

# **WORLD TRADE ORGANIZATION**

**WT/AB/7**  
23 January 2007

(07-0259)

---

**APPELLATE BODY**

**ANNUAL REPORT FOR 2006**

**JANUARY 2007**

**The Appellate Body welcomes comments and inquiries  
regarding this report at the  
following address:**

Appellate Body Secretariat  
World Trade Organization  
rue de Lausanne 154  
1211 Geneva, Switzerland  
email: [appellatebody.registry@wto.org](mailto:appellatebody.registry@wto.org)  
<[www.wto.org/appellatebody](http://www.wto.org/appellatebody)>

## CONTENTS

	<i>Abbreviations Used in this Annual Report</i> .....	ii
I.	Composition of the Appellate Body.....	1
II.	Appeals.....	3
III.	Appellate Body Reports .....	4
	A. <i>Agreements Covered</i> .....	5
	B. <i>Findings and Conclusions</i> .....	6
IV.	Participants and Third Participants .....	10
V.	Working Procedures for Appellate Review .....	13
VI.	Arbitrations under Article 21.3(c) of the DSU.....	15
VII.	Technical Assistance .....	17
VIII.	Other Developments .....	17
	A. <i>WTO Appellate Body Repertory of Reports and Awards 1995–2005</i> .....	17
	B. <i>Tenth Anniversary Conferences</i> .....	18
	C. <i>WTO Internship Programme</i> .....	19
	D. <i>Other Activities</i> .....	19
ANNEX 1	Former Appellate Body Members and Chairpersons .....	20
ANNEX 2	Appeals Filed: 1995–2006 .....	21
ANNEX 3	Percentage of Panel Reports Appealed by Year of Adoption: 1995–2006 .....	22
ANNEX 4	WTO Agreements Addressed in Appellate Body Reports Circulated through 2006.....	23
ANNEX 5	Participants and Third Participants in Appeals: 1995–2006 .....	24
ANNEX 6	Appellate Body Secretariat Participation in the WTO Technical Assistance and Training Plan 2006 .....	37
ANNEX 7	Programmes of Tenth Anniversary Conferences Held in 2006.....	39
ANNEX 8	Table of WTO Dispute Settlement Reports and Arbitration Awards: 1995–2006.....	45

## ABBREVIATIONS USED IN THIS ANNUAL REPORT

<b>Abbreviation</b>	<b>Description</b>
ADB	Asian Development Bank
<i>Anti-Dumping Agreement</i>	<i>Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994</i>
ATC	<i>Agreement on Textiles and Clothing</i>
DSB	Dispute Settlement Body
DSU	<i>Understanding on Rules and Procedures Governing the Settlement of Disputes</i>
GATS	<i>General Agreement on Trade in Services</i>
GATT 1994	<i>General Agreement on Tariffs and Trade 1994</i>
Import Licensing	<i>Agreement on Import Licensing Procedures</i>
NAFTA	North American Free Trade Agreement
Repertory	<i>WTO Appellate Body Repertory of Reports and Awards 1995–2005</i>
<i>SCM Agreement</i>	<i>Agreement on Subsidies and Countervailing Measures</i>
SPS	<i>Agreement on the Application of Sanitary and Phytosanitary Measures</i>
TBT	<i>Agreement on Technical Barriers to Trade</i>
TRIMs	<i>Agreement on Trade-Related Investment Measures</i>
TRIPS	<i>Agreement on Trade-Related Aspects of Intellectual Property Rights</i>
WCO	World Customs Organization
<i>Working Procedures</i>	<i>Working Procedures for Appellate Review, WT/AB/WP/5, 4 January 2005</i>
WTO	World Trade Organization
<i>WTO Agreement</i>	<i>Marrakesh Agreement Establishing the World Trade Organization</i>

**WORLD TRADE ORGANIZATION  
APPELLATE BODY**

**ANNUAL REPORT FOR 2006**

---

This report provides a summary of the activities undertaken in 2006 by the Appellate Body of the World Trade Organization and its Secretariat.

**I. Composition of the Appellate Body**

The Appellate Body is composed of seven Members appointed to four-year terms by the WTO Dispute Settlement Body. Table 1 shows the current composition of the Appellate Body and the respective terms of office of its Members.

**TABLE 1: COMPOSITION OF THE APPELLATE BODY IN 2006**

<b>Name</b>	<b>Nationality</b>	<b>Term(s) of office</b>
Georges Michel Abi-Saab	Egypt	2000–2004 2004–2008
Luiz Olavo Baptista	Brazil	2001–2005 2005–2009
Arumugamangalam Venkatachalam Ganesan	India	2000–2004 2004–2008
Merit E. Janow	United States	2003–2007
Giorgio Sacerdoti	Italy	2001–2005 2005–2009
Yasuhei Taniguchi	Japan	2000–2003 2003–2007
David Unterhalter	South Africa	2006–2009

A.V. Ganesan served as Chairman of the Appellate Body from 17 December 2005 to 16 December 2006.<sup>1</sup> On 23 November 2006, Appellate Body Members elected Giorgio Sacerdoti, pursuant to Rule 5(1) of the *Working Procedures for Appellate Review*, to serve as Chairman of the Appellate Body from 17 December 2006 to 16 December 2007.<sup>2</sup>

---

<sup>1</sup>WT/DSB/40.

<sup>2</sup>WT/DSB/41.

Sadly, John Lockhart, one of the Members of the Appellate Body, passed away on 13 January 2006. Mr. Lockhart was appointed to the Appellate Body in December 2001. During his term, he served on eleven Appellate Body Divisions and acted as arbitrator in four arbitrations under Article 21.3(c) of the *Understanding on Rules and Procedures Governing the Settlement of Disputes*. Memorial services in honour of Mr. Lockhart were held on 19 January and 2 March in Geneva, Switzerland, and on 10 February in Sydney, Australia.

Born in Australia on 2 October 1935, John Lockhart graduated in Arts and Law from the University of Sydney in 1958. Mr. Lockhart's professional experience included Queen's Counsel in Australia and the United Kingdom Privy Council (1973–1978), Judge, Federal Court of Australia (1978–1999), Deputy President of the Australian Copyright Tribunal (1981–1997), and President of the Australian Competition Tribunal (1982–1999). He also served as Executive Director at the Asian Development Bank in the Philippines from July 1999 to 2002, where he worked with developing member countries on poverty alleviation. Prior to joining the ADB, he was a Judicial Reform Specialist at the World Bank.

David Unterhalter was appointed Appellate Body Member by the DSB on 31 July 2006, and was sworn-in on 28 September 2006.<sup>3</sup> He replaced the late John Lockhart. Mr. Unterhalter will serve for the remainder of the term of office that was held by Mr. Lockhart, that is, until 11 December 2009.<sup>4</sup>

Born in South Africa on 18 November 1958, David Unterhalter holds degrees from Trinity College, Cambridge, the University of the Witwatersrand, and University College Oxford. Mr. Unterhalter has been a Professor of Law at the University of the Witwatersrand in South Africa since 1998, and from 2000 to 2006, he was the Director of the Mandela Institute, University of the Witwatersrand, an institute focusing on global law.

Mr. Unterhalter is a member of the Johannesburg Bar. As a practising advocate, he has appeared in a large number of cases in the fields of trade law, competition law, constitutional law, and commercial law. His experience includes representing different parties in anti-dumping and countervailing duty cases. He has acted as an advisor to the South African Department of Trade and Industry. In addition, he has served on a number of WTO dispute settlement panels. Mr. Unterhalter has published widely in the fields of public law and competition law.

The Appellate Body receives legal and administrative support from the Appellate Body Secretariat, in accordance with Article 17.7 of the DSU. The Secretariat currently comprises a Director and a team of nine lawyers, one administrative assistant, and three support staff. Werner Zdouc replaced Valerie Hughes as Director of the Appellate Body Secretariat as of 1 January 2006.

A list of former Appellate Body Members and Chairpersons is provided in Annex 1.

---

<sup>3</sup>WT/DSB/M/218.

<sup>4</sup>In accordance with Article 17.2 the DSU.

## II. Appeals

Under Rule 20(1) of the *Working Procedures*, an appeal is commenced by giving notice in writing to the DSB and filing a Notice of Appeal with the Appellate Body Secretariat. Rule 23(1) provides for a party to the dispute other than the original appellant to join the appeal or appeal on the basis of other alleged errors by filing a Notice of Other Appeal.

Five appeals were filed in 2006, three of which included an "other appeal". Information about these appeals is provided in Table 2.

**TABLE 2: APPEALS FILED IN 2006**

Panel Reports appealed	Date of Appeal	Notice of Appeal document number	Appellant <sup>5</sup>	Notice of Other Appeal document number	Other Appellant <sup>6</sup>
<i>US – Softwood Lumber VI (Article 21.5 – Canada)</i>	13 January 2006	WT/DS277/16	Canada	---	---
<i>US – Zeroing (EC)</i>	17 January 2006	WT/DS294/12	European Communities	WT/DS294/13	United States
<i>US – Softwood Lumber V (Article 21.5 – Canada)</i>	17 May 2006	WT/DS264/25	Canada	---	---
<i>EC – Selected Customs Matters</i>	14 August 2006	WT/DS315/11	United States	WT/DS315/12	European Communities
<i>US – Zeroing (Japan)</i>	11 October 2006	WT/DS322/12	Japan	WT/DS322/13	United States

Information on the number of appeals filed each year since 1995 is provided in Annex 2.

Two of the appeals filed in 2006 concerned Panel Reports circulated to WTO Members in 2005.<sup>7</sup> Six Panel Reports were circulated in 2006.<sup>8</sup> The 60-day deadlines for adoption of two of the six Panel Reports circulated in 2006 do not expire until 2007.<sup>9</sup> In total, five of a possible six appeals were filed in 2006—that is, 83 per cent.

<sup>5</sup>Pursuant to Rule 20 of the *Working Procedures*.

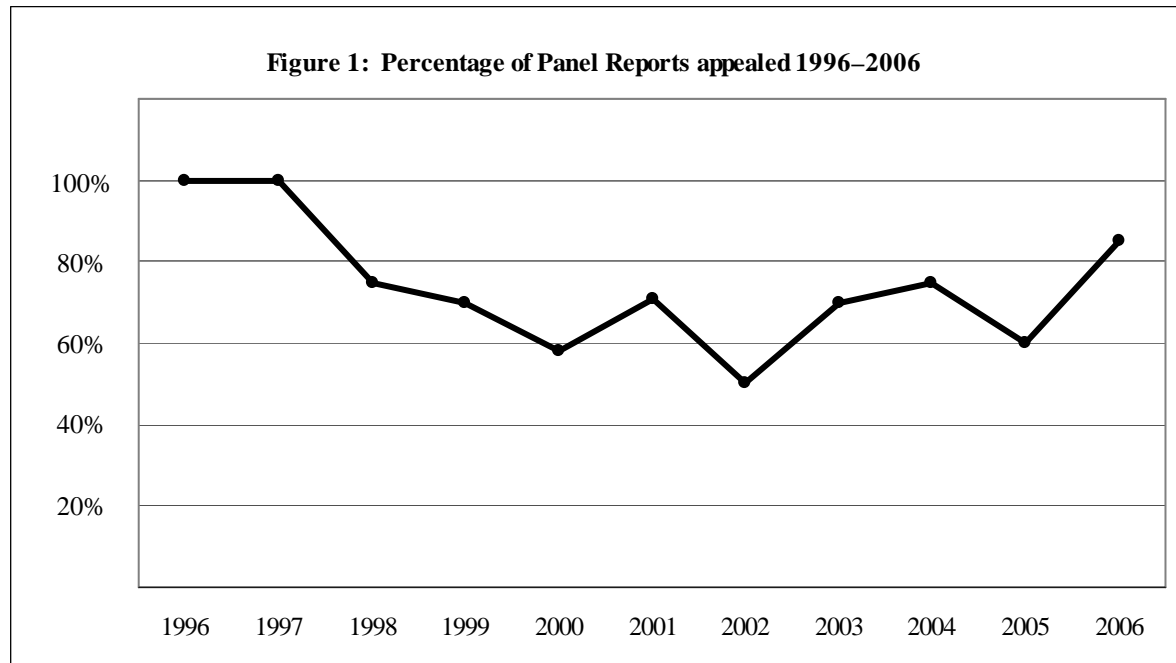
<sup>6</sup>Pursuant to Rule 23(1) of the *Working Procedures*.

<sup>7</sup>The Panel Reports in *US – Softwood Lumber VI (Article 21.5 – Canada)* and *US – Zeroing (EC)* were circulated to WTO Members on 15 November 2005 and 31 October 2005, respectively.

<sup>8</sup>This does not include the Report of the Panel in *Japan – Quotas on Laver*. That Report merely states that the parties in the dispute had reached a mutually agreed solution.

<sup>9</sup>The Panel Reports in *US – Oil Country Tubular Goods Sunset Reviews (Article 21.5 – Argentina)* and *Chile – Price Band System (Article 21.5 – Argentina)* were circulated to WTO Members on 30 November 2006 and 8 December 2006, respectively.

Figure 1 shows the percentage of Panel Reports appealed since 1996. No Panel Reports were appealed in 1995.



Annex 3 summarizes the percentage of Panel Reports appealed by year of adoption from 1995 through 2006. The overall average of Panel Reports that have been appealed is 68 per cent.

### III. Appellate Body Reports

Six Appellate Body Reports were circulated during 2006, two of which related to Notices of Appeal filed in 2005.<sup>10</sup> As of the end of 2006, the Appellate Body had circulated a total of 79 Reports.<sup>11</sup> Table 3 provides further information on the Appellate Body Reports circulated in 2006.

---

<sup>10</sup>The Notices of Appeal in *US – FSC (Article 21.5 – EC II)* and *Mexico – Taxes on Soft Drinks* were filed on 14 November 2005 and 6 December 2005, respectively.

<sup>11</sup>The Panel Report in *US – Zeroing (Japan)* was appealed on 11 October 2006. The Appellate Body Report in that appeal was circulated to WTO Members on 9 January 2007.



**TABLE 3: APPELLATE BODY REPORTS CIRCULATED IN 2006**

Case	Document number	Date circulated	Date adopted by DSB
<i>US – FSC (Article 21.5 – EC II)</i>	WT/DS108/AB/RW2	13 February 2006	14 March 2006
<i>Mexico – Taxes on Soft Drinks</i>	WT/DS308/AB/R	6 March 2006	24 March 2006
<i>US – Softwood Lumber VI (Article 21.5 – Canada)</i>	WT/DS277/AB/RW	13 April 2006	9 May 2006
<i>US – Zeroing (EC)</i>	WT/DS294/AB/R	18 April 2006	9 May 2006
<i>US – Softwood Lumber V (Article 21.5 – Canada)</i>	WT/DS264/AB/RW	15 August 2006	1 September 2006
<i>EC – Selected Customs Matters</i>	WT/DS315/AB/R	13 November 2006	11 December 2006

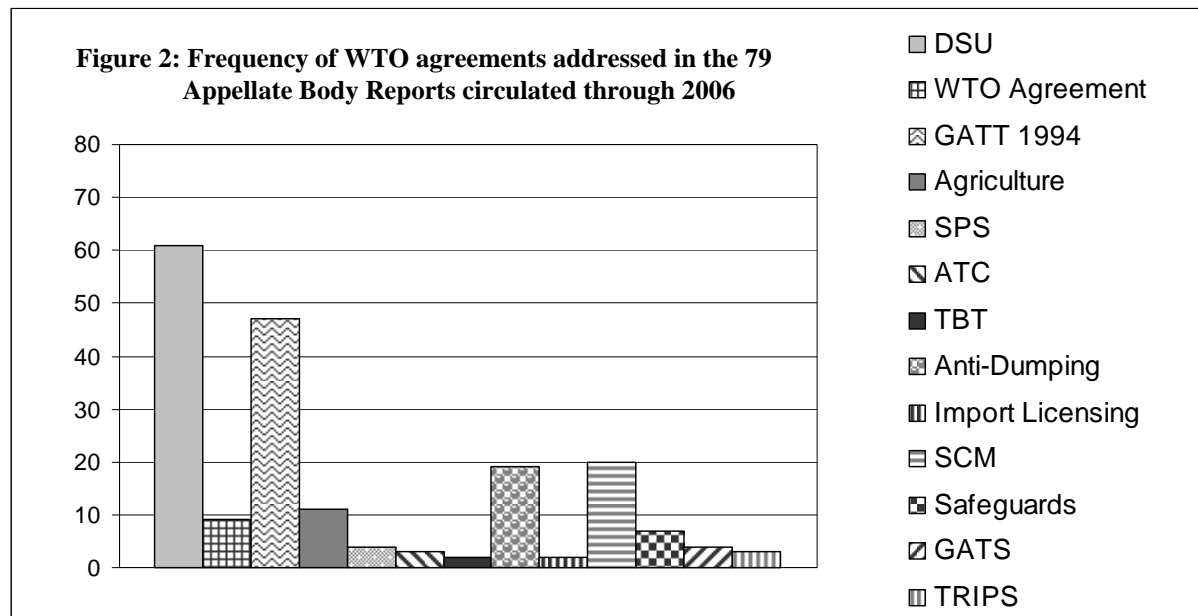
**A. Agreements Covered**

The following table shows which WTO agreements were addressed in the six Appellate Body Reports circulated in 2006.

**TABLE 4: WTO AGREEMENTS ADDRESSED IN APPELLATE BODY REPORTS CIRCULATED IN 2006**

Case	Document number	WTO Agreement(s) covered
<i>US – FSC (Article 21.5 – EC II)</i>	WT/DS108/AB/RW2	<i>SCM Agreement</i> DSU
<i>Mexico – Taxes on Soft Drinks</i>	WT/DS308/AB/R	GATT 1994 DSU
<i>US – Softwood Lumber VI (Article 21.5 – Canada)</i>	WT/DS277/AB/RW	<i>Anti-Dumping Agreement</i> <i>SCM Agreement</i> DSU
<i>US – Zeroing (EC)</i>	WT/DS294/AB/R	<i>Anti-Dumping Agreement</i> GATT 1994 DSU
<i>US – Softwood Lumber V (Article 21.5 – Canada)</i>	WT/DS264/AB/RW	<i>Anti-Dumping Agreement</i>
<i>EC – Selected Customs Matters</i>	WT/DS315/AB/R	GATT 1994 DSU

Figure 2 shows the frequency with which the WTO agreements have been addressed in the 79 Appellate Body Reports circulated through 2006.



Annex 4 contains a table listing the WTO agreements addressed in appeals from 1996 through 2006.

## B. Findings and Conclusions

Below are the summaries of the Appellate Body's findings and conclusions in the six Appellate Body Reports circulated in 2006.

### ■ Appellate Body Report, *US – FSC (Article 21.5 – EC II)*, WT/DS108/AB/RW2

The Appellate Body found that Article 6.2 of the DSU was applicable in compliance proceedings pursuant to Article 21.5 of the DSU, but that Article 6.2 needs to be interpreted in the light of Article 21.5 and, consequently, that its requirements need to be adapted to compliance proceedings.

The Appellate Body held that, in order to comply with the requirements of Article 6.2 in compliance proceedings, the complaining party must mention in its panel request the recommendations and rulings of the DSB that allegedly have not been implemented and identify the measures taken to implement the DSB recommendations and rulings, as well as any omissions or deficiencies of those measures, or state that no implementing measures at all have been taken by the implementing Member. When measures to comply have been taken, the complaining party must also specify which inconsistencies with WTO law found in the previous proceedings have not been rectified, or whether those measures have brought about new inconsistencies with WTO law.

The Appellate Body found that it was not determinative in this case whether the first Article 21.5 panel had made a new recommendation under Article 4.7 of the *SCM Agreement* specifically regarding the extraterritorial income tax exclusion. According to the Appellate Body, an

Article 4.7 recommendation adopted by the DSB from an original proceeding remains in effect—even throughout several Article 21.5 proceedings—until the WTO Member concerned has withdrawn fully the subsidies found to be prohibited in the original proceeding. The Appellate Body held that, by virtue of the Article 4.7 recommendation adopted by the DSB in the original proceeding, the United States continued to be under an obligation to withdraw fully the prohibited "Foreign Sales Corporation" and extraterritorial income subsidies.

■ **Appellate Body Report, *Mexico – Taxes on Soft Drinks*, WT/DS308/AB/R**

The Appellate Body upheld the Panel's finding that, under the DSU, the Panel did not have discretion to decline to exercise its jurisdiction in the case brought before it. The Appellate Body found that, although WTO panels have "certain powers ... inherent in their adjudicative function", they do not have the authority to decline to rule on the entirety of claims before them in a dispute, once jurisdiction has been validly established. In its reasoning, the Appellate Body noted that Article 11 of the DSU obliges a panel to make an objective assessment of the matter before it, and that a panel would not fulfil that obligation if it declined to exercise validly established jurisdiction and abstained from making any finding on the matter before it. However, the Appellate Body stated that it was not expressing any views as to whether there may be other circumstances in which legal impediments to the exercise of a panel's jurisdiction would exist that would preclude a panel from ruling on the merits of a claim before it.

The Appellate Body noted that Mexico did not argue that the subject-matter or the respective positions of the parties in this case were identical to those under the NAFTA. Nor did Mexico identify a legal basis that would allow it to raise, in a WTO dispute settlement proceeding, the market access claims it was pursuing under the NAFTA. Furthermore, it was undisputed that no NAFTA panel had yet decided the "broader dispute" to which Mexico had alluded. Also, Mexico expressly stated that the so-called "exclusion clause" of Article 2005.6 of the NAFTA had not been "exercised".

