took note of the statements.

2. Appointment of Appellate Body members (WT/DSB/M/192, 194, 198)

At the DSB meeting on 20 June 2005, the Chairman made a statement concerning the positions currently held by three Appellate Body members eligible for reappointment by the DSB to serve on the Appellate Body for a second term. To this effect, he proposed to launch, as from 20 June 2005, the process leading up to a decision on the positions held by these three Appellate Body members and invited delegations with views on the possible reappointment of those Appellate Body members to contact him before 15 July 2005. He said that he would inform the DSB of the results of his consultations at the 20 July DSB meeting.

The representative of the European Communities and the Chairman spoke.

The DSB took note of the statements.

At the DSB meeting on 20 July 2005, the Chairman made a statement regarding the results of his consultations with delegations on this matter. In light of these consultations, and consistent with

the process outlined at the 20 June DSB meeting, he proposed that a decision on the reappointment of the three Appellate Body members eligible to serve on the Appellate Body for a second term be taken by the DSB at its meeting on 27 September 2005.

The representative of the European Communities and the Chairman spoke.

The DSB took note of the statements.

At its meeting on 27 September 2005, the DSB agreed to reappoint Messrs. Luiz Olavo Baptista, John Lockhart and Giorgio Sacerdoti as Appellate Body members for a second four-year term, to begin on 12 December 2005.

The representative of Brazil and the Chairman spoke.

The DSB took note of the statements.

3. Indicative list of governmental and non-governmental panelists (WT/DSB/M/180, 189, 199)

At its meeting on 17 December 2004, the DSB approved the names contained in document WT/DSB/W/272 proposed for inclusion on the indicative list, in accordance with Article 8.4 of the DSU.

At its meeting on 19 May 2005, the DSB approved the name contained in document WT/DSB/W/286 proposed for inclusion on the indicative list, in accordance with Article 8.4 of the DSU.

At its meeting on 18 October 2005, the DSB approved the name contained in document WT/DSB/W/299 proposed for inclusion on the indicative list, in accordance with Article 8.4 of the DSU.

4. Adoption of the 2005 draft Annual Report of the DSB (WT/DSB/M/199)

At the DSB meeting on 18 October 2005, the Chairman submitted for adoption a draft text of the 2005 Annual Report of the DSB contained in WT/DSB/W/298 and Add.1. He proposed that, following the adoption of the Annual Report, the Secretariat be authorized to update this Report under its own responsibility in order to include the actions taken by the DSB at the present meeting. He said that the updated Annual Report would be submitted for consideration by the General Council at its meeting in December 2005.

The DSB took note of the statement and adopted the draft Annual Report contained in WT/DSB/W/298 and Add.1 on the understanding that it would be further updated by the Secretariat, as proposed by the Chairman.

5. Recourse to dispute settlement procedures

(a) Canada

(i) *Continued suspension of obligations in the EC – Hormones dispute (WT/DSB/M/182, 183)*

At its meeting on 25 January 2005, the DSB considered a request by the European Communities for the establishment of a panel to examine its complaint with regard to Canada's continued suspension of obligations under the WTO Agreement *vis-à-vis* the EC in relation to the Hormones dispute (WT/DS321/6).

The representatives of the European Communities and Canada spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 17 February 2005, the DSB again considered this matter.

The representatives of the European Communities and Canada spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of Australia, China, Mexico, Chinese Taipei and the United States reserved their third-party rights to participate in the Panel's proceedings.⁴

(b) Dominican Republic

(i) *Measures affecting the importation and internal sale of cigarettes (WT/DSB/M/189, 191)*

In January 2004⁵, the DSB agreed to establish a panel to examine the complaint by Honduras pertaining to this matter. In January 2005, the Dominican Republic notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel (WT/DS302/8).

At its meeting on 19 May 2005, the DSB considered the Appellate Body Report contained in WT/DS302/AB/R and the Panel Report contained in WT/DS302/R pertaining to this matter.

The representatives of Honduras, the Dominican Republic and the European Communities spoke.

The DSB took note of the statements, and adopted the Appellate Body Report contained in WT/DS302/AB/R and the Panel Report WT/DS302/R, as modified by the Appellate Body Report.

At the DSB meeting on 13 June 2005, the representative of the Dominican Republic informed the DSB of her country's intentions in respect of implementation of the DSB's recommendations and rulings in this dispute, pursuant to Article 21.3 of the DSU.

The representatives of the Dominican Republic and Honduras spoke.

The DSB took note of the statements and of the information provided by the Dominican Republic regarding its intentions in respect of implementations of the DSB's recommendations in this dispute.

(c) Egypt

(i) *Anti-dumping duties on matches from Pakistan (WT/DSB/M/192, 194)*

At its meeting on 20 June 2005, the DSB considered a request by Pakistan for the establishment of a panel to examine its complaint with regard to Egypt's anti-dumping duties on matches from Pakistan (WT/DS327/2).

The representatives of Pakistan and Egypt spoke.

⁴After the meeting, Brazil, India, New Zealand and Norway reserved their third-party rights to participate in the Panel's proceedings.

⁵WT/DSB/M/162.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 20 July 2005, the DSB again considered this matter.

The representatives of Pakistan and Egypt spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of China, the European Communities, Japan and the United States reserved their third-party rights to participate in the Panel's proceedings.

(d) European Communities

(i) *Countervailing measures on dynamic random access memory chips from Korea (WT/DSB/M/195, 196)*

In January 2004⁶, the DSB agreed to establish a panel to examine the complaint by Korea pertaining to this matter.

