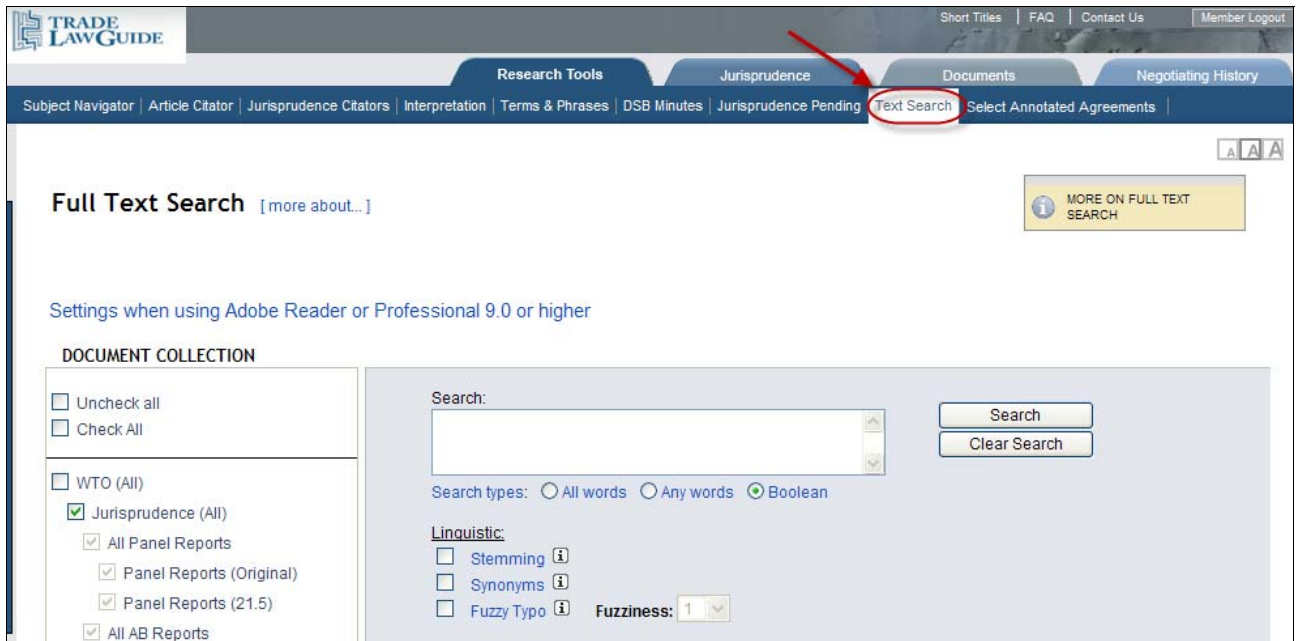


1.	Overview	1
2.	Adobe® Reader or Professional Settings	3
3.	How the Text Search Tool Fits into the Other Tools in the Research Process.....	4
4.	Document Collection	4
5.	Search Commands and Functions	6
5.1.	Search Field	6
5.2.	Search Types	6
5.2.1.	“Any Words” (with illustrative example & helpful hints)	6
5.2.2.	“All Words” (with illustrative example & helpful hints)	8
5.2.3.	“Boolean” (with illustrative examples & helpful hints).....	8
5.2.3.1.	Generally	8
5.2.3.2.	Boolean Connectors.....	9
5.2.3.3.	Special Search Term Characters	9
5.2.3.4.	Examples.....	10
6.	Linguistic Search Options	11
6.1.	Stemming	12
6.2.	Synonyms.....	12
6.3.	Fuzzy Typo.....	12
7.	Narrowing Your Search Using Filters and Other Options	13
7.1.	The Document Categories Selected for Searching will Determine Which Options are Available	13
7.2.	Searching Full Texts or Redacted Texts of Jurisprudence Documents.....	14
7.3.	Limit Search to WTO Jurisprudence that Substantively Cites Specific WTO Provisions	15
7.4.	Limit Search to Jurisprudence or Other Documents within a Particular Date Range ...	17
7.5.	Limit Search to Specific WTO Agreements or Instruments.....	17
7.6.	Limit Search to Specific Dispute Settlement Document Types.....	18
7.7.	Limit Search to Specific Negotiating Group (Uruguay Round Negotiating History)	19
7.8.	Search Result Display Options – Frequency of Hits versus Reverse Chronologically by Circulation Date.....	20
8.	Search Results	21
8.1.	Redefine Search.....	21
8.2.	View Extracts.....	21
8.3.	View Hits in PDF Document.....	22

1. Overview

The Text Search tool enables you to conduct full text searches of all documents in the database. It provides all functionalities you expect in a full text search plus many special functions that are custom designed for WTO research.



The screenshot shows the Trade Law Guide website's navigation bar with 'Text Search' highlighted. Below the navigation bar, the 'Full Text Search' page is displayed. It features a search box, a 'DOCUMENT COLLECTION' sidebar with checkboxes for 'WTO (All)', 'Jurisprudence (All)', and various reports, and a search options section with radio buttons for 'All words', 'Any words', and 'Boolean', along with 'Linguistic' options like 'Stemming', 'Synonyms', and 'Fuzzy Typo', and a 'Fuzziness' dropdown set to '1'. A 'MORE ON FULL TEXT SEARCH' button is also visible.

Among other things, the Text Search enables you to conduct “Boolean” searches which are based on Boolean logic. This type of search method has been in use for many years. Although it is more complicated than the “Google”-type searches that are common today, it is extremely valuable for conducting legal research. Examples of this type of searching in the WTO context are given below.

Document selection options and filters (which include a filter based on the content of the Article Citator) enable you to narrow your search to improve the quality of the results.

The content of Terms & Phrases is integrated to give you the most relevant results fast. Instead of having to review thousands of results from searches of words like "proceedings", you will be directed to the result that is on point.

The search results enable you to choose to first view extracts of the results or go directly to the relevant parts of the documents that you are searching. You can also choose to display the most recent jurisprudence results first rather than displaying by frequency of hits.

Here is an example of a recommended search that utilizes many of the features of the full text search. These features are described in detail below.

