

**X. Findings and Conclusions**

216. For the reasons set forth in this Report, the Appellate Body:

(a) in relation to causation:

(i) finds that there is no requirement to establish the existence of a causal link between likely dumping and likely injury, as a matter of legal obligation, in a sunset review determination under Article 11.3 of the *Anti-Dumping Agreement* and that, therefore, the USITC was not required to demonstrate such a link in making its likelihood-of-injury determination in the sunset review at issue in this dispute; and

(ii) finds that the Panel did not act inconsistently with Article 11 of the DSU in its assessment of Mexico's arguments in this regard;

(b) in relation to cumulation:

(i) upholds the Panel's findings, in paragraphs



Signed in the original in Geneva this 18th day of October 2005 by:

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A.V. Ganesan  
Presiding Member

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John Lockhart  
Member

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Yasuhei Taniguchi  
Member