At its meeting on 3 August 2005, the DSB considered the Panel Report contained in WT/DS299/R pertaining to this matter.

The representatives of Korea, the European Communities and the United States spoke.

The DSB took note of the statements and adopted the Panel Report contained in WT/DS299/R.

At the DSB meeting on 31 August 2005, the representative of the European Communities informed the DSB of the EC's intentions in respect of implementation of the DSB's recommendations and rulings in this dispute, pursuant to Article 21.3 of the DSU.

The representatives of the European Communities and Korea spoke.

The DSB took note of the statements and of the information provided by the European Communities regarding its intentions in respect of implementation of the DSB's recommendations and rulings in this dispute.

(ii) *Customs classification of frozen boneless chicken cuts (WT/DSB/M/198, 199)*

In November 2003⁷, the DSB agreed to establish a panel to examine the complaint by Brazil pertaining to this matter. Subsequently, also in November 2003⁸, the DSB agreed that the Panel established to examine the complaint by Brazil would also examine the complaint by Thailand pertaining to the same matter. In June 2005, the European Communities notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel (WT/DS269/6 – WT/DS286/8).

At its meeting on 27 September 2005, the DSB considered the Appellate Body Report contained in WT/DS269/AB/R – WT/DS286/AB/R and the Panel Reports contained in WT/DS269/R and WT/DS286/R pertaining to these matters.

⁶ WT/DSB/M/163.

⁷ WT/DSB/M/157.

⁸ WT/DSB/M/158.

The representatives of Brazil, Thailand, the European Communities, Japan and the United States spoke.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS269/AB/R – WT/DS286/AB/R and the Panel Reports contained in WT/DS269/R and WT/DS286/R, as modified by the Appellate Body Report.

At the DSB meeting on 18 October 2005, the representative of the European Communities informed the DSB of the EC's intentions in respect of implementation of the DSB's recommendations and rulings in these disputes, pursuant to Article 21.3 of the DSU.

The representatives of the European Communities, Brazil and Thailand spoke.

The DSB took note of the statements and of the information provided by the European Communities regarding its intentions in respect of implementation of the DSB's recommendations and rulings in these disputes.

(iii) *Export subsidies on sugar (WT/DSB/M/179, 189, 191, 198)*

At the DSB meeting on 13 December 2004, Australia, Brazil, Thailand and the European Communities requested the DSB to agree to postpone consideration of the Panel Reports pertaining to the dispute: "European Communities – Export Subsidies on Sugar" and to the extension of the corresponding time-period in Article 16.4 of the DSU until 31 January 2005, in accordance with the procedural agreement reached by the parties to the dispute (WT/DS265/24 – WT/DS266/24 – WT/DS283/5).

The representatives of Australia, Brazil, Thailand, the European Communities, Norway, the United States and the Chairman spoke.

The DSB took note of the statements and of the request in WT/DS265/24 – WT/DS266/24 – WT/DS283/5 and agreed that it will adopt the Panel Reports, upon request, on or before 31 January 2005, unless the DSB decides by consensus not to do so or a party notifies the DSB of its decision to appeal.

In August 2003⁹, the DSB agreed to establish a single panel to examine the complaints by Australia, Brazil and Thailand pertaining to these matters. In January 2005, the European Communities notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel (WT/DS265/25 – WT/DS266/25 – WT/DS283/6).

At its meeting on 19 May 2005, the DSB considered the Appellate Body Report contained in WT/DS265/AB/R – WT/DS266/AB/R – WT/DS283/AB/R and the Panel Reports contained in WT/DS265/R; WT/DS266/R; and WT/DS283/R pertaining to these matters.

The representatives of Australia, Brazil, Thailand, the European Communities, Mauritius, on behalf of 14 ACP countries, and the representatives of Canada, St Kitts and Nevis and India spoke.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS265/AB/R – WT/DS266/AB/R – WT/DS283/AB/R and the Panel Reports contained in WT/DS265/R; WT/DS266/R; and WT/DS283/R, as modified by the Appellate Body Report.

⁹ WT/DSB/M/155.

At the DSB meeting on 13 June 2005, the representative of the European Communities informed the DSB of the EC's intentions in respect of implementation of the DSB's recommendations and rulings in these disputes, pursuant to Article 21.3 of the DSU.

The representatives of the European Communities, Australia, Brazil, Thailand and Mauritius spoke.

The DSB took note of the statements and of the information provided by the European Communities regarding its intentions in respect of implementation of the DSB's recommendations and rulings in these disputes.

At the DSB meeting on 27 September 2005, Australia, Brazil and Thailand submitted, pursuant to Article 21.6 of the DSU, a joint communication contained in WT/DS265/32 – WT/DS266/32 – WT/DS283/13 and expressed their views regarding the EC's decision to introduce declassification measures in the Sugar sector.

The representatives of Australia, Brazil, Thailand and the European Communities spoke.

The DSB took note of the statements.

(iv) *Measures affecting trade in commercial vessels (WT/DSB/M/192, 194)*

In March 2004¹⁰, the DSB agreed to establish a panel to examine the complaint by Korea pertaining to this matter.

At its meeting on 20 June 2005, the DSB considered the Panel Report contained in WT/DS301/R pertaining to this matter.

The representatives of Korea, the European Communities and the Untied States spoke.

The DSB took note of the statements and adopted the Panel Report contained in WT/DS301/R.

At the DSB meeting on 20 July 2005, the representative of the European Communities informed the DSB of the EC's intentions in respect of implementation of the DSB's recommendations and rulings in this dispute, pursuant to Article 21.3 of the DSU.