In addition, the Appellate Body upheld the Panel's finding that Mexico's measures did not constitute measures "to secure compliance with laws or regulations" within the meaning of Article XX(d) of the GATT 1994. The Appellate Body agreed with the Panel's conclusion that Article XX(d) is not available to justify WTO-inconsistent measures that seek "to secure compliance" by another WTO Member with that other Member's non-WTO international obligations. Nevertheless, several aspects of the Appellate Body's reasoning differed from the Panel's own reasoning. First, the Appellate Body concluded that the term "laws or regulations" covers rules that form part of the domestic legal system of a WTO Member, including rules deriving from international agreements that have been incorporated into the domestic legal system of a WTO Member, or have direct effect according to that WTO Member's legal system. Secondly, the Appellate Body found that Article XX(d) does not require the "use of coercion", or that the measure sought to be justified results in securing compliance with absolute certainty. Rather, Article XX(d) requires that the measure be designed "to secure compliance with laws or regulations which are not inconsistent with the provisions" of the GATT 1994. Finally, the Appellate Body considered that the Panel wrongly relied on the Appellate Body Report in *US – Gambling* in interpreting the term "to secure compliance" in Article XX(d), because that appeal did not address the same issue.

In the light of its finding that Mexico's measures did not constitute measures "to secure compliance with laws or regulations" under Article XX(d), the Appellate Body did not consider it necessary to complete the analysis by examining whether Mexico's measures were "necessary" within the meaning of Article XX(d) of the GATT 1994 and met the requirements of the chapeau of Article XX. The Appellate Body, moreover, rejected Mexico's claim that the Panel had failed to make an objective assessment of the facts, as required by Article 11 of the DSU, in finding that Mexico had not established that its measures contributed to securing compliance in the dispute at hand.

■ **Appellate Body Report, US – Softwood Lumber VI (Article 21.5 – Canada), WT/DS277/AB/RW**

The Appellate Body reviewed the relevant provisions of the *Anti-Dumping Agreement* and the *SCM Agreement* for purposes of ascertaining the proper standard of review applicable in cases involving a threat of injury determination. It clarified that a panel charged with reviewing the factual basis for a threat of injury determination must determine whether the investigating authority has provided "a reasoned and adequate explanation" of: (a) how individual pieces of evidence can be reasonably relied on in support of particular inferences, and how the evidence in the record supports its factual findings; (b) how the facts in the record, rather than allegation, conjecture, or remote possibility, support and provide a basis for the overall threat of injury determination; (c) how its projections and assumptions show a high degree of likelihood that the anticipated injury will materialize in the near future; and (d) how it examined alternative explanations and interpretations of the evidence and why it chose to reject or discount such alternatives in coming to its conclusions.

The Appellate Body found that the Panel had acted inconsistently with Article 11 of the DSU because it articulated and applied an improper standard of review in its assessment of the United States International Trade Commission's Section 129 Determination at issue in this case. Consequently, the Appellate Body reversed the Panel's findings that the Section 129 Determination was not inconsistent with the obligations regarding threat of material injury, causation, and non-attribution of injury caused by other factors under Articles 3.5 and 3.7 of the *Anti-Dumping Agreement* and Articles 15.5 and 15.7 of the *SCM Agreement*, and also reversed the Panel's finding that the United States had implemented the recommendations and rulings of the DSB in the original dispute. The Appellate Body was unable to complete the analysis and determine whether the Section 129 Determination is consistent or inconsistent with the United States' obligations under Articles 3.5 and 3.7 of the *Anti-Dumping Agreement* and Articles 15.5 and 15.7 of the *SCM Agreement* due to the absence of pertinent factual findings by the Panel and undisputed facts in the Panel record.

■ **Appellate Body Report, US – Zeroing (EC), WT/DS294/AB/R**

The Appellate Body reversed the Panel's findings that the zeroing methodology, as applied by the United States when assessing final anti-dumping duty liability for particular importers in the administrative reviews at issue, was not inconsistent with Article 9.3 of the *Anti-Dumping Agreement* and Article VI:2 of the GATT 1994. According to the Appellate Body, Article 9.3 and Article VI:2 require investigating authorities to ensure that the total amount of anti-dumping duties collected on all entries of a product from a given exporter or foreign producer shall not exceed the margin of dumping established for that exporter or foreign producer. The Appellate Body found that the United States acted inconsistently with this requirement because, by disregarding the results of comparisons for which the export price of specific transactions exceeded the average normal value, it assessed anti-dumping duties in excess of the foreign producers' or exporters' margins of dumping. The Appellate Body also declared moot several consequential findings of the Panel that were related to those findings of the Panel that the Appellate Body had reversed. In addition, the Appellate Body held that the Panel had not erred in exercising judicial economy on a number of claims.

The Appellate Body upheld the Panel's finding that the zeroing methodology, as it relates to weighted average-to-weighted average comparisons of normal value and export prices in original investigations, is inconsistent as such with Article 2.4.2 of the *Anti-Dumping Agreement*. The Appellate Body emphasized, however, that when bringing a challenge against a "rule or norm" of general and prospective application (such as the "zeroing methodology") that is not expressed in the form of a written document, a complaining party must clearly establish, through arguments and supporting evidence, that the alleged "rule or norm" is attributable to the responding Member, its precise content, and that it has general and prospective application. Finally, the Appellate Body

rejected claims that the Panel had failed to make an objective assessment of the matter as required by Article 11 of the DSU.

■ **Appellate Body Report, *US – Softwood Lumber V (Article 21.5 – Canada)*, WT/DS264/AB/RW**

The Appellate Body reversed the Panel's finding that the use of zeroing in the United States Department of Commerce's Section 129 Determination at issue in this case was not inconsistent with the transaction-to-transaction comparison methodology set out in Article 2.4.2 of the *Anti-Dumping Agreement*. In this regard, the Appellate Body disagreed with the Panel's view that, because the phrase "all comparable export transactions" appears only in relation to the weighted average-to-weighted average comparison methodology in Article 2.4.2, the term "margins of dumping" must have a different meaning in the context of the transaction-to-transaction comparison methodology. The Appellate Body explained that transactions may be divided into groups under the weighted average-to-weighted average comparison methodology and, therefore, the phrase "all comparable export transactions" implies the requirement that all comparable export transactions corresponding to a group must not be left out arbitrarily. The Appellate Body reasoned that, because transactions are not divided into groups under the transaction-to-transaction comparison methodology, such a scenario does not arise in the same way under that methodology, and the phrase "all comparable export transactions" is not pertinent to it. According to the Appellate Body, the transaction-to-transaction methodology in Article 2.4.2 involves a multi-step calculation exercise in which the results of transaction-specific comparisons are inputs that are aggregated in order to establish the margin of dumping for each exporter or foreign producer. The Appellate Body found that the margins of dumping established under this methodology are the results of the aggregation of the transaction-specific comparisons of export prices and normal value, and that, in aggregating these results, an investigating authority must consider the results of all of the comparisons and may not disregard the results of comparisons in which export prices are above normal value.

In addition, the Appellate Body reversed the Panel's finding that the use of zeroing in the Section 129 Determination was not inconsistent with the "fair comparison" requirement in Article 2.4 of the *Anti-Dumping Agreement*. The Appellate Body stated that the term "fair" connotes impartiality, even-handedness, or lack of bias. According to the Appellate Body, the use of zeroing under the transaction-to-transaction comparison methodology is inconsistent with Article 2.4 because it distorts the prices of certain export transactions, which are not considered at their real value, artificially inflates the magnitude of dumping, and, therefore, results in higher margins of dumping and makes a positive determination of dumping more likely.

■ **Appellate Body Report, *EC – Selected Customs Matters*, WT/DS315/AB/R**

The Appellate Body reversed the Panel's finding that the United States was precluded from challenging certain instruments of the European Communities customs legislation listed in the request for the establishment of a panel as a whole or overall. However, the Appellate Body was unable to complete the analysis on this claim because the Panel's "general observations" about the role of a number of institutions and mechanisms in the European Communities provided an insufficient factual basis for assessing whether the European Communities failed to ensure uniform administration of its customs legislation. The Appellate Body reversed the Panel's finding that, when a violation of Article X:3(a) of the GATT 1994 is being claimed, the "measure at issue" must be the "manner of administration" of a legal instrument. Instead, the Appellate Body found that a WTO Member is not precluded from setting out in a panel request any act or omission attributable to another WTO Member as the measure at issue. The Appellate Body upheld the Panel's interpretation that steps and acts of administration that pre-date or post-date the establishment of a panel may be relevant in

determining whether a violation of Article X:3(a) of the GATT 1994 exists at the time of panel establishment.

Regarding the requirement of uniform administration in Article X:3(a), the Appellate Body found that a distinction must be made between the legal instrument being administered and the legal instrument that regulates the application or implementation of that instrument. The Appellate Body reversed the Panel's finding that, without exception, Article X:3(a) of the GATT 1994 relates to the application of laws and regulations, but not to laws and regulations as such. Instead, the Appellate Body found that legal instruments that regulate the application or implementation of laws, regulations, decisions, and administrative rulings of the kind described in Article X:1 of the GATT 1994 can be challenged under Article X:3(a).

With respect to the review mechanisms for administrative action relating to customs matters, the Appellate Body upheld the Panel's finding that Article X:3(b) of the GATT 1994 does not require that first instance review decisions must govern the practice of *all* the agencies entrusted with administrative enforcement *throughout the territory* of a particular WTO Member.

#### **IV. Participants and Third Participants**

Table 5 below lists the WTO Members that participated in appeals for which an Appellate Body Report was circulated during 2006. It distinguishes between a Member that filed a Notice of Appeal pursuant to Rule 20 of the *Working Procedures* and a Member that filed an appeal pursuant to Rule 23(1) (known as the "other appellant"). Rule 23(1) provides that "a party to the dispute other than the original appellant may join in that appeal or appeal on the basis of other alleged errors in the issues of law covered in the panel report and legal interpretations developed by the panel". Under the *Working Procedures*, parties wishing to appeal a panel report pursuant to Rule 23(1) are required to file a Notice of Other Appeal within 12 days after the filing of the Notice of Appeal.

Table 5 also identifies those Members who participated in appeals as a third participant under paragraph (1), (2), or (4) of Rule 24 of the *Working Procedures*. Under Rule 24(1), a WTO Member that was a third party to the panel proceedings may file a written submission as a third participant within 25 days of the filing of the Notice of Appeal. Pursuant to Rule 24(2), a Member who was a third party to the panel proceedings that has not filed a written submission may, within 25 days of the filing of the Notice of Appeal, notify its intention to appear at the oral hearing and whether it intends to make an oral statement at the hearing. Rule 24(4) provides that a Member who was party to the panel proceedings and that has neither filed a written submission in accordance with Rule 24(1), nor given notice in accordance with Rule 24(2), may notify its intention to appear at the oral hearing and request to make an oral statement.

**TABLE 5: PARTICIPANTS AND THIRD PARTICIPANTS IN APPEALS  
FOR WHICH AN APPELLATE BODY REPORT WAS CIRCULATED IN 2006**

Case	Appellant <sup>12</sup>	Other Appellant <sup>13</sup>	Appellee <sup>14</sup>	Third Participant(s)		
				Rule 24(1)	Rule 24(2)	Rule 24(4)
<i>US – FSC (Article 21.5 – EC II)</i>	United States	European Communities	European Communities United States	Australia Brazil	China	---
<i>Mexico – Taxes on Soft Drinks</i>	Mexico	---	United States	China European Communities Japan	Canada Guatemala	---
<i>US – Softwood Lumber VI (Article 21.5 – Canada)</i>	Canada	---	United States	European Communities	China	---
<i>US – Zeroing (EC)</i>	European Communities	United States	United States European Communities	Japan Brazil China Korea Mexico Norway Chinese Taipei	Argentina Hong Kong, China India	---
<i>US – Softwood Lumber V (Article 21.5 – Canada)</i>	Canada	---	United States	European Communities Japan New Zealand Thailand	China India	---
<i>EC – Selected Customs Matters</i>	United States	European Communities	European Communities United States	Japan Korea	Argentina Australia Brazil China Hong Kong, China India Chinese Taipei	---

<sup>12</sup>Pursuant to Rule 20 of the *Working Procedures*.

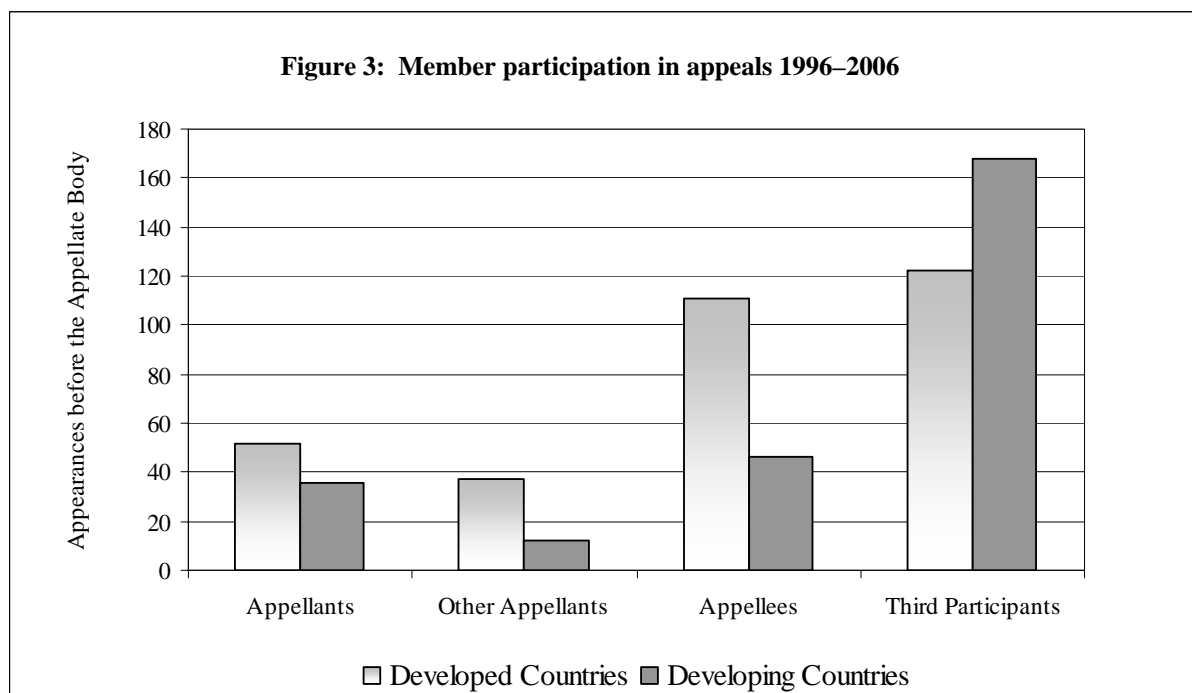
<sup>13</sup>Pursuant to Rule 23(1) of the *Working Procedures*.

<sup>14</sup>Pursuant to Rule 22 or Rule 23(3) of the *Working Procedures*.

A total of 17 WTO Members appeared at least once as appellant, other appellant, appellee, or third participant in appeals for which an Appellate Body Report was circulated during 2006. Of these 17 WTO Members, 7 were developed country Members, and 10 were developing country Members.

Of the 53 total appearances by WTO Members before the Appellate Body during 2006, 29 were by developed country Members and 24 by developing country Members. Developed country Members made 5 appearances as appellants, 3 as other appellants, 9 as appellees, and 12 as third participants. Developing country Members made one appearance as appellant and 23 appearances as third participants.

Figure 3 shows the ratio of developed country Members to developing country Members in terms of appearances made as appellant, other appellant, appellee, and third participant in appellate proceedings between 1996 and 2006.



Annex 5 provides a statistical summary and details on Member participation as appellants, other appellants, appellees, and third participants in appeals for which an Appellate Body Report was circulated between 1996 and 2006.



## V. Working Procedures for Appellate Review

No amendments were made to the *Working Procedures* during 2006. The current version of the *Working Procedures* is contained in document WT/AB/WP/5, which was circulated to WTO Members on 4 January 2005. A list of the documents relating to previous versions of the *Working Procedures* is provided in Table 6.

**TABLE 6: CONSOLIDATED AND REVISED VERSIONS OF THE WORKING PROCEDURES FOR APPELLATE REVIEW**

Document number	Effective date	Rules amended	Working documents/ Explanatory texts	Principal DSB meeting(s) at which amendments were discussed, Minutes
WT/AB/WP/1	15 February 1996	N/A	WT/AB/WP/W/1	31 January 1996, WT/DSB/M/10 and 21 February 1996, WT/DSB/M/11
WT/AB/WP/2	28 February 1997	Rule 5(2) and Annex II	WT/AB/WP/W/2, WT/AB/WP/W/3	25 February 1997, WT/DSB/M/29
WT/AB/WP/3	24 January 2002	Rule 5(2)	WT/AB/WP/W/4, WT/AB/WP/W/5	24 July 2001, WT/DSB/M/107
WT/AB/WP/4	1 May 2003	Rules 24 and 27(3), with consequential amendments to Rules 1, 16, 18, 19, and 28, and Annex I	WT/AB/WP/W/6, WT/AB/WP/W/7	23 October 2002, WT/DSB/M/134
WT/AB/WP/5	1 January 2005	Rules 1, 18, 20, 21, 23, 23bis, 27, and Annexes I and III	WT/AB/WP/W/8, WT/AB/WP/W/9	19 May 2004, WT/DSB/M/169

Procedural issues were raised in several appeals for which an Appellate Body Report was circulated during 2006. These procedural issues are summarized in the following paragraphs.

### ■ *US – FSC (Article 21.5 – EC II)*

John Lockhart was prevented from continuing to serve on the Division for serious personal reasons falling within Rule 12 of the *Working Procedures*. In accordance with Rule 13 of the *Working Procedures*, the Appellate Body selected Merit E. Janow to replace Mr. Lockhart on that Division.<sup>15</sup>

<sup>15</sup> Appellate Body Report, *US – FSC (Article 21.5 – EC II)*, para. 11.

■ ***Mexico – Taxes on Soft Drinks***

Mexico submitted a request to the Appellate Body to correct certain clerical errors in its appellant's submission. The Division invited the participants and the third participants to comment in writing on the request. The United States responded that, although some of the requested corrections were not "clearly clerical" within the meaning of Rule 18(5) of the *Working Procedures*, "[i]n the circumstances of this dispute", the United States did not object to Mexico's request. No other comments were received. The Division authorized Mexico to correct the clerical errors in its appellant's submission, but emphasized, however, that it had not been requested to and did not make a finding as to "whether all of the corrections requested by Mexico [were] 'clerical' within the meaning of Rule 18(5) of the *Working Procedures*."<sup>16</sup>

The Appellate Body also received an *amicus curiae* brief from *Cámara Nacional de las Industrias Azucarera y Alcohólica* (National Chamber of the Sugar and Alcohol Industries) of Mexico. At the oral hearing, Mexico stated that its arguments were set out in its appellant's and oral submissions, however, it would not object should the Appellate Body decide to accept the *amicus* brief. The United States noted that the *amicus* brief had been received late in the proceedings and that it presented new arguments and claims of error that were not part of Mexico's Notice of Appeal. Taking the view that the Appellate Body had the authority to accept the brief, the United States argued that it should decline to do so in the circumstances of this dispute. The Division did not find it necessary to take the brief into account in resolving the issues raised in the appeal.<sup>17</sup>

■ ***US – Softwood Lumber VI (Article 21.5 – Canada)***

The United States requested the Appellate Body to change the date of the oral hearing on the ground that "lead counsel for the United States [was] not available on that date, due to a long-established prior commitment." The Division referred to Rule 16(2) of the *Working Procedures* and invited the United States to provide further details in support of its request, in particular, the nature of the "exceptional circumstances", as well as the "manifest unfairness" that would ensue in the absence of a change to the date of the oral hearing. The United States submitted additional reasons in support of its request. Canada and the third participants were also invited to submit comments on the United States' request. Canada informed the Division that it preferred to have the oral hearing proceed on the originally scheduled date, but indicated that a delay of one day could "be accommodated". No comments were received from the third participants. The Division decided to change the date of the oral hearing by one day.<sup>18</sup>

In addition, the European Communities requested the Division to allow the third participants additional time to make their presentations at the oral hearing. The European Communities based this request on "the particularly complex context of this dispute and the importance of factual issues" and the need for the European Communities to have time to reflect on the United States' appellee's submission. The Division invited the European Communities, once it had reviewed the United States' appellee's submission, to inform the Division whether the allocated 10 minutes would be sufficient or, if not, how much extra time the European Communities was requesting. China, the other third participant, was also asked whether it sought additional time to present its oral statement. The European Communities requested 15 minutes for its oral presentation. Canada, the appellee, expressed no objection, with the understanding that any extension of time would not prejudice Canada's rights, including the time to make its oral presentation. The United States objected to the

---

<sup>16</sup>Appellate Body Report, *Mexico – Taxes on Soft Drinks*, para. 7.

<sup>17</sup>Appellate Body Report, *Mexico – Taxes on Soft Drinks*, para. 8 and footnote 21 thereto.

