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1 ARTICLE 20

1.1 Text of Article 20

Article 20

Time-frame for DSB Decisions

Unless otherwise agreed to by the parties to the dispute, the period from the date of establishment of the panel by the DSB until the date the DSB considers the panel or appellate report for adoption shall as a general rule not exceed nine months where the panel report is not appealed or 12 months where the report is appealed. Where either the panel or the Appellate Body has acted, pursuant to paragraph 9 of Article 12 or paragraph 5 of Article 17, to extend the time for providing its report, the additional time taken shall be added to the above periods.

1.2 Interpretation and application of article 20

1.2.1 General

1. In *US – Steel Safeguards*, the United States requested the Panel to issue eight separate panel reports, rather than one consolidated report. In the context of considering the United States' request to have a separate panel report in respect of each complainant, the Panel stated that it was 'well aware of the time-limit obligations provided for in the DSU including those mentioned in Articles 12.8 and 20, and of the importance of proceeding expeditiously with this dispute (as with all disputes)'.¹

1.2.2 Nature of DSU maximum time-limits

2. In *US – Section 301 Trade Act*, the Panel stated that most of the time-limits in the DSU are either minimum time-limits without ceilings, or "maximum time-limits that are, nonetheless, indicative only". The Panel considered Articles 12.8, 12.9, 17.5, and 20 of the DSU to be examples of the latter, noting that:

"Article 12.8 refers to six months 'as a general rule' for the timeframe between panel composition and issuance of the final report to the parties. Article 12.9 provides that '[i]n no case *should* the period from the establishment of the panel to the circulation of the report to the Members exceed nine months' (emphasis added). Article 17.5 states that '[a]s a general rule, the proceedings [of the Appellate Body] shall not exceed 60 days'. It adds, however, that '[i]n no case shall the proceedings exceed 90 days'. However, even this seemingly compulsory deadline has been passed in three cases so far (*United States – Restrictions on Imports of Cotton and Man-Made Fibre Underwear*, DS24/AB/R, 91 days; *European Communities – Measures Concerning Meat and Meat Products (Hormones)* ('*EC – Hormones*'), DS26/AB/R and DS48/AB/R, 114 days; and *US – Shrimp*, op. cit., 91 days). Finally, Article 20 refers to 9 months –

¹ Panel Reports, *US – Steel Safeguards*, para. 2.18.

12 months in case of an appeal – 'as a general rule' for the period between panel establishment and adoption of report(s) by the DSB."²

1.2.3 Table showing the total length of time taken in panel/Appellate Body proceedings to date

3. The following table provides information on the length of time taken in WTO proceedings to date from the date of the establishment of the panel to the date of the adoption of the panel report (and where applicable, the Appellate Body report).³ It is updated to 31 December 2020.

Prescribed Time-Period in Article 20	9-12 months
Average to Date	22 months ⁴ 3 days
Longest to date	81 months 4 days
Shortest to date	7 months 1 day ⁴

DS No.	Dispute	Time from establishment to adoption of Report(s)
DS2, DS4	<i>US – Gasoline</i>	13 months 10 days
DS8, DS10, DS11	<i>Japan – Alcoholic Beverages II</i>	13 months 4 days
DS18	<i>Australia – Salmon</i>	18 months 26 days
DS22	<i>Brazil – Desiccated Coconut</i>	12 months 15 days
DS24	<i>US – Underwear</i>	11 months 20 days
DS26	<i>EC – Hormones</i>	20 months 23 days
DS27	<i>EC – Bananas III</i>	16 months 17 days
DS31	<i>Canada – Periodicals</i>	13 months 11 days
DS33	<i>US – Wool Shirts and Blouses</i>	13 months 6 days
DS34	<i>Turkey – Textiles</i>	20 months 6 days
DS44	<i>Japan – Film</i>	18 months 6 days
DS46	<i>Brazil – Aircraft</i>	12 months 27 days
DS48	<i>EC – Hormones</i>	15 months 27 days
DS50	<i>India – Patents (US)</i>	13 months 26 days
DS54, DS55, DS59, DS64	<i>Indonesia – Autos</i>	13 months 11 days
DS56	<i>Argentina – Textiles and Apparel</i>	13 months 27 days
DS58	<i>US – Shrimp</i>	20 months 11 days
DS60	<i>Guatemala – Cement I</i>	20 months 5 days
DS62, DS67, DS68	<i>EC – Computer Equipment</i>	15 months 27 days
DS69	<i>EC – Poultry</i>	11 months 22 days
DS70	<i>Canada – Aircraft</i>	12 months 27 days

² Panel Report, *US – Section 301 Trade Act*, para. 7.31 and footnote 646.