The representatives of the European Communities and Korea spoke.

The DSB took note of the statements and of the information provided by the European Communities regarding implementation of the DSB's recommendations in this dispute.

(v) *Protection of trademarks and geographical indications for agricultural products and foodstuffs (WT/DSB/M/188, 189)*

In October 2003¹¹, the DSB agreed to establish a single panel to examine the complaints by the United States and Australia pertaining to these matters.

At its meeting on 20 April 2005, the DSB considered the Panel Report contained in WT/DS174/R and Add.1, 2 & 3 pertaining to the complaint by the United States and the Panel Report contained in WT/DS290/R and Add.1, 2 & 3 pertaining to the complaint by Australia.

¹⁰ WT/DSB/M/166.

¹¹ WT/DSB/M/156.

The representatives of the United States, Australia, the European Communities, Canada and India spoke.

The DSB took note of the statements and adopted the Panel Report contained in WT/DS174/R and Add.1, 2 & 3 pertaining to the complaint by the United States and the Panel Report contained in WT/DS290/R and Add.1, 2 & 3 pertaining to the complaint by Australia.

At the DSB meeting on 19 May 2005, the representative of the European Communities informed the DSB of the EC's intentions in respect of implementation of the DSB's recommendations and rulings in this dispute, pursuant to Article 21.3 of the DSU.

The representatives of the European Communities, the United States and Australia spoke.

The DSB took note of the statements and of the information provided by the European Communities regarding its intentions in respect of implementation of the DSB's recommendations and rulings in this dispute.

(vi) *Selected customs matters (WT/DSB/M/182, 186)*

At its meeting on 25 January 2005, the DSB considered a request by the United States for the establishment of a panel to examine its complaint with regard to the EC's selected customs matters (WT/DS315/8).

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 21 March 2005, the DSB again considered this matter.

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of Australia, Brazil, China and Chinese Taipei reserved their third-party rights to participate in the Panel's proceedings.¹²

(e) European Communities and certain member States

(i) *Measures affecting trade in large civil aircraft (WT/DSB/M/191, 194, 195, 196, 197)*

At its meeting on 13 June 2005, the DSB considered a request by the United States for the establishment of a panel to examine its complaint with regard to the measures of the EC and certain member States affecting trade in large civil aircraft (WT/DS316/2).

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 20 July 2005, the DSB again considered this matter.

¹² After the meeting, Argentina, India, Japan, Korea and Hong Kong, China reserved their third-party rights to participate in the Panel's proceedings.

The representatives of the United States, the European Communities and the Chairman spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Articles 4.4 and 7.4 of the SCM Agreement and Article 6 of the DSU with standard terms of reference.

The representatives of Australia, Brazil, Canada, China, Japan and Korea reserved their third-party rights to participate in the Panel's proceedings.

At its meeting on 3 August 2005, the DSB considered the request by the United States for the initiation of the procedures for developing information concerning serious prejudice under Annex V of the SCM Agreement and designation of the representative referred to in paragraph 4 of that Annex (WT/DS316/2).

The representatives of the United States, the European Communities and Brazil spoke.

The DSB took note of the statements.

At its meeting on 31 August 2005, the DSB again considered the request by the United States for the initiation of the procedures for developing information concerning serious prejudice under Annex V of the SCM Agreement and designation of the representative referred to in paragraph 4 of that Annex (WT/DS316/2).

The representatives of the United States, the European Communities and Canada spoke.

The DSB took note of the statements.

At its meeting on 23 September 2005, the DSB again considered the request by the United States for the initiation of the procedures for developing information concerning serious prejudice under Annex V of the SCM Agreement and designation of the representative referred to in paragraph 4 of that Annex (WT/DS316/2).

The representatives of the United States, the European Communities, Japan, Brazil and the Chairman spoke.

The DSB took note of the statements and agreed, as requested by the United States in document WT/DS316/2, to initiate the procedures for developing information concerning serious prejudice under Annex V of the SCM Agreement, pursuant to paragraph 2 of Annex V of the SCM Agreement. Furthermore, also at the request of the United States, the DSB agreed to designate Mr. Mateo Diego-Fernández as a representative to serve the function of facilitating the information-gathering process, pursuant to paragraph 4 of Annex V of the SCM Agreement.

(f) Japan

(i) *Import quotas on dried laver and seasoned laver (WT/DSB/M/183, 186)*

At its meeting on 17 February 2005, the DSB considered a request by Korea for the establishment of a panel to examine Japan's import quotas on dried laver and seasoned laver (WT/DS323/2).

The representatives of Korea and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 21 March 2005, the DSB again considered this matter.

The representatives of Korea and Japan spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of China, the European Communities and the United States reserved their third-party rights to participate in the Panel's proceedings.¹³

(ii) *Measures affecting the importation of apples: Recourse to Article 21.5 of the DSU by the United States (WT/DSB/M/194, 196)*

In July 2004¹⁴, the DSB decided, in accordance with Article 21.5 of the DSU, to refer to the original Panel the matter raised by the United States concerning Japan's implementation of the DSB's recommendations and rulings pertaining to this matter.

At its meeting on 20 July 2005, the DSB considered the Panel Report contained in WT/DS245/RW pertaining to this matter.

The representatives of the United States, Japan, the European Communities and the Chairman spoke.

The DSB took note of the statements and adopted the Panel Report contained in WT/DS245/RW.

At its meeting on 31 August 2005, the representative of Japan announced that his country and the United States had reached a mutually agreed solution pertaining to this dispute (WT/DS245/21).