<sup>18</sup>Appellate Body Report, *US – Softwood Lumber VI (Article 21.5 – Canada)*, para. 13.

request, arguing that, under the timetable for appeals, third participants, as a rule, file their submissions on the same day as the appellee(s), and thus do not have time to reflect on the appellee's submission before filing their submissions. The Division decided not to change the originally allocated 10 minutes to the third participants to deliver their oral presentations.<sup>19</sup>

Further, the Appellate Body received a request from Canada to correct clerical errors in its appellant's submission. The request was received after the deadline provided in Rule 18(5) of the *Working Procedures*. In response, the United States indicated that, although it would ordinarily have concerns about a participant's untimely request to modify its submission, in this case it did not object to Canada's request given that the errors at issue were discussed at the oral hearing. No other comments were received. The Division granted Canada's request because: the correct information was, in any event, set forth in one of the exhibits submitted by Canada to the Panel; the matter had been discussed at the oral hearing; and the United States did not object to Canada's request.<sup>20</sup>

■ *US – Softwood Lumber V (Article 21.5 – Canada)*

The oral hearing in this appeal had to be rescheduled owing to logistical difficulties associated with ministerial meetings held at the WTO building in connection with Doha Development Agenda negotiations. Neither the participants nor the third participants objected to the change of date.<sup>21</sup>

■ *EC – Customs Matters*

Japan requested authorization from the Division to correct certain clerical errors in its third participant's submission one day after the deadline provided in Rule 18(5) of the *Working Procedures*. No objections were received and Japan's request was authorized by the Division.<sup>22</sup>

## **VI. Arbitrations under Article 21.3(c) of the DSU**

Individual Appellate Body Members have, from time to time, been asked to act as arbitrators under Article 21.3(c) of the DSU to determine the "reasonable period of time" for the implementation by a WTO Member of the recommendations and rulings adopted by the DSB. The DSU does not specify who shall serve as arbitrator; the parties to the arbitration select the arbitrator by consensus or, if they cannot agree on an arbitrator, the Director-General of the WTO appoints the arbitrator. To date, all those who have served as arbitrators pursuant to Article 21.3(c) have been current or former Appellate Body Members. In carrying out arbitrations under Article 21.3(c), Appellate Body Members act in an individual capacity.

---

<sup>19</sup>Appellate Body Report, *US – Softwood Lumber VI (Article 21.5 – Canada)*, para. 14 and footnote 27 thereto.

<sup>20</sup>Appellate Body Report, *US – Softwood Lumber VI (Article 21.5 – Canada)*, para. 15 and footnote 28 thereto.

<sup>21</sup>Appellate Body Report, *US – Softwood Lumber V (Article 21.5 – Canada)*, para. 9 and footnote 29 thereto.

<sup>22</sup>Appellate Body Report, *EC – Customs Matters*, para. 13.

One Article 21.3(c) arbitration proceeding was carried out in 2006. At the request of the parties, James Bacchus, a former Appellate Body Member, served as the Arbitrator in *EC – Chicken Cuts*.<sup>23</sup> He circulated his Award on 20 February 2006.<sup>24</sup> A summary of the Award is provided below.

■ **Award of the Arbitrator, *EC – Chicken Cuts*, WT/DS269/13, WT/DS286/15**

As the implementing Member, the European Communities proposed that the reasonable period of time for implementation of the DSB's recommendations and rulings in this dispute be 26 months from the date of adoption of the Panel and Appellate Body Reports. The European Communities claimed that this time period was reasonable because a classification decision from the World Customs Organization was required under European Communities law before the European Commission could begin the process for adopting the Regulation required to implement the recommendations and rulings of the DSB. The complaining parties contested the need for a decision from the WCO, arguing that implementation could be achieved also by adoption of a Commission Regulation in accordance with the European Communities' internal procedures.

The Arbitrator highlighted two particular aspects of this case that counselled against accepting the European Communities' assertion that it was first required to obtain a decision from the WCO: (i) unlike previous methods of implementation proposed in arbitrations under Article 21.3(c) of the DSU, the method suggested here—namely, the decision from the WCO—involved recourse to processes *outside* the domestic law-making system of the implementing Member; and (ii) a decision from the WCO in this case had the potential to create a perceived *obstacle* to the necessary implementation of the recommendations and rulings of the DSB. In the light of these considerations, the Arbitrator determined that the European Communities bore the burden of establishing that a WCO classification decision was *necessary* under European Communities law as a prerequisite to adoption of a Commission Regulation implementing the DSB's recommendations and rulings. The Arbitrator concluded that the European Communities had not succeeded in discharging this burden. Accordingly, the Arbitrator determined that the time needed for obtaining a WCO decision should not be considered part of the reasonable period of time needed for implementation of the DSB's recommendations and rulings.

The Arbitrator therefore turned to an examination of the time needed to pass the necessary Commission Regulation within the European Communities' domestic law-making system in this case. In so doing, the Arbitrator considered each of the steps under European Communities law for passage of such a Regulation, and the time the European Communities and the Complaining Parties suggested was required for each of those steps. On the basis of this examination, the Arbitrator concluded that the reasonable period of time for the European Communities to implement the recommendations and rulings of the DSB was nine months, expiring on 27 June 2006.

---

<sup>23</sup>WR/DS269/12, WT/DS286/14.

<sup>24</sup>WT/DS269/13, WT/DS286/15.

## VII. Technical Assistance

The Appellate Body Secretariat participated in the implementation of the WTO Technical Assistance and Training Plan 2006<sup>25</sup>, particularly in activities relating to training in dispute settlement procedures. Appellate Body Secretariat staff conducted the dispute settlement modules for the Regional Trade Policy Courses held in Santiago, Chile (Spanish); Rabat, Morocco (French); Windhoek, Namibia; and Hong Kong, China; the basic principles module for the Regional Trade Policy Course held in Rabat, Morocco (French); and the dispute settlement modules for four Trade Policy Courses held in Geneva, Switzerland (one in Spanish). In addition, Appellate Body Secretariat staff participated in three Specialized Dispute Settlement Courses also held in Geneva, Switzerland (one in French); delivered five Regional Dispute Settlement Seminars in Buenos Aires, Argentina (Spanish); Manama, Bahrain; Nouakchott, Mauritania (French); Windhoek, Namibia; and Bangkok, Thailand; and presented three National Dispute Settlement Seminars in Amman, Jordan; Kuala Lumpur, Malaysia; and Bangkok, Thailand. Appellate Body Secretariat staff also participated as tutors in the e-training courses on "Introduction to the WTO and Basic Principles" offered by the WTO in Spanish. Lastly, the Appellate Body Secretariat provided resource persons for three other activities falling under the Technical Assistance and Training Plan that took place in New Delhi, India; Manila, Philippines; and Hong Kong, China. Overall, the Appellate Body Secretariat participated in 24 technical assistance activities during the course of 2006, in the three official languages of the WTO.

Annex 6 provides a summary of the activities carried out by Appellate Body Secretariat staff falling under the Technical Assistance and Training Plan during the course of 2006.

## VIII. Other Developments

### A. *WTO Appellate Body Repertory of Reports and Awards 1995–2005*

The second edition of the *WTO Appellate Body Repertory of Reports and Awards* was published in 2006. The Repertory compiles excerpts from Appellate Body Reports and is organized according to the provision of the WTO covered agreement examined, and by subject-matter. The Repertory also includes excerpts from Awards issued in arbitrations under Article 21.3(c) of the DSU relating to the period of time granted to WTO Members to implement recommendations and rulings of the DSB. Several tables and charts compiling facts and statistics on WTO dispute settlement are annexed to the Repertory. The second edition contains excerpts from Appellate Body Reports and Article 21.3(c) Arbitration Awards circulated from 1996 through 7 June 2005.<sup>26</sup>

Preparation of the third edition of the Repertory (1995–2006) is currently underway. It is scheduled to be published in 2007 and will contain excerpts from Appellate Body Reports and Article 21.3(c) Arbitration Awards circulated from 1996 through 11 December 2006.

The Repertory can be ordered online at <<http://onlinebookshop.wto.org>>. The Repertory may also be consulted online at <[www.wto.org/appellatebody](http://www.wto.org/appellatebody)>.

---

<sup>25</sup>WT/COMTD/W/142.

<sup>26</sup>There were no Appellate Body Reports or Article 21.3(c) Arbitration Awards circulated in 1995.

## B. Tenth Anniversary Conferences

In 2005, the Appellate Body launched a series of conferences to celebrate the Tenth Anniversary of the WTO Dispute Settlement System and the Appellate Body. The conferences were hosted by academic institutions with which some Members of the Appellate Body are affiliated, and focused on current dispute settlement issues and the Appellate Body's contribution to the settlement of disputes. Participants included current and former Appellate Body Members, academics, high-ranking government representatives, WTO officials, journalists, students, and civil society representatives. The first three conferences were held in 2005 in Stresa, Italy; São Paulo, Brazil; and Tokyo, Japan. Information on the first three conferences was set out in the *Appellate Body Annual Report for 2005*.

The last two conferences of the series were held on 11-13 February 2006 in Cairo, Egypt, and on 5-7 April 2006 in New York, United States. The Cairo conference was organized by the Cairo Regional Centre for International Commercial Arbitration. Professor Georges Abi-Saab, Appellate Body Member, was a member of the steering committee for this conference. The New York conference was organized and hosted by Columbia University. Merit E. Janow, Appellate Body Member and Professor at Columbia University, was a member of the steering committee for this conference.

Publications compiling the papers presented at four of the five conferences are either published or forthcoming. The book compiling the papers presented at the Stresa conference is co-published by the WTO and Cambridge University Press and is entitled *The WTO at Ten: The Contribution of the Dispute Settlement System*. An official book launch was held at the WTO on 13 July 2006, hosted jointly by the WTO, Cambridge University Press, and the Permanent Mission of Italy to the WTO. The book was presented by Ronald Saborío, Ambassador of Costa Rica to the WTO and Chair of the DSB Special Session; Alejandro Jara, Deputy-Director-General of the WTO; and Georges Abi-Saab, Appellate Body Member. A reception followed the presentation. The book is available for purchase online at <<http://onlinebookshop.wto.org>>.

The book compiling the papers presented at the São Paulo conference is published by Aduaneiras Press in December 2006. The book is entitled *Dez Anos de OMC – Uma análise do Sistema de Solução de Controvérsias e Perspectivas* and is available for purchase online at <[www.aduaneiras.com.br](http://www.aduaneiras.com.br)>.

A publication of the papers presented at the Tokyo conference was released in January 2007. The publication is entitled *The WTO in the Twenty-first Century: Dispute Settlement, Negotiations, and Regionalism in Asia* and is co-published by the WTO and Cambridge University Press. It is available for purchase online at <<http://onlinebookshop.wto.org>>.

Finally, a publication comprising the papers presented at the New York conference is currently in the editing stage and release of the book is scheduled for mid-2007.

General information on the Tenth Anniversary conferences may be obtained online at <[www.wto.org/appellatebody](http://www.wto.org/appellatebody)>.

The final programmes for the Cairo and New York conferences are included in Annex 7.

### C. *WTO Internship Programme*

The Appellate Body Secretariat participates in the WTO internship programme, which allows post-graduate university students to gain practical experience and a deeper knowledge of the multilateral trading system. Interns in the Appellate Body Secretariat obtain first-hand experience of the substantive and procedural aspects of WTO dispute settlement and, in particular, appellate proceedings. The internship programme is open to nationals of WTO Members and to nationals of countries and customs territories engaged in accession negotiations.

The Appellate Body Secretariat generally hosts two interns concurrently; each internship is for a three-month period. During 2006, the Appellate Body Secretariat welcomed interns from Bulgaria, Germany, India (2), Ireland, Kazakhstan, and Chinese Taipei. A total of 57 students, of 35 nationalities, have completed internships with the Appellate Body Secretariat since 2001.<sup>27</sup>

Further information about the WTO internship programme, including eligibility requirements and application instructions, may be obtained online at

[www.wto.org/english/thewto\\_e/vacan\\_e/intern\\_e.htm](http://www.wto.org/english/thewto_e/vacan_e/intern_e.htm).

### D. *Other Activities*

In 2006, the Appellate Body Secretariat continued its *Speakers' Series*, in which it regularly invites scholars and practitioners with expertise in law, economics, and trade policy to speak on topical issues relating to international trade, public international law, and international dispute settlement. The list of speakers in 2006 included Cristian Espinosa, Steven Fabry, Gary Horlick, Atul Kaushik, Gabrielle Marceau, Mitsuo Matsushita, Donald McRae, Hunter Nottage, Joost Pauwelyn, Fernando Pierola, Thomas Sebastian, Helge Seland, Isabelle Van Damme, and Rufus Yerxa.

Building on the success of the *Speakers' Series*, the Appellate Body Secretariat launched in September 2006 a new *Research Series*, aimed at doctoral students and young academics. The objective of the programme is to provide an opportunity for doctoral students working on their theses, and young academics working on research papers, to present and discuss their research in an informal setting with the Geneva-based trade community.

Appellate Body Secretariat staff also participate in briefings organized for groups visiting the WTO, including students. In these briefings, Appellate Body Secretariat staff speak to visitors about the WTO dispute settlement system in general, and appellate proceedings in particular. During 2006, Appellate Body Secretariat staff gave briefings to 13 groups of students, one group of government officials from Thailand, and one group of lawyers from Korea. Appellate Body Secretariat staff also participated as judges in the moot court competition organized by the European Law Students' Association. In addition, Appellate Body Members and Secretariat staff occasionally give lectures and participate in conferences and seminars dealing with international trade issues.

---

<sup>27</sup>Data on internships for pre-2001 are not available.

## ANNEX 1

### FORMER APPELLATE BODY MEMBERS

Name	Nationality	Terms of Office
Said El-Naggar	Egypt	1995–1999 1999–2000
Mitsuo Matsushita	Japan	1995–1999 1999–2000
Christopher Beeby	New Zealand	1995–1999 1999–2000
Claus-Dieter Ehlermann	Germany	1995–1997 1997–2001
Florentino Feliciano	Philippines	1995–1997 1997–2001
Julio Lacarte-Muró	Uruguay	1995–1997 1997–2001
James Bacchus	United States	1995–1999 1999–2003
John Lockhart	Australia	2001–2005 2005–2006

### FORMER CHAIRPERSONS OF THE APPELLATE BODY

Name	Nationality	Term(s) as chairperson
Julio Lacarte-Muró	Uruguay	7 February 1996 – 6 February 1997 7 February 1997 – 6 February 1998
Christopher Beeby	New Zealand	7 February 1998 – 6 February 1999
Said El-Naggar	Egypt	7 February 1999 – 6 February 2000
Florentino Feliciano	Philippines	7 February 2000 – 6 February 2001
Claus-Dieter Ehlermann	Germany	7 February 2001 – 10 December 2001
James Bacchus	United States	15 December 2001 – 14 December 2002 15 December 2002 – 10 December 2003
Georges Abi-Saab	Egypt	13 December 2003 – 12 December 2004
Yasuhei Taniguchi	Japan	17 December 2004 – 16 December 2005
A.V. Ganesan	India	17 December 2005 – 16 December 2006



## ANNEX 2

### APPEALS FILED: 1995–2006

Year	Number of Notices of Appeal filed
1995	0
1996	4
1997	6 <sup>a</sup>
1998	8
1999	9 <sup>b</sup>
2000	13 <sup>c</sup>
2001	9 <sup>d</sup>
2002	7 <sup>e</sup>
2003	6 <sup>f</sup>
2004	5
2005	10
2006	5
<b>Total</b>	<b>82</b>

<sup>a</sup>This number includes two Notices of Appeal that were circulated at the same time in related matters, counted separately: *EC – Hormones (Canada)*; *EC – Hormones (US)*. A single Appellate Body Report was subsequently circulated in relation to these appeals.

<sup>b</sup>This number excludes one Notice of Appeal that was withdrawn by the United States, which subsequently filed another Notice of Appeal in relation to the same Panel Report: *US – FSC*.

<sup>c</sup>This number includes two Notices of Appeal that were circulated at the same time in related matters, counted separately: *US – 1916 Act (EC)*; *US – 1916 Act (Japan)*. A single Appellate Body Report was subsequently circulated in relation to these appeals.

<sup>d</sup>This number excludes one Notice of Appeal that was withdrawn by the United States, which subsequently filed another Notice of Appeal in relation to the same Panel Report: *US – Line Pipe*.

<sup>e</sup>This number includes one Notice of Appeal that was subsequently withdrawn: *India – Autos*, and excludes one Notice of Appeal that was withdrawn by the European Communities, which subsequently filed another Notice of Appeal in relation to the same Panel Report: *EC – Sardines*.

<sup>f</sup>This number excludes one Notice of Appeal that was withdrawn by the United States, which subsequently filed a new Notice of Appeal in relation to the same Panel Report: *US – Softwood Lumber IV*.

### ANNEX 3

#### PERCENTAGE OF PANEL REPORTS APPEALED BY YEAR OF ADOPTION: 1995–2006 <sup>a</sup>

Year of adoption	All Panel Reports			Panel Reports other than Article 21.5 Reports <sup>b</sup>			Article 21.5 Panel Reports		
	Panel Reports adopted <sup>c</sup>	Panel Reports appealed <sup>d</sup>	Percentage appealed <sup>e</sup>	Panel Reports adopted	Panel Reports appealed	Percentage appealed	Panel Reports adopted	Panel Reports appealed	Percentage appealed
1996	2	2	100%	2	2	100%	0	0	–
1997	5	5	100%	5	5	100%	0	0	–
1998	12	9	75%	12	9	75%	0	0	–
1999	10	7	70%	9	7	78%	1	0	0%
2000	19	11	58%	15	9	60%	4	2	50%
2001	17	12	71%	13	9	69%	4	3	75%
2002	12	6	50%	11	5	45%	1	1	100%
2003	10	7	70%	8	5	63%	2	2	100%
2004	8	6	75%	8	6	75%	0	0	–
2005	20	12	60%	17	11	65%	3	1	33%
2006	7	6	86%	4	3	75%	3	3	100%
<b>Total</b>	<b>122</b>	<b>83</b>	<b>68%</b>	<b>104</b>	<b>71</b>	<b>68%</b>	<b>18</b>	<b>12</b>	<b>67%</b>

<sup>a</sup> No Panel Reports were adopted in 1995.

<sup>b</sup> Under Article 21.5 of the DSU, a panel may be established to hear a "disagreement as to the existence or consistency with a covered agreement of measures taken to comply with the recommendations and rulings" of the DSB upon the adoption of a previous Panel or Appellate Body Report.

<sup>c</sup> The Panel Reports in *EC – Bananas III (Ecuador)*, *EC – Bananas III (Guatemala and Honduras)*, *EC – Bananas III (Mexico)*, and *EC – Bananas III (US)* are counted as a single Panel Report. The Panel Reports in *US – Steel Safeguards*, in *EC – Export Subsidies on Sugar*, and in *EC – Chicken Cuts*, are also counted as a single Panel Report in each of those disputes.

<sup>d</sup> Panel Reports are counted as having been appealed where they are adopted as upheld, modified, or reversed by an Appellate Body Report. The number of Panel Reports appealed may differ from the number of Appellate Body Reports because some Appellate Body Reports address more than one Panel Report.

<sup>e</sup> Percentages are rounded to the nearest whole number.

## ANNEX 4

### WTO AGREEMENTS ADDRESSED IN APPELLATE BODY REPORTS CIRCULATED THROUGH 2006<sup>a</sup>

Year of Circulation	DSU	WTO Agmt	GATT 1994	Agriculture	SPS	ATC	TBT	TRIMs	Anti-Dumping	Import Licensing	SCM	Safe-guards	GATS	TRIPS
1996	0	0	2	0	0	0	0	0	0	0	0	0	0	0
1997	4	1	5	1	0	2	0	0	0	1	1	0	1	1
1998	7	1	4	1	2	0	0	0	1	1	0	0	0	0
1999	7	1	6	1	1	0	0	0	0	0	2	1	0	0
2000	8	1	7	2	0	0	0	0	2	0	5	2	1	1
2001	7	1	3	1	0	1	1	0	4	0	1	2	0	0
2002	8	2	4	3	0	0	1	0	1	0	3	1	1	1
2003	4	2	3	0	1	0	0	0	4	0	1	1	0	0
2004	2	0	5	0	0	0	0	0	2	0	1	0	0	0
2005	9	0	5	2	0	0	0	0	2	0	4	0	1	0
2006	5	0	3	0	0	0	0	0	3	0	2	0	0	0
<b>Total</b>	<b>61</b>	<b>9</b>	<b>47</b>	<b>11</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>19</b>	<b>2</b>	<b>20</b>	<b>7</b>	<b>4</b>	<b>3</b>

<sup>a</sup> No appeals were filed in 1995.

## ANNEX 5

### PARTICIPANTS AND THIRD PARTICIPANTS IN APPEALS: 1995–2006

As of the end of 2006, there were 149 WTO Members<sup>1</sup>, of which 66 (44 per cent) have participated in appeals in which Appellate Body Reports were circulated between 1996 and 2006.<sup>2</sup>

The rules pursuant to which Members participate in appeals as appellant, other appellant, appellee, and third participant are described in Section IV of this Annual Report.

#### I. STATISTICAL SUMMARY

WTO Member	Appellant	Other Appellant	Appellee	Third Participant	Total
Antigua & Barbuda	1	–	1	–	2
Argentina	2	1	3	6	12
Australia	2	1	5	13	21
Barbados	–	–	–	1	1
Belize	–	–	–	2	2
Benin	–	–	–	1	1
Bolivia	–	–	–	1	1
Brazil	8	3	10	12	33
Cameroon	–	–	–	1	1
Canada	10	6	14	13	43
Chad	–	–	–	1	1
Chile	2	–	1	4	7
China	–	1	1	14	16
Colombia	–	–	–	4	4
Costa Rica	1	–	–	3	4
Côte d'Ivoire	–	–	–	2	2
Cuba	–	–	–	3	3
Dominica	–	–	–	2	2
Dominican Republic	1	–	1	1	3
Ecuador	–	1	1	5	7
Egypt	–	–	–	1	1
El Salvador	–	–	–	2	2
European Communities	11	13	29	36	89
Fiji	–	–	–	1	1
Ghana	–	–	–	1	1

<sup>1</sup>The Government of the Socialist Republic of Viet Nam submitted, on 12 December 2006, its acceptance of the terms and conditions of membership set out in the Accession Protocol (see WT/L/662). Viet Nam became the 150th Member of the WTO on 11 January 2007.

<sup>2</sup>No appeals were filed and no Appellate Body Reports were circulated in 1995, the year the Appellate Body was established.

