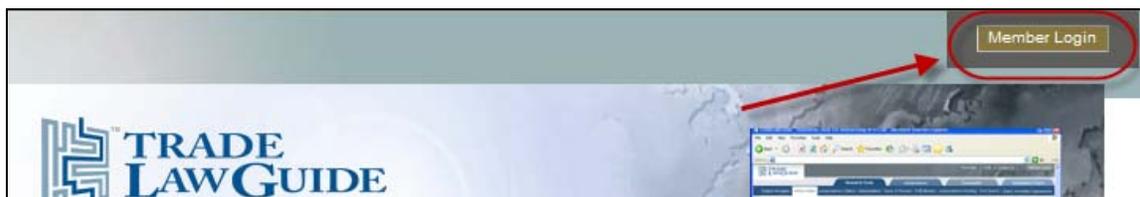


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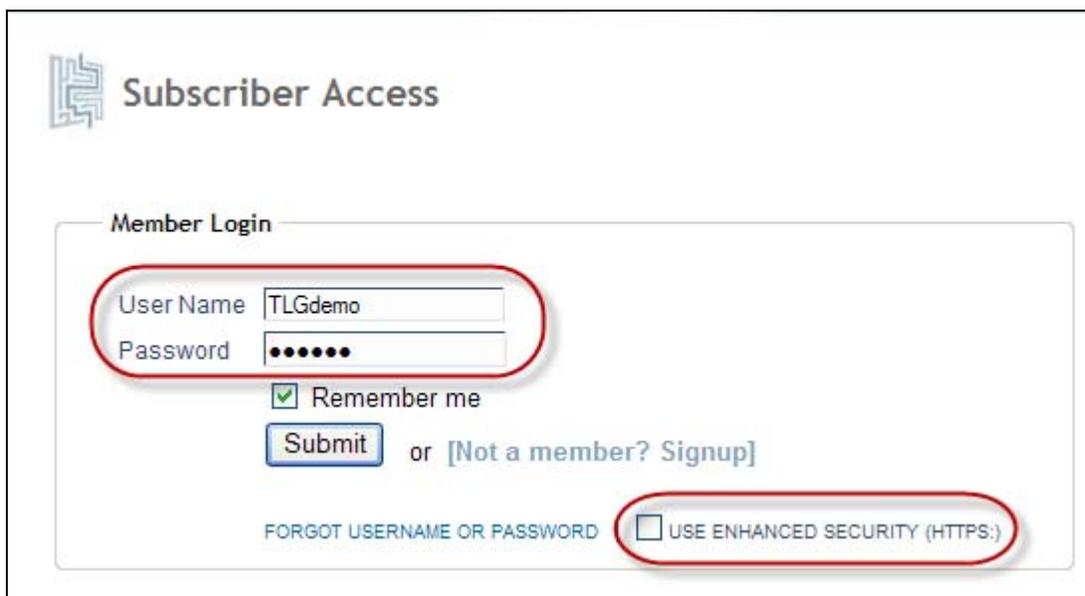
1. Logging In and Out

To log in, click on “Member Login” and add your username and password.



If your IP address has open access to TradeLawGuide, you will automatically be logged in to the database when you click on the “Member Login” button.

If you are accessing the database from an unsecured wireless network, we recommend using our enhanced security link to protect your privacy. Just click in the checkbox.



Subscriber Access

Member Login

User Name

Password

Remember me

or [\[Not a member? Signup\]](#)