DOCUMENT COLLECTION

Uncheck all
 Check All

Searching all WTO jurisprudence

WTO (All)
 Jurisprudence (All)

- All Panel Reports
 - Panel Reports (Original)
 - Panel Reports (21.5)
- All AB Reports
 - AB Reports (Original)
 - AB Reports (21.5)
- Arbitration Awards (21.3(c))
- Arbitration Awards (25)
- Arbitration Awards (Spec.)
- Arbitration Decisions (22.6)
- Agreements & Instruments
- Dispute Documents
- DSB Minutes
- GATT 1947 & 1979 Codes (All)
 - Jurisprudence
 - Agreements & Instruments
- U.R. Negotiating History

Limiting the jurisprudence that is searched to that substantively citing Articles XX and XX(d) of the GATT 1994

Searching for phrase "burden of proof" within 10 words of Roman numeral XX

Search: "burden of proof" w/10 XX

Search types: All words Any words **Boolean**

Boolean connectors used in search

Linguistic: **Stemming** Synonyms Fuzzy Typo

Recommended on all searches to capture variations of search terms

Fuzziness: 1

Narrow Search

Search full texts or redacted texts
* Redacted texts are limited to the substantive sections of reports, awards and decisions (e.g., introduction, procedural issues, preliminary findings, interim review, findings, conclusions and recommendations). Parts containing solely argument or attachments that are outside of the reasoning sections are removed.

Full text of reports, awards and decisions
 Redacted text of reports, awards and decisions

Searching redacted texts to limit results to substantive sections of jurisprudence

Search only WTO jurisprudence that includes substantive references to the following specific provision(s)
* This filter utilizes the content from the Article Citator and will restrict searches to documents that contain references to the selected agreement/provision combinations. Only those agreements, instruments and provisions that have been referred to in the article citator (although not necessarily in the documents encompassed in the category you have selected) are listed in the menus - [more on the Article Citator](#)

Agreement/Instrument #2 of 2
General Agreement on Tariffs and Trade 1994 (GATT 1994)
Provision
Article XX(d)

Search will be restricted to documents containing Article Citator references to all of the following provisions:

General Agreement on Tariffs and Trade 1994 (GATT 1994)	Article XX
General Agreement on Tariffs and Trade 1994 (GATT 1994)	Article XX(d)

<< Previous Add Another Selection Finish Adding Selections Clear Filter

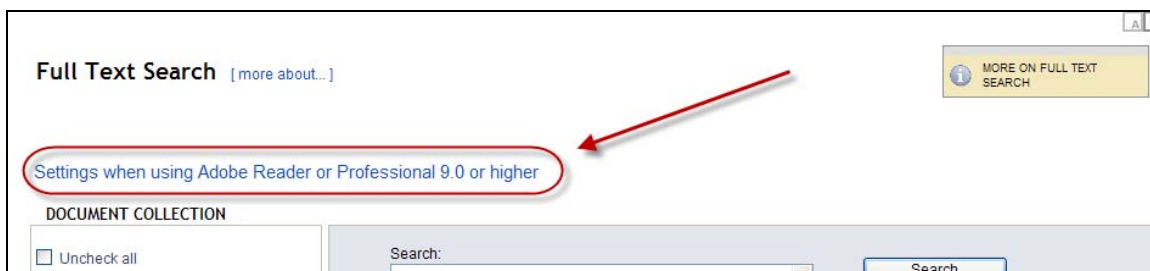
Search WTO jurisprudence with a circulation date within a specified range
Circulation Date(s) of Document(s):
mm/dd/yyyy to mm/dd/yyyy
01/01/1995 to 01/31/2010 Reset filter

Search Results
 Frequency of hits
 Reverse chronological by circulation date

Sorting results reverse chronologically rather than by frequency of hits in order to identify most recent jurisprudence

2. Adobe® Reader or Professional Settings

For the pinpoint referencing function in TradeLawGuide to work, your computer must have Adobe® Reader or Professional v. 8.0 or higher installed (see the document entitled "System Requirements and Settings").



If you have v. 9.0 or higher installed on your computer, you also need to make a setting adjustment so that the hit highlighting in the Text Search results will work.

Follow these instructions:

1. Close all applications using Adobe® Reader or Professional including TradeLawGuide (if you are logged into TradeLawGuide, we recommend logging off before closing the application).
2. Open Adobe® Reader or Professional v. 9.0+
3. Click Edit > Preferences > Search
4. Check the box entitled "Enable search highlights from external highlight server"
5. Click "OK"
6. Close Adobe® Reader or Professional v. 9.0+
7. Close you browser and re-open it.

3. How the Text Search Tool Fits into the Other Tools in the Research Process

TradeLawGuide's research tools index the context of WTO documents to a very high level of detail and link related concepts and documents together. However, it is neither feasible nor desirable to index every possible subject.

Where a subject has not been indexed in other TradeLawGuide tools, you can research that subject using the Text Search tool.

Once you find jurisprudence that is relevant to your research, you can note up that jurisprudence using the Jurisprudence Citators to find other case law relevant to the subject.

4. Document Collection

The Text Search tool enables you to search the entire TradeLawGuide document collection. Simply check off the box or boxes of the document categories you wish to search. The default setting selects all WTO jurisprudence.

DOCUMENT COLLECTION	
<input type="checkbox"/>	Uncheck all
<input type="checkbox"/>	Check All
<hr/>	
<input type="checkbox"/>	WTO (All)
<input checked="" type="checkbox"/>	Jurisprudence (All)
<input checked="" type="checkbox"/>	All Panel Reports
<input checked="" type="checkbox"/>	Panel Reports (Original)
<input checked="" type="checkbox"/>	Panel Reports (21.5)
<input checked="" type="checkbox"/>	All AB Reports
<input checked="" type="checkbox"/>	AB Reports (Original)
<input checked="" type="checkbox"/>	AB Reports (21.5)
<input checked="" type="checkbox"/>	Arbitration Awards (21.3(c))
<input checked="" type="checkbox"/>	Arbitration Awards (25)
<input checked="" type="checkbox"/>	Arbitration Awards (Spec.)
<input checked="" type="checkbox"/>	Arbitration Decisions (22.6)
<input type="checkbox"/>	Agreements & Instruments
<input type="checkbox"/>	Dispute Documents
<input type="checkbox"/>	DSB Minutes
<input type="checkbox"/>	GATT 1947 & 1979 Codes (All)
<input type="checkbox"/>	Jurisprudence
<input type="checkbox"/>	Agreements & Instruments
<input type="checkbox"/>	U.R. Negotiating History

If you wish to select categories other than the default selection, first select “Uncheck all” to clear the selections.