WTO Member	Appellant	Other Appellant	Appellee	Third Participant	Total
Grenada	–	–	–	1	1
Guatemala	1	1	1	3	6
Guyana	–	–	–	1	1
Honduras	1	1	2	1	5
Hong Kong, China	–	–	–	6	6
India	5	1	5	16	27
Indonesia	–	–	1	1	2
Israel	–	–	–	1	1
Jamaica	–	–	–	3	3
Japan	4	4	8	23	39
Kenya	–	–	–	1	1
Korea	4	2	5	8	19
Madagascar	–	–	–	1	1
Malaysia	1	–	1	–	2
Mauritius	–	–	–	2	2
Malawi	–	–	–	1	1
Mexico	4	1	4	14	23
New Zealand	–	2	5	7	14
Nicaragua	–	–	–	2	2
Nigeria	–	–	–	1	1
Norway	–	1	1	7	9
Pakistan	–	–	2	2	4
Panama	–	–	–	1	1
Paraguay	–	–	–	4	4
Peru	–	–	1	1	2
Philippines	1	–	1	1	3
Poland	–	–	1	–	1
Senegal	–	–	–	1	1
St Lucia	–	–	–	2	2
St Kitts & Nevis	–	–	–	1	1
St Vincent & the Grenadines	–	–	–	1	1
Suriname	–	–	–	1	1
Swaziland	–	–	–	1	1
Switzerland	–	1	1	–	2
Chinese Taipei	–	–	–	9	9
Tanzania	–	–	–	1	1
Thailand	3	–	4	4	11
Trinidad & Tobago	–	–	–	1	1
Turkey	1	–	–	1	2
United States	25	9	47	23	104
Venezuela	–	–	1	6	7
<b>Total</b>	<b>88</b>	<b>49</b>	<b>157</b>	<b>291</b>	<b>585</b>

## II. DETAILS BY YEAR OF CIRCULATION

### 1996

Case	Appellant	Other Appellant(s)	Appellee(s)	Third Participant(s)
<i>US – Gasoline</i> WT/DS2/AB/R	United States	- - -	Brazil Venezuela	European Communities Norway
<i>Japan – Alcoholic Beverages II</i> WT/DS8/AB/R WT/DS10/AB/R WT/DS11/AB/R	Japan	United States	Canada European Communities Japan United States	- - -

### 1997

Case	Appellant	Other Appellant(s)	Appellee(s)	Third Participant(s)
<i>US – Underwear</i> WT/DS24/AB/R	Costa Rica	- - -	United States	India
<i>Brazil – Desiccated Coconut</i> WT/DS22/AB/R	Philippines	Brazil	Brazil Philippines	European Communities United States
<i>US – Wool Shirts and Blouses</i> WT/DS33/AB/R	India	- - -	United States	- - -
<i>Canada – Periodicals</i> WT/DS31/AB/R	Canada	United States	Canada United States	- - -
<i>EC – Bananas III</i> WT/DS27/AB/R	European Communities	Ecuador Guatemala Honduras Mexico United States	Ecuador European Communities Guatemala Honduras Mexico United States	Belize Cameroon Colombia Costa Rica Côte d'Ivoire Dominica Dominican Republic Ghana Grenada Jamaica Japan Nicaragua Saint Lucia St Vincent & the Grenadines Senegal Suriname Venezuela
<i>India – Patents (US)</i> WT/DS50/AB/R	India	- - -	United States	European Communities

**1998**

<b>Case</b>	<b>Appellant</b>	<b>Other Appellant(s)</b>	<b>Appellee(s)</b>	<b>Third Participant(s)</b>
<i>EC – Hormones</i> WT/DS26/AB/R WT/DS48/AB/R	European Communities	Canada United States	Canada European Communities United States	Australia New Zealand Norway
<i>Argentina – Textiles and Apparel</i> WT/DS56/AB/R	Argentina	- - -	United States	European Communities
<i>EC – Computer Equipment</i> WT/DS62/AB/R WT/DS67/AB/R WT/DS68/AB/R	European Communities	- - -	United States	Japan
<i>EC – Poultry</i> WT/DS69/AB/R	Brazil	European Communities	Brazil European Communities	Thailand United States
<i>US – Shrimp</i> WT/DS58/AB/R	United States	- - -	India Malaysia Pakistan Thailand	Australia Ecuador European Communities Hong Kong, China Mexico Nigeria
<i>Australia – Salmon</i> WT/DS18/AB/R	Australia	Canada	Australia Canada	European Communities India Norway United States
<i>Guatemala – Cement I</i> WT/DS60/AB/R	Guatemala	- - -	Mexico	United States

**1999**

<b>Case</b>	<b>Appellant</b>	<b>Other Appellant(s)</b>	<b>Appellee(s)</b>	<b>Third Participant(s)</b>
<i>Korea – Alcoholic Beverages</i> WT/DS75/AB/R WT/DS84/AB/R	Korea	- - -	European Communities United States	Mexico
<i>Japan – Agricultural Products II</i> WT/DS76/AB/R	Japan	United States	Japan United States	Brazil European Communities
<i>Brazil – Aircraft</i> WT/DS46/AB/R	Brazil	Canada	Brazil Canada	European Communities United States
<i>Canada – Aircraft</i> WT/DS70/AB/R	Canada	Brazil	Brazil Canada	European Communities United States
<i>India – Quantitative Restrictions</i> WT/DS90/AB/R	India	- - -	United States	- - -
<i>Canada – Dairy</i> WT/DS103/AB/R WT/DS113/AB/R	Canada	- - -	New Zealand United States	- - -
<i>Turkey – Textiles</i> WT/DS34/AB/R	Turkey	- - -	India	Hong Kong, China Japan Philippines
<i>Chile – Alcoholic Beverages</i> WT/DS87/AB/R WT/DS110/AB/R	Chile	- - -	European Communities	Mexico United States
<i>Argentina – Footwear (EC)</i> WT/DS121/AB/R	Argentina	European Communities	Argentina European Communities	Indonesia United States
<i>Korea – Dairy</i> WT/DS98/AB/R	Korea	European Communities	Korea European Communities	United States



**2000**

<b>Case</b>	<b>Appellant</b>	<b>Other Appellant(s)</b>	<b>Appellee(s)</b>	<b>Third Participant(s)</b>
<i>US – FSC</i> WT/DS108/AB/R	United States	European Communities	European Communities United States	Canada Japan
<i>US – Lead and Bismuth II</i> WT/DS138/AB/R	United States	- - -	European Communities	Brazil Mexico
<i>Canada – Autos</i> WT/DS139/AB/R	Canada	European Communities Japan	Canada European Communities Japan	Korea United States
<i>Brazil – Aircraft (Article 21.5 – Canada)</i> WT/DS46/AB/RW	Brazil	- - -	Canada	European Communities United States
<i>Canada – Aircraft (Article 21.5 – Brazil)</i> WT/DS70/AB/RW	Brazil	- - -	Canada	European Communities United States
<i>US – 1916 Act</i> WT/DS136/AB/R WT/DS162/AB/R	United States	European Communities Japan	European Communities Japan United States	European Communities <sup>3</sup> India Japan <sup>4</sup> Mexico
<i>Canada – Term of Patent Protection</i> WT/DS170/AB/R	Canada	- - -	United States	- - -
<i>Korea – Various Measures on Beef</i> WT/DS161/AB/R WT/DS169/AB/R	Korea	- - -	Australia United States	Canada New Zealand
<i>US – Certain EC Products</i> WT/DS165/AB/R	European Communities	United States	European Communities United States	Dominica Ecuador India Jamaica Japan St. Lucia
<i>US – Wheat Gluten</i> WT/DS166/AB/R	United States	European Communities	European Communities United States	Australia Canada New Zealand

<sup>3</sup>In complaint brought by Japan.

<sup>4</sup>In complaint brought by the European Communities.

**2001**

<b>Case</b>	<b>Appellant</b>	<b>Other Appellant(s)</b>	<b>Appellee(s)</b>	<b>Third Participant(s)</b>
<i>EC – Bed Linen</i> WT/DS141/AB/R	European Communities	India	European Communities India	Egypt Japan United States
<i>EC – Asbestos</i> WT/DS135/AB/R	Canada	European Communities	Canada European Communities	Brazil United States
<i>Thailand – H-Beams</i> WT/DS122/AB/R	Thailand	- - -	Poland	European Communities Japan United States
<i>US – Lamb</i> WT/DS177/AB/R WT/DS178/AB/R	United States	Australia New Zealand	Australia New Zealand United States	European Communities
<i>US – Hot-Rolled Steel</i> WT/DS184/AB/R	United States	Japan	Japan United States	Brazil Canada Chile European Communities Korea
<i>US – Cotton Yarn</i> WT/DS192/AB/R	United States	- - -	Pakistan	European Communities India
<i>US – Shrimp</i> (Article 21.5 – Malaysia) WT/DS58/AB/RW	Malaysia	- - -	United States	Australia European Communities Hong Kong, China India Japan Mexico Thailand
<i>Mexico – Corn Syrup</i> (Article 21.5 – US) WT/DS132/AB/RW	Mexico	- - -	United States	European Communities
<i>Canada – Dairy</i> (Article 21.5 – New Zealand and US) WT/DS103/AB/RW WT/DS113/AB/RW	Canada	- - -	New Zealand United States	European Communities

**2002**

<b>Case</b>	<b>Appellant</b>	<b>Other Appellant(s)</b>	<b>Appellee(s)</b>	<b>Third Participant(s)</b>
<i>US – Section 211 Appropriations Act</i> WT/DS176/AB/R	European Communities	United States	European Communities United States	- - -
<i>US – FSC (Article 21.5 – EC)</i> WT/DS108/AB/RW	United States	European Communities	European Communities United States	Australia Canada India Japan
<i>US – Line Pipe</i> WT/DS202/AB/R	United States	Korea	Korea United States	Australia Canada European Communities Japan Mexico
<i>India – Autos</i> <sup>5</sup> WT/DS146/AB/R WT/DS175/AB/R	India	- - -	European Communities United States	Korea
<i>Chile – Price Band System</i> WT/DS207/AB/R	Chile	- - -	Argentina	Australia Brazil Colombia Ecuador European Communities Paraguay United States Venezuela
<i>EC – Sardines</i> WT/DS231/AB/R	European Communities	- - -	Peru	Canada Chile Ecuador United States Venezuela
<i>US – Carbon Steel</i> WT/DS213/AB/R	United States	European Communities	European Communities United States	Japan Norway
<i>US – Countervailing Measures on Certain EC Products</i> WT/DS212/AB/R	United States	- - -	European Communities	Brazil India Mexico
<i>Canada – Dairy (Article 21.5 – New Zealand and US II)</i> WT/DS103/AB/RW2 WT/DS113/AB/RW2	Canada	- - -	New Zealand United States	Argentina Australia European Communities

---

<sup>5</sup>India withdrew its appeal the day before the oral hearing was scheduled to proceed.

**2003**

<b>Case</b>	<b>Appellant</b>	<b>Other Appellant(s)</b>	<b>Appellee(s)</b>	<b>Third Participant(s)</b>
<i>US – Offset Act (Byrd Amendment)</i> WT/DS217/AB/R WT/DS234/AB/R	United States	- - -	Australia Brazil Canada Chile European Communities India Indonesia Japan Korea Mexico Thailand	Argentina Costa Rica Hong Kong, China Israel Norway
<i>EC – Bed Linen (Article 21.5 – India)</i> WT/DS141/AB/RW	India	- - -	European Communities	Japan Korea United States
<i>EC – Tube or Pipe Fittings</i> WT/DS219/AB/R	Brazil	- - -	European Communities	Chile Japan Mexico United States
<i>US – Steel Safeguards</i> WT/DS248/AB/R WT/DS249/AB/R WT/DS251/AB/R WT/DS252/AB/R WT/DS253/AB/R WT/DS254/AB/R WT/DS258/AB/R WT/DS259/AB/R	United States	Brazil China European Communities Japan Korea New Zealand Norway Switzerland	Brazil China European Communities Japan Korea New Zealand Norway Switzerland United States	Canada Cuba Mexico Chinese Taipei Thailand Turkey Venezuela
<i>Japan – Apples</i> WT/DS245/AB/R	Japan	United States	Japan United States	Australia Brazil European Communities New Zealand Chinese Taipei
<i>US – Corrosion-Resistant Steel Sunset Review</i> WT/DS244/AB/R	Japan	- - -	United States	Brazil Chile European Communities India Korea Norway

**2004**

<b>Case</b>	<b>Appellant</b>	<b>Other Appellant(s)</b>	<b>Appellee(s)</b>	<b>Third Participant(s)</b>
<i>US – Softwood Lumber IV</i> WT/DS257/AB/R	United States	Canada	Canada United States	European Communities India Japan
<i>EC – Tariff Preferences</i> WT/DS246/AB/R	European Communities	- - -	India	Bolivia Brazil Colombia Costa Rica Cuba Ecuador El Salvador Guatemala Honduras Mauritius Nicaragua Pakistan Panama Paraguay Peru United States Venezuela
<i>US – Softwood Lumber V</i> WT/DS264/AB/R	United States	Canada	Canada United States	European Communities India Japan
<i>Canada – Wheat Exports and Grain Imports</i> WT/DS276/AB/R	United States	Canada	Canada United States	Australia China European Communities Mexico Chinese Taipei
<i>US – Oil Country Tubular Goods Sunset Reviews</i> WT/DS268/AB/R	United States	Argentina	Argentina United States	European Communities Japan Korea Mexico Chinese Taipei

**2005**

<b>Case</b>	<b>Appellant</b>	<b>Other Appellant(s)</b>	<b>Appellee(s)</b>	<b>Third Participant(s)</b>
<i>US – Upland Cotton</i> WT/DS267/AB/R	United States	Brazil	Brazil United States	Argentina Australia Benin Canada Chad China European Communities India New Zealand Pakistan Paraguay Chinese Taipei Venezuela
<i>US – Gambling</i> WT/DS285/AB/R	United States	Antigua & Barbuda	Antigua & Barbuda United States	Canada European Communities Japan Mexico Chinese Taipei
<i>EC – Export Subsidies on Sugar</i> WT/DS265/AB/R WT/DS266/AB/R WT/DS283/AB/R	European Communities	Australia Brazil Thailand	Australia Brazil European Communities Thailand	Barbados Belize Canada China Colombia Côte d'Ivoire Cuba Fiji Guyana India Jamaica Kenya Madagascar Malawi Mauritius New Zealand Paraguay St. Kitts & Nevis Swaziland Tanzania Trinidad & Tobago United States

**2005 (cont'd)**

<b>Case</b>	<b>Appellant</b>	<b>Other Appellant(s)</b>	<b>Appellee(s)</b>	<b>Third Participant(s)</b>
<i>Dominican Republic – Import and Sale of Cigarettes</i> WT/DS302/AB/R	Dominican Republic	Honduras	Dominican Republic Honduras	China El Salvador European Communities Guatemala United States
<i>US – Countervailing Duty Investigation on DRAMS</i> WT/DS296/AB/R	United States	Korea	Korea United States	China European Communities Japan Chinese Taipei
<i>EC – Chicken Cuts</i> WT/DS269/AB/R WT/DS286/AB/R	European Communities	Brazil Thailand	Brazil European Communities Thailand	China United States
<i>Mexico – Anti-Dumping Measures on Rice</i> WT/DS295/AB/R	Mexico	- - -	United States	China European Communities
<i>US – Anti-Dumping Measures on Oil Country Tubular Goods</i> WT/DS282/AB/R	Mexico	United States	Mexico United States	Argentina Canada China European Communities Japan Chinese Taipei
<i>US – Softwood Lumber IV (Article 21.5 – Canada)</i> WT/DS257/AB/RW	United States	Canada	Canada United States	China European Communities

**2006**

<b>Case</b>	<b>Appellant</b>	<b>Other Appellant(s)</b>	<b>Appellee(s)</b>	<b>Third Participant(s)</b>
<i>US – FSC</i> (Article 21.5 – EC II) WT/DS108/AB/RW2	United States	European Communities	European Communities United States	Australia Brazil China
<i>Mexico – Taxes on Soft Drinks</i> WT/DS308/AB/R	Mexico	- - -	United States	Canada China European Communities Guatemala Japan
<i>US – Softwood Lumber VI</i> (Article 21.5 – Canada) WT/DS277/AB/RW	Canada	- - -	United States	China European Communities
<i>US – Zeroing (EC)</i> WT/DS294/AB/R	European Communities	United States	United States European Communities	Argentina Brazil China Hong Kong, China India Japan Korea Mexico Norway Chinese Taipei
<i>US – Softwood Lumber V</i> (Article 21.5 – Canada) WT/DS264/AB/RW	Canada	- - -	United States	China European Communities India Japan New Zealand Thailand
<i>EC – Selected Customs Matters</i> WT/DS315/AB/R	United States	European Communities	European Communities United States	Argentina Australia Brazil China Hong Kong, China India Japan Korea Chinese Taipei



## ANNEX 6

### APPELLATE BODY SECRETARIAT PARTICIPATION IN THE WTO TECHNICAL ASSISTANCE AND TRAINING PLAN 2006

Course / Seminar	Location	Dates
35th Trade Policy Course – Appellate Body presentation	Geneva, Switzerland	20–24 March 2006
36th Trade Policy Course – Dispute Settlement presentations and simulations	Geneva, Switzerland	27–31 March 2006
14th Specialized Dispute Settlement Course	Geneva, Switzerland	24–28 April 2006
Seminar on WTO-related Issues for Government officials in the SAARC Region	New Delhi, India	2–3 May 2006
Regional Trade Policy Course (Basic Principles)	Rabat, Morocco (French)	15–17 May 2006
Regional Trade Policy Course (Agriculture)	Hong Kong, China	22–23 May 2006
E-Training Course – Introduction to the WTO and Basic Principles	Geneva, Switzerland (Spanish)	15 May– 23 June 2006
Intensive Course on WTO Dispute Settlement Mechanisms	Bangkok, Thailand	20–21 June 2006
15th Specialized Dispute Settlement Course	Geneva, Switzerland	3–7 July 2006
Regional Trade Policy Course (Dispute Settlement)	Hong Kong, China	3–7 July 2006
37th Trade Policy Course – Dispute Settlement presentations and simulations	Geneva, Switzerland (Spanish)	10–14 July 2006
Regional Seminar on Dispute Settlement	Nouakchott, Mauritania (French)	10–14 July 2006
Regional Trade Policy Course (Dispute Settlement)	Rabat, Morocco (French)	24–28 July 2006
Regional Trade Policy Course (Dispute Settlement)	Windhoek, Namibia	14–18 August 2006
National Seminar on Dispute Settlement	Bangkok, Thailand	11–15 September 2006
National Seminar on Dispute Settlement	Amman, Jordan	18–22 September 2006
16th Specialized Dispute Settlement Course	Geneva, Switzerland (French)	25–29 September 2006
National Seminar on Dispute Settlement	Kuala Lumpur, Malaysia	13–15 November 2006
National Workshop on Agriculture, SPS, and Fisheries Subsidies	Manila, Philippines	21–23 November 2006

Course / Seminar	Location	Dates
38th Trade Policy Course – Dispute Settlement presentations and simulations	Geneva, Switzerland	27 November – 1 December 2006
Regional Seminar on Dispute Settlement	Buenos Aires, Argentina (Spanish)	27 November – 1 December 2006
Regional Seminar on Dispute Settlement	Manama, Bahrain	3–6 December 2006
Regional Trade Policy Course (Dispute Settlement)	Santiago, Chile (Spanish)	4–7 December 2006
Regional Seminar on Dispute Settlement	Windhoek, Namibia	11–16 December 2006

## ANNEX 7

---

### PROGRAMMES OF TENTH ANNIVERSARY CONFERENCES HELD IN 2006

---

#### *The WTO at Ten: The Role of Developing Countries in Negotiations and Dispute Settlement*

11–13 February 2006  
Cairo, Egypt

#### PROGRAMME

Saturday, 11 February 2006

#### Opening

#### Session:

#### **"Introduction and tribute to Said El-Naggar, Former Appellate Body Member"**

Mohamed Aboul-Enein, Director, Cairo Regional Centre for International Commercial Arbitration

Georges Abi-Saab, Appellate Body Member, WTO; Honorary Professor at the Graduate Institute of International Studies, Geneva, and at Cairo University Faculty of Law

Ahmed Fathy Sorour, Speakers of the People's Assembly

Wafik Z. Kamil, Secretary-General of the Asian African Legal Consultative Organization (AALCO)

#### Session I:

#### **"The WTO at 10: From Marrakesh to Hong Kong and Beyond"**

Objective: Stock-taking after the Hong Kong Ministerial held in December, providing, at the same time, an introduction to the main areas covered by the ongoing Doha Development Agenda negotiations. The initial speaker would trace the history of the GATT/WTO, looking at how negotiations initially focused on tariffs, followed by rules relating to trade in goods and then expanding into new sectors, such as services, and intellectual property. The other speakers would focus on particular sectors, namely, non-agricultural goods, including textiles (referred to as "NAMA"); agriculture; services; and, intellectual property, including access to medicines.

#### Chair:

Yasuhei Taniguchi, Appellate Body Member, WTO; Professor of Law, Senshu University Law School; Attorney at Law, Matsuo & Kosugi, Tokyo

#### Speakers:

Alejandro Jara, Deputy Director-General, WTO

Magda Shahin, Egyptian Ministry of Foreign Affairs

Hamid Mamdouh, Director, Trade in Services Division, WTO

Hossam Lotfy, Head of the Civil Law Department and Professor, Bani Sweif University

John Finn, Counsellor, Agriculture and Commodities Division, WTO

Adel Khalil, Former First Under-Secretary of the Egyptian Ministry of Foreign Trade and Head of the Trade Representation Department

#### Session II:

#### **"How Can Developing Countries Participate More Effectively in Trade Negotiations?"**

Objective: Discuss developing country participation in GATT/WTO negotiations. The discussion could include a comparison of the experiences of different developing countries (such as Egypt, Brazil, and India) in the negotiations. Capacity-building efforts in the area of trade negotiations could also be assessed. Linkages between negotiations and dispute settlement could also be explored.