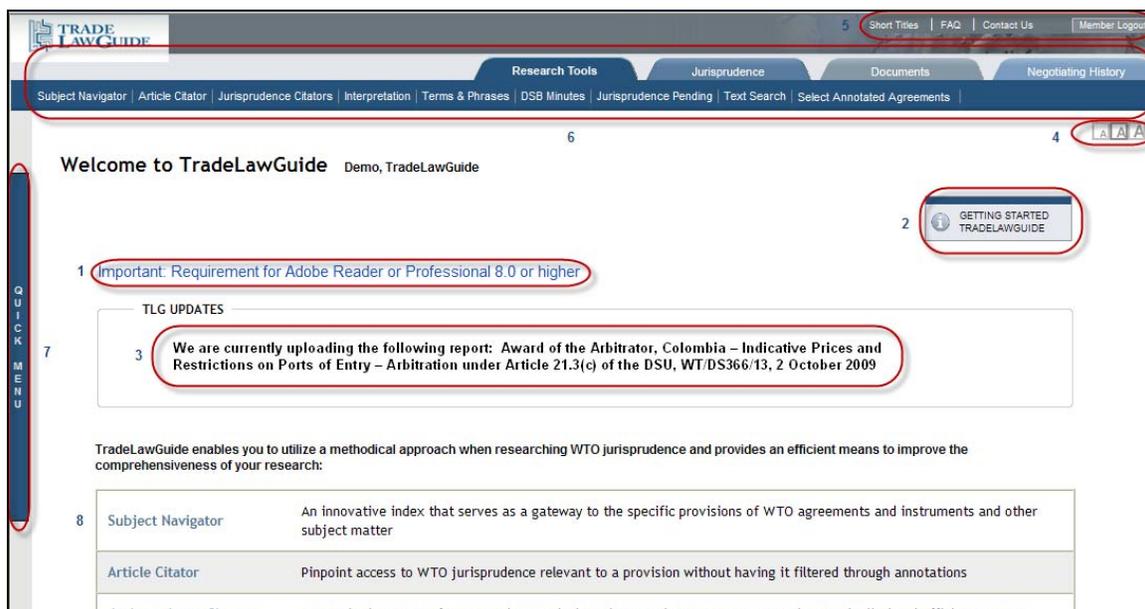
[FORGOT USERNAME OR PASSWORD](#) USE ENHANCED SECURITY (HTTPS:)

When you have finished your session, click “Member Logout”.



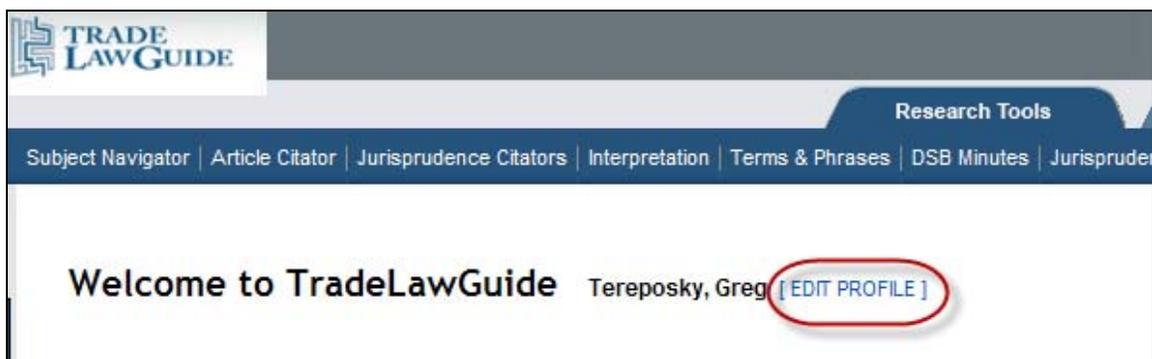
2. Subscriber Welcome Page

When you first log in, you will see the subscriber Welcome Page.

