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1.1 Text of Rule 13

Replacement

13. Where a Member is unable to serve on a division for a reason set out in paragraph 3 of Rule 6, another Member shall be selected forthwith pursuant to paragraph 2 of Rule 6 to replace the Member originally selected for that division.

1.2 Application of Rule 13

1. In *US – Lead and Bismuth II*, Mr. Christopher Beeby, one of the members of the Division hearing the appeal, passed away and Mr. Julio Lacarte-Muró, another member of the Appellate Body, was selected to replace him.¹

2. In *US – Offset Act (Byrd Amendment)*, Mr. Giorgio Sacerdoti replaced Mr. A.V. Ganesan as Presiding Member of the Division hearing this appeal because the latter was prevented from continuing to serve on the Division for serious personal reasons.²

3. In *US – Softwood Lumber IV*, Mr. Giorgio Sacerdoti replaced Mr. A.V. Ganesan as a Member of the Division hearing this appeal because the latter was prevented from continuing to serve on the Division for serious personal reasons.³

4. In *US – FSC (Article 21.5 – EC II)*, Mr. 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 Ms. Merit Janow to replace Mr. Lockhart.⁴

Current as of: June 2023

¹ Appellate Body Report, *US – Lead and Bismuth II*, para. 8. See also Appellate Body Reports, *US – Offset Act (Byrd Amendment)*, para. 8 and *US – Softwood Lumber IV*, para. 10.

² Appellate Body Report, *US – Offset Act (Byrd Amendment)*, para. 8.

³ Appellate Body Report, *US – Softwood Lumber IV*, para. 10.

⁴ Appellate Body Report, *US – FSC (Article 21.5 - EC II)*, para. 11.