#### Chair:

Alejandro Jara, Deputy Director-General, WTO

#### Rapporteur:

Abdulqawi Yusuf, Director, Office of International Standards and Legal Affairs, UNESCO

#### Panelists:

Hamid Mamdouh, Director, Trade in Services Division, WTO

Doaa Abdel-Motaal, Counsellor, Office of the Director-General, WTO

Amr Ramadan, Director, International Economic Relations Affairs, Egyptian Ministry of Foreign Affairs

**Session III:**      **"Special and Differential Treatment in the WTO Agreements and its Relationship to the Basic Principles Underlying the Multilateral Trading System"**

**Objective:** Present a survey of the provisions in the covered agreements relating to special and differential treatment ("S&D") for developing and least-developed countries and of how these provisions have been applied in practice. Examine the relationship between the S&D provisions and the basic principles underlying the multilateral trading system, such as national treatment and most-favoured nation treatment. Assess the effectiveness of current S&D provisions and discuss S&D proposals made in the context of the Doha Development Agenda.

**Chair:**                Walid El Nozahy, Director of the WTO Central Department, Egyptian Ministry of Foreign Trade and Industry

**Rapporteur:**        Thomas Cottier, Managing Director, World Trade Institute

**Panelists:**           Hannes Schloemann, Director, World Trade Institute Advisors Ltd  
Mohsen Helal, Regional Advisor on WTO Issues, UN Economic and Social Commission for Western Asia  
Mohamed Dwidar, Former Head of Economics Department, University of Alexandria Law School

Sunday, 12 February 2006

**Session IV:**        **"Developing Country Participation in Dispute Settlement Proceedings: Who, What, Why and How?"**

**Objective:** Provide an overview of WTO dispute settlement procedures. Assess the participation of developing countries in WTO dispute settlement. The discussion could include looking at the experience that particular developing countries have had as participants in the system. It could also examine proposals for building capacity in the area of dispute settlement.

**Chair:**                Mohamed Aboul-Enein

**Rapporteur:**        Greg Shaffer, Professor, University of Wisconsin Law School

**Panelists:**           Hamdy Abdel Azeem, Professor of Economics, Sedat Academy for Management Sciences  
Nicolas Lockhart, Counsel, Sidley, Austin, Brown & Wood, Geneva  
Jan Bohanes, Legal Officer, Appellate Body Secretariat, WTO

**Session V:**         **"The Rules of the Game: Can the DSU Be Clarified and Improved to Assist Developing Countries?"**

**Objective:** Review the state-of-play of the DSU review negotiations, focusing on the participation of developing countries in the negotiations and on the proposals relating to developing country participation in dispute settlement.

**Chair:**                Alejandro Jara

**Rapporteur:**        Valerie Hughes, Partner, Gowling Lafleur Henderson, Ottawa; Former Director, Appellate Body Secretariat, WTO

**Panelists:**           Lothar Ehring, Trade Directorate, EC Commission  
Naglaa Nassar, Legal Advisor to the Egyptian Minister of International Cooperation  
Niall Meagher, Senior Counsel, Advisory Centre on WTO Law, Geneva

**Session VI:**        **"Dispute Settlement in Practice – Multilateral Rules on Trade Remedies: Case Study 1 – The US – Steel Safeguards dispute"**

**Objective:** The case study will be conducted as a workshop. The dispute will be used to review the procedural stages that are followed in a WTO dispute. Relevant substantive issues relating to the *Agreement on Safeguards* and trade in industrial goods will also be discussed. The participation of developing countries in this dispute will also be examined.

**Panelists:**           Nicolas Lockhart  
Gabrielle Marceau, Counsellor, Office of the Director-General, WTO  
Alan Yanovich, Counsellor, Appellate Body Secretariat, WTO

**Session VII:**      **"Dispute Settlement in Practice – Multilateral Rules on Trade Remedies:**

**Case study 2 – The EC – Bed Linen dispute"**

**Objective:** This case study also will be conducted as a workshop. The review of WTO dispute settlement procedures will include proceedings under Article 21.5 of the DSU. Relevant substantive issues relating to the *Anti-Dumping Agreement* and trade in textiles will also be discussed. The participation of developing countries in this dispute will also be examined.

**Panelists:**      Abdel-Rahman Fawsi, Head of Commercial Agreement Sector, Egyptian Ministry of Foreign Trade and Industry  
Niall Meagher  
Jan Bohanes

Monday, 13 February 2006

**Session VIII:**      **"The Role of the Appellate Body and its Contribution to the Development of the Law"**

**Objective:** Examine the role of the Appellate Body in the WTO dispute settlement system and assess its jurisprudence. Also, examine the Appellate Body's broader contribution to international dispute settlement, including a comparison with other international dispute settlement institutions.

**Chair:**      Georges Abi-Saab

**Panelists:**      Mohamed Aboul-Enein  
Joost Pauwelyn, Professor, Duke University Law School  
Gabrielle Marceau

**Session IX:**      **"The Arab Countries and the Multilateral Trading System"**

**Panelists:**      Gamal Bayoumy, President, Egyptian Federation of Arab Investors  
Hisham Youssef, Head of the Office of the Secretary General of Arab League, Cairo

**Closing Remarks:**      Georges Abi-Saab, Mohamed Aboul-Enein

---

***The WTO at Ten:  
Governance, Dispute Settlement, and Developing Countries***

New York, United States  
5–7 April 2006

**PROGRAMME**

Wednesday, 5 April 2006

**Opening Dinner: A World Leaders Forum Event**

Dinner and Discussion:  
***The Uruguay Round and the WTO: What Have We Achieved?***

**Welcome:** Lee C. Bollinger, President, Columbia University

**Chair:** Merit E. Janow, Appellate Body Member, WTO; Professor, International Economic Law & International Affairs, Columbia University

**Keynote Speakers:** Jagdish Bhagwati, Professor of Economics, Columbia University

Carla A. Hills, Chairman & CEO, Hills & Co. Int'l Consultants; Former US Trade Representative

Peter D. Sutherland KCMG, Chairman, Goldman Sachs International; Chairman, BP plc; Former Director-General GATT/WTO

Clayton Yeutter, Of Counsel, Hogan & Hartson LLP; Former US Secretary of Agriculture; Former US Trade Representative

Thursday, 6 April 2006

**Welcome:** Lisa Anderson, Dean and James T. Shotwell Professor of International Affairs, School of International and Public Affairs, Columbia University

**Session 1: "Decision Making at the WTO: An Analysis of a Member-Driven Organization"**

**Chair:** Professor Merit E. Janow

**Discussion:** Hyun-Chong Kim, Minister for Trade, Republic of Korea

Amina Mohamed, Chair, WTO General Council; Ambassador of the Republic of Kenya to the WTO

Stuart Harbinson, Special Adviser, Office of the WTO Director-General

Mary Robinson, Professor, Public Affairs, Columbia University; Executive Director, Realizing Rights: The Ethical Globalization Initiative; Former President, Ireland

Sun Zhenyu, Ambassador of the People's Republic of China to the WTO

**Session 2: "Examining the Dispute Settlement System: How Has It Performed?"**

**Chair:** Yasuhei Taniguchi, Appellate Body Member, WTO; Professor of Law, Senshu University Law School; Attorney at Law, Matsuo & Kosugi, Tokyo

**Discussion:** John H. Jackson, Professor of Law, Georgetown University Law Center

Julio A. Lacarte, Former Member and Chairman of the Appellate Body, WTO

George A. Bermann, Jean Monnet Professor of EU Law and Walter Gellhorn Professor of Law, Columbia Law School (presenting paper by Petros C. Mavroidis, Edwin B. Parker Professor of Foreign & Comparative Law, Columbia Law School)

Frieder Roessler, Executive Director, Advisory Centre on WTO Law

Werner Zdouc, Director, Appellate Body Secretariat, WTO

Luncheon and Discussion:  
*The WTO and Developing Countries*

**Welcome:** Jeffrey D. Sachs, Director, Earth Institute at Columbia University; Quetelet Professor of Sustainable Development; Professor of Health Policy and Management, Columbia University; Special Advisor to UN Secretary-General Kofi Annan

**Keynote Speakers:** Ngozi Okonjo-Iweala, Minister of Finance, Federal Republic of Nigeria  
Mari Elka Pangestu, Minister of Trade, Republic of Indonesia

**Session 3: "Lessons from Experience: Operation of the Panel Process and Appellate Review"**

**Chair:** Luiz Olavo Baptista, Appellate Body Member, WTO; Professor of International Trade Law, University of São Paulo Law School; Senior Partner, L.O. Baptista Law Firm, São Paulo

**Discussion:** William J. Davey, Professor of Law, University of Illinois College of Law

Valerie Hughes, Partner, Gowling Lafleur Henderson LLP; Former Director, Appellate Body Secretariat, WTO

Mitsuo Matsushita, Professor Emeritus, Tokyo University; Former Appellate Body Member, WTO

Andrew L. Stoler, Executive Director, Institute for International Business, Economics & Law, University of Adelaide; Former Deputy Director-General, WTO

John M. Weekes, Senior Policy Advisor, Sidley Austin LLP; Former Ambassador of Canada to the WTO, and Former Chair of the General Council, WTO

**Session 4: "WTO Case Law in International Law Context"**

**Chair:** Georges Abi-Saab, Appellate Body Member, WTO; Honorary Professor at the Graduate Institute of International Studies, Geneva, and at Cairo University Faculty of Law

**Discussion:** Jose E. Alvarez, Hamilton Fish Professor of International Law & Diplomacy, Columbia Law School

Florentino P. Feliciano, Senior Associate Justice (Ret.), Supreme Court of the Philippines; Former Member and Chairman of the Appellate Body, WTO; Senior Counsel, SyCip Salazar Hernandez & Gatmaitan

Pieter-Jan Kuijper, Director-Principal Legal Advisor, European Commission

Martti Koskeniemi, Professor, Academy of Finland and University of Helsinki

Patricia M. Wald, Judge (Ret.), US Court of Appeals, and former judge in the International Criminal Tribunal for the Former Yugoslavia

Dinner and Discussion:  
*Managing the Challenges Ahead*

**Welcome:** David M. Schizer, Dean and Lucy G. Moses Professor of Law, Columbia Law School

**Chair:** Hugh Patrick, Director, APEC Study Center; R.D. Calkins Professor of International Business Emeritus, Columbia Business School

**Keynote Speakers:** Minister Hyun-Chong Kim

Christine Lagarde, Minister of Foreign Trade, French Republic

Susan Schwab, Deputy US Trade Representative

**Questions and Answers Session:**

Albert Fishlow, Professor of International and Public Affairs; Director, Institute of Latin American Studies; Director, Center for Brazilian Studies, Columbia University

Arvind Panagariya, Bhagwati Professor of Indian Political Economy, School of International and Public Affairs, Columbia University

Joseph E. Stiglitz, Professor; Executive Director, Initiative for Policy Dialogue, Columbia University

Friday, 7 April 2006

**Session 5: "Considering Remedies"**

**Chair:** Kyle Bagwell, Kelvin J. Lancaster Professor of Economic Theory and Professor of Economics and Finance, Columbia University

**Discussion:** Gary Horlick, Partner, Wilmer Cutler Pickering Hale and Dorr, LLP

Robert Lawrence, Albert L. Williams Professor of International Trade and Investment, John F. Kennedy School of Government, Harvard University

Bruce Wilson, Director, Legal Affairs Division, WTO

Alan Wolff, Partner, Dewey Ballantine LLP, Washington, DC

**Session 6: "The Dispute Settlement System in the Next Ten Years"**

**Chair:** Ambassador Julio A. Lacarte

**Discussion:** Steve Charnovitz, Associate Professor, George Washington University Law School

Robert Howse, Alene & Allan F. Smith Professor of Law, University of Michigan Law School

David Palmeter, Senior Council, Sidley Austin LLP, Washington, DC

Jane Bradley, Adjunct Professor and Deputy Director, Institute of International Economic Law, Georgetown University Law Center

Luncheon and Discussion:

***Expanding Public Awareness of the WTO and Its Work***

**Welcome:** Charles W. Calomiris, Henry Kaufman Professor of Financial Institutions in the Faculty of Business, Columbia Business School

**Keynote Speakers:** Ernesto Zedillo, Director, Yale Center for the Study of Globalization; Professor in the Field of International Economics and Politics, Yale University; Former President, Federal Republic of Mexico

**Discussant:** Rufus Yerxa, Deputy Director-General, WTO

**Session 7: "Implementation of WTO Rulings: The Role of Courts and Legislatures in the United States and Other Jurisdictions"**

**Chair:** Giorgio Sacerdoti, Appellate Body Member, WTO; Professor of International Law and European Law, Bocconi University, Milan

**Discussion:** Thomas J. Aquilino, Jr., Senior Judge, US Court of International Trade

Professor George A. Bermann

Donald McRae, Hyman Soloway Chair in Business and Trade Law, University of Ottawa

Sharyn O'Halloran, George Blumenthal Professor and Professor of Political Science and International and Public Affairs, Columbia University

Ernst-Ulrich Petersmann, Professor of International and European Law, European University Institute, Florence

**Session 8: "Major Themes/Conclusions from the Conference and Reflections on the WTO in the Context of Economic Globalization"**

**Chair:** Grant Aldonas, Partner, Akin Gump Strauss Hauer & Feld LLP, Washington, DC

**Discussion:** Professor John H. Jackson

Keith Rockwell, Director, Information and Media Relations Division, WTO

Paul Blustein, Staff Writer, Washington Post

Seiichi Kondo, Ambassador, International Trade and Economy, Ministry of Foreign Affairs, Japan

Martin Wolf, Associate Editor, Chief Economics Commentator, Financial Times

**Closing Remark:** Professor Merit E. Janow

---



## ANNEX 8

### WTO Dispute Settlement Reports and Arbitration Awards: 1995–2006

Short Title	Full Case Title and Citation
<i>Argentina – Ceramic Tiles</i>	Panel Report, <i>Argentina – Definitive Anti-Dumping Measures on Imports of Ceramic Floor Tiles from Italy</i> , WT/DS189/R, adopted 5 November 2001, DSR 2001:XII, 6241
<i>Argentina – Footwear (EC)</i>	Appellate Body Report, <i>Argentina – Safeguard Measures on Imports of Footwear</i> , WT/DS121/AB/R, adopted 12 January 2000, DSR 2000:I, 515
<i>Argentina – Footwear (EC)</i>	Panel Report, <i>Argentina – Safeguard Measures on Imports of Footwear</i> , WT/DS121/R, adopted 12 January 2000, modified by Appellate Body Report, WT/DS121/AB/R, DSR 2000:II, 575
<i>Argentina – Hides and Leather</i>	Panel Report, <i>Argentina – Measures Affecting the Export of Bovine Hides and Import of Finished Leather</i> , WT/DS155/R and Corr.1, adopted 16 February 2001, DSR 2001:V, 1779
<i>Argentina – Hides and Leather</i>	Award of the Arbitrator, <i>Argentina – Measures Affecting the Export of Bovine Hides and Import of Finished Leather – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS155/10, 31 August 2001, DSR 2001:XII, 6013
<i>Argentina – Poultry Anti-Dumping Duties</i>	Panel Report, <i>Argentina – Definitive Anti-Dumping Duties on Poultry from Brazil</i> , WT/DS241/R, adopted 19 May 2003, DSR 2003:V, 1727
<i>Argentina – Preserved Peaches</i>	Panel Report, <i>Argentina – Definitive Safeguard Measure on Imports of Preserved Peaches</i> , WT/DS238/R, adopted 15 April 2003, DSR 2003:III, 1037
<i>Argentina – Textiles and Apparel</i>	Appellate Body Report, <i>Argentina – Measures Affecting Imports of Footwear, Textiles, Apparel and Other Items</i> , WT/DS56/AB/R and Corr.1, adopted 22 April 1998, DSR 1998:III, 1003
<i>Argentina – Textiles and Apparel</i>	Panel Report, <i>Argentina – Measures Affecting Imports of Footwear, Textiles, Apparel and Other Items</i> , WT/DS56/R, adopted 22 April 1998, modified by Appellate Body Report, WT/DS56/AB/R, DSR 1998:III, 1033
<i>Australia – Automotive Leather II</i>	Panel Report, <i>Australia – Subsidies Provided to Producers and Exporters of Automotive Leather</i> , WT/DS126/R, adopted 16 June 1999, DSR 1999:III, 951
<i>Australia – Automotive Leather II (Article 21.5 – US)</i>	Panel Report, <i>Australia – Subsidies Provided to Producers and Exporters of Automotive Leather – Recourse to Article 21.5 of the DSU by the United States</i> , WT/DS126/RW and Corr.1, adopted 11 February 2000, DSR 2000:III, 1189
<i>Australia – Salmon</i>	Appellate Body Report, <i>Australia – Measures Affecting Importation of Salmon</i> , WT/DS18/AB/R, adopted 6 November 1998, DSR 1998:VIII, 3327
<i>Australia – Salmon</i>	Panel Report, <i>Australia – Measures Affecting Importation of Salmon</i> , WT/DS18/R and Corr.1, adopted 6 November 1998, modified by Appellate Body Report, WT/DS18/AB/R, DSR 1998:VIII, 3407
<i>Australia – Salmon</i>	Award of the Arbitrator, <i>Australia – Measures Affecting Importation of Salmon – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS18/9, 23 February 1999, DSR 1999:I, 267
<i>Australia – Salmon (Article 21.5 – Canada)</i>	Panel Report, <i>Australia – Measures Affecting Importation of Salmon – Recourse to Article 21.5 of the DSU by Canada</i> , WT/DS18/RW, adopted 20 March 2000, DSR 2000:IV, 2031
<i>Brazil – Aircraft</i>	Appellate Body Report, <i>Brazil – Export Financing Programme for Aircraft</i> , WT/DS46/AB/R, adopted 20 August 1999, DSR 1999:III, 1161

Short Title	Full Case Title and Citation
<i>Brazil – Aircraft</i>	Panel Report, <i>Brazil – Export Financing Programme for Aircraft</i> , WT/DS46/R, adopted 20 August 1999, modified by Appellate Body Report, WT/DS46/AB/R, DSR 1999:III, 1221
<i>Brazil – Aircraft (Article 21.5 – Canada)</i>	Appellate Body Report, <i>Brazil – Export Financing Programme for Aircraft – Recourse by Canada to Article 21.5 of the DSU</i> , WT/DS46/AB/RW, adopted 4 August 2000, DSR 2000:VIII, 4067
<i>Brazil – Aircraft (Article 21.5 – Canada)</i>	Panel Report, <i>Brazil – Export Financing Programme for Aircraft – Recourse by Canada to Article 21.5 of the DSU</i> , WT/DS46/RW, adopted 4 August 2000, modified by Appellate Body Report, WT/DS46/AB/RW, DSR 2000:IX, 4093
<i>Brazil – Aircraft (Article 21.5 – Canada II)</i>	Panel Report, <i>Brazil – Export Financing Programme for Aircraft – Second Recourse by Canada to Article 21.5 of the DSU</i> , WT/DS46/RW/2, adopted 23 August 2001, DSR 2001:X, 5481
<i>Brazil – Aircraft (Article 22.6 – Brazil)</i>	Decision by the Arbitrators, <i>Brazil – Export Financing Programme for Aircraft – Recourse to Arbitration by Brazil under Article 22.6 of the DSU and Article 4.11 of the SCM Agreement</i> , WT/DS46/ARB, 28 August 2000, DSR 2002:I, 19
<i>Brazil – Desiccated Coconut</i>	Appellate Body Report, <i>Brazil – Measures Affecting Desiccated Coconut</i> , WT/DS22/AB/R, adopted 20 March 1997, DSR 1997:I, 167
<i>Brazil – Desiccated Coconut</i>	Panel Report, <i>Brazil – Measures Affecting Desiccated Coconut</i> , WT/DS22/R, adopted 20 March 1997, upheld by Appellate Body Report, WT/DS22/AB/R, DSR 1997:I, 189
<i>Canada – Aircraft</i>	Appellate Body Report, <i>Canada – Measures Affecting the Export of Civilian Aircraft</i> , WT/DS70/AB/R, adopted 20 August 1999, DSR 1999:III, 1377
<i>Canada – Aircraft</i>	Panel Report, <i>Canada – Measures Affecting the Export of Civilian Aircraft</i> , WT/DS70/R, adopted 20 August 1999, upheld by Appellate Body Report, WT/DS70/AB/R, DSR 1999:IV, 1443
<i>Canada – Aircraft (Article 21.5 – Brazil)</i>	Appellate Body Report, <i>Canada – Measures Affecting the Export of Civilian Aircraft – Recourse by Brazil to Article 21.5 of the DSU</i> , WT/DS70/AB/RW, adopted 4 August 2000, DSR 2000:IX, 4299
<i>Canada – Aircraft (Article 21.5 – Brazil)</i>	Panel Report, <i>Canada – Measures Affecting the Export of Civilian Aircraft – Recourse by Brazil to Article 21.5 of the DSU</i> , WT/DS70/RW, adopted 4 August 2000, modified by Appellate Body Report, WT/DS70/AB/RW, DSR 2000:IX, 4315
<i>Canada – Aircraft Credits and Guarantees</i>	Panel Report, <i>Canada – Export Credits and Loan Guarantees for Regional Aircraft</i> , WT/DS222/R and Corr.1, adopted 19 February 2002, DSR 2002:III, 849
<i>Canada – Aircraft Credits and Guarantees (Article 22.6 – Canada)</i>	Decision by the Arbitrator, <i>Canada – Export Credits and Loan Guarantees for Regional Aircraft – Recourse to Arbitration by Canada under Article 22.6 of the DSU and Article 4.11 of the SCM Agreement</i> , WT/DS222/ARB, 17 February 2003, DSR 2003:III, 1187
<i>Canada – Autos</i>	Appellate Body Report, <i>Canada – Certain Measures Affecting the Automotive Industry</i> , WT/DS139/AB/R, WT/DS142/AB/R, adopted 19 June 2000, DSR 2000:VI, 2985
<i>Canada – Autos</i>	Panel Report, <i>Canada – Certain Measures Affecting the Automotive Industry</i> , WT/DS139/R, WT/DS142/R, adopted 19 June 2000, modified by Appellate Body Report, WT/DS139/AB/R, WT/DS142/AB/R, DSR 2000:VII, 3043
<i>Canada – Autos</i>	Award of the Arbitrator, <i>Canada – Certain Measures Affecting the Automotive Industry – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS139/12, WT/DS142/12, 4 October 2000, DSR 2000:X, 5079