The representatives of Japan and the United States spoke.

The DSB took note of the statements.

(g) Korea

(i) *Measures affecting trade in commercial vessels (WT/DSB/M/187)*

In July 2003¹⁵, the DSB agreed to establish a panel to examine the complaint by the European Communities pertaining to this matter.

At its meeting on 11 April 2005, the DSB considered the Panel Report contained in WT/DS273/R.

The representatives of Korea, the European Communities and the United States spoke.

The DSB took note of the statements and adopted the Panel Report contained in WT/DS273/R.

¹³ After the meeting, New Zealand reserved its third-party rights to participate in the Panel's proceedings.

¹⁴ WT/DSB/M/174.

¹⁵ WT/DSB/M/153.

(h) United States

(i) *Anti-dumping measures on certain hot-rolled steel products from Japan (WT/DSB/M/194)*

At its meeting on 20 July 2005, the DSB considered the joint request by Japan and the United States for the adoption of the draft decision contained in document WT/DS184/19 pertaining to this dispute.

The representatives of Japan, the United States, Mexico and the Chairman spoke.

The DSB took note of the statements and agreed to the draft decision contained in document WT/DS184/19.

(ii) *Continued Dumping and Subsidy Offset Act of 2000 (WT/DSB/M/180, 182)*

At its meeting on 17 December 2004, the DSB considered a request by Chile, pursuant to Article 22.7 of the DSU, for the DSB's authorization to suspend the application to the United States of tariff concessions or other obligations (WT/DS217/43).

The representatives of Chile, Japan, the United States and the European Communities spoke.

The DSB took note of the statements and, pursuant to the request by Chile under Article 22.7 of the DSU contained in document WT/DS217/43, agreed to grant authorization to suspend the application to the United States of tariff concessions or other obligations consistent with the Arbitrator's decision contained in document WT/DS217/ARB/CHL.

At its meeting on 25 January 2005, the DSB considered: (i) the joint request by Australia and the United States (WT/DS217/44); (ii) the joint request by Thailand and the United States (WT/DS217/45); and (iii) the joint request by Indonesia and the United States (WT/DS217/46) for the adoption by the DSB of the draft decisions, as contained in the respective documents pertaining to the Byrd Amendment disputes.

The representatives of Australia, Thailand, Indonesia, the United States, Japan and the Chairperson spoke.

The DSB took note of the statements and agreed to the draft decisions contained in documents WT/DS217/44; WT/DS217/45; and WT/DS217/46 respectively.

(iii) *Continued suspension of obligations in the EC – Hormones dispute (WT/DSB/M/182, 183)*

At its meeting on 25 January 2005, the DSB considered a request by the European Communities for the establishment of a panel to examine its complaint with regard to the US continued suspension of obligations under the WTO Agreement *vis-à-vis* the EC in relation to the Hormones dispute (WT/DS320/6).

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 17 February 2005, the DSB again considered this matter.

The representatives of European Communities and the United States spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of Australia, Canada, China, Mexico and Chinese Taipei reserved their third-party rights to participate in the Panel's proceedings.¹⁶

- (iv) *Countervailing duty investigations on dynamic access memory semiconductors (DRAMS) from Korea (WT/DSB/M/194, 195)*

In January 2004¹⁷, the DSB agreed to establish a panel to examine the complaint by Korea pertaining to this matter. In March 2005, the United States notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel (WT/DS296/5).

At its meeting on 20 July 2005, the DSB considered the Appellate Body Report contained in WT/DS296/AB/R and the Panel Report contained in WT/DS296/R pertaining to this matter.

The representatives of the United States, Korea, the European Communities, Canada and the Chairman spoke.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS296/AB/R and the Panel Report contained in WT/DS296/R, as modified by the Appellate Body Report.

At the DSB meeting on 3 August 2005, the representative of the United States informed the DSB of his country's intentions in respect of implementation of the DSB's recommendations and rulings in this dispute, pursuant to Article 21.3 of the DSU.

The representatives of the United States and Korea spoke.

The DSB took note of the statements and the information provided by the United States regarding its intentions in respect of implementation of the DSB's recommendations and rulings in this dispute.

- (v) *Countervailing measures concerning certain products from the European Communities: Recourse to Article 21.5 of the DSU by the European Communities (WT/DSB/M/198)*

In September 2004¹⁸, the DSB agreed, pursuant to Article 21.5 of the DSU, to refer to the original Panel the matter raised by the European Communities concerning the implementation by the United States of the DSB's recommendations and rulings in this dispute.

At its meeting on 27 September 2005, the DSB considered the Panel Report contained in WT/DS212/RW pertaining to this matter.

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and adopted the Panel Report contained in WT/DS212/RW.

¹⁶ After the meeting, Brazil, India, New Zealand and Norway reserved their third-party rights to participate in the Panel's proceedings.

¹⁷ WT/DSB/M/163.

¹⁸ WT/DSB/M/176.

(vi) *Final countervailing duty determination with respect to certain softwood lumber from Canada (WT/DSB/M/181)*

At its meeting on 14 January 2005, the DSB considered a request by Canada for the establishment of a panel to examine the US implementation of the DSB's recommendations and rulings on this matter, pursuant to Article 21.5 of the DSU (WT/DS257/15).

The representatives of Canada and the United States spoke.

The DSB took note of the statements and agreed, pursuant to Article 21.5 of the DSU, to refer to the original Panel, if possible, the matter raised by Canada in document WT/DS257/15. It was agreed that the Panel would have standard terms of reference.