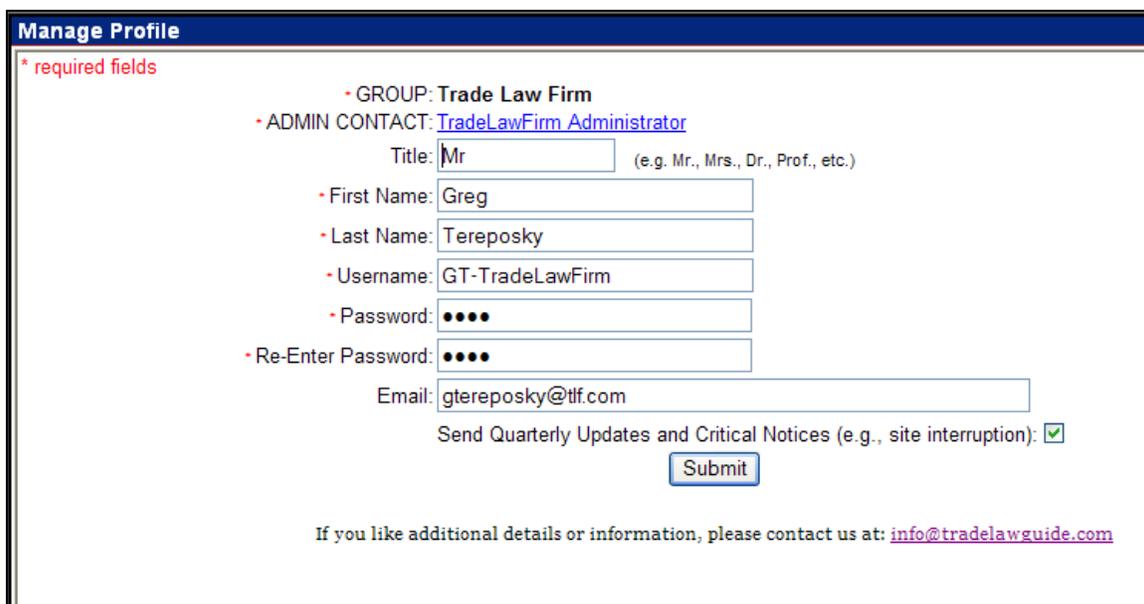


1. The first time you use TradeLawGuide or the first time you use it from a new computer, please check to make sure you have Adobe® Reader or Professional 8+ loaded on your computer. Otherwise, the pinpoint referencing and hit highlighting will not work. For more information see “System Requirements and Settings”.
2. Instructions for “Getting Started” on TradeLawGuide are accessible from this link.
3. TradeLawGuide is updated daily with all jurisprudence and procedural documents from WTO dispute settlement. It takes some time to capture and upload all of the data from the jurisprudence documents. If we are currently capturing and uploading data from a jurisprudence document it is indicated in the “TLG Updates” box.
4. Set the size of the screen font.
5. In the top right corner of your screen are links to the “Short Titles” tool, “Frequently Asked Questions” and “Contact Us”. On the far right is the “Member Logout” button.
6. These are the tabs for accessing the research tools and directories.
7. On the left side of your screen is the “Quick Menu”. This menu stays on the left side of your screen as you scroll up or down.
8. Short descriptions of research tools with links.

If you have a user-specific account on TradeLawGuide, the Welcome Page will also feature an “Edit Profile” tool. This tool will enable you to customize your username/password combination.



Click on the “Edit Profile” link, make the changes, click “Submit” and close the “Edit Profile” manager.



The screenshot shows the "Manage Profile" form with the following fields and options:

- * required fields**
- GROUP: Trade Law Firm
- ADMIN CONTACT: [TradeLawFirm Administrator](#)
- Title: (e.g. Mr., Mrs., Dr., Prof., etc.)
- First Name:
- Last Name:
- Username:
- Password:
- Re-Enter Password:
- Email:
- Send Quarterly Updates and Critical Notices (e.g., site interruption):
-

If you like additional details or information, please contact us at: info@tradelawguide.com

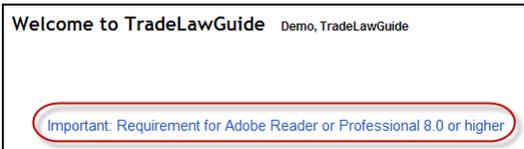
3. TradeLawGuide Learning Centre

The TradeLawGuide Learning Centre is new for 2010. It contains detailed information and tutorials on how to research WTO law and how to use TradeLawGuide.

4. Browsing Links and Trees

Browsing the content in TradeLawGuide is simple and intuitive.