³ This table covers only those disputes in which a panel report was adopted. It excludes cases in which an appeal was filed and then withdrawn. It does not cover Article 21.5 proceedings.

⁴ In this particular case (DS335), there were accelerated procedures which included only one meeting with the parties.

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DS No.	Dispute	Time from establishment to adoption of Report(s)
DS75, DS84	<i>Korea – Alcoholic Beverages</i>	16 months 1 day
DS76	<i>Japan – Agricultural Products II</i>	16 months 1 day
DS79	<i>India – Patents (EC)</i>	11 months 6 days
DS87, DS110	<i>Chile – Alcoholic Beverages</i>	25 months 24 days
DS90	<i>India – Quantitative Restrictions</i>	22 months 4 days
DS98	<i>Korea – Dairy</i>	17 months 19 days
DS99	<i>US – DRAMS</i>	13 months 3 days
DS103, DS113	<i>Canada – Dairy</i>	19 months 2 days
DS108	<i>US – FSC</i>	17 months 26 days
DS114	<i>Canada –Pharmaceutical Patents</i>	14 months 6 days
DS121	<i>Argentina – Footwear (EC)</i>	17 months 19 days
DS122	<i>Thailand – H-Beams</i>	16 months 16 days
DS126	<i>Australia – Automotive Leather II</i>	11 months 24 days
DS132	<i>Mexico – Corn Syrup</i>	13 months 29 days
DS135	<i>EC – Asbestos</i>	28 months 11 days
DS136	<i>US – 1916 Act</i>	19 months 25 days
DS138	<i>US – Lead and Bismuth II</i>	15 months 20 days
DS139, DS142	<i>Canada – Autos</i>	16 months 18 days
DS141	<i>EC – Bed Linen</i>	16 months 12 days
DS146, DS175	<i>India – Autos</i>	20 months 8 days
DS152	<i>US – Section 301 Trade Act</i>	10 months 25 days
DS155	<i>Argentina –Hides and Leather</i>	18 months 20 days
DS156	<i>Guatemala –Cement II</i>	13 months 25 days
DS160	<i>US – Section 110(5) Copyright Act</i>	14 months 1 day
DS161, DS169	<i>Korea – Various Measures on Beef</i>	19 months 14 days
DS162	<i>US – Anti-Dumping Act of 1916</i>	14 months
DS163	<i>Korea – Procurement</i>	12 months 3 days
DS165	<i>US – Certain EC Products</i>	18 months 24 days
DS166	<i>US – Wheat Gluten</i>	17 months 23 days
DS170	<i>Canada – Patent Term</i>	12 months 19 days
DS174, DS290	<i>EC – Trademarks and Geographical Indications</i>	18 months 18 days
DS176	<i>US – Section 211 Appropriations Act</i>	16 months 5 days
DS177, DS178	<i>US – Lamb</i>	17 months 26 days
DS179	<i>US – Stainless Steel</i>	14 months 12 days
DS184	<i>US – Hot-Rolled Steel</i>	17 months 3 days
DS189	<i>Argentina – Ceramic Tiles</i>	11 months 18 days
DS192	<i>US – Cotton Yarn</i>	16 months 16 days
DS194	<i>US – Export Restraints</i>	11 months 12 days

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DS No.	Dispute	Time from establishment to adoption of Report(s)
DS202	<i>US – Line Pipe</i>	16 months 12 days
DS204	<i>Mexico –Telecoms</i>	25 months 14 days
DS206	<i>US – Steel Plate</i>	12 months 5 days
DS207	<i>Chile – Price Band System</i>	19 months 11 days
DS211	<i>Egypt – Definitive Anti-Dumping Measures on Rebar from Turkey</i>	15 months 10 days
DS212	<i>US – Countervailing Measures on Certain EC Products</i>	15 months 28 days
DS213	<i>US –Carbon Steel</i>	15 months 9 days
DS217, DS234	<i>US – Offset Act (Byrd Amendment)</i>	17 months 4 days
DS219	<i>EC – Tube or Pipe Fittings</i>	24 months 24 days
DS221	<i>US – Section 129(c)(1) URAA</i>	12 months 7 days
DS222	<i>Canada – Aircraft Credits and Guarantees</i>	11 months 7 days
DS231	<i>EC – Sardines</i>	14 months 28 days
DS236	<i>US – Softwood Lumber III</i>	10 months 26 days
DS238	<i>Argentina – Preserved Peaches</i>	14 months 27 days
DS241	<i>Argentina – Poultry Anti-Dumping Duties</i>	13 months 2 days
DS243	<i>US – Textiles Rules of Origin</i>	12 months 26 days
DS244	<i>US –Corrosion-Resistant Steel Sunset Review</i>	19 months 17 days
DS245	<i>Japan – Apples</i>	18 months 15 days
DS246	<i>EC – Tariff Preferences</i>	14 months 23 days
DS248, DS249, DS251, DS252, DS253, DS254, DS258, DS259	<i>US – Steel Safeguards</i>	18 months 17 days
DS257	<i>US – Softwood Lumber IV</i>	16 months 16 days
DS264	<i>US – Softwood Lumber V</i>	19 months 23 days
DS265, DS266, DS283	<i>EC – Export Subsidies on Sugar</i>	20 months 19 days
DS267	<i>US – Upland Cotton</i>	24 months 3 days
DS268	<i>US – Oil Country Tubular Goods Sunset Review</i>	18 months 27 days
DS269, DS 286	<i>EC – Chicken Cuts</i>	22 months 20 days
DS273	<i>Korea – Commercial Vessels</i>	20 months 20 days
DS276	<i>Canada – Wheat Exports and Grain Imports</i>	17 months 26 days
DS277	<i>US – Softwood Lumber VI</i>	11 months 19 days
DS282	<i>US – Anti-Dumping Measures on Oil Country Tubular Goods</i>	26 months 29 days
DS285	<i>US – Gambling</i>	20 months 29 days
DS291, DS292,	<i>EC – Approval and Marketing of Biotech</i>	38 months 22 days

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DS No.	Dispute	Time from establishment to adoption of Report(s)
DS293	<i>Products</i>	
DS294	<i>US – Zeroing (EC)</i>	25 months 19 days
DS295	<i>Mexico – Anti-Dumping Measures on Rice</i>	25 months 13 days
DS296	<i>US – Countervailing Duty Investigation on DRAMs</i>	17 months 26 days
DS299	<i>EC – Countervailing Measures on DRAM Chips</i>	18 months 10 days
DS301	<i>EC – Commercial Vessels</i>	15 months 1 day
DS302	<i>Dominican Republic – Import and Sale of Cigarettes</i>	16 months 10 days
DS308	<i>Mexico – Taxes on Soft Drinks</i>	20 months 18 days
DS312	<i>Korea – Certain Paper</i>	14 months 1 day
DS315	<i>EC – Selected Customs Matters</i>	20 months 19 days
DS316	<i>EC and certain member States – Large Civil Aircraft</i>	71 months 12 days
DS320, DS321	<i>US/Canada – Continued Suspension</i>	45 months 16 days
DS322	<i>US – Zeroing (Japan)</i>	22 months 25 days
DS331	<i>Mexico – Steel Pipes and Tubes</i>	16 months 7 days
DS332	<i>Brazil – Retreaded Tyres</i>	23 months 6 days
DS334	<i>Turkey – Rice</i>	19 months 14 days
DS335	<i>US – Shrimp (Ecuador)</i>	7 months 1 day
DS336	<i>Japan – DRAMS (Korea)</i>	18 months 6 days
DS337	<i>EC – Salmon (Norway)</i>	19 months 2 days
DS339, DS340, DS342	<i>China – Auto Parts</i>	26 months 29 days
DS341	<i>Mexico – Olive Oil</i>	21 months 7 days
DS343	<i>US – Shrimp (Thailand)</i>	21 months 15 days
DS344	<i>US – Stainless Steel (Mexico)</i>	19 months 2 days
DS345	<i>US – Customs Bond Directive</i>	20 months 19 days
DS350	<i>US – Continued Zeroing</i>	20 months 26 days
DS353	<i>US – Large Civil Aircraft (2nd complaint)</i>	73 months 3 days
DS360	<i>India – Additional Import Duties</i>	17 months 6 days
DS362	<i>China – Intellectual Property Rights</i>	18 months 2 days
DS363	<i>China – Publications and Audiovisual Products</i>	26 months 4 days
DS366	<i>Colombia – Ports of Entry</i>	19 months 6 days
DS367	<i>Australia – Apples</i>	35 months 11 days
DS371	<i>Thailand – Cigarettes (Philippines)</i>	32 months 10 days
DS375, DS376, DS377	<i>EC – IT Products</i>	24 months 8 days
DS379	<i>US – Anti-Dumping and Countervailing</i>	26 months 14 days