DOCUMENT COLLECTION	
<input type="checkbox"/>	Uncheck all
<input type="checkbox"/>	Check All
<hr/>	
<input type="checkbox"/>	WTO (All)

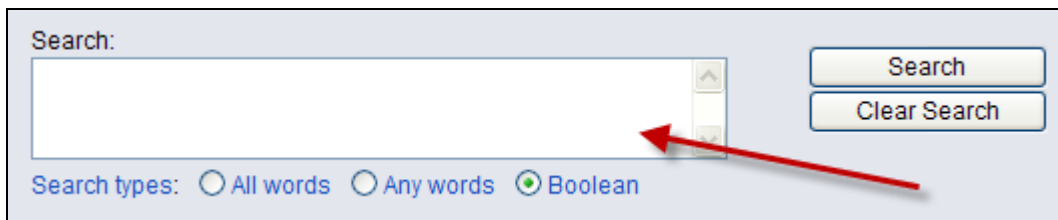
When you select certain categories, additional document selection options are provided. For example, if you select WTO “Agreements & Instruments” you can further narrow your search to specific agreements and instruments or combinations of agreements and instruments.



5. Search Commands and Functions

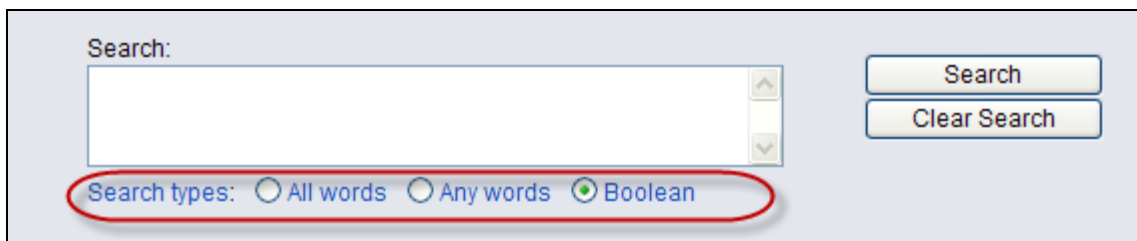
5.1. Search Field

The search field is at the top of the tool. Just add in your search term(s) and click “Search”.



5.2. Search Types

There are three search types “All words”, “Any words” and “Boolean”. Boolean searching is selected by default.



5.2.1. “Any Words” (with illustrative example & helpful hints)

An "any words" search request consists of an unstructured natural language or "plain English" query. In a natural language search request, words such as AND and OR are disregarded.

Use quotation marks to indicate a phrase, + (plus) to indicate a word that must be present, and - (minus) to indicate a word that must not be present.

This search is similar to a Google-type search.

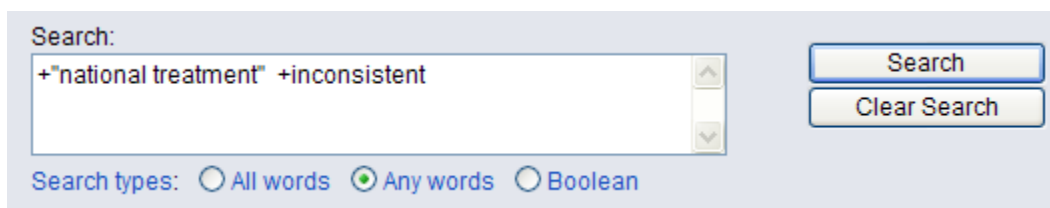
STRENGTH: Simple to use. Allows you to input a large number of terms and if any of those terms are present the documents will be shown in the results. If the results are sorted by frequency of hits this may make it easier to find the most relevant documents.

WEAKNESS: A large amount of hit results, many of which may not be relevant.

RECOMMENDATION: Use quotations, + and – to reduce the amount of irrelevant results. Use the "Redefine Search" function to fine tune the results.

Example:

You want to search for case law on violations of the national treatment obligation. Here are recommended search terms:



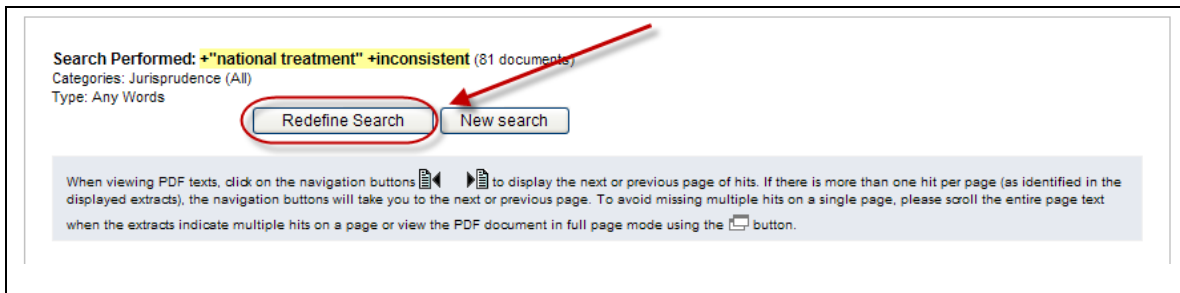
The screenshot shows a search interface with a search box containing the text "+national treatment" +inconsistent. To the right of the search box are two buttons: "Search" and "Clear Search". Below the search box, there are three radio buttons for search types: "All words", "Any words" (which is selected), and "Boolean".

Use the + signs for both terms that must be present. If, for example, you did not include the + sign for "national treatment" you would get results that had the term "inconsistent" without the term "national treatment" being present.




Hint: Select "Stemming" in the "Linguistic Search Options" (discussed below) in order to capture the variations of the words (e.g., inconsistent, inconsistency, inconsistencies).

Be careful when using the – sign. For example, if you are researching "national treatment" in the context of trade in goods and wanted to exclude results that concerned violations of national treatment under the GATS, you could add to the search terms –GATS. However, there may be some cases involving national treatment in the context of trade in goods that refer in context to the GATS. These results, which could be relevant, would be eliminated.

