

1	RULE 21: APPELLANT'S SUBMISSION	1
1.1	Text of Rule 21	1
1.2	Materials attached to an appellant's submission	1
1.3	Rule 21(2): requirements of an appellant's submission	2

1 RULE 21: APPELLANT'S SUBMISSION

1.1 Text of Rule 21(1) and serve a copy of the submission on the other parties to the dispute and third parties.

(2) A written submission referred to in paragraph 1 shall

- (a) be dated and signed by the appellant; and
- (b) set out

- (i) a precise statement of the grounds for the appeal, including the specific allegations of errors in the issues of law covered in the panel report and legal interpretations developed by the panel, and the legal arguments in support thereof;

- (ii)

"We consider that the attaching of a brief or other material to the submission of either appellant or appellee, no matter how or where such material may have originated, renders that material at least prima facie an integral part of that participant's submission. On the one hand, it is of course for a participant in an appeal to determine for itself what to include in its submission. On the other hand, a participant filing a submission is properly regarded as assuming responsibility for the contents of that submission, including any annexes or other attachments. We admit, therefore, the briefs attached to the appeal of the United States as part of that appellant's submission. At the same time, considering that the United States has itself accepted the briefs in a tentative and qualified manner only,

we focus in the succeeding sections below on the legal arguments in the main U.S. appellant's submission."¹

1.3 Rule 21(2): requirements of an appellant's submission

2. In *EC – Bananas III*, Ecuador argued that the European Communities did not properly set out any allegation of error concerning a particular of the panel report in the Notice of Appeal, as required by Rule 20(2)(d), or in its appellant's submission, as required by Rule 21(2). The Appellate Body agreed with Ecuador: