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**1 ARTICLE 9**

**1.1 Text of Article 9**

**Article 9**

*Procedures for Multiple Complainants*

1. Where more than one Member requests the establishment of a panel related to the same matter, a single panel may be established to examine these complaints taking into account the rights of all Members concerned. A single panel should be established to examine such complaints whenever feasible.

2. The single panel shall organize its examination and present its findings to the DSB in such a manner that the rights which the parties to the dispute would have enjoyed had separate panels examined the complaints are in no way impaired. If one of the parties to the dispute so requests, the panel shall submit separate reports on the dispute concerned. The written submissions by each of the complainants shall be made available to the other complainants, and each complainant shall have the right to be present when any one of the other complainants presents its views to the panel.

3. If more than one panel is established to examine the complaints related to the same matter, to the greatest extent possible the same persons shall serve as panelists on each of the separate panels and the timetable for the panel process in such disputes shall be harmonized.

**1.2 Article 9.1: "a single panel should be established ... whenever feasible"**

1. The following table provides information on disputes in which a single panel was established for complaints related to the same matter pursuant to Article 9.1 of the DSU. It is updated to cover disputes in which a report was circulated prior to July 2017.<sup>1</sup>

<b>DS No.</b>	<b>Complainant(s)</b>	<b>Short title</b>	<b>Panel established</b>
DS2	Venezuela	<i>US – Gasoline</i>	10.4.1995
DS4	Brazil		31.5.1995
DS8	European Communities	<i>Japan – Alcoholic Beverages II</i>	27.9.1995
DS10	Canada		
DS11	United States		
DS27	Ecuador, Guatemala, Honduras, Mexico, United States	<i>EC – Bananas III</i>	8.5.1996
DS54	European Communities	<i>Indonesia – Autos</i>	12.6.1997
DS55	Japan		12.6.1997
DS59	United States		30.7.1997
DS64	Japan		12.6.1997
DS58	India, Malaysia, Pakistan, Thailand	<i>US – Shrimp</i>	25.2.1997
DS62	United States	<i>EC – Computer Equipment</i>	25.2.1997
DS67	United States		

<sup>1</sup> This table excludes Article 21.5 proceedings as well as disputes in which a mutually agreed solution was reached prior to the circulation of the panel report.

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DS68	United States		
DS75	European Communities	<i>Korea – Alcoholic Beverages</i>	16.10.1997
DS84	United States		
DS87	European Communities	<i>Chile – Alcoholic Beverages</i>	18.11.1997
DS110	European Communities		25.3.1998
DS103	United States	<i>Canada – Dairy</i>	25.3.1998
DS113	New Zealand		
DS139	Japan	<i>Canada – Autos</i>	1.2.1999
DS142	European Communities		
DS146	European Communities	<i>India – Autos</i>	17.11.2000
DS175	United States		27.7.2000
DS161	United States	<i>Korea – Various Measures on Beef</i>	26.5.1999
DS169	Australia		26.7.1999
DS177	New Zealand	<i>US – Lamb</i>	19.11.1999
DS178	Australia		
DS217	Australia, Brazil, Chile, European Communities, India, Indonesia, Japan, Korea, Thailand	<i>US – Offset Act (Byrd Amendment)</i>	23.8.2001
DS234	Canada, Mexico		10.9.2001
DS248	European Communities	<i>US – Steel Safeguards</i>	3.6.2002
DS249	Japan		14.6.2002
DS251	Korea		14.6.2002
DS252	China		24.6.2002
DS253	Switzerland		24.6.2002
DS254	Norway		24.6.2002
DS258	New Zealand		8.7.2002
DS259	Brazil		29.7.2002
DS174	United States	<i>EC – Trademarks and Geographical Indications</i>	2.10.2003
DS290	Australia		
DS265	Australia	<i>EC – Export Subsidies on Sugar</i>	29.8.2003
DS266	Brazil		
DS283	Thailand		
DS269	Brazil	<i>EC – Chicken Cuts</i>	7.11.2003
DS286	Thailand		21.11.2003
DS291	United States	<i>EC – Approval and Marketing of Biotech Products</i>	29.8.2003
DS292	Canada		
DS293	Argentina		
DS339	European Communities	<i>China – Auto Parts</i>	26.10.2007
DS340	United States		
DS341	Canada		
DS375	United States	<i>EC – IT Products</i>	23.9.2008
DS376	Japan		
DS377	Chinese Taipei		
DS384	Canada	<i>US - COOL</i>	19.11.2009
DS386	Mexico		
DS394	United States	<i>China - Raw Materials</i>	21.12.2009
DS395	European Communities		21.12.2009
DS398	Mexico		21.12.2009
DS396	European Union	<i>Philippines - Taxes on Distilled Spirits</i>	19.1.2010
DS403	United States		20.4.2010
DS415	Costa Rica	<i>Dominican Republic – Safeguard Measures</i>	7.2.2011
DS416	Guatemala		
DS417	Honduras		
DS418	El Salvador		
DS400	Canada	<i>EC – Seal Products</i>	25.03.2011
DS401	Norway		21.04.2011
DS431	United States	<i>China – Rare Earths</i>	23.07.2012
DS432	European Union		
DS433	Japan		