The representative of the European Communities reserved its third-party rights to participate in the Panel's proceedings.¹⁹

At its meeting on 14 January 2005, the DSB considered a request by Canada under Article 22.2 of the DSU for the DSB's authorization to suspend the application to the United States of tariff concessions or other obligations (WT/DS257/16).

The representatives of Canada and the United States spoke.

The DSB took note of the statements and it was agreed that the matter raised by the United States in document WT/DS257/17 is referred to arbitration, as required by Article 22.6 of the DSU.

(vii) *Final dumping determination on softwood lumber from Canada (WT/DSB/M/180, 189, 190)*

At the DSB meeting on 17 December 2004, the representative of the United States stated that her country and Canada had agreed on a reasonable period of time for the United States to implement the DSB's recommendations and rulings in the Lumber dispute (WT/DS264/12).

The representatives of the United States and Canada spoke.

The DSB took note of the statements.

At the DSB meeting on 19 May 2005, the representative of the United States stated that her country had implemented the DSB's recommendations and rulings in the dispute: "United States – Final Dumping Determination on Softwood Lumber from Canada" (DS264).

The DSB took note of the statement.

At its meeting on 1 June 2005, the DSB considered a request by Canada for the establishment of a panel to examine the implementation by the United States of the DSB's recommendations and rulings on this matter, pursuant to Article 21.5 of the DSU (WT/DS264/16).

The representatives of Canada and the United States spoke.

The DSB took note of the statements and agreed, pursuant to Article 21.5 of the DSU, to refer to the original Panel, if possible, the matter raised by Canada in document WT/DS264/16. It was agreed that the Panel would have standard terms of reference.

¹⁹ After the meeting, China reserved its third-party rights to participate in the Panel's proceedings.

The representatives of China, the European Communities, India and Japan reserved their third-party rights to participate in the Panel's proceedings.

At its meeting on 1 June 2005, the DSB considered a request by Canada under Article 22.2 of the DSU for the DSB's authorization to suspend the application to the United States of tariff concessions or other obligations (WT/DS264/17).

The representatives of Canada and the United States spoke.

The DSB took note of the statements and it was agreed that the matter raised by the United States in document WT/DS264/19 is referred to arbitration, as required by Article 22.6 of the DSU.

(viii) *Investigation of the International Trade Commission in softwood lumber from Canada (WT/DSB/M/182, 184)*

At the DSB meeting on 25 January 2005, the representative of the United States stated that his country had implemented the DSB's recommendations and rulings in this dispute (DS277).

The representatives of the United States and Canada spoke.

The DSB took note of the statements.

At its meeting on 25 February 2005, the DSB considered a request by Canada for the establishment of a panel to examine the implementation by the United States of the DSB's recommendations and rulings in this dispute, pursuant to Article 21.5 of the DSU (WT/DS277/8).

The representatives of Canada and the United States spoke.

The DSB took note of the statements and agreed, pursuant to Article 21.5 of the DSU, to refer to the original Panel, if possible, the matter raised by Canada in document WT/DS277/8. It was agreed that the Panel would have standard terms of reference.

The representative of the European Communities reserved its third-party rights to participate in the Panel's proceedings.²⁰

At its meeting on 25 February 2005, the DSB considered a request by Canada under Article 22.2 of the DSU for the DSB's authorization to suspend the application to the United States of tariff concessions or other obligations (WT/DS277/9).

The representatives of Canada and the United States spoke.

The DSB took note of the statements and it was agreed that the matter raised by the United States in document WT/DS277/10 is referred to arbitration, as required by Article 22.6 of the DSU.

²⁰ After the meeting, China reserved its third-party rights to participate in the Panel's proceedings.

(ix) *Measures affecting the cross-border supply of gambling and betting services (WT/DSB/M/188, 189)*

In July 2003²¹, the DSB agreed to establish a panel to examine the complaint by Antigua and Barbuda pertaining to this matter. In January 2005, the United States notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel (WT/DS285/6).

At its meeting on 20 April 2005, the DSB considered the Appellate Body Report contained in WT/DS285/AB/R and the Panel Report contained in WT/DS285/R.

The representatives of Antigua and Barbuda, the United States, the European Communities and Japan spoke.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS285/AB/R and the Panel Report contained in WT/DS285/R, as modified by the Appellate Body Report.

At the DSB meeting on 19 May 2005, the representative of the United States informed the DSB of her country's intentions in respect of implementation of the DSB's recommendations and rulings in this dispute, pursuant to Article 21.3 of the DSU.

The representatives of the United States and Antigua and Barbuda spoke.

The DSB took note of the statements and of the information provided by the United States regarding its intentions in respect of implementation of the DSB's recommendations and rulings in this dispute.

(x) *Measures affecting trade in large civil aircraft (WT/DSB/M/191, 194, 197)*

At its meeting on 13 June 2005, the DSB considered a request by the European Communities for the establishment of a panel to examine its complaint with regard to the US measures affecting trade in large civil aircraft (WT/DS317/2).

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 20 July 2005, the DSB again considered this matter.

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Articles 4.4 and 7.4 of the SCM Agreement and Article 6 of the DSU with standard terms of reference.

The representatives of Australia, Brazil, Canada, China, Japan and Korea reserved their third-party rights to participate in the Panel's proceedings.

At its meeting on 23 September 2005, the DSB considered the request by the European Communities for the initiation of the procedures for developing information concerning serious prejudice under Annex V of the SCM Agreement and designation of the representative referred to in paragraph 4 of that Annex (WT/DS317/2).

²¹ WT/DSB/M/153.