A safe way to use the – sign is to eliminate results from your results list when you start reviewing it. As you find documents that are linked to specific terms that are not relevant to your research, click on the "Redefine Search" button, modify your search terms to include the term with a – sign and then re-run the search. Make sure the terms that you eliminate are not ones that could show up in relevant documents otherwise you will be eliminating relevant results.



Search Performed: **+national treatment" +inconsistent** (81 documents)
 Categories: Jurisprudence (All)
 Type: Any Words

When viewing PDF texts, click on the navigation buttons   to display the next or previous page of hits. If there is more than one hit per page (as identified in the displayed extracts), the navigation buttons will take you to the next or previous page. To avoid missing multiple hits on a single page, please scroll the entire page text when the extracts indicate multiple hits on a page or view the PDF document in full page mode using the  button.

5.2.2. “All Words” (with illustrative example & helpful hints)

An "all words" search is like an "any words" search except that all of the words in the search request must be present for a document to be retrieved. This search saves time because you do not need to include + signs before all of the terms.

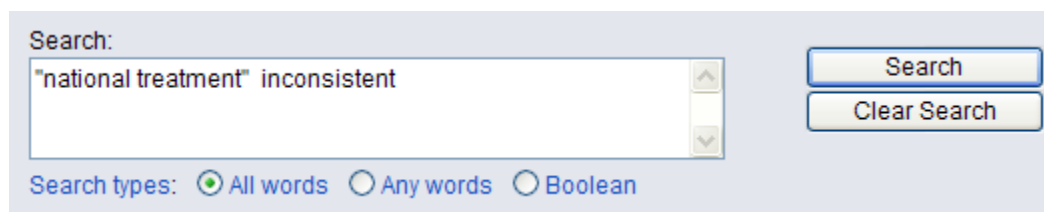
STRENGTH: Simple to use. Employ this type of search where all of your search terms must be present in the documents you are seeking for them to be relevant.

WEAKNESS: A large amount of hit results, many of which may not be relevant. Not as versatile as the “Any words” and “Boolean” search types.

RECOMMENDATION: Use quotations when searching phrases.

Example:

You want to search for case law on violations of the national treatment obligation. Here are recommended search terms:



Search:

 Search types: All words Any words Boolean

This gives you the same result as the above example for the “Any words” search (above) which used the + signs for both terms.

Hint: Select “Stemming” in the “Linguistic Search Options” (discussed below) in order to capture the variations of the words (e.g., inconsistent, inconsistency, inconsistencies).

5.2.3. “Boolean” (with illustrative examples & helpful hints)

5.2.3.1. Generally

A Boolean search consists of a group of words, phrases or macros linked by search connectors such as AND and OR to precisely indicate the relationship between them. This is more

complicated than the “Any words” and “All words” searches. However, it is also more versatile and generally yields the most relevant results.

STRENGTH: Most versatile and generally provides the most relevant results.

WEAKNESS: More complicated to use.

RECOMMENDATION: Spend time thinking about the structure of the search and the Boolean connectors before running the search. Use the “Redefine Search” function to fine tune the results.

5.2.3.2. Boolean Connectors

The following connectors are supported:

	Search Request	Meaning
and	injury and dumped	both words must be present
or	dumped or subsidized	either word can be present
w/#	assessment w/3 facts	“assessment” must occur within 3 words of “facts” (e.g., “assessment of the facts”)
	like w/2 product	would return “like product” and “like domestic product”
not	adverse not w/1 effect	“adverse” must occur but not within 1 word of “effect”
	national and not treatment	only “national” must be present

If you use more than one connector, use parentheses to indicate precisely what you are searching for. For example:

injury and (dumped or subsidized)

Include phrases in quotations. For example: (violation or inconsistent) w/10 “national treatment”.

Certain noise words (e.g., “a”, “if” and “the”) are ignored in searches.

5.2.3.3. Special Search Term Characters

The following special search term characters are supported:

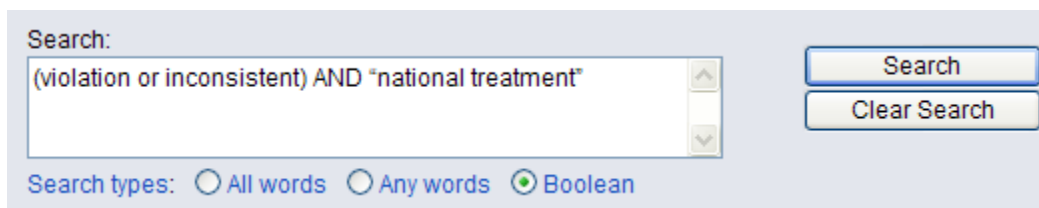
Special Character	Meaning	Example
?	matches any character	appl? would match apply and apple but not apples.
=	matches any single digit	DS== would match DS11 but not DS111 or DSB.
*	matches any number of characters	licen* would match licence, licences, licensed, licensing

		<p>ap*ed would match applied, approved, etc.</p> <p>*cipl* would match principle, participle, etc.</p> <p>Use of the * wildcard character near the beginning of a word will slow searches somewhat.</p>
%	<p>selective fuzzy search</p> <p>See also “Fuzzy Typo” under “Linguistic Search Options” (below)</p>	<p>Will find a word even if it is misspelled. The number of % characters determines the number of differences the search will ignore when searching for a word. For example, a search of lab%or will return words that begin with “lab” and have at most one difference between them and “labor”. Thus, both “labor” and “labour” will be returned. A search of lab%%or will return words that begin with “lab” and have at most two differences between them and labor.</p>
~	<p>Stemming</p> <p>See also “Stemming” under “Linguistic Search Options” (below)</p>	<p>Will find grammatical variations of a word. For example, a search of apply~ will return apply, applying, applied, applies.</p>

5.2.3.4. Examples

Example 1:

You want to search for case law on violations of the national treatment obligation. Here are recommended search terms:



Search: (violation or inconsistent) AND national treatment

Search types: All words Any words Boolean

The results will be similar to the examples shown above for “Any words” and “All words” searches. The exception is that this search will capture documents containing “violation” and “national treatment” as well as “inconsistent” and “national treatment”.