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DS No.	Dispute	Time from establishment to adoption of Report(s)
	<i>Duties (China)</i>	
DS381	<i>US – Tuna II (Mexico)</i>	37 months 23 days
DS382	<i>US - Orange Juice (Brazil)</i>	21 months
DS383	<i>US – Anti-Dumping Measures on PET Bags</i>	11 months 5 days
DS384, DS386	<i>US – COOL</i>	32 months 3 days
DS392	<i>US – Poultry (China)</i>	15 months 1 day
DS394, DS395, DS398	<i>China – Raw Materials</i>	26 months 3 days
DS397	<i>EC – Fasteners (China)</i>	21 months 13 days
DS399	<i>US – Tyres (China)</i>	18 months 16 days
DS400, DS401	<i>EC – Seal Products</i>	38 months 26 days
DS402	<i>US – Zeroing (Korea)</i>	9 months 12 days
DS396, DS403	<i>Philippines – Distilled Spirits</i>	21 months 1 day
DS404	<i>US – Shrimp (Viet Nam)</i>	15 months 16 days
DS405	<i>EU – Footwear (China)</i>	21 months 6 days
DS406	<i>US – Clove Cigarettes</i>	21 months 5 days
DS412, DS426	<i>Canada – Renewable Energy/ Canada – Feed-In Tariff Program</i>	22 months 4 days
DS413	<i>China – Electronic Payment Services</i>	17 months 8 days
DS414	<i>China – GOES</i>	19 months 24 days
DS415, DS416, DS417, DS418	<i>Dominican Republic – Safeguard Measures</i>	12 months 14 days
DS422	<i>US – Shrimp and Sawblades</i>	8 months 28 days
DS425	<i>China – X-Ray Equipment</i>	15 months 4 days
DS427	<i>China – Broiler Products</i>	20 months 5 days
DS429	<i>US – Shrimp II (Viet Nam)</i>	25 months 22 days
DS430	<i>India – Agricultural Products</i>	35 months 24 days
DS431, DS432, DS433	<i>China – Rare Earths</i>	25 months 5 days
DS436	<i>US – Carbon Steel (India)</i>	27 months 19 days
DS437	<i>US – Countervailing Measures (China)</i>	27 months 19 days
DS438, DS444, DS445	<i>Argentina – Import Measures</i>	23 months 28 days
DS440	<i>China – Autos (US)</i>	19 months 25 days
DS442	<i>EU – Fatty Alcohols (Indonesia)</i>	51 months 5 days
DS447	<i>US – Animals</i>	31 months 2 days
DS449	<i>US – Countervailing and Anti-Dumping Measures (China)</i>	19 months 4 days
DS453	<i>Argentina – Financial Services</i>	34 months 14 days
DS454, DS460	<i>China – HP-SSST (Japan) / China – HP-SSST (EU)</i>	29 months 5 days

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DS No.	Dispute	Time from establishment to adoption of Report(s)
DS456	<i>India – Solar Cells</i>	28 months 24 days
DS457	<i>Peru – Agricultural Products</i>	24 months 7 days
DS461	<i>Columbia – Textiles</i>	32 months 27 days
DS464	<i>US – Washing Machines</i>	32 months 4 days
DS468	<i>Ukraine – Passenger Cars</i>	15 months 25 days
DS471	<i>US – Anti-Dumping Methodologies (China)</i>	37 months 26 days
DS472	<i>Brazil – Taxation</i>	48 months 25 days
DS473	<i>EU – Biodiesel (Argentina)</i>	30 months 3 days
DS475	<i>Russia – Pigs (EU)</i>	31 months 30 days
DS477, DS478	<i>Indonesia – Import Licensing Regimes</i>	30 months 5 days
DS479	<i>Russia – Commercial Vehicles</i>	41 months 20 days
DS482	<i>Canada – Welded Pipe</i>	22 months 17 days
DS483	<i>China – Cellulose Pulp</i>	26 months 14 days
DS484	<i>Indonesia – Chicken</i>	23 months 20 days
DS485	<i>Russia – Tariff Treatment</i>	18 months 4 days
DS486	<i>EU – PET (Pakistan)</i>	38 months 3 days
DS487	<i>US – Tax Incentives</i>	30 months 30 days
DS488	<i>US – OCTG (Korea)</i>	33 months 20 days
DS491	<i>US – Coated Paper (Indonesia)</i>	27 months 16 days
DS492	<i>EU – Poultry Meat (China)</i>	20 months 30 days
DS495	<i>Korea – Radionuclides</i>	42 months 29 days
DS496	<i>Indonesia – Iron or Steel Products</i>	35 months
DS511	<i>China – Agricultural Producers</i>	27 months 1 day
DS512	<i>Russia – Traffic in Transit</i>	25 months 5 days
DS517	<i>China – TRQs</i>	20 months 4 days
DS504	<i>Korea – Pneumatic Valves (Japan)</i>	38 months 26 days
DS493	<i>Ukraine – Ammonium Nitrate</i>	41 months 8 days
DS499	<i>Russia – Railway Equipment</i>	26 months 18 days
DS505	<i>US – Supercalendered Paper</i>	43 months 13 days
DS435	<i>Australia – Tobacco Plain Packaging (Honduras)</i>	81 months 4 days
DS441	<i>Australia – Tobacco Plain Packaging (Dominican Republic)</i>	73 months 24 days

Current as of: December 2020