

GUATEMALA - ANTI-DUMPING INVESTIGATION REGARDING  
PORTLAND CEMENT FROM MEXICO

Communication from the Chairman of the Panel

The following communication, dated 30 July 1997 and addressed to the Dispute Settlement Body, is circulated in accordance with Article 12.9 of the DSU.

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Article 12.8 of the DSU stipulates that the period in which the panel shall conduct its examination, from the date that the composition and terms of reference of the panel have been decided until the date the final report is issued to the parties, shall, as a general rule, not exceed six months.

Article 12.9 of the DSU states that when the panel considers that it cannot issue its report within six months, it shall inform the Dispute Settlement Body (DSB) in writing of the reasons for the delay together with an estimate of the period within which it will issue its report.

The Panel "Guatemala - Anti-Dumping Investigation Regarding Portland Cement from Mexico" was established by the DSB on 20 March 1997, and at the request of Mexico, the Director-General announced the composition of the Panel on 1 May 1997. One of the Members of the Panel resigned on 27 June 1997, and at the request of Mexico, the Director-General announced the new composition of the Panel on 11 July 1997. These events caused a significant delay before the first meeting of the Panel with the parties. In addition, one party, a developing country, wishes to use the maximum time periods prescribed in the DSU and furthermore wishes to receive all communications from the Panel in its WTO working language, which is not the WTO working language of the Panel. The need for translation of lengthy documents has caused and will continue to cause delays in the proceedings. As a result, the Panel will not be able to issue its report within six months.

The Panel expects to complete its work before the end of March 1998.