Hint: Select “Stemming” in the “Linguistic Search Options” (discussed below) in order to capture the variations of the words (e.g., inconsistent, inconsistency, inconsistencies).

Example 2:

Additional precision can be added to this search by using the proximity connector (e.g., w/#). The following search will capture documents that have the terms “national treatment” within 10

words of “violation” or “inconsistent”. This result is much more accurate because it will isolate documents in which the violation relates to the national treatment obligation and not some other obligation.

Search:

 Search types: All words Any words Boolean

Example 3:

You want to search for case law that elaborates upon the burden of proof in claims under the general exceptions in Article XX of the GATT 1994.

Search:

 Search types: All words Any words Boolean

This will capture documents that have the phrase “burden of proof” within 5 words of the Roman numeral XX.

Example 4:

If you want to find terms that are defined or elaborated upon, you can use the following search terms.

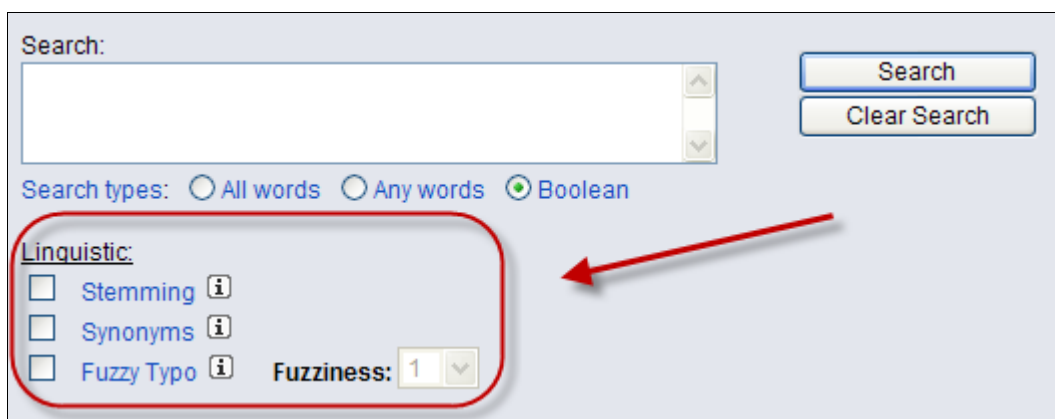
Search:

 Search types: All words Any words Boolean

These terms will capture all documents with the term “determine” within 10 words of the words “means”, “meaning”, “define”, or “definition”.

6. Linguistic Search Options

There are three linguistic search options.



Search:

Search types: All words Any words Boolean

Linguistic:

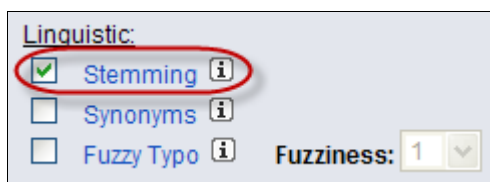
Stemming i

Synonyms i

Fuzzy Typo i Fuzziness: 1

6.1. Stemming

Stemming allows you to search the different variations of your search term. It includes terms that have the same stem (e.g., determine, determination, determines).



Linguistic:

Stemming i

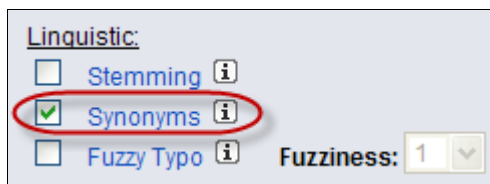
Synonyms i

Fuzzy Typo i Fuzziness: 1

Hint: It is good practice to always enable this function when searching unless it is clear that there are not multiple variations of the terms you are searching.

6.2. Synonyms

Synonyms are terms that have the same or nearly the same meaning (e.g., discrimination, bias, favoritism). Select "Synonyms" if you want to capture other terms with similar meanings to your search terms.



Linguistic:

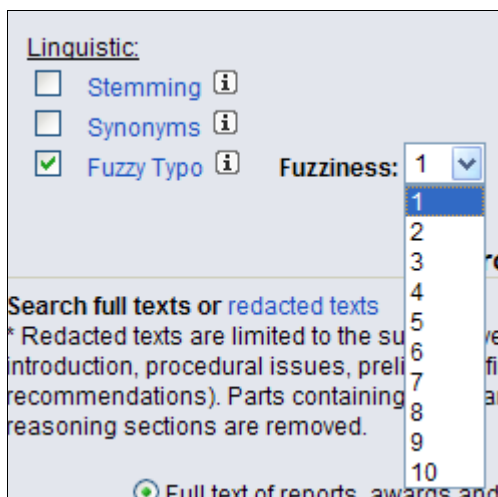
Stemming i

Synonyms i

Fuzzy Typo i Fuzziness: 1

6.3. Fuzzy Typo

Fuzzy searching will find a word even if it is misspelled. For example, a fuzzy search for apple will find appple. Fuzzy searching can be useful when you are searching text that may contain typographical errors or words that are spelled in different ways (e.g., favor and favour).



Check Fuzzy searching in the search dialog box to enable fuzzy searching for all of the words in your search request. You can adjust the level of fuzziness from 1 to 10. The number you chose will determine the number of differences the search will ignore when searching for a term.

7. Narrowing Your Search Using Filters and Other Options

7.1. The Document Categories Selected for Searching will Determine Which Options are Available

Various options are provided to further narrow your search.

The available options will change depending on which document collection(s) you search. A lowest common denominator rule is applied. Where you select multiple categories, only those options that apply to all of the categories you select are displayed. Thus, if you select "All" document categories, there will be no options displayed because none of the options are relevant to all categories.

Here are the options which apply to the default document categories.

DOCUMENT COLLECTION

Uncheck all
 Check All

WTO (All)

Jurisprudence (All)

All Panel Reports

Panel Reports (Original)

Panel Reports (21.5)

All AB Reports

AB Reports (Original)

AB Reports (21.5)

Arbitration Awards (21.3(c))

Arbitration Awards (25)

Arbitration Awards (Spec.)

Arbitration Decisions (22.6)

Agreements & Instruments

Dispute Documents

DSB Minutes

GATT 1947 & 1979 Codes (All)

Jurisprudence

Agreements & Instruments

U.R. Negotiating History

Search:

Search types: All words Any words Boolean

Linguistic:

Stemming (i)

Synonyms (i)

Fuzzy Typo (i) Fuzziness:

Narrow Search

Search full texts or redacted texts

* Redacted texts are limited to the substantive sections of reports, awards and decisions (e.g., introduction, procedural issues, preliminary findings, interim review, findings, conclusions and recommendations). Parts containing solely argument or attachments that are outside of the reasoning sections are removed.

Full text of reports, awards and decisions
 Redacted text of reports, awards and decisions

Search only WTO jurisprudence that includes substantive references to the following specific provision(s)

* This filter utilizes the content from the Article Citator and will restrict searches to documents that contain references to the selected agreement/provision combinations. Only those agreements, instruments and provisions that have been referred to in the article citator (although not necessarily in the documents encompassed in the category you have selected) are listed in the menus - [more on the Article Citator](#)

Agreement/Instrument #1 of 1

Filter not activated - Please select one or more agreement/provision combinations

Search WTO jurisprudence with a circulation date within a specified range

Circulation Date(s) of Document(s):

mm/dd/yyyy mm/dd/yyyy

to

Search Results

Frequency of hits
 Reverse chronological by circulation date

7.2. Searching Full Texts or Redacted Texts of Jurisprudence Documents

When searching jurisprudence documents you can choose to search the full texts of reports, awards and decisions or you can search “redacted” texts. These latter texts are limited to the substantive sections of reports, awards and decisions—e.g., introduction, procedural issues, preliminary findings, interim review, findings, conclusions and recommendations. Parts containing solely argument or attachments that are outside the reasoning sections are removed.

Search full texts or redacted texts
 * Redacted texts are limited to the substantive sections of reports, awards and decisions (e.g., introduction, procedural issues, preliminary findings, interim review, findings, conclusions and recommendations). Parts containing solely argument or attachments that are outside of the reasoning sections are removed.

Full text of reports, awards and decisions
 Redacted text of reports, awards and decisions

There are two reasons to search redacted texts. First, your results will be limited to substantive references related to the subject matter you are researching. Second, the smaller size of the PDF documents will speed up document browsing.

7.3. Limit Search to WTO Jurisprudence that Substantively Cites Specific WTO Provisions

When searching WTO jurisprudence documents, a filter is available to limit the search to documents that substantively cite specific WTO provisions.

Search only WTO jurisprudence that includes substantive references to the following specific provision(s)
 * This filter utilizes the content from the Article Citator and will restrict searches to documents that contain references to the selected agreement/provision combinations. Only those agreements, instruments and provisions that have been referred to in the article citator (although not necessarily in the documents encompassed in the category you have selected) are listed in the menus - [more on the Article Citator](#)

Agreement/Instrument #1 of 1
 -- Select Agreement --


Filter not activated - Please select one or more agreement/provision combinations

This filter utilizes the content from TradeLawGuide's Article Citator. It restricts searches to documents that contain references to the selected agreement/provision combinations.

The filter is not normally activated (the default setting). To activate it, take the following steps:

First, using the drop down menu, select the agreement or instrument that contains the provision(s) you want to restrict the search to.

Agreement/Instrument #1 of 1
 -- Select Agreement --



Agreement/Instrument #1 of 1

-- Select Agreement --

-- Select Agreement --

Agreement between the International Monetary Fund and the World Trade Organization

Agreement on Agriculture

Agreement on Government Procurement

Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement)

Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 (Valuation Agreement)

Agreement on Import Licensing Procedures

Select the agreement or instrument then a drop down menu will be presented to select the provisions. If you do not want to restrict the filter to certain provisions in the agreement or instrument select the default “all references/provisions”. If you wish to restrict the filter to certain provisions, select those provisions.

Agreement/Instrument #1 of 1

General Agreement on Tariffs and Trade 1994 (GATT 1994)

Provision

Article III

Add Another Selection Finish Adding Selections Clear Filter

You can add multiple agreement/provision combinations by clicking on “Add Another Selection”.

Important: As explained in the document entitled “Article Citator”, the Article Citator data is provision-specific. A reference to GATT Article III means a reference to that Article without reference to one of its paragraphs. Thus, it does not include GATT Article III:1, III:2, etc. You need to select these paragraphs if you want the filter to include them.

When you are finished adding selections click on “Finished Adding Selections”.

Agreement/Instrument #4 of 4

General Agreement on Tariffs and Trade 1994 (GATT 1994)

Provision

Article III:4

Search will be restricted to documents containing Article Citator references to all of the following provisions:

General Agreement on Tariffs and Trade 1994 (GATT 1994)	Article III
General Agreement on Tariffs and Trade 1994 (GATT 1994)	Article III:1
General Agreement on Tariffs and Trade 1994 (GATT 1994)	Article III:2
General Agreement on Tariffs and Trade 1994 (GATT 1994)	Article III:4

<< Previous Add Another Selection Finish Adding Selections Clear Filter

The filter will limit the jurisprudence documents that are searched to those documents that substantively cite the provisions included in the filter. In this example, the search will be limited to jurisprudence documents substantively citing GATT Articles III, III:1, III:2 and III:4.

You will note that not all agreements, instruments or provisions are listed in the drop down menus in this filter. That is because only those agreements, instruments and provisions that have been substantively cited and are therefore in the Article Citator dataset are included in the menus.

Note: If an agreement, instrument or provision is listed in drop down menus it means that there is Article Citator data for that reference. Since the data could come from one or more of eight different categories of WTO jurisprudence (e.g., panel reports, Appellate Body reports and the other types of jurisprudence documents listed in the document collection), if you are restricting your search to a particular type of report, award or decision that substantive reference may not be in the type of jurisprudence you are searching.

7.4. Limit Search to Jurisprudence or Other Documents within a Particular Date Range

Searches of jurisprudence and other documents can be limited to those documents that were circulated to the WTO Members during a particular date range. The default range is between 1 January 1995 (the date of entry into force of the WTO Agreement) and the current date.