The representatives of the European Communities, the United States, Japan, Brazil and the Chairman spoke.

The DSB took note of the statements and agreed, as requested by the European Communities in document WT/DS317/2, to initiate the procedures for developing information concerning serious prejudice under Annex V of the SCM Agreement, pursuant to paragraph 2 of Annex V of the SCM Agreement. Furthermore, also at the request of the European Communities, the DSB agreed to designate Mr. Mateo Diego-Fernández as a representative to serve the function of facilitating the information-gathering process, pursuant to paragraph 4 of Annex V of the SCM Agreement.

(xi) *Measures relating to zeroing and sunset reviews (WT/DSB/M/183, 185)*

At its meeting on 17 February 2005, the DSB considered a request by Japan for the establishment of a panel to examine its complaint with regard to the US measures relating to zeroing and sunset reviews (WT/DS322/8).

The representatives of Japan, the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meeting on 28 February 2005, the DSB again considered this matter.

The representatives of Japan and the United States spoke.

The DSB took note of the statements and agreed to establish a panel in accordance with the provisions of Article 6 of the DSU with standard terms of reference.

The representatives of the European Communities, India, Korea, Mexico and Hong Kong, China reserved their third-party rights to participate in the Panel's proceedings.²²

(xii) *Section 211 Omnibus Appropriations Act of 1998 (WT/DSB/M/194)*

At its meeting on 20 July 2005, the DSB considered the joint request by the European Communities and the United States for the adoption by the DSB of the draft decision contained in document WT/DS176/16 pertaining to this dispute.

The representatives of the European Communities, the United States, Cuba and the Chairman spoke.

The DSB took note of the statements and agreed to the draft decision contained in document WT/DS176/16.

(xiii) *Subsidies on upland cotton (WT/DSB/M/186, 188, 193, 199)*

In March 2003²³, the DSB agreed to establish a panel to examine the complaint by Brazil pertaining to this matter. In October 2004, the United States notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel (WT/DS267/17).

At its meeting on 21 March 2005, the DSB considered the Appellate Body Report contained in WT/DS267/AB/R and the Panel Report contained in WT/DS267/R and Corr.1.

²² After the meeting, Argentina, China, New Zealand, Norway and Thailand reserved their third-party rights to participate in the Panel's proceedings.

²³ WT/DSB/M/145.

The representatives of Brazil, the United States, the European Communities, Argentina and Canada spoke.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS267/AB/R and the Panel Report contained in WT/DS267/R and Corr.1, as modified by the Appellate Body Report.

At the DSB meeting on 20 April 2005, the representative of the United States informed the DSB of his country's intentions in respect of implementation of the DSB's recommendations and rulings in this dispute, pursuant to Article 21.3 of the DSU.

The representatives of the United States, Brazil and the European Communities spoke.

The DSB took note of the statements and of the information provided by the United States regarding its intentions in respect of implementation of the DSB's recommendations in this dispute.

At its meeting on 15 July 2005, the DSB considered a request by Brazil under Article 4.10 of the SCM Agreement and Article 22.2 of the DSU for the DSB's authorization to take appropriate countermeasures and to suspend concessions or other obligations *vis-à-vis* the United States (WT/DS267/21).

The representatives of Brazil, the United States and the European Communities spoke.

The DSB took note of the statements and it was agreed that the matter raised by the United States in document WT/DS267/23 is referred to arbitration, as required by Article 22.6 of the DSU.

At its meeting on 18 October 2005, the DSB considered a request by Brazil under Article 7.9 of the SCM Agreement and Article 22.2 of the DSU for the DSB's authorization to take appropriate countermeasures and to suspend concessions or other obligations *vis-à-vis* the United States (WT/DS267/26).

The representatives of Brazil, the United States and the European Communities spoke.

The DSB took note of the statements and it was agreed that the matter raised by the United States in document WT/DS267/27 is referred to arbitration, as required by Article 22.6 of the DSU.

(xiv) *Sunset reviews of anti-dumping measures on oil country tubular goods from Argentina (WT/DSB/M/180, 181)*

In May 2003²⁴, the DSB agreed to establish a panel to examine the complaint by Argentina pertaining to this matter. In August 2004, the United States notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the Panel (WT/DS268/5).

At its meeting on 17 December 2004, the DSB considered the Appellate Body Report contained in WT/DS268/AB/R and the Panel Report contained in WT/DS268/R and Corr.1, pertaining to this matter.

The representatives of Argentina, the United States, Mexico, the European Communities, Norway and Hong Kong, China spoke.

²⁴ WT/DSB/M/150.

The DSB took note of the statements and adopted the Appellate Body Report contained in WT/DS268/AB/R and the Panel Report contained WT/DS268/R and Corr.1, as modified by the Appellate Body Report.

At the DSB meeting on 14 January 2005, the representative of the United States informed the DSB of his country's intentions in respect of implementation of the DSB's recommendations and rulings in this dispute, pursuant to Article 21.3 of the DSU.

The representatives of the United States, Argentina and India spoke.

The DSB took note of the statements.

(xv) *Tax treatment for "Foreign Sales Corporations" (WT/DSB/M/182, 183)*

At its meetings on 25 January 2005, the DSB considered a request by the European Communities for the establishment of a panel to examine the implementation by the United States of the DSB's recommendations and rulings in this dispute, pursuant to Article 21.5 of the DSU (WT/DS108/29).

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter.

At its meetings on 17 February 2005, the DSB again considered this matter.

The representatives of the European Communities and the United States spoke.