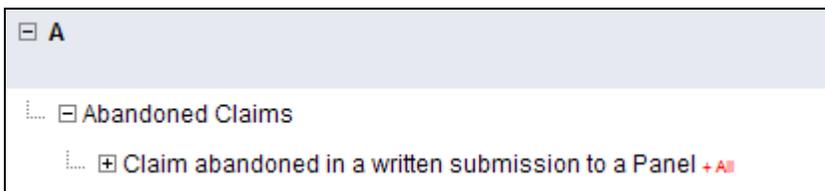
If you click on highlighted text, information will be displayed:



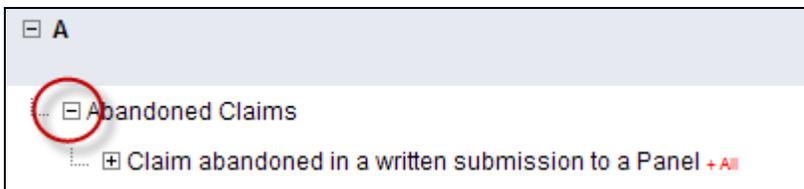
If you click on a PDF icon, a PDF document will be displayed:



If you click on a [+] sign, a Tree/Branch will open:

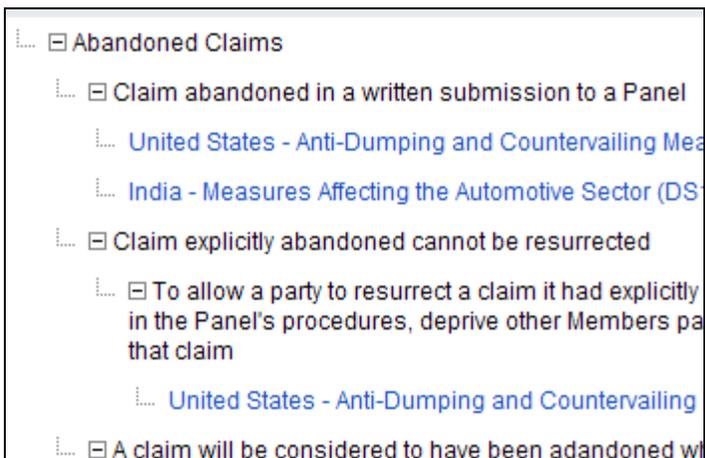


If you click on a [-], a Tree/Branch will close:



If you click on a [+ All], all of the children under the parent branch in question will open (**caution: there may be a short delay if there is a large amount of data indexed under the branch**):





5. “More About” Tools and Functions

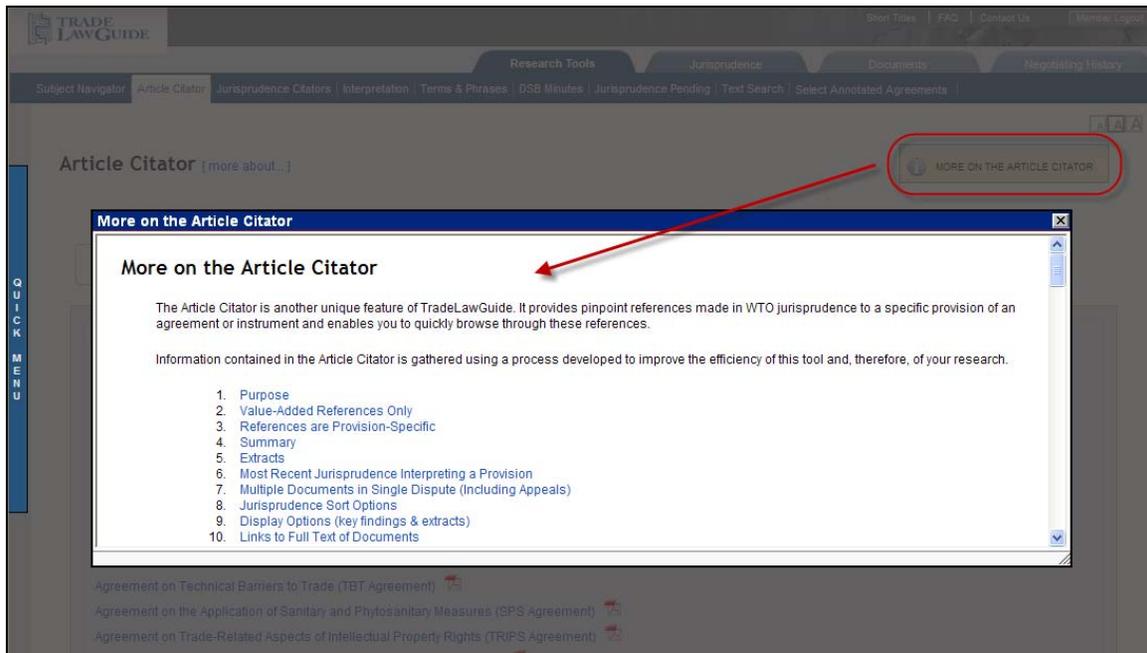
Each tool and function has a “[more about...]” link that will provide you with more detailed information on that tool or function.