Search WTO jurisprudence with a circulation date within a specified range

Circulation Date(s) of Document(s):

mm/dd/yyyy mm/dd/yyyy

to

7.5. Limit Search to Specific WTO Agreements or Instruments

If you select WTO “Agreements & Instruments” as the category of documents to search, you will be presented with additional options to further narrow your search to specific agreements and/or instruments.

DOCUMENT COLLECTION

Uncheck all
 Check All

WTO (All)

- Jurisprudence (All)
 - All Panel Reports
 - Panel Reports (Original)
 - Panel Reports (21.5)
 - All AB Reports
 - AB Reports (Original)
 - AB Reports (21.5)
 - Arbitration Awards (21.3(c))
 - Arbitration Awards (25)
 - Arbitration Awards (Spec.)
 - Arbitration Decisions (22.6)
 - Agreements & Instruments**
 - Dispute Documents
 - DSB Minutes
- GATT 1947 & 1979 Codes (All)
 - Jurisprudence
 - Agreements & Instruments
- U.R. Negotiating History

Search:

Search types: All words Any words Boolean

Linguistic:

Stemming Synonyms Fuzzy Typo

Fuzziness:

Narrow Search to Specific Agreements or Instruments

Uncheck All

All Agreements & Instruments

Principal Agreements & Instruments

- Agreement on Agriculture
- Agreement on Government Procurement
- Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-dumping Agreement)
- Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 (Customs Valuation Agreement)
- Agreement on Import Licensing Procedures
- Agreement on Preshipment Inspection
- Agreement on Rules of Origin
- Agreement on Safeguards
- Agreement on Subsidies and Countervailing Measures (SCM Agreement)
- Agreement on Technical Barriers to Trade (TBT Agreement)

7.6. Limit Search to Specific Dispute Settlement Document Types

If you select WTO “Dispute Documents” as the category of documents to search, you will be presented with additional options to further narrow your search to specific types of documents.

DOCUMENT COLLECTION

Uncheck all
 Check All

WTO (All)

Jurisprudence (All)

All Panel Reports

Panel Reports (Original)

Panel Reports (21.5)

All AB Reports

AB Reports (Original)

AB Reports (21.5)

Arbitration Awards (21.3(c))

Arbitration Awards (25)

Arbitration Awards (Spec.)

Arbitration Decisions (22.6)

Agreements & Instruments

Dispute Documents

DSB Minutes

GATT 1947 & 1979 Codes (All)

Jurisprudence

Agreements & Instruments

U.R. Negotiating History

Search:

Search types: All words Any words Boolean

Linguistic:

Stemming (i)

Synonyms (i)

Fuzzy Typo (i) Fuzziness:

Narrow Search to Specific Dispute Document Types

Uncheck All

All Dispute Documents

Consultations

Request for consultations

Request to join consultations

Acceptance of Request to Join Consultations

Establishment of Panel

Request for the establishment of a panel

Note by the Secretariat regarding the establishment/composition of the panel

Appointment of Replacement Panelist

Panel

7.7. Limit Search to Specific Negotiating Group (Uruguay Round Negotiating History)

If you select WTO “U.R. Negotiating History” as the category of documents to search, you will be presented with additional options to further narrow your search to specific categories of documents.

DOCUMENT COLLECTION

Uncheck all
 Check All

WTO (All)

- Jurisprudence (All)
 - All Panel Reports
 - Panel Reports (Original)
 - Panel Reports (21.5)
 - All AB Reports
 - AB Reports (Original)
 - AB Reports (21.5)
 - Arbitration Awards (21.3(c))
 - Arbitration Awards (25)
 - Arbitration Awards (Spec.)
 - Arbitration Decisions (22.6)
- Agreements & Instruments
- Dispute Documents
- DSB Minutes

GATT 1947 & 1979 Codes (All)

- Jurisprudence
- Agreements & Instruments
- U.R. Negotiating History

Search:

Search types: All words Any words Boolean

Linguistic:

Stemming (i)

Synonyms (i)

Fuzzy Typo (i) Fuzziness:

Narrow Search to Specific Negotiating History Group

* NOTE: The Uruguay Round negotiating history collection is currently approximately 1700 documents. These include the key negotiating texts. We have identified 3638 negotiating documents. We continue to add documents to our collection. For a detailed listing of documents along with those included in TradeLawGuide, please click on the "Negotiating History" tab.

Uncheck All

All Negotiating History Groups

Group of Negotiations on Goods (GNG) (does not include subgroup documents)

GNG - Group of Negotiations on Goods

GNG Subgroups (1986-1990)

- NG1 - Negotiating Group on Tariffs
- NG2 - Negotiating Group on Non-Tariff Measures
- NG3 - Negotiating Group on Natural Resource Based Products

7.8. Search Result Display Options – Frequency of Hits versus Reverse Chronologically by Circulation Date

There are two options for displaying search results.

Search Results

Frequency of hits

Reverse chronological by circulation date

The default option is to sort the results by "Frequency of hits". That document with the most hits is displayed first followed by the rest ranked by frequency of hits.

You can choose to sort the results in reverse chronological order by circulation date. This will display the most recent document first, followed by the rest of the documents in reverse chronological order.

8. Search Results

The Search Results page has many helpful features and functions.

Full Text Search

Search Performed: "burden of proof" w/10 XX **9 documents**

Categories: Jurisprudence (All)
Type: Boolean
Linguistic: Stemming

Number of documents in results

Fine tune search

Redefine Search New search

When viewing PDF texts, click on the navigation buttons to display the next or previous page of hits. If there is more than one hit per page (as identified in the displayed extracts), the navigation buttons will take you to the next or previous page. To avoid missing multiple hits on a single page, please scroll the entire page text when the extracts indicate multiple hits on a page or view the PDF document in full page mode using the button.