The DSB took note of the statements and agreed, pursuant to Article 21.5 of the DSU, to refer to the original Panel, if possible, the matter raised by the European Communities in document WT/DS108/29. It was agreed that the Panel would have standard terms of reference.

The representatives of Australia and China reserved their third-party rights to participate in the Panel's proceedings.²⁵

6. Surveillance of implementation of recommendations adopted by the DSB

Matters considered by the DSB under this item are included on the agenda pursuant to Article 21.6 of the DSU which provides that: "Unless the DSB decides otherwise, the issue of implementation of the recommendations or rulings shall be placed on the agenda of the DSB meeting after six months following the date of establishment of the reasonable time-period pursuant to paragraph 3 and shall remain on the DSB's agenda until the issue is resolved. At least 10 days prior to each such DSB meeting, the Member concerned shall provide the DSB with a status report in writing of its progress in the implementation of the recommendations or rulings".

(a) Canada

(i) *Measures relating to exports of wheat and treatment of imported grain (WT/DSB/M/189, 192, 194, 196)*

At its meeting on 19 May 2005, the DSB considered the status report by Canada on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS276/20).

²⁵ After the meeting, Brazil reserved its third-party rights to participate in the Panel's proceedings.

The representatives of Canada and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 June 2005, the DSB considered the status report by Canada on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS276/20/Add.1).

The representatives of Canada and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 July 2005, the DSB considered the status report by Canada on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS276/20/Add.2).

The representatives of Canada and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 31 August 2005, the DSB considered the status report by Canada on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS276/20/Add.3).

The representatives of Canada and the United States spoke.

The DSB took note of the statements.

(b) European Communities

(i) *Conditions for the granting of tariff preferences to developing countries (WT/DSB/M/188, 189, 192, 194)*

At its meeting on 20 April 2005, the DSB considered the status report by the European Communities on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS246/16).

The representatives of the European Communities and India spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 19 May 2005, the DSB considered the status report by the European Communities on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS246/16/Add.1).

The representatives of the European Communities and India spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 June 2005, the DSB considered the status report by the European Communities on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS246/16/Add.2).

The representatives of the European Communities and India spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 July 2005, the DSB considered the status report by the European Communities on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS246/16/Add.3).

The representatives of the European Communities and India spoke.

The DSB took note of the statements.

(c) Mexico

(i) *Measures affecting telecommunications services (WT/DSB/M/180, 182, 183, 186, 188, 189, 192, 194, 196)*

At its meeting on 17 December 2004, the DSB considered the status report by Mexico on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS204/9).

The representatives of Mexico and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 25 January 2005, the DSB considered the status report by Mexico on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS204/9/Add.1).

The representatives of Mexico and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 17 February 2005, the DSB considered the status report by Mexico on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS204/9/Add.2).

The representatives of Mexico and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 21 March 2005, the DSB considered the status report by Mexico on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS204/9/Add.3).

The representatives of Mexico and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 April 2005, the DSB considered the status report by Mexico on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS204/9/Add.4).

The representatives of Mexico and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 19 May 2005, the DSB considered the status report by Mexico on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS204/9/Add.5).

The representatives of Mexico and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 June 2005, the DSB considered the status report by Mexico on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS204/9/Add.6).

The representatives of Mexico and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 July 2005, the DSB considered the status report by Mexico on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS204/9/Add.7).

The representatives of Mexico and the United States spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 31 August 2005, the DSB considered the status report by Mexico on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS204/9/Add.8).

The representatives of Mexico and the United States spoke.

The DSB took note of the statements.

(d) United States

(i) *Anti-dumping measures on certain hot-rolled steel products from Japan (WT/DSB/M/180, 182, 183, 186, 188, 189, 192, 194, 196, 198, 199)*

At its meeting on 17 December 2004, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS184/15/Add.26).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 25 January 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS184/15/Add.27).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 17 February 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS184/15/Add.28).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 21 March 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS184/15/Add.29).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 April 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS184/15/Add.30).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 19 May 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS184/15/Add.31).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 June 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS184/15/Add.32).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 July 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS184/15/Add.33).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 31 August 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS184/15/Add.34).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 27 September 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS184/15/Add.35).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 18 October 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS184/15/Add.36).

The representatives of the United States and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

(ii) *Continued Dumping and Subsidy Offset Act of 2000* (WT/DSB/M/180, 182, 183, 186, 188, 189, 192, 194, 196, 198, 199)

At its meeting on 17 December 2004, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS217/16/Add.11 – WT/DS234/24/Add.11).

The representatives of the United States, the European Communities, Canada, Japan and Hong Kong, China spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 25 January 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS217/16/Add.12 – WT/DS234/24/Add.12).

The representatives of the United States, the European Communities, Canada and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 17 February 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS217/16/Add.13 – WT/DS234/24/Add.13).

The representatives of the United States, the European Communities, Japan and Canada spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 21 March 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS217/16/Add.14 – WT/DS234/24/Add.14).

The representatives of the United States, the European Communities, Canada, Japan, Brazil and Chile spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 April 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS217/16/Add.15 – WT/DS234/24/Add.15).

The representatives of the United States, the European Communities, Canada and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 19 May 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS217/16/Add.16 – WT/DS234/24/Add.16).

The representatives of the United States, the European Communities, Canada, Korea, India, Japan, Brazil and Chile spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 June 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS217/16/Add.17 – WT/DS234/24/Add.17).

The representatives of the United States, the European Communities, Canada, Korea, Japan, India and Brazil spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 July 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS217/16/Add.18 – WT/DS234/24/Add.18).