Clicking on the link will open or close (using “[minimize summary]”) the information for all tools and functions. Thus, you can conduct your research with the additional information closed to reduce the information displayed on each page. Alternatively, you can conduct your research with all supplementary information open.

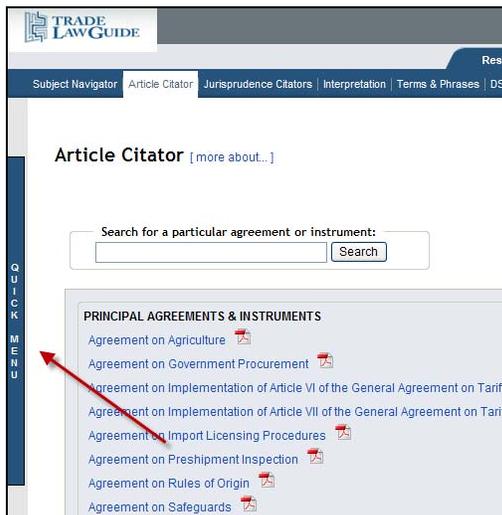
More about information may contain additional links to information about a tool.

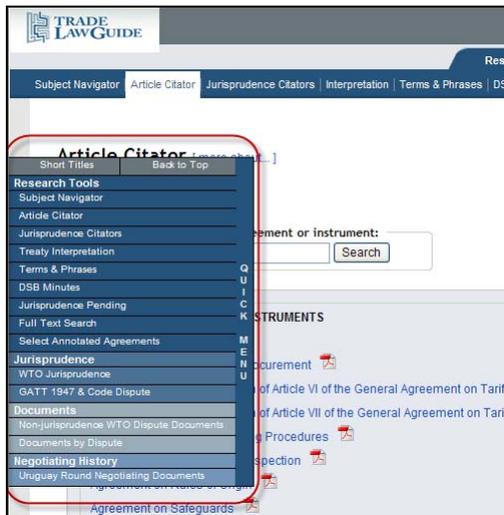




6. Quick Menu

The left hand column of each page contains a “Quick Menu” that links to other tools and to the “Short Title” tool. It makes it more efficient to navigate around the database. The menu stays on the left side of your screen as you scroll up and down the TradeLawGuide pages. The menu is displayed when you place the cursor on the “Quick Menu” bar.





7. “Short Titles” Tool

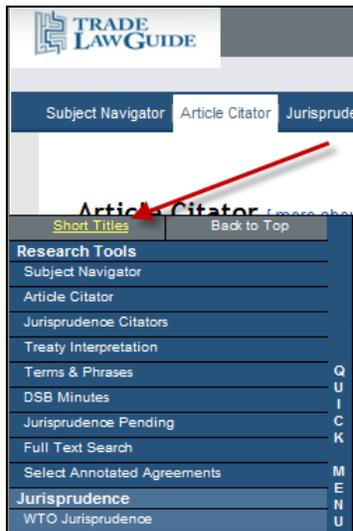
Have you ever wondered what the difference is between *Canada – Milk* and *Canada – Dairy*? It turns out there is no difference.

