



**INDIA – MEASURES CONCERNING THE IMPORTATION
OF CERTAIN AGRICULTURAL PRODUCTS**

RECOURSE TO ARTICLE 21.5 OF THE DSU BY INDIA

COMMUNICATION FROM THE PANEL

The following communication, dated 2 December 2022, addressed to the Chairperson of the Dispute Settlement Body (DSB), is circulated in accordance with Article 21.5 of the Dispute Settlement Understanding (DSU).

Article 21.5 of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU) provides that the panel shall circulate its report within 90 days after the date of referral of the matter to it.

Article 21.5 of the DSU further provides that, when a panel considers that it cannot provide its report within this time frame, it shall inform the Dispute Settlement Body (DSB) in writing of the reasons together with an estimate of the period within which it will submit its report.

The Panel in this dispute was established on 22 May 2017 and composed, with the three original panelists, on 29 June 2017.¹

On 23 November 2017, the Panel informed the DSB that, due to the complexity of the issues in dispute, it expected to issue its Final Report to the parties by the end of May 2018.

On 22 May 2018, the Panel informed the DSB that it had accepted a joint request from the parties to delay the issuance of its Final Report until September 2018.

On 20 August 2018, the Panel informed the DSB that it had accepted a further joint request from the parties to delay the issuance of its Final Report until December 2018.

On 29 October 2018, the Panel informed the DSB that it had accepted a further joint request from the parties to delay the issuance of its Final Report until March 2019.

On 11 February 2019, the Panel informed the DSB that it had accepted a further joint request from the parties to delay the issuance of its Final Report until June 2019.

On 22 May 2019, the Panel informed the DSB that it had accepted a further joint request from the parties to delay the issuance of its Final Report until September 2019.

On 26 July 2019, the Panel informed the DSB that it had accepted a further joint request from the parties to delay the issuance of its Final Report until December 2019.

¹ See WT/DS430/22.

On 4 November 2019, the Panel informed the DSB that it had accepted a further joint request from the parties to delay the issuance of its Final Report until March 2020.

On 3 February 2020, the Panel informed the DSB that it had accepted a further joint request from the parties to delay the issuance of its Final Report until June 2020.

On 26 May 2020, the Panel informed the DSB that it had accepted a further joint request from the parties to delay the issuance of its Final Report until September 2020.

On 24 August 2020, the Panel informed the DSB that it had accepted a further joint request from the parties to delay the issuance of its Final Report until March 2021.

On 12 April 2021, the Panel informed the DSB that it had accepted a further joint request from the parties to delay the issuance of its Final Report until September 2021.

On 31 August 2021, the Panel informed the DSB that it had accepted a further joint request from the parties to delay the issuance of its Final Report until November 2021.

On 17 September 2021, the Panel informed the DSB that it had accepted a further joint request from the parties to delay the issuance of its Final Report until January 2022.

On 7 January 2022, the Panel informed the DSB that it had accepted further joint requests from the parties to delay the proceedings, and that it expected to issue its Final Report by the end of May 2022.

On 9 March 2022, the Panel informed the DSB that it had accepted further joint requests from the parties to delay the proceedings, and that it expected to issue its Final Report by the end of September 2022.

On 8 July 2022, the Panel informed the DSB that it had accepted further joint requests from the parties to delay the proceedings, and that it expected to issue its Final Report by the end of December 2022.

The Panel now wishes to inform the DSB that the parties have again jointly requested the Panel to delay the issuance of its Report. The Panel has accepted the parties' request, and accordingly now expects to issue its Final Report in March 2023.

The report will only be available to the public once it is circulated to the Members in all three official languages of the WTO. The date of circulation depends on completion of translation and the Panel is not in a position to provide an estimated circulation date at this time.

I would be grateful if you would circulate this letter to the Members of the DSB.
