

**GENERAL AGREEMENT
ON TARIFFS AND TRADE**

RESTRICTED

DS31/4

17 February 1994

Limited Distribution

(94-0320)

Original: English

UNITED STATES - TAXES ON AUTOMOBILES

Communication from the Chairman of the Panel

The following communication, dated 11 February 1994 and addressed to the Chairman of the Council, is circulated in accordance with paragraph F(f)6 of the 1989 Decision on Improvements to the GATT Dispute Settlement Rules and Procedures (BISD 36S/61).

Paragraph F(f)5 of the Improvements to the GATT Dispute Settlement Rules and Procedures, adopted on 12 April 1989, requires a panel to conduct its examination of a dispute within a period that shall normally not exceed six months from the time the composition and terms of reference have been agreed. In addition, the period from the establishment of the panel until the submission of the report should not exceed nine months.

Paragraph F(f)6 stipulates that in cases where a panel cannot provide its report within six months, it shall inform the Council in writing of the reasons for the delay together with an estimate of the period within which it will submit its report.

The Panel on United States - Taxes on Automobiles was established on 12 May 1993. The Panel has encountered several factors which have delayed its work. Initial difficulty between the parties in finding suitable panellists resulted in the composition and terms of reference being agreed almost three months later, on 2 August 1993. A delay in proceedings due to the Uruguay Round resulted in postponement of the second meeting of the Panel. In addition, because of a disagreement between the parties concerning certain data, the Panel was obliged to ask the parties for additional data.

Due to these factors, the Panel has been unable to conclude its work within the stipulated periods. The Panel, in agreement with the parties, expects to complete its work by the end of May 1994.