If you are reviewing WTO jurisprudence or other documents that use informal short titles to refer to WTO jurisprudence and you need to ascertain the full title or you have the full title and need to ascertain the informal short title, the “Short Titles” tool will assist you.

This tool presents short titles that have been used in WTO reports, awards and decisions. This tool is not based on an “official” list of short titles. Rather, it presents short titles that have *actually been used*. Where a short title has not yet been used for a particular report, award or decision, none will be presented. Different short titles may have been used for the same report, award or decision. Where this is the case, multiple short titles are presented.

Access the tool either through the link at the top right hand side of each page or through the “Quick Menu”.

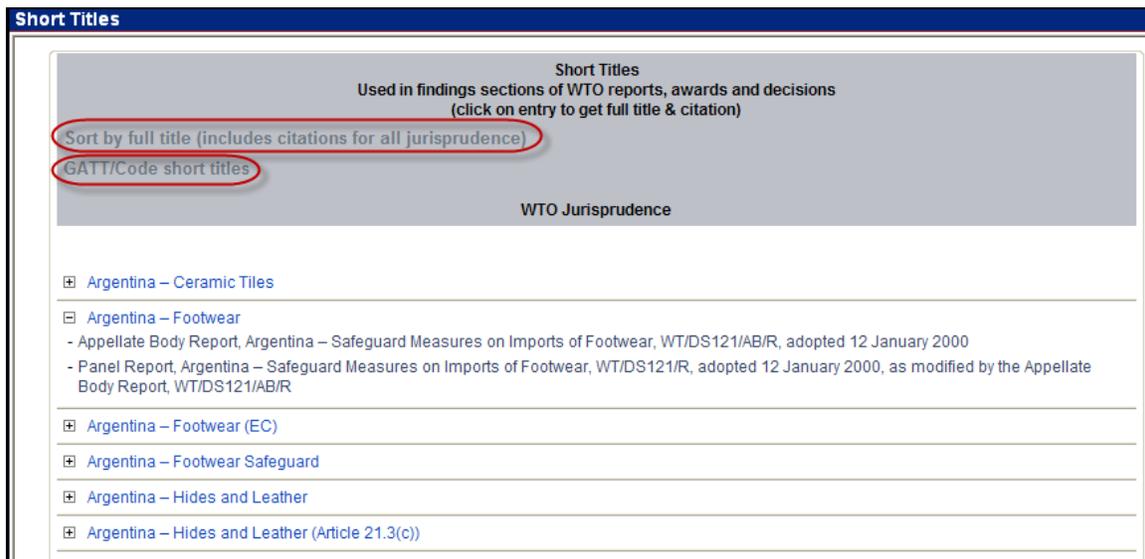




The data in the “Short Titles” tool can be sorted by short title or full title.

It can display titles for WTO jurisprudence or GATT 1947/GATT Code jurisprudence.

Click on [+] symbol to view data.



8. Integrated PDF Browser

8.1. Overview

TradeLawGuide uses an integrated PDF browser to enable you to view PDF documents efficiently and with pinpoint accuracy. For WTO jurisprudence documents, it also provides links to other important information including the Jurisprudence Citator.

The integrated browser is used in all of the TradeLawGuide tools when linking to PDF documents.



Concise research summary to identify content at various paragraph ranges

Full citation

8 Appellate Body Report, European Communities – Measures Affecting Asbestos and Asbestos-Containing Products, WT/DS135/AB/R, adopted 5 April 2001

Cited in the following paragraphs/footnotes:

58, 77, 84, 86-88, fn57, fn58, 89-101, 103, 107-108, 113-115, 117, 125, 128, 132-133, 136, 139-142, 147-149, 151, 153-154, 192

SUMMARY

EXTRACT(s):

KEY FINDINGS FOR THIS PROVISION:

Pinpoint browsing of relevant paragraphs and footnotes

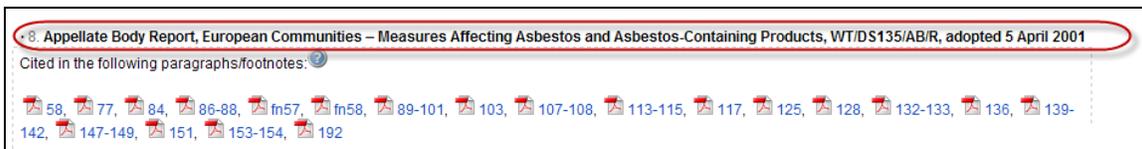
Jurisprudence Citator to “note up” the paragraphs and footnotes of this report (i.e., identify substantive references in subsequent WTO jurisprudence)

Jurisprudence Citator

Extracts from reasoning and key findings (where relevant)

8.2. Full Citation

The integrated browser provides the full citation of all WTO jurisprudence documents so you can cut and paste the citation into your research document. If you would like to use a short title instead of the full citation, it is available from the “Short Titles” tool (discussed above).



8 Appellate Body Report, European Communities – Measures Affecting Asbestos and Asbestos-Containing Products, WT/DS135/AB/R, adopted 5 April 2001

Cited in the following paragraphs/footnotes:

58, 77, 84, 86-88, fn57, fn58, 89-101, 103, 107-108, 113-115, 117, 125, 128, 132-133, 136, 139-142, 147-149, 151, 153-154, 192

8.3. Pinpoint Browsing of Paragraphs and Footnotes

TradeLawGuide provides thousands of links to the relevant paragraphs and footnotes of WTO jurisprudence documents. Browsing these links efficiently is made possible by the pinpoint browsing function in the integrated browser.

· 8. Appellate Body Report, European Communities – Measures Affecting Asbestos and Asbestos-Containing Products, WT/DS135/AB/R, adopted 5 April 2001
Cited in the following paragraphs/footnotes:

58, 77, 84, 86-88, fn57, fn58, 89-101, 103, 107-108, 113-115, 117, 125, 128, 132-133, 136, 139-142, 147-149, 151, 153-154, 192

VIEWING TIP: FOR DISPLAY & SEARCHING – CLICK IN DOCUMENT AND PRESS F8 FOR TOOLBAR

86. On appeal, the European Communities requests that we reverse the Panel's findings that the two sets of products examined by the Panel are "like products" under Article III:4 of the GATT 1994, and requests, in consequence, that we reverse the Panel's finding that the measure is inconsistent with Article III:4 of the GATT 1994. The European Communities contends that the Panel erred in its interpretation and application of the concept of "like products", in particular, in excluding from its analysis consideration of the health risks associated with chrysotile asbestos fibres. According to the European Communities, in this case, Article III:4 calls for an analysis of the health objective of the regulatory distinction made in the measure between asbestos fibres, and between products containing asbestos fibres, and all other products. The European Communities argues that, under Article III:4, products should not be regarded as "like" unless the regulatory distinction drawn between them "entails [a] shift in the competitive opportunities" in favour of domestic products.⁵⁶

B. *Meaning of the Term "Like Products" in Article III:4 of the GATT 1994*

87. Article III:4 of the GATT 1994 reads, in relevant part:

The products of the territory of any Member imported into the territory of any other Member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all matters relating to taxation on importation.

SUMMARY

EXTRACT(s):

KEY FINDINGS FOR THIS PROVISION:

Jurisprudence Citator

Click in PDF Document then Click "F8" on your Keyboard for Full PDF Toolbar:

· 7. Appellate Body Report, United States – Section 211 Omnibus Appropriations Act of 1998, WT/DS176/AB/R, adopted 1 February 2002

· 8. Appellate Body Report, European Communities – Measures Affecting Asbestos and Asbestos-Containing Products, WT/DS135/AB/R, adopted 5 April 2001
Cited in the following paragraphs/footnotes:

58, 77, 84, 86-88, fn57, fn58, 89-101, 103, 107-108, 113-115, 117, 125, 128, 132-133, 136, 139-142, 147-149, 151, 153-154, 192