DS438	European Union	<i>Argentina – Import Measures</i>	28.01.2013
DS444	United States		
DS445	Japan		
DS477	New Zealand	<i>Indonesia – Import Licensing Regimes</i>	20.05.2015
DS478	United States		

### 1.3 Article 9.3: "to the greatest extent possible the same persons shall serve as panelists on each of the separate panels"

2. The following table provides information on disputes in which the same persons were appointed as panelists in separate panels established to examine complaints related to the same matter under Article 9.3 of the DSU. It covers disputes in which a panel report was circulated by July 2017.<sup>2</sup>

DS No.	Complainant(s)	Short title	Panel established	Panel composition
DS26	United States	<i>EC – Hormones</i>	20.5.1996	Same panelists as WT/DS48
DS48	Canada	<i>EC – Hormones</i>	16.10.1996	Same panelists as WT/DS26
DS50	United States	<i>India – Patents (US)</i>	20.11.1996	Same panelists as WT/DS79
DS79	European Communities	<i>India – Patents (EC)</i>	16.10.1997	Same panelists as WT/DS50
DS56	United States	<i>Argentina – Textiles and Apparel</i>	25.2.1997	Same panelists as WT/DS77
DS77	European Communities	<i>Argentina – Textiles and Clothing</i>	16.10.1997	Same panelists as WT/DS56
DS136	European Communities	<i>US – 1916 Act</i>	1.2.1999	Same panelists as WT/DS162
DS162	Japan	<i>US – 1916 Act</i>	26.7.1999	Same panelists as WT/DS136
DS276	United States	<i>Canada – Wheat Exports and Grain Imports</i>	31.3.2003	Same panelists as "July Panel"
DS276	United States	<i>Canada – Wheat Exports and Grain Imports</i>	11.7.2003	Same panelists as "March Panel"
DS320	European Communities	<i>US – Continued Suspension</i>	17.2.2005	Same panelists as WT/DS321
DS321	European Communities	<i>Canada – Continued Suspension</i>	17.2.2005	Same panelists as WT/DS320
DS343	Thailand	<i>US – Shrimp (Thailand)</i>	26.10.2007	Same panelists as WT/DS345
DS345	India	<i>US – Customs Bond Directive</i>	21.11.2006	Same panelists as WT/DS343
DS352	European Communities	<i>India – Wines and Spirits</i>	24.2.2007	Same panelists as WT/DS360
DS360	United States	<i>India – Additional Import Duties</i>	20.6.2007	Same panelists as WT/DS352
DS412	Japan	<i>Canada – Renewable Energy</i>	20.7.2011	Same panelists as WT/DS426
DS426	European Union	<i>Canada – Feed-In Tariff Program</i>	20.01.2012	Same panelists as WT/DS412
DS454	Japan	<i>China – HP-SSST (Japan)</i>	24.05.2013	Same panelists as

<sup>2</sup> This table excludes Article 21.5 proceedings as well as disputes in which a mutually agreed solution was reached prior to the circulation of the panel report.

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				WT/DS460
DS460	European Union	<i>China – HP-SSST (EU)</i>	30.08.2013	Same panelists as WT/DS454

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Current as of: July 2017