Short Title	Full Case Title and Citation
<i>Canada – Dairy</i>	Appellate Body Report, <i>Canada – Measures Affecting the Importation of Milk and the Exportation of Dairy Products</i> , WT/DS103/AB/R, WT/DS113/AB/R and Corr.1, adopted 27 October 1999, DSR 1999:V, 2057
<i>Canada – Dairy</i>	Panel Report, <i>Canada – Measures Affecting the Importation of Milk and the Exportation of Dairy Products</i> , WT/DS103/R, WT/DS113/R, adopted 27 October 1999, modified by Appellate Body Report, WT/DS103/AB/R, WT/DS113/AB/R, DSR 1999:VI, 2097
<i>Canada – Dairy</i> (Article 21.5 – New Zealand and US)	Appellate Body Report, <i>Canada – Measures Affecting the Importation of Milk and the Exportation of Dairy Products – Recourse to Article 21.5 of the DSU by New Zealand and the United States</i> , WT/DS103/AB/RW, WT/DS113/AB/RW, adopted 18 December 2001, DSR 2001:XIII, 6829
<i>Canada – Dairy</i> (Article 21.5 – New Zealand and US)	Panel Report, <i>Canada – Measures Affecting the Importation of Milk and the Exportation of Dairy Products – Recourse to Article 21.5 of the DSU by New Zealand and the United States</i> , WT/DS103/RW, WT/DS113/RW, adopted 18 December 2001, reversed by Appellate Body Report, WT/DS103/AB/RW, WT/DS113/AB/RW, DSR 2001:XIII, 6865
<i>Canada – Dairy</i> (Article 21.5 – New Zealand and US II)	Appellate Body Report, <i>Canada – Measures Affecting the Importation of Milk and the Exportation of Dairy Products – Second Recourse to Article 21.5 of the DSU by New Zealand and the United States</i> , WT/DS103/AB/RW2, WT/DS113/AB/RW2, adopted 17 January 2003, DSR 2003:I, 213
<i>Canada – Dairy</i> (Article 21.5 – New Zealand and US II)	Panel Report, <i>Canada – Measures Affecting the Importation of Milk and the Exportation of Dairy Products – Second Recourse to Article 21.5 of the DSU by New Zealand and the United States</i> , WT/DS103/RW2, WT/DS113/RW2, adopted 17 January 2003, modified by Appellate Body Report, WT/DS103/AB/RW2, WT/DS113/AB/RW2, DSR 2003:I, 255
<i>Canada – Patent Term</i>	Appellate Body Report, <i>Canada – Term of Patent Protection</i> , WT/DS170/AB/R, adopted 12 October 2000, DSR 2000:X, 5093
<i>Canada – Patent Term</i>	Panel Report, <i>Canada – Term of Patent Protection</i> , WT/DS170/R, adopted 12 October 2000, upheld by Appellate Body Report, WT/DS170/AB/R, DSR 2000:XI, 5121
<i>Canada – Patent Term</i>	Award of the Arbitrator, <i>Canada – Term of Patent Protection – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS170/10, 28 February 2001, DSR 2001:V, 2031
<i>Canada – Periodicals</i>	Appellate Body Report, <i>Canada – Certain Measures Concerning Periodicals</i> , WT/DS31/AB/R, adopted 30 July 1997, DSR 1997:I, 449
<i>Canada – Periodicals</i>	Panel Report, <i>Canada – Certain Measures Concerning Periodicals</i> , WT/DS31/R and Corr.1, adopted 30 July 1997, modified by Appellate Body Report, WT/DS31/AB/R, DSR 1997:I, 481
<i>Canada – Pharmaceutical Patents</i>	Panel Report, <i>Canada – Patent Protection of Pharmaceutical Products</i> , WT/DS114/R, adopted 7 April 2000, DSR 2000:V, 2289
<i>Canada – Pharmaceutical Patents</i>	Award of the Arbitrator, <i>Canada – Patent Protection of Pharmaceutical Products – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS114/13, 18 August 2000, DSR 2002:I, 3
<i>Canada – Wheat Exports and Grain Imports</i>	Appellate Body Report, <i>Canada – Measures Relating to Exports of Wheat and Treatment of Imported Grain</i> , WT/DS276/AB/R, adopted 27 September 2004, DSR 2004:VI, 2739
<i>Canada – Wheat Exports and Grain Imports</i>	Panel Report, <i>Canada – Measures Relating to Exports of Wheat and Treatment of Imported Grain</i> , WT/DS276/R, adopted 27 September 2004, upheld by Appellate Body Report, WT/DS276/AB/R, DSR 2004:VI, 2817
<i>Chile – Alcoholic Beverages</i>	Appellate Body Report, <i>Chile – Taxes on Alcoholic Beverages</i> , WT/DS87/AB/R, WT/DS110/AB/R, adopted 12 January 2000, DSR 2000:I, 281

Short Title	Full Case Title and Citation
<i>Chile – Alcoholic Beverages</i>	Panel Report, <i>Chile – Taxes on Alcoholic Beverages</i> , WT/DS87/R, WT/DS110/R, adopted 12 January 2000, modified by Appellate Body Report, WT/DS87/AB/R, WT/DS110/AB/R, DSR 2000:I, 303
<i>Chile – Alcoholic Beverages</i>	Award of the Arbitrator, <i>Chile – Taxes on Alcoholic Beverages – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS87/15, WT/DS110/14, 23 May 2000, DSR 2000:V, 2583
<i>Chile – Price Band System</i>	Appellate Body Report, <i>Chile – Price Band System and Safeguard Measures Relating to Certain Agricultural Products</i> , WT/DS207/AB/R, adopted 23 October 2002, DSR 2002:VIII, 3045
<i>Chile – Price Band System</i>	Panel Report, <i>Chile – Price Band System and Safeguard Measures Relating to Certain Agricultural Products</i> , WT/DS207/R, adopted 23 October 2002, modified by Appellate Body Report, WT/DS207AB/R, DSR 2002:VIII, 3127
<i>Chile – Price Band System</i>	Award of the Arbitrator, <i>Chile – Price Band System and Safeguard Measures Relating to Certain Agricultural Products – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS207/13, 17 March 2003, DSR 2003:III, 1237
<i>Chile – Price Band System (Article 21.5 – Argentina)</i>	Panel Report, <i>Chile – Price Band System and Safeguard Measures Relating to Certain Agricultural Products – Recourse to Article 21.5 of the DSU by Argentina</i> , WT/DS207/RW and Corr.1, circulated to WTO Members 8 December 2006
<i>Dominican Republic – Import and Sale of Cigarettes</i>	Appellate Body Report, <i>Dominican Republic – Measures Affecting the Importation and Internal Sale of Cigarettes</i> , WT/DS302/AB/R, adopted 19 May 2005
<i>Dominican Republic – Import and Sale of Cigarettes</i>	Panel Report, <i>Dominican Republic – Measures Affecting the Importation and Internal Sale of Cigarettes</i> , WT/DS302/R, adopted 19 May 2005, modified by Appellate Body Report, WT/DS302/AB/R
<i>Dominican Republic – Import and Sale of Cigarettes</i>	Report of the Arbitrator, <i>Dominican Republic – Measures Affecting the Importation and Internal Sale of Cigarettes – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS302/17, 29 August 2005
<i>EC – The ACP-EC Partnership Agreement</i>	Award of the Arbitrator, <i>European Communities – The ACP-EC Partnership Agreement – Recourse to Arbitration Pursuant to the Decision of 14 November 2001</i> , WT/L/616, 1 August 2005
<i>EC – The ACP-EC Partnership Agreement II</i>	Award of the Arbitrator, <i>European Communities – The ACP-EC Partnership Agreement – Second Recourse to Arbitration Pursuant to the Decision of 14 November 2001</i> , WT/L/625, 27 October 2005
<i>EC – Approval and Marketing of Biotech Products</i>	Panel Report, <i>European Communities – Measures Affecting the Approval and Marketing of Biotech Products</i> , WT/DS291/R, WT/DS292/R, WT/DS293/R, Corr.1 and Add.1, 2, 3, 4, 5, 6, 7, 8 and 9, adopted 21 November 2006
<i>EC – Asbestos</i>	Appellate Body Report, <i>European Communities – Measures Affecting Asbestos and Asbestos-Containing Products</i> , WT/DS135/AB/R, adopted 5 April 2001, DSR 2001:VII, 3243
<i>EC – Asbestos</i>	Panel Report, <i>European Communities – Measures Affecting Asbestos and Asbestos-Containing Products</i> , WT/DS135/R and Add.1, adopted 5 April 2001, modified by Appellate Body Report, WT/DS135/AB/R, DSR 2001:VIII, 3305
<i>EC – Bananas III</i>	Appellate Body Report, <i>European Communities – Regime for the Importation, Sale and Distribution of Bananas</i> , WT/DS27/AB/R, adopted 25 September 1997, DSR 1997:II, 591
<i>EC – Bananas III (Ecuador)</i>	Panel Report, <i>European Communities – Regime for the Importation, Sale and Distribution of Bananas, Complaint by Ecuador</i> , WT/DS27/R/ECU, adopted 25 September 1997, modified by Appellate Body Report, WT/DS27/AB/R, DSR 1997:III, 1085

Short Title	Full Case Title and Citation
<i>EC – Bananas III (Guatemala and Honduras)</i>	Panel Report, <i>European Communities – Regime for the Importation, Sale and Distribution of Bananas, Complaint by Guatemala and Honduras</i> , WT/DS27/R/GTM, WT/DS27/R/HND, adopted 25 September 1997, modified by Appellate Body Report, WT/DS27/AB/R, DSR 1997:II, 695
<i>EC – Bananas III (Mexico)</i>	Panel Report, <i>European Communities – Regime for the Importation, Sale and Distribution of Bananas, Complaint by Mexico</i> , WT/DS27/R/MEX, adopted 25 September 1997, modified by Appellate Body Report, WT/DS27/AB/R, DSR 1997:II, 803
<i>EC – Bananas III (US)</i>	Panel Report, <i>European Communities – Regime for the Importation, Sale and Distribution of Bananas, Complaint by the United States</i> , WT/DS27/R/USA, adopted 25 September 1997, modified by Appellate Body Report, WT/DS27/AB/R, DSR 1997:II, 943
<i>EC – Bananas III</i>	Award of the Arbitrator, <i>European Communities – Regime for the Importation, Sale and Distribution of Bananas – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS27/15, 7 January 1998, DSR 1998:I, 3
<i>EC – Bananas III (Article 21.5 – EC)</i>	Panel Report, <i>European Communities – Regime for the Importation, Sale and Distribution of Bananas – Recourse to Article 21.5 of the DSU by the European Communities</i> , WT/DS27/RW/EEC and Corr.1, 12 April 1999, unadopted, DSR 1999:II, 783
<i>EC – Bananas III (Article 21.5 – Ecuador)</i>	Panel Report, <i>European Communities – Regime for the Importation, Sale and Distribution of Bananas – Recourse to Article 21.5 of the DSU by Ecuador</i> , WT/DS27/RW/ECU, adopted 6 May 1999, DSR 1999:II, 803
<i>EC – Bananas III (Ecuador) (Article 22.6 – EC)</i>	Decision by the Arbitrators, <i>European Communities – Regime for the Importation, Sale and Distribution of Bananas – Recourse to Arbitration by the European Communities under Article 22.6 of the DSU</i> , WT/DS27/ARB/ECU, 24 March 2000, DSR 2000:V, 2237
<i>EC – Bananas III (US) (Article 22.6 – EC)</i>	Decision by the Arbitrators, <i>European Communities – Regime for the Importation, Sale and Distribution of Bananas – Recourse to Arbitration by the European Communities under Article 22.6 of the DSU</i> , WT/DS27/ARB, 9 April 1999, DSR 1999:II, 725
<i>EC – Bed Linen</i>	Appellate Body Report, <i>European Communities – Anti-Dumping Duties on Imports of Cotton-Type Bed Linen from India</i> , WT/DS141/AB/R, adopted 12 March 2001, DSR 2001:V, 2049
<i>EC – Bed Linen</i>	Panel Report, <i>European Communities – Anti-Dumping Duties on Imports of Cotton-Type Bed Linen from India</i> , WT/DS141/R, adopted 12 March 2001, modified by Appellate Body Report, WT/DS141/AB/R, DSR 2001:VI, 2077
<i>EC – Bed Linen (Article 21.5 – India)</i>	Appellate Body Report, <i>European Communities – Anti-Dumping Duties on Imports of Cotton-Type Bed Linen from India – Recourse to Article 21.5 of the DSU by India</i> , WT/DS141/AB/RW, adopted 24 April 2003, DSR 2003:III, 965
<i>EC – Bed Linen (Article 21.5 – India)</i>	Panel Report, <i>European Communities – Anti-Dumping Duties on Imports of Cotton-Type Bed Linen from India – Recourse to Article 21.5 of the DSU by India</i> , WT/DS141/RW, adopted 24 April 2003, modified by Appellate Body Report, WT/DS141/AB/RW, DSR 2003:IV, 1269
<i>EC – Butter</i>	Panel Report, <i>European Communities – Measures Affecting Butter Products</i> , WT/DS72/R, 24 November 1999, unadopted
<i>EC – Chicken Cuts</i>	Appellate Body Report, <i>European Communities – Customs Classification of Frozen Boneless Chicken Cuts</i> , WT/DS269/AB/R, WT/DS286/AB/R, and Corr.1, adopted 27 September 2005

Short Title	Full Case Title and Citation
<i>EC – Chicken Cuts (Brazil)</i>	Panel Report, <i>European Communities – Customs Classification of Frozen Boneless Chicken Cuts, Complaint by Brazil</i> , WT/DS269/R, adopted 27 September 2005, modified by Appellate Body Report, WT/DS269/AB/R, WT/DS286/AB/R
<i>EC – Chicken Cuts (Thailand)</i>	Panel Report, <i>European Communities – Customs Classification of Frozen Boneless Chicken Cuts, Complaint by Thailand</i> , WT/DS286/R, adopted 27 September 2005, modified by Appellate Body Report, WT/DS269/AB/R, WT/DS286/AB/R
<i>EC – Chicken Cuts</i>	Award of the Arbitrator, <i>European Communities – Customs Classification of Frozen Boneless Chicken Cuts – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS269/13, WT/DS286/15, 20 February 2006
<i>EC – Commercial Vessels</i>	Panel Report, <i>European Communities – Measures Affecting Trade in Commercial Vessels</i> , WT/DS301/R, adopted 20 June 2005
<i>EC – Computer Equipment</i>	Appellate Body Report, <i>European Communities – Customs Classification of Certain Computer Equipment</i> , WT/DS62/AB/R, WT/DS67/AB/R, WT/DS68/AB/R, adopted 22 June 1998, DSR 1998:V, 1851
<i>EC – Computer Equipment</i>	Panel Report, <i>European Communities – Customs Classification of Certain Computer Equipment</i> , WT/DS62/R, WT/DS67/R, WT/DS68/R, adopted 22 June 1998, modified by Appellate Body Report, WT/DS62/AB/R, WT/DS67/AB/R, WT/DS68/AB/R, DSR 1998:V, 1891
<i>EC – Countervailing Measures on DRAM Chips</i>	Panel Report, <i>European Communities – Countervailing Measures on Dynamic Random Access Memory Chips from Korea</i> , WT/DS299/R, adopted 3 August 2005
<i>EC – Export Subsidies on Sugar</i>	Appellate Body Report, <i>European Communities – Export Subsidies on Sugar</i> , WT/DS265/AB/R, WT/DS266/AB/R, WT/DS283/AB/R, adopted 19 May 2005
<i>EC – Export Subsidies on Sugar (Australia)</i>	Panel Report, <i>European Communities – Export Subsidies on Sugar, Complaint by Australia</i> , WT/DS265/R, adopted 19 May 2005, modified by Appellate Body Report, WT/DS265/AB/R, WT/DS266/AB/R, WT/DS283/AB/R
<i>EC – Export Subsidies on Sugar (Brazil)</i>	Panel Report, <i>European Communities – Export Subsidies on Sugar, Complaint by Brazil</i> , WT/DS266/R, adopted 19 May 2005, modified by Appellate Body Report, WT/DS265/AB/R, WT/DS266/AB/R, WT/DS283/AB/R
<i>EC – Export Subsidies on Sugar (Thailand)</i>	Panel Report, <i>European Communities – Export Subsidies on Sugar, Complaint by Thailand</i> , WT/DS283/R, adopted 19 May 2005, modified by Appellate Body Report, WT/DS265/AB/R, WT/DS266/AB/R, WT/DS283/AB/R
<i>EC – Export Subsidies on Sugar</i>	Award of the Arbitrator, <i>European Communities – Export Subsidies on Sugar – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS265/33, WT/DS266/33, WT/DS283/14, 28 October 2005
<i>EC – Hormones</i>	Appellate Body Report, <i>EC Measures Concerning Meat and Meat Products (Hormones)</i> , WT/DS26/AB/R, WT/DS48/AB/R, adopted 13 February 1998, DSR 1998:I, 135
<i>EC – Hormones (Canada)</i>	Panel Report, <i>EC Measures Concerning Meat and Meat Products (Hormones), Complaint by Canada</i> , WT/DS48/R/CAN, adopted 13 February 1998, modified by Appellate Body Report, WT/DS26/AB/R, WT/DS48/AB/R, DSR 1998:II, 235
<i>EC – Hormones (US)</i>	Panel Report, <i>EC Measures Concerning Meat and Meat Products (Hormones), Complaint by the United States</i> , WT/DS26/R/USA, adopted 13 February 1998, modified by Appellate Body Report, WT/DS26/AB/R, WT/DS48/AB/R, DSR 1998:III, 699
<i>EC – Hormones</i>	Award of the Arbitrator, <i>EC Measures Concerning Meat and Meat Products (Hormones) – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS26/15, WT/DS48/13, 29 May 1998, DSR 1998:V, 1833

Short Title	Full Case Title and Citation
<i>EC – Hormones (Canada)</i> (Article 22.6 – EC)	Decision by the Arbitrators, <i>European Communities – Measures Concerning Meat and Meat Products (Hormones)</i> , Original Complaint by Canada – Recourse to Arbitration by the European Communities under Article 22.6 of the DSU, WT/DS48/ARB, 12 July 1999, DSR 1999:III, 1135
<i>EC – Hormones (US)</i> (Article 22.6 – EC)	Decision by the Arbitrators, <i>European Communities – Measures Concerning Meat and Meat Products (Hormones)</i> , Original Complaint by the United States – Recourse to Arbitration by the European Communities under Article 22.6 of the DSU, WT/DS26/ARB, 12 July 1999, DSR 1999:III, 1105
<i>EC – Poultry</i>	Appellate Body Report, <i>European Communities – Measures Affecting the Importation of Certain Poultry Products</i> , WT/DS69/AB/R, adopted 23 July 1998, DSR 1998:V, 2031
<i>EC – Poultry</i>	Panel Report, <i>European Communities – Measures Affecting the Importation of Certain Poultry Products</i> , WT/DS69/R, adopted 23 July 1998, modified by Appellate Body Report, WT/DS69/AB/R, DSR 1998:V, 2089
<i>EC – Sardines</i>	Appellate Body Report, <i>European Communities – Trade Description of Sardines</i> , WT/DS231/AB/R, adopted 23 October 2002, DSR 2002:VIII, 3359
<i>EC – Sardines</i>	Panel Report, <i>European Communities – Trade Description of Sardines</i> , WT/DS231/R and Corr.1, adopted 23 October 2002, modified by Appellate Body Report, WT/DS231/AB/R, DSR 2002:VIII, 3451
<i>EC – Scallops (Canada)</i>	Panel Report, <i>European Communities – Trade Description of Scallops – Request by Canada</i> , WT/DS7/R, 5 August 1996, unadopted, DSR 1996:I, 89
<i>EC – Scallops (Peru and Chile)</i>	Panel Report, <i>European Communities – Trade Description of Scallops – Requests by Peru and Chile</i> , WT/DS12/R, WT/DS14/R, 5 August 1996, unadopted, DSR 1996:I, 93
<i>EC – Selected Customs Matters</i>	Appellate Body Report, <i>European Communities – Selected Customs Matters</i> , WT/DS315/AB/R, adopted 11 December 2006
<i>EC – Selected Customs Matters</i>	Panel Report, <i>European Communities – Selected Customs Matters</i> , WT/DS315/R, adopted 11 December 2006, modified by Appellate Body Report, WT/DS315/AB/R
<i>EC – Tariff Preferences</i>	Appellate Body Report, <i>European Communities – Conditions for the Granting of Tariff Preferences to Developing Countries</i> , WT/DS246/AB/R, adopted 20 April 2004, DSR 2004:III, 925
<i>EC – Tariff Preferences</i>	Panel Report, <i>European Communities – Conditions for the Granting of Tariff Preferences to Developing Countries</i> , WT/DS246/R, adopted 20 April 2004, modified by Appellate Body Report, WT/DS/246/AB/R, DSR 2004:III, 1009
<i>EC – Tariff Preferences</i>	Award of the Arbitrator, <i>European Communities – Conditions for the Granting of Tariff Preferences to Developing Countries – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS246/14, 20 September 2004, DSR 2004:IX, 4313
<i>EC – Trademarks and Geographical Indications (Australia)</i>	Panel Report, <i>European Communities – Protection of Trademarks and Geographical Indications for Agricultural Products and Foodstuffs</i> , Complaint by Australia, WT/DS290/R, adopted 20 April 2005
<i>EC – Trademarks and Geographical Indications (US)</i>	Panel Report, <i>European Communities – Protection of Trademarks and Geographical Indications for Agricultural Products and Foodstuffs</i> , Complaint by the United States, WT/DS174/R, adopted 20 April 2005
<i>EC – Tube or Pipe Fittings</i>	Appellate Body Report, <i>European Communities – Anti-Dumping Duties on Malleable Cast Iron Tube or Pipe Fittings from Brazil</i> , WT/DS219/AB/R, adopted 18 August 2003, DSR 2003:VI, 2613