The representatives of the United States, the European Communities, Canada, Japan, Korea, India, Mexico and Brazil spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 31 August 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS217/16/Add.19 – WT/DS234/24/Add.19).

The representatives of the United States, the European Communities, Canada, Japan, Mexico and India spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 27 September 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS217/16/Add.20 – WT/DS234/24/Add.20).

The representatives of the United States, the European Communities, Canada, Japan and Brazil spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 18 October 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS217/16/Add.21 – WT/DS234/24/Add.21).

The representatives of the United States, the European Communities, Brazil, Canada and Japan spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

- (iii) *Final countervailing duty determination with respect to certain softwood lumber from Canada (WT/DSB/M/180)*

At its meeting on 17 December 2004, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS257/14/Add.1).

The representatives of the United States and Canada spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

- (iv) *Section 110(5) of the US Copyright Act (WT/DSB/M/180, 182, 183, 186, 188, 189, 192, 194, 196, 198, 199)*

At its meeting on 17 December 2004, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS160/24/Add.1).

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 25 January 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS160/24/Add.2).

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 17 February 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS160/24/Add.3).

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 21 March 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS160/24/Add.4).

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 April 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS160/24/Add.5).

The representatives of the United States, the European Communities and Australia spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 19 May 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS160/24/Add.6).

The representatives of the United States, the European Communities and Australia spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 June 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS160/24/Add.7).

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 July 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS160/24/Add.8).

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 31 August 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS160/24/Add.9).

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 27 September 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS160/24/Add.10).

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 18 October 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS160/24/Add.11).

The representatives of the United States and the European Communities spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

(v) *Section 211 Omnibus Appropriations Act of 1998 (WT/DSB/M/180, 182, 183, 186, 188, 189, 192, 194, 196, 198, 199)*

At its meeting on 17 December 2004, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS176/11/Add.26).

The representatives of the United States, the European Communities and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 25 January 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS176/11/Add.27).

The representatives of the United States, the European Communities and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 17 February 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS176/11/Add.28).

The representatives of the United States, the European Communities and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 21 March 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS176/11/Add.29).

The representatives of the United States, the European Communities and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 April 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS176/11/Add.30).

The representatives of the United States, the European Communities and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 19 May 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS176/11/Add.31).

The representatives of the United States, the European Communities and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 June 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS176/11/Add.32).

The representatives of the United States, the European Communities and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 20 July 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS176/11/Add.33).

The representatives of the United States, the European Communities and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 31 August 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS176/11/Add.34).

The representatives of the United States, the European Communities and Cuba spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 27 September 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS176/11/Add.35).

The representatives of the United States, the European Communities, Cuba, China and Canada spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

At its meeting on 18 October 2005, the DSB considered the status report by the United States on its progress in the implementation of the DSB's recommendations and rulings on this matter (WT/DS176/11/Add.36).

The representatives of the United States, the European Communities, Cuba, China, Venezuela, Brazil and Mexico spoke.

The DSB took note of the statements and agreed to revert to this matter at its next regular meeting.

7. Other matters raised under "Other Business"

- (a) United States – Anti-Dumping Act of 1916: Statement by the United States (WT/DSB/M/180)

At the DSB meeting on 17 December 2004, the representative of the United States stated that on 3 December 2004, the US president had signed into law the Miscellaneous Trade and Technical Corrections Act of 2004, which included a provision repealing the 1916 Act. Consequently, the United States stated that it had brought itself into compliance with the DSB's recommendations and rulings in this dispute.

The representatives of the United States, Japan and the European Communities spoke.

The DSB took note of the statements.

- (b) European Communities – Definitive safeguard measure on salmon: Statement by Chile (WT/DSB/M/192)

At the DSB meeting on 20 June 2005, the representative of Chile stated her country had withdrawn its request for consultations pertaining to the dispute: "European Communities – Definitive Safeguard Measure on Salmon" (WT/DS326/4). She said that the withdrawal was due to the fact that the EC had terminated its WTO-inconsistent measure.

The representatives of Chile and the European Communities spoke.

The DSB took note of the statements.

- (c) "European Communities – The ACP–EC Partnership Agreement – Recourse to Arbitration Pursuant to the Decision of 14 November 2001": Award of the Arbitrator: Statement by Colombia, on behalf of Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Nicaragua, Panama and Venezuela (WT/DSB/M/195)

At the DSB meeting on 3 August 2005, the representative of Colombia made a statement, on behalf of Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Nicaragua, Panama and Venezuela, concerning the Award of the Arbitrator circulated on 1 August 2005 in document WT/L/616 pertaining to the EC's banana import regime.

The representative of Colombia, speaking on behalf of Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Nicaragua, Panama and Venezuela, as well as the representatives of Honduras, the European Communities, Costa Rica and the Chairman spoke.

The DSB took note of the statements.

- (d) Mexico – Certain pricing measures for customs valuation and other purposes: Statement by Guatemala (WT/DSB/M/196)

At the DSB meeting on 31 August 2005, the representative of Guatemala informed Members that her country had withdrawn its request for consultations with Mexico regarding certain pricing measures for customs valuation and other purposes (WT/DS298/2).

The representatives of Guatemala and Mexico spoke.

The DSB took note of the statements.

- (e) Panama – Tariff classification of certain milk products: Statement by Mexico (WT/DSB/M/199)

At the DSB meeting on 18 October 2005, the representative of Mexico announced that Panama and Mexico had reached a mutually agreed solution in relation to the dispute: "Panama – Tariff Classification of Certain Milk Products" (WT/DS329/2).

The DSB took note of the statement.