Settings when using Adobe Reader or Professional 9.0 or higher

Page: 1 2 **Click on + to show extracts** **Click on citation to view hits in PDF document** 5 Items per Page Refresh

Select number of items to display per page

- Panel Report, European Communities – Measures Affecting Asbestos and Asbestos-Containing Products, WT/DS135/R and Add.1, adopted 5 April 2001, as modified by the Appellate Body Report, WT/DS135/AB/R (16 hits) File Size: 1,353,015 bytes
- Panel Report, Dominican Republic – Measures Affecting the Importation and Internal Sale of Cigarettes, WT/DS302/R, adopted 19 May 2005, as modified by the Appellate Body Report, WT/DS302/AB/R (5 hits) File Size: 544,110 bytes
- Panel Report, United States – Import Prohibition of Certain Shrimp and Shrimp Products, WT/DS58/R and Corr.1, adopted 6 November 1998, as modified by the Appellate Body Report, WT/DS58/AB/R (4 hits) File Size: 165,418 bytes
- Panel Report, EC Measures Concerning Meat and Meat Products (Hormones) (Complaint by Canada), WT/DS48/R/CAN, adopted 13 February 1998, as modified by the Appellate Body Report, WT/DS26/AB/R, WT/DS48/AB/R (4 hits) File Size: 1,282,881 bytes
- Panel Report, Brazil – Measures Affecting Imports of Retreaded Tyres, WT/DS332/R, adopted 17 December 2007, as modified by the Appellate Body Report, WT/DS332/AB/R (4 hits) File Size: 959,331 bytes

Pages of results


Page: 1 2 5 Items per Page Refresh


8.1. Redefine Search

The “Redefine Search” button takes you back to the main search page with all of the settings of the search you just conducted. You can change one or more settings to fine tune the search and run it again.

8.2. View Extracts

To view extracts of the search results, just click on the + sign. Extracts enable you to quickly determine whether the results of the search are relevant to your research.


[Panel Report, Dominican Republic – Measures Affecting the Importation and Internal Sale of Cigarettes, WT/DS302/R, adopted 19 May 2005, as modified by the Appellate Body Report, WT/DS302/AB/R](#)
 (33 hits) File Size: 1,102,629 bytes


[Panel Report, Dominican Republic – Measures Affecting the Importation and Internal Sale of Cigarettes, WT/DS302/R, adopted 19 May 2005, as modified by the Appellate Body Report, WT/DS302/AB/R](#)
 (33 hits) File Size: 1,102,629 bytes

[Page 4]

10. The stamp requirement94

(a) The parameters related to the "less favourable treatment" criterion.....94

(b) Justification under Article XX (d).....95

(c) **Burden of proof**.....95

(d) Analytical approach for Article XX justification96


11. Conclusion.....97

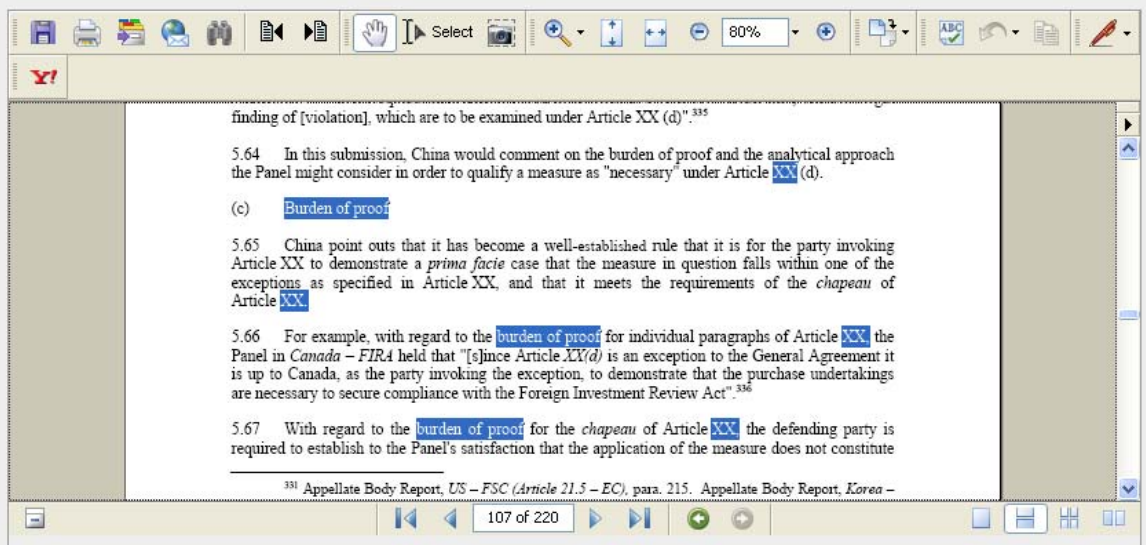
C. EL SALVADOR AND NICARAGUA.....97

8.3. View Hits in PDF Document

To view search results as hits in the PDF document, click on the citation to the document.


[Panel Report, Dominican Republic – Measures Affecting the Importation and Internal Sale of Cigarettes, WT/DS302/R, adopted 19 May 2005, as modified by the Appellate Body Report, WT/DS302/AB/R](#)
 (33 hits) File Size: 1,102,629 bytes


[Panel Report, Dominican Republic – Measures Affecting the Importation and Internal Sale of Cigarettes, WT/DS302/R, adopted 19 May 2005, as modified by the Appellate Body Report, WT/DS302/AB/R](#)
 (33 hits) File Size: 1,102,629 bytes



finding of [violation], which are to be examined under Article XX (d)"³³⁵

5.64 In this submission, China would comment on the burden of proof and the analytical approach the Panel might consider in order to qualify a measure as "necessary" under Article XX(d).

(c) **Burden of proof**

5.65 China point outs that it has become a well-established rule that it is for the party invoking Article XX to demonstrate a *prima facie* case that the measure in question falls within one of the exceptions as specified in Article XX, and that it meets the requirements of the *chapeau* of Article XX.

5.66 For example, with regard to the **burden of proof** for individual paragraphs of Article XX, the Panel in *Canada – FIRA* held that "[s]ince Article XX(d) is an exception to the General Agreement it is up to Canada, as the party invoking the exception, to demonstrate that the purchase undertakings are necessary to secure compliance with the Foreign Investment Review Act"³³⁶.

5.67 With regard to the **burden of proof** for the *chapeau* of Article XX, the defending party is required to establish to the Panel's satisfaction that the application of the measure does not constitute

³³¹ Appellate Body Report, *US – FSC (Article 21.5 – EC)*, para. 215. Appellate Body Report, *Korea –*

Use the hit toggle buttons to go forward and backward in the hit results.