Short Title	Full Case Title and Citation
<i>EC – Tube or Pipe Fittings</i>	Panel Report, <i>European Communities – Anti-Dumping Duties on Malleable Cast Iron Tube or Pipe Fittings from Brazil</i> , WT/DS219/R, adopted 18 August 2003, modified by Appellate Body Report, WT/DS219/AB/R, DSR 2003:VII, 2701
<i>Egypt – Steel Rebar</i>	Panel Report, <i>Egypt – Definitive Anti-Dumping Measures on Steel Rebar from Turkey</i> , WT/DS211/R, adopted 1 October 2002, DSR 2002:VII, 2667
<i>Guatemala – Cement I</i>	Appellate Body Report, <i>Guatemala – Anti-Dumping Investigation Regarding Portland Cement from Mexico</i> , WT/DS60/AB/R, adopted 25 November 1998, DSR 1998:IX, 3767
<i>Guatemala – Cement I</i>	Panel Report, <i>Guatemala – Anti-Dumping Investigation Regarding Portland Cement from Mexico</i> , WT/DS60/R, adopted 25 November 1998, modified by Appellate Body Report, WT/DS60/AB/R, DSR 1998:IX, 3797
<i>Guatemala – Cement II</i>	Panel Report, <i>Guatemala – Definitive Anti-Dumping Measures on Grey Portland Cement from Mexico</i> , WT/DS156/R, adopted 17 November 2000, DSR 2000:XI, 5295
<i>India – Autos</i>	Appellate Body Report, <i>India – Measures Affecting the Automotive Sector</i> , WT/DS146/AB/R, WT/DS175/AB/R, adopted 5 April 2002, DSR 2002:V, 1821
<i>India – Autos</i>	Panel Report, <i>India – Measures Affecting the Automotive Sector</i> , WT/DS146/R, WT/DS175/R and Corr.1, adopted 5 April 2002, DSR 2002:V, 1827
<i>India – Patents (EC)</i>	Panel Report, <i>India – Patent Protection for Pharmaceutical and Agricultural Chemical Products, Complaint by the European Communities</i> , WT/DS79/R, adopted 22 September 1998, DSR 1998:VI, 2661
<i>India – Patents (US)</i>	Appellate Body Report, <i>India – Patent Protection for Pharmaceutical and Agricultural Chemical Products</i> , WT/DS50/AB/R, adopted 16 January 1998, DSR 1998:I, 9
<i>India – Patents (US)</i>	Panel Report, <i>India – Patent Protection for Pharmaceutical and Agricultural Chemical Products, Complaint by the United States</i> , WT/DS50/R, adopted 16 January 1998, modified by Appellate Body Report, WT/DS50/AB/R, DSR 1998:I, 41
<i>India – Quantitative Restrictions</i>	Appellate Body Report, <i>India – Quantitative Restrictions on Imports of Agricultural, Textile and Industrial Products</i> , WT/DS90/AB/R, adopted 22 September 1999, DSR 1999:IV, 1763
<i>India – Quantitative Restrictions</i>	Panel Report, <i>India – Quantitative Restrictions on Imports of Agricultural, Textile and Industrial Products</i> , WT/DS90/R, adopted 22 September 1999, upheld by Appellate Body Report, WT/DS90/AB/R, DSR 1999:V, 1799
<i>Indonesia – Autos</i>	Panel Report, <i>Indonesia – Certain Measures Affecting the Automobile Industry</i> , WT/DS54/R, WT/DS55/R, WT/DS59/R, WT/DS64/R and Corr.1, 2, 3 and 4, adopted 23 July 1998, DSR 1998:VI, 2201
<i>Indonesia – Autos</i>	Award of the Arbitrator, <i>Indonesia – Certain Measures Affecting the Automobile Industry – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS54/15, WT/DS55/14, WT/DS59/13, WT/DS64/12, 7 December 1998, DSR 1998:IX, 4029
<i>Japan – Agricultural Products II</i>	Appellate Body Report, <i>Japan – Measures Affecting Agricultural Products</i> , WT/DS76/AB/R, adopted 19 March 1999, DSR 1999:I, 277
<i>Japan – Agricultural Products II</i>	Panel Report, <i>Japan – Measures Affecting Agricultural Products</i> , WT/DS76/R, adopted 19 March 1999, modified by Appellate Body Report, WT/DS76/AB/R, DSR 1999:I, 315
<i>Japan – Alcoholic Beverages II</i>	Appellate Body Report, <i>Japan – Taxes on Alcoholic Beverages</i> , WT/DS8/AB/R, WT/DS10/AB/R, WT/DS11/AB/R, adopted 1 November 1996, DSR 1996:I, 97



Short Title	Full Case Title and Citation
<i>Japan – Alcoholic Beverages II</i>	Panel Report, <i>Japan – Taxes on Alcoholic Beverages</i> , WT/DS8/R, WT/DS10/R, WT/DS11/R, adopted 1 November 1996, modified by Appellate Body Report, WT/DS8/AB/R, WT/DS10/AB/R, WT/DS11/AB/R, DSR 1996:I, 125
<i>Japan – Alcoholic Beverages II</i>	Award of the Arbitrator, <i>Japan – Taxes on Alcoholic Beverages – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS8/15, WT/DS10/15, WT/DS11/13, 14 February 1997, DSR 1997:I, 3
<i>Japan – Apples</i>	Appellate Body Report, <i>Japan – Measures Affecting the Importation of Apples</i> , WT/DS245/AB/R, adopted 10 December 2003, DSR 2003:IX, 4391
<i>Japan – Apples</i>	Panel Report, <i>Japan – Measures Affecting the Importation of Apples</i> , WT/DS245/R, adopted 10 December 2003, upheld by Appellate Body Report, WT/DS245/AB/R, DSR 2003:IX, 4481
<i>Japan – Apples (Article 21.5 – US)</i>	Panel Report, <i>Japan – Measures Affecting the Importation of Apples – Recourse to Article 21.5 of the DSU by the United States</i> , WT/DS245/RW, adopted 20 July 2005
<i>Japan – Film</i>	Panel Report, <i>Japan – Measures Affecting Consumer Photographic Film and Paper</i> , WT/DS44/R, adopted 22 April 1998, DSR 1998:IV, 1179
<i>Japan – Quotas on Laver</i>	Panel Report, <i>Japan – Import Quotas on Dried Laver and Seasoned Laver</i> , WT/DS323/R, 1 February 2006, unadopted
<i>Korea – Alcoholic Beverages</i>	Appellate Body Report, <i>Korea – Taxes on Alcoholic Beverages</i> , WT/DS75/AB/R, WT/DS84/AB/R, adopted 17 February 1999, DSR 1999:I, 3
<i>Korea – Alcoholic Beverages</i>	Panel Report, <i>Korea – Taxes on Alcoholic Beverages</i> , WT/DS75/R, WT/DS84/R, adopted 17 February 1999, modified by Appellate Body Report, WT/DS75/AB/R, WT/DS84/AB/R, DSR 1999:I, 44
<i>Korea – Alcoholic Beverages</i>	Award of the Arbitrator, <i>Korea – Taxes on Alcoholic Beverages – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS75/16, WT/DS84/14, 4 June 1999, DSR 1999:II, 937
<i>Korea – Certain Paper</i>	Panel Report, <i>Korea – Anti-Dumping Duties on Imports of Certain Paper from Indonesia</i> , WT/DS312/R, adopted 28 November 2005
<i>Korea – Commercial Vessels</i>	Panel Report, <i>Korea – Measures Affecting Trade in Commercial Vessels</i> , WT/DS273/R, adopted 11 April 2005
<i>Korea – Dairy</i>	Appellate Body Report, <i>Korea – Definitive Safeguard Measure on Imports of Certain Dairy Products</i> , WT/DS98/AB/R, adopted 12 January 2000, DSR 2000:I, 3
<i>Korea – Dairy</i>	Panel Report, <i>Korea – Definitive Safeguard Measure on Imports of Certain Dairy Products</i> , WT/DS98/R and Corr.1, adopted 12 January 2000, modified by Appellate Body Report, WT/DS98/AB/R, DSR 2000:I, 49
<i>Korea – Procurement</i>	Panel Report, <i>Korea – Measures Affecting Government Procurement</i> , WT/DS163/R, adopted 19 June 2000, DSR 2000:VIII, 3541
<i>Korea – Various Measures on Beef</i>	Appellate Body Report, <i>Korea – Measures Affecting Imports of Fresh, Chilled and Frozen Beef</i> , WT/DS161/AB/R, WT/DS169/AB/R, adopted 10 January 2001, DSR 2001:I, 5
<i>Korea – Various Measures on Beef</i>	Panel Report, <i>Korea – Measures Affecting Imports of Fresh, Chilled and Frozen Beef</i> , WT/DS161/R, WT/DS169/R, adopted 10 January 2001, modified by Appellate Body Report, WT/DS161/AB/R, WT/DS169/AB/R, DSR 2001:I, 59
<i>Mexico – Anti-Dumping Measures on Rice</i>	Appellate Body Report, <i>Mexico – Definitive Anti-Dumping Measures on Beef and Rice, Complaint with Respect to Rice</i> , WT/DS295/AB/R, adopted 20 December 2005

Short Title	Full Case Title and Citation
<i>Mexico – Anti-Dumping Measures on Rice</i>	Panel Report, <i>Mexico – Definitive Anti-Dumping Measures on Beef and Rice, Complaint with Respect to Rice</i> , WT/DS295/R, adopted 20 December 2005, modified by Appellate Body Report, WT/DS295/AB/R
<i>Mexico – Corn Syrup</i>	Panel Report, <i>Mexico – Anti-Dumping Investigation of High Fructose Corn Syrup (HFCS) from the United States</i> , WT/DS132/R and Corr.1, adopted 24 February 2000, DSR 2000:III, 1345
<i>Mexico – Corn Syrup (Article 21.5 – US)</i>	Appellate Body Report, <i>Mexico – Anti-Dumping Investigation of High Fructose Corn Syrup (HFCS) from the United States – Recourse to Article 21.5 of the DSU by the United States</i> , WT/DS132/AB/RW, adopted 21 November 2001, DSR 2001:XIII, 6675
<i>Mexico – Corn Syrup (Article 21.5 – US)</i>	Panel Report, <i>Mexico – Anti-Dumping Investigation of High Fructose Corn Syrup (HFCS) from the United States – Recourse to Article 21.5 of the DSU by the United States</i> , WT/DS132/RW, adopted 21 November 2001, upheld by Appellate Body Report, WT/DS132/AB/RW, DSR 2001:XIII, 6717
<i>Mexico – Taxes on Soft Drinks</i>	Appellate Body Report, <i>Mexico – Tax Measures on Soft Drinks and Other Beverages</i> , WT/DS308/AB/R, adopted 24 March 2006
<i>Mexico – Taxes on Soft Drinks</i>	Panel Report, <i>Mexico – Tax Measures on Soft Drinks and Other Beverages</i> , WT/DS308/R, adopted 24 March 2006, modified by Appellate Body Report, WT/DS308/AB/R
<i>Mexico – Telecoms</i>	Panel Report, <i>Mexico – Measures Affecting Telecommunications Services</i> , WT/DS204/R, adopted 1 June 2004, DSR 2004:IV, 1537
<i>Thailand – H-Beams</i>	Appellate Body Report, <i>Thailand – Anti-Dumping Duties on Angles, Shapes and Sections of Iron or Non-Alloy Steel and H-Beams from Poland</i> , WT/DS122/AB/R, adopted 5 April 2001, DSR 2001:VII, 2701
<i>Thailand – H-Beams</i>	Panel Report, <i>Thailand – Anti-Dumping Duties on Angles, Shapes and Sections of Iron or Non-Alloy Steel and H-Beams from Poland</i> , WT/DS122/R, adopted 5 April 2001, modified by Appellate Body Report, WT/DS122/AB/R, DSR 2001:VII, 2741
<i>Turkey – Textiles</i>	Appellate Body Report, <i>Turkey – Restrictions on Imports of Textile and Clothing Products</i> , WT/DS34/AB/R, adopted 19 November 1999, DSR 1999:VI, 2345
<i>Turkey – Textiles</i>	Panel Report, <i>Turkey – Restrictions on Imports of Textile and Clothing Products</i> , WT/DS34/R, adopted 19 November 1999, modified by Appellate Body Report, WT/DS34/AB/R, DSR 1999:VI, 2363
<i>US – 1916 Act</i>	Appellate Body Report, <i>United States – Anti-Dumping Act of 1916</i> , WT/DS136/AB/R, WT/DS162/AB/R, adopted 26 September 2000, DSR 2000:X, 4793
<i>US – 1916 Act (EC)</i>	Panel Report, <i>United States – Anti-Dumping Act of 1916, Complaint by the European Communities</i> , WT/DS136/R and Corr.1, adopted 26 September 2000, upheld by Appellate Body Report, WT/DS136/AB/R, WT/DS162/AB/R, DSR 2000:X, 4593
<i>US – 1916 Act (Japan)</i>	Panel Report, <i>United States – Anti-Dumping Act of 1916, Complaint by Japan</i> , WT/DS162/R and Add.1, adopted 26 September 2000, upheld by Appellate Body Report, WT/DS136/AB/R, WT/DS162/AB/R, DSR 2000:X, 4831
<i>US – 1916 Act</i>	Award of the Arbitrator, <i>United States – Anti-Dumping Act of 1916 – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS136/11, WT/DS162/14, 28 February 2001, DSR 2001:V, 2017
<i>US – 1916 Act (EC) (Article 22.6 – US)</i>	Decision by the Arbitrators, <i>United States – Anti-Dumping Act of 1916, Original Complaint by the European Communities – Recourse to Arbitration by the United States under Article 22.6 of the DSU</i> , WT/DS136/ARB, 24 February 2004, DSR 2004:IX, 4269

Short Title	Full Case Title and Citation
<i>US – Anti-Dumping Measures on Oil Country Tubular Goods</i>	Appellate Body Report, <i>United States – Anti-Dumping Measures on Oil Country Tubular Goods (OCTG) from Mexico</i> , WT/DS282/AB/R, adopted 28 November 2005
<i>US – Anti-Dumping Measures on Oil Country Tubular Goods</i>	Panel Report, <i>United States – Anti-Dumping Measures on Oil Country Tubular Goods (OCTG) from Mexico</i> , WT/DS282/R, adopted 28 November 2005, modified by Appellate Body Report, WT/DS282/AB/R
<i>US – Carbon Steel</i>	Appellate Body Report, <i>United States – Countervailing Duties on Certain Corrosion-Resistant Carbon Steel Flat Products from Germany</i> , WT/DS213/AB/R and Corr.1, adopted 19 December 2002, DSR 2002:IX, 3779
<i>US – Carbon Steel</i>	Panel Report, <i>United States – Countervailing Duties on Certain Corrosion-Resistant Carbon Steel Flat Products from Germany</i> , WT/DS213/R and Corr.1, adopted 19 December 2002, modified by Appellate Body Report, WT/DS213/AB/R and Corr.1, DSR 2002:IX, 3833
<i>US – Certain EC Products</i>	Appellate Body Report, <i>United States – Import Measures on Certain Products from the European Communities</i> , WT/DS165/AB/R, adopted 10 January 2001, DSR 2001:I, 373
<i>US – Certain EC Products</i>	Panel Report, <i>United States – Import Measures on Certain Products from the European Communities</i> , WT/DS165/R and Add.1, adopted 10 January 2001, modified by Appellate Body Report, WT/DS165/AB/R, DSR 2001:II, 413
<i>US – Corrosion-Resistant Steel Sunset Review</i>	Appellate Body Report, <i>United States – Sunset Review of Anti-Dumping Duties on Corrosion-Resistant Carbon Steel Flat Products from Japan</i> , WT/DS244/AB/R, adopted 9 January 2004, DSR 2004:I, 3
<i>US – Corrosion-Resistant Steel Sunset Review</i>	Panel Report, <i>United States – Sunset Review of Anti-Dumping Duties on Corrosion-Resistant Carbon Steel Flat Products from Japan</i> , WT/DS244/R, adopted 9 January 2004, modified by Appellate Body Report, WT/DS244/AB/R, DSR 2004:I, 85
<i>US – Cotton Yarn</i>	Appellate Body Report, <i>United States – Transitional Safeguard Measure on Combed Cotton Yarn from Pakistan</i> , WT/DS192/AB/R, adopted 5 November 2001, DSR 2001:XII, 6027
<i>US – Cotton Yarn</i>	Panel Report, <i>United States – Transitional Safeguard Measure on Combed Cotton Yarn from Pakistan</i> , WT/DS192/R, adopted 5 November 2001, modified by Appellate Body Report, WT/DS192/AB/R, DSR 2001:XII, 6067
<i>US – Countervailing Duty Investigation on DRAMS</i>	Appellate Body Report, <i>United States – Countervailing Duty Investigation on Dynamic Random Access Memory Semiconductors (DRAMs) from Korea</i> , WT/DS296/AB/R, adopted 20 July 2005
<i>US – Countervailing Duty Investigation on DRAMS</i>	Panel Report, <i>United States – Countervailing Duty Investigation on Dynamic Random Access Memory Semiconductors (DRAMs) from Korea</i> , WT/DS296/R, adopted 20 July 2005, modified by Appellate Body Report, WT/DS296/AB/R
<i>US – Countervailing Measures on Certain EC Products</i>	Appellate Body Report, <i>United States – Countervailing Measures Concerning Certain Products from the European Communities</i> , WT/DS212/AB/R, adopted 8 January 2003, DSR 2003:I, 5
<i>US – Countervailing Measures on Certain EC Products</i>	Panel Report, <i>United States – Countervailing Measures Concerning Certain Products from the European Communities</i> , WT/DS212/R, adopted 8 January 2003, modified by Appellate Body Report, WT/DS212/AB/R, DSR 2003:I, 73
<i>US – Countervailing Measures on Certain EC Products (Article 21.5 – EC)</i>	Panel Report, <i>United States – Countervailing Measures Concerning Certain Products from the European Communities – Recourse to Article 21.5 of the DSU by the European Communities</i> , WT/DS212/RW, adopted 27 September 2005
<i>US – DRAMS</i>	Panel Report, <i>United States – Anti-Dumping Duty on Dynamic Random Access Memory Semiconductors (DRAMs) of One Megabit or Above from Korea</i> , WT/DS99/R, adopted 19 March 1999, DSR 1999:II, 521

Short Title	Full Case Title and Citation
<i>US – DRAMS (Article 21.5 – Korea)</i>	Panel Report, <i>United States – Anti-Dumping Duty on Dynamic Random Access Memory Semiconductors (DRAMS) of One Megabit or Above from Korea – Recourse to Article 21.5 of the DSU by Korea</i> , WT/DS99/RW, 7 November 2000, unadopted
<i>US – Export Restraints</i>	Panel Report, <i>United States – Measures Treating Exports Restraints as Subsidies</i> , WT/DS194/R and Corr.2, adopted 23 August 2001, DSR 2001:XI, 5767
<i>US – FSC</i>	Appellate Body Report, <i>United States – Tax Treatment for "Foreign Sales Corporations"</i> , WT/DS108/AB/R, adopted 20 March 2000, DSR 2000:III, 1619
<i>US – FSC</i>	Panel Report, <i>United States – Tax Treatment for "Foreign Sales Corporations"</i> , WT/DS108/R, adopted 20 March 2000, modified by Appellate Body Report, WT/DS108/AB/R, DSR 2000:IV, 1675
<i>US – FSC (Article 21.5 – EC)</i>	Appellate Body Report, <i>United States – Tax Treatment for "Foreign Sales Corporations" – Recourse to Article 21.5 of the DSU by the European Communities</i> , WT/DS108/AB/RW, adopted 29 January 2002, DSR 2002:I, 55
<i>US – FSC (Article 21.5 – EC)</i>	Panel Report, <i>United States – Tax Treatment for "Foreign Sales Corporations" – Recourse to Article 21.5 of the DSU by the European Communities</i> , WT/DS108/RW, adopted 29 January 2002, modified by Appellate Body Report, WT/DS108/AB/RW, DSR 2002:I, 119
<i>US – FSC (Article 21.5 – EC II)</i>	Appellate Body Report, <i>United States – Tax Treatment for "Foreign Sales Corporations" – Second Recourse to Article 21.5 of the DSU by the European Communities</i> , WT/DS108/AB/RW2, adopted 14 March 2006
<i>US – FSC (Article 21.5 – EC II)</i>	Panel Report, <i>United States – Tax Treatment for "Foreign Sales Corporations" – Second Recourse to Article 21.5 of the DSU by the European Communities</i> , WT/DS108/RW2, adopted 14 March 2006, upheld by Appellate Body Report, WT/DS108/AB/RW2
<i>US – FSC (Article 22.6 – US)</i>	Decision by the Arbitrator, <i>United States – Tax Treatment for "Foreign Sales Corporations" – Recourse to Arbitration by the United States under Article 22.6 of the DSU and Article 4.11 of the SCM Agreement</i> , WT/DS108/ARB, 30 August 2002, DSR 2002:VI, 2517
<i>US – Gambling</i>	Appellate Body Report, <i>United States – Measures Affecting the Cross-Border Supply of Gambling and Betting Services</i> , WT/DS285/AB/R, adopted 20 April 2005
<i>US – Gambling</i>	Panel Report, <i>United States – Measures Affecting the Cross-Border Supply of Gambling and Betting Services</i> , WT/DS285/R, adopted 20 April 2005, modified by Appellate Body Report, WT/DS285/AB/R
<i>US – Gambling</i>	Award of the Arbitrator, <i>United States – Measures Affecting the Cross-Border Supply of Gambling and Betting Services – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS285/13, 19 August 2005
<i>US – Gasoline</i>	Appellate Body Report, <i>United States – Standards for Reformulated and Conventional Gasoline</i> , WT/DS2/AB/R, adopted 20 May 1996, DSR 1996:I, 3
<i>US – Gasoline</i>	Panel Report, <i>United States – Standards for Reformulated and Conventional Gasoline</i> , WT/DS2/R, adopted 20 May 1996, modified by Appellate Body Report, WT/DS2/AB/R, DSR 1996:I, 29
<i>US – Hot-Rolled Steel</i>	Appellate Body Report, <i>United States – Anti-Dumping Measures on Certain Hot-Rolled Steel Products from Japan</i> , WT/DS184/AB/R, adopted 23 August 2001, DSR 2001:X, 4697
<i>US – Hot-Rolled Steel</i>	Panel Report, <i>United States – Anti-Dumping Measures on Certain Hot-Rolled Steel Products from Japan</i> , WT/DS184/R, adopted 23 August 2001 modified by Appellate Body Report, WT/DS184/AB/R, DSR 2001:X, 4769

Short Title	Full Case Title and Citation
<i>US – Hot-Rolled Steel</i>	Award of the Arbitrator, <i>United States – Anti-Dumping Measures on Certain Hot-Rolled Steel Products from Japan – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS184/13, 19 February 2002, DSR 2002:IV, 1389
<i>US – Lamb</i>	Appellate Body Report, <i>United States – Safeguard Measures on Imports of Fresh, Chilled or Frozen Lamb Meat from New Zealand and Australia</i> , WT/DS177/AB/R, WT/DS178/AB/R, adopted 16 May 2001, DSR 2001:IX, 4051
<i>US – Lamb</i>	Panel Report, <i>United States – Safeguard Measures on Imports of Fresh, Chilled or Frozen Lamb Meat from New Zealand and Australia</i> , WT/DS177/R, WT/DS178/R, adopted 16 May 2001, modified by Appellate Body Report, WT/DS177/AB/R, WT/DS178/AB/R, DSR 2001:IX, 4107
<i>US – Lead and Bismuth II</i>	Appellate Body Report, <i>United States – Imposition of Countervailing Duties on Certain Hot-Rolled Lead and Bismuth Carbon Steel Products Originating in the United Kingdom</i> , WT/DS138/AB/R, adopted 7 June 2000, DSR 2000:V, 2595
<i>US – Lead and Bismuth II</i>	Panel Report, <i>United States – Imposition of Countervailing Duties on Certain Hot-Rolled Lead and Bismuth Carbon Steel Products Originating in the United Kingdom</i> , WT/DS138/R and Corr.2, adopted 7 June 2000, upheld by Appellate Body Report, WT/DS138/AB/R, DSR 2000:VI, 2623
<i>US – Line Pipe</i>	Appellate Body Report, <i>United States – Definitive Safeguard Measures on Imports of Circular Welded Carbon Quality Line Pipe from Korea</i> , WT/DS202/AB/R, adopted 8 March 2002, DSR 2002:IV, 1403
<i>US – Line Pipe</i>	Panel Report, <i>United States – Definitive Safeguard Measures on Imports of Circular Welded Carbon Quality Line Pipe from Korea</i> , WT/DS202/R, adopted 8 March 2002, modified by Appellate Body Report, WT/DS202/AB/, DSR 2002:IV, 1473
<i>US – Line Pipe</i>	Report of the Arbitrator, <i>United States – Definitive Safeguard Measures on Imports of Circular Welded Carbon Quality Line Pipe from Korea – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS202/17, 26 July 2002, DSR 2002:V, 2061
<i>US – Offset Act (Byrd Amendment)</i>	Appellate Body Report, <i>United States – Continued Dumping and Subsidy Offset Act of 2000</i> , WT/DS217/AB/R, WT/DS234/AB/R, adopted 27 January 2003, DSR 2003:I, 375
<i>US – Offset Act (Byrd Amendment)</i>	Panel Report, <i>United States – Continued Dumping and Subsidy Offset Act of 2000</i> , WT/DS217/R, WT/DS234/R, adopted 27 January 2003, modified by Appellate Body Report, WT/DS217/AB/R, WT/DS234/AB/R, DSR 2003:II, 489
<i>US – Offset Act (Byrd Amendment)</i>	Award of the Arbitrator, <i>United States – Continued Dumping and Subsidy Offset Act of 2000 – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS217/14, WT/DS234/22, 13 June 2003, DSR 2003:III, 1163
<i>US – Offset Act (Byrd Amendment) (Brazil) (Article 22.6 – US)</i>	Decision by the Arbitrator, <i>United States – Continued Dumping and Subsidy Offset Act of 2000, Original Complaint by Brazil – Recourse to Arbitration by the United States under Article 22.6 of the DSU</i> , WT/DS217/ARB/BRA, 31 August 2004, DSR 2004:IX, 4341
<i>US – Offset Act (Byrd Amendment) (Canada) (Article 22.6 – US)</i>	Decision by the Arbitrator, <i>United States – Continued Dumping and Subsidy Offset Act of 2000, Original Complaint by Canada – Recourse to Arbitration by the United States under Article 22.6 of the DSU</i> , WT/DS234/ARB/CAN, 31 August 2004, DSR 2004:IX, 4425
<i>US – Offset Act (Byrd Amendment) (Chile) (Article 22.6 – US)</i>	Decision by the Arbitrator, <i>United States – Continued Dumping and Subsidy Offset Act of 2000, Original Complaint by Chile – Recourse to Arbitration by the United States under Article 22.6 of the DSU</i> , WT/DS217/ARB/CHL, 31 August 2004, DSR 2004:IX, 4511

Short Title	Full Case Title and Citation
<i>US – Offset Act (Byrd Amendment) (EC) (Article 22.6 – US)</i>	Decision by the Arbitrator, <i>United States – Continued Dumping and Subsidy Offset Act of 2000, Original Complaint by the European Communities – Recourse to Arbitration by the United States under Article 22.6 of the DSU</i> , WT/DS217/ARB/EEC, 31 August 2004, DSR 2004:IX, 4591
<i>US – Offset Act (Byrd Amendment) (India) (Article 22.6 – US)</i>	Decision by the Arbitrator, <i>United States – Continued Dumping and Subsidy Offset Act of 2000, Original Complaint by India – Recourse to Arbitration by the United States under Article 22.6 of the DSU</i> , WT/DS217/ARB/IND, 31 August 2004, DSR 2004:X, 4691
<i>US – Offset Act (Byrd Amendment) (Japan) (Article 22.6 – US)</i>	Decision by the Arbitrator, <i>United States – Continued Dumping and Subsidy Offset Act of 2000, Original Complaint by Japan – Recourse to Arbitration by the United States under Article 22.6 of the DSU</i> , WT/DS217/ARB/JPN, 31 August 2004, DSR 2004:X, 4771
<i>US – Offset Act (Byrd Amendment) (Korea) (Article 22.6 – US)</i>	Decision by the Arbitrator, <i>United States – Continued Dumping and Subsidy Offset Act of 2000, Original Complaint by Korea – Recourse to Arbitration by the United States under Article 22.6 of the DSU</i> , WT/DS217/ARB/KOR, 31 August 2004, DSR 2004:X,4851
<i>US – Offset Act (Byrd Amendment) (Mexico) (Article 22.6 – US)</i>	Decision by the Arbitrator, <i>United States – Continued Dumping and Subsidy Offset Act of 2000, Original Complaint by Mexico – Recourse to Arbitration by the United States under Article 22.6 of the DSU</i> , WT/DS234/ARB/MEX, 31 August 2004, DSR 2004:X,4931
<i>US – Oil Country Tubular Goods Sunset Reviews</i>	Appellate Body Report, <i>United States – Sunset Reviews of Anti-Dumping Measures on Oil Country Tubular Goods from Argentina</i> , WT/DS268/AB/R, adopted 17 December 2004, DSR 2004:VII, 3257
<i>US – Oil Country Tubular Goods Sunset Reviews</i>	Panel Report, <i>United States – Sunset Reviews of Anti-Dumping Measures on Oil Country Tubular Goods from Argentina</i> , WT/DS268/R and Corr.1, adopted 17 December 2004, modified by Appellate Body Report, W/DS/268/AB/R, DSR 2004:VIII, 3421
<i>US – Oil Country Tubular Goods Sunset Reviews</i>	Award of the Arbitrator, <i>United States – Sunset Reviews of Anti-Dumping Measures on Oil Country Tubular Goods from Argentina – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS268/12, 7 June 2005
<i>US – Oil Country Tubular Goods Sunset Reviews (Article 21.5 – Argentina)</i>	Panel Report, <i>United States – Sunset Reviews of Anti-Dumping Measures on Oil Country Tubular Goods from Argentina – Recourse to Article 21.5 of the DSU by Argentina</i> , WT/DS268/RW, circulated to WTO Members 30 November 2006 [appealed on 12 January 2007]
<i>US – Section 110(5) Copyright Act</i>	Panel Report, <i>United States – Section 110(5) of the US Copyright Act</i> , WT/DS160/R, adopted 27 July 2000, DSR 2000:VIII, 3769
<i>US – Section 110(5) Copyright Act</i>	Award of the Arbitrator, <i>United States – Section 110(5) of the US Copyright Act – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS160/12, 15 January 2001, DSR 2001:II, 657
<i>US – Section 110(5) Copyright Act (Article 25.3)</i>	Award of the Arbitrators, <i>United States – Section 110(5) of the US Copyright Act – Recourse to Arbitration under Article 25 of the DSU</i> , WT/DS160/ARB25/1, 9 November 2001, DSR 2001:II, 667
<i>US – Section 129(c)(1) URAA</i>	Panel Report, <i>United States – Section 129(c)(1) of the Uruguay Round Agreements Act</i> , WT/DS221/R, adopted 30 August 2002, DSR 2002:VII, 2581
<i>US – Section 211 Appropriations Act</i>	Appellate Body Report, <i>United States – Section 211 Omnibus Appropriations Act of 1998</i> , WT/DS176/AB/R, adopted 1 February 2002, DSR 2002:II, 589
<i>US – Section 211 Appropriations Act</i>	Panel Report, <i>United States – Section 211 Omnibus Appropriations Act of 1998</i> , WT/DS176/R, adopted 1 February 2002, modified by Appellate Body Report, WT/DS176/AB/R, DSR 2002:II, 683

Short Title	Full Case Title and Citation
<i>US – Section 301 Trade Act</i>	Panel Report, <i>United States – Sections 301-310 of the Trade Act of 1974</i> , WT/DS152/R, adopted 27 January 2000, DSR 2000:II, 815
<i>US – Shrimp</i>	Appellate Body Report, <i>United States – Import Prohibition of Certain Shrimp and Shrimp Products</i> , WT/DS58/AB/R, adopted 6 November 1998, DSR 1998:VII, 2755
<i>US – Shrimp</i>	Panel Report, <i>United States – Import Prohibition of Certain Shrimp and Shrimp Products</i> , WT/DS58/R and Corr.1, adopted 6 November 1998, modified by Appellate Body Report, WT/DS58/AB/R, DSR 1998:VII, 2821
<i>US – Shrimp</i> (Article 21.5 – Malaysia)	Appellate Body Report, <i>United States – Import Prohibition of Certain Shrimp and Shrimp Products – Recourse to Article 21.5 of the DSU by Malaysia</i> , WT/DS58/AB/RW, adopted 21 November 2001, DSR 2001:XIII, 6481
<i>US – Shrimp</i> (Article 21.5 – Malaysia)	Panel Report, <i>United States – Import Prohibition of Certain Shrimp and Shrimp Products – Recourse to Article 21.5 of the DSU by Malaysia</i> , WT/DS58/RW, adopted 21 November 2001, upheld by Appellate Body Report, WT/DS58/AB/RW, DSR 2001:XIII, 6529
<i>US – Softwood Lumber III</i>	Panel Report, <i>United States – Preliminary Determinations with Respect to Certain Softwood Lumber from Canada</i> , WT/DS236/R, adopted 1 November 2002, DSR 2002:IX, 3597
<i>US – Softwood Lumber IV</i>	Appellate Body Report, <i>United States – Final Countervailing Duty Determination with Respect to Certain Softwood Lumber from Canada</i> , WT/DS257/AB/R, adopted 17 February 2004, DSR 2004:II, 571
<i>US – Softwood Lumber IV</i>	Panel Report, <i>United States – Final Countervailing Duty Determination with Respect to Certain Softwood Lumber from Canada</i> , WT/DS257/R and Corr.1, adopted 17 February 2004, modified by Appellate Body Report, WT/DS257/AB/R, DSR 2004:II, 641
<i>US – Softwood Lumber IV</i> (Article 21.5 – Canada)	Appellate Body Report, <i>United States – Final Countervailing Duty Determination with Respect to Certain Softwood Lumber from Canada – Recourse by Canada to Article 21.5 of the DSU</i> , WT/DS257/AB/RW, adopted 20 December 2005
<i>US – Softwood Lumber IV</i> (Article 21.5 – Canada)	Panel Report, <i>United States – Final Countervailing Duty Determination with Respect to Certain Softwood Lumber from Canada – Recourse by Canada to Article 21.5 [of the DSU]</i> , WT/DS257/RW, adopted 20 December 2005, upheld by Appellate Body Report, WT/DS257/AB/RW
<i>US – Softwood Lumber V</i>	Appellate Body Report, <i>United States – Final Dumping Determination on Softwood Lumber from Canada</i> , WT/DS264/AB/R, adopted 31 August 2004, DSR 2004:V, 1875
<i>US – Softwood Lumber V</i>	Panel Report, <i>United States – Final Dumping Determination on Softwood Lumber from Canada</i> , WT/DS264/R, adopted 31 August 2004, modified by Appellate Body Report, WT/DS264/AB/R, DSR 2004:V, 1937
<i>US – Softwood Lumber V</i>	Report of the Arbitrator, <i>United States – Final Dumping Determination on Softwood Lumber from Canada – Arbitration under Article 21.3(c) of the DSU</i> , WT/DS264/13, 13 December 2004, DSR 2004:X, 5011
<i>US – Softwood Lumber V</i> (Article 21.5 – Canada)	Appellate Body Report, <i>United States – Final Dumping Determination on Softwood Lumber from Canada – Recourse to Article 21.5 of the DSU by Canada</i> , WT/DS264/AB/RW, adopted 1 September 2006
<i>US – Softwood Lumber V</i> (Article 21.5 – Canada)	Panel Report, <i>United States – Final Dumping Determination on Softwood Lumber from Canada – Recourse to Article 21.5 of the DSU by Canada</i> , WT/DS264/RW, adopted 1 September 2006, reversed by Appellate Body Report, WT/DS264/AB/RW

Short Title	Full Case Title and Citation
<i>US – Softwood Lumber VI</i>	Panel Report, <i>United States – Investigation of the International Trade Commission in Softwood Lumber from Canada</i> , WT/DS277/R, adopted 26 April 2004, DSR 2004:VI, 2485
<i>US – Softwood Lumber VI (Article 21.5 – Canada)</i>	Appellate Body Report, <i>United States – Investigation of the International Trade Commission in Softwood Lumber from Canada – Recourse to Article 21.5 of the DSU by Canada</i> , WT/DS277/AB/RW, adopted 9 May 2006
<i>US – Softwood Lumber VI (Article 21.5 – Canada)</i>	Panel Report, <i>United States – Investigation of the International Trade Commission in Softwood Lumber from Canada – Recourse to Article 21.5 of the DSU by Canada</i> , WT/DS277/RW, adopted 9 May 2006, modified by Appellate Body Report, WT/DS277/AB/RW
<i>US – Stainless Steel</i>	Panel Report, <i>United States – Anti-Dumping Measures on Stainless Steel Plate in Coils and Stainless Steel Sheet and Strip from Korea</i> , WT/DS179/R, adopted 1 February 2001, DSR 2001:IV, 1295
<i>US – Steel Plate</i>	Panel Report, <i>United States – Anti-Dumping and Countervailing Measures on Steel Plate from India</i> , WT/DS206/R and Corr.1, adopted 29 July 2002, DSR 2002:VI, 2073
<i>US – Steel Safeguards</i>	Appellate Body Report, <i>United States – Definitive Safeguard Measures on Imports of Certain Steel Products</i> , WT/DS248/AB/R, WT/DS249/AB/R, WT/DS251/AB/R, WT/DS252/AB/R, WT/DS253/AB/R, WT/DS254/AB/R, WT/DS258/AB/R, WT/DS259/AB/R, adopted 10 December 2003, DSR 2003:VII, 3117
<i>US – Steel Safeguards</i>	Panel Reports, <i>United States – Definitive Safeguard Measures on Imports of Certain Steel Products</i> , WT/DS248/R, WT/DS249/R, WT/DS251/R, WT/DS252/R, WT/DS253/R, WT/DS254/R, WT/DS258/R, WT/DS259/R, and Corr.1, adopted 10 December 2003, modified by Appellate Body Report, WT/DS248/AB/R, WT/DS249/AB/R, WT/DS251/AB/R, WT/DS252/AB/R, WT/DS253/AB/R, WT/DS254/AB/R, WT/DS258/AB/R, WT/DS259/AB/R, DSR 2003:VIII, 3273
<i>US – Textiles Rules of Origin</i>	Panel Report, <i>United States – Rules of Origin for Textiles and Apparel Products</i> , WT/DS243/R and Corr.1, adopted 23 July 2003, DSR 2003:VI, 2309
<i>US – Underwear</i>	Appellate Body Report, <i>United States – Restrictions on Imports of Cotton and Man-made Fibre Underwear</i> , WT/DS24/AB/R, adopted 25 February 1997, DSR 1997:I, 11
<i>US – Underwear</i>	Panel Report, <i>United States – Restrictions on Imports of Cotton and Man-made Fibre Underwear</i> , WT/DS24/R, adopted 25 February 1997, modified by Appellate Body Report, WT/DS24/AB/R, DSR 1997:I, 31
<i>US – Upland Cotton</i>	Appellate Body Report, <i>United States – Subsidies on Upland Cotton</i> , WT/DS267/AB/R, adopted 21 March 2005
<i>US – Upland Cotton</i>	Panel Report, <i>United States – Subsidies on Upland Cotton</i> , WT/DS267/R, and Corr.1, adopted 21 March 2005, modified by Appellate Body Report, WT/DS267/AB/R
<i>US – Wheat Gluten</i>	Appellate Body Report, <i>United States – Definitive Safeguard Measures on Imports of Wheat Gluten from the European Communities</i> , WT/DS166/AB/R, adopted 19 January 2001, DSR 2001:II, 717
<i>US – Wheat Gluten</i>	Panel Report, <i>United States – Definitive Safeguard Measures on Imports of Wheat Gluten from the European Communities</i> , WT/DS166/R, adopted 19 January 2001, modified by Appellate Body Report, WT/DS166/AB/R, DSR 2001:III, 779
<i>US – Wool Shirts and Blouses</i>	Appellate Body Report, <i>United States – Measure Affecting Imports of Woven Wool Shirts and Blouses from India</i> , WT/DS33/AB/R and Corr.1, adopted 23 May 1997, DSR 1997:I, 323



Short Title	Full Case Title and Citation
<i>US – Wool Shirts and Blouses</i>	Panel Report, <i>United States – Measure Affecting Imports of Woven Wool Shirts and Blouses from India</i> , WT/DS33/R, adopted 23 May 1997, upheld by Appellate Body Report, WT/DS33/AB/R, DSR 1997:I, 343
<i>US – Zeroing (EC)</i>	Appellate Body Report, <i>United States – Laws, Regulations and Methodology for Calculating Dumping Margins ("Zeroing")</i> , WT/DS294/AB/R, adopted 9 May 2006
<i>US – Zeroing (EC)</i>	Panel Report, <i>United States – Laws, Regulations and Methodology for Calculating Dumping Margins ("Zeroing")</i> , WT/DS294/R, adopted 9 May 2006, modified by Appellate Body Report, WT/DS294/AB/R
<i>US – Zeroing (Japan)</i>	Appellate Body Report, <i>United States – Measures Relating to Zeroing and Sunset Reviews</i> , WT/DS322/AB/R, circulated to WTO Members 9 January 2007 [adoption pending at time of circulation of this Annual Report]
<i>US – Zeroing (Japan)</i>	Panel Report, <i>United States – Measures Relating to Zeroing and Sunset Reviews</i> , WT/DS322/R, circulated to WTO Members 20 September 2006 [adoption pending at time of circulation of this Annual Report]

---