VIEWING TIP: FOR DISPLAY & SEARCHING – CLICK IN DOCUMENT AND PRESS F8 FOR TOOLBAR

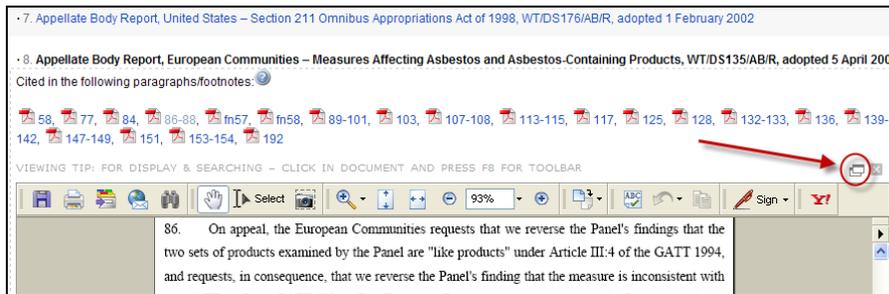
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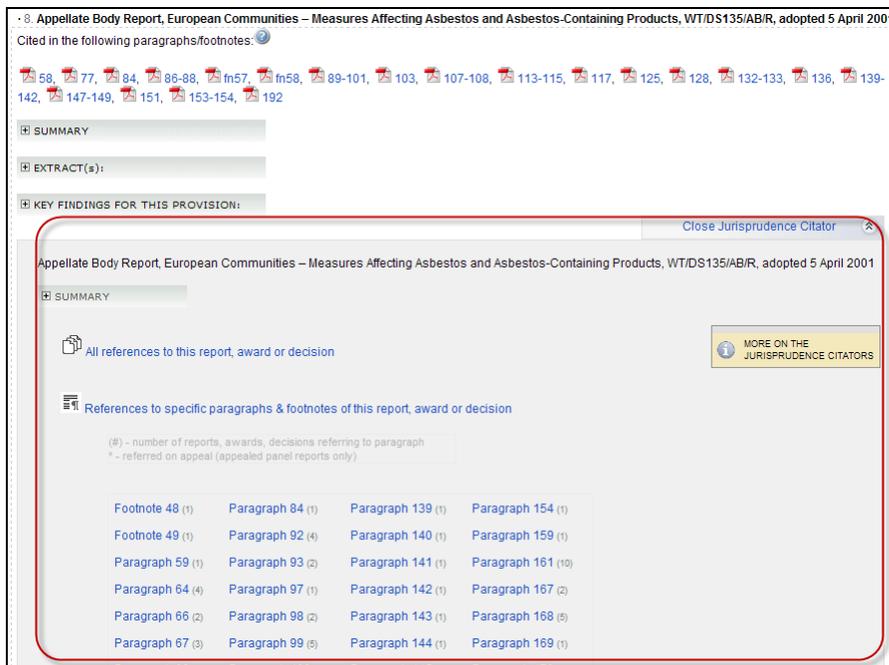
The products of the territory of any Member imported into the territory of any other Member shall be accorded treatment no less favourable than that accorded to like products of national origin in respect of all matters relating to taxation on importation.

Open PDF Document into New Window:



8.4. Integrated Jurisprudence Citator

To enable you to “note up” the jurisprudence that is being displayed, the bottom right hand corner of the integrated browser has a link to the Jurisprudence Citator data for that report, award or decision. You can find all substantive references to the paragraphs and footnotes of that report, award or decision that are made in subsequent WTO jurisprudence. Please see a more detailed explanation of this tool in “Jurisprudence Citator”.



8.5. Concise Research Summary

A concise research summary of the main findings and conclusions is provided to enable you to ascertain the content of the WTO jurisprudence at the various paragraph ranges and whether the provision you are researching is a central part of the reasoning and analysis.

The summary is succinct and written at a high level of generality. It summarizes findings and conclusions in respect of both substantive and procedural claims. It does not detail legal reasoning or interpretations developed in the course of arriving at findings and conclusions.

In addition to providing an overview of the content of the document, where there are a large number of paragraph and footnote links, this will enable you to determine which links to click on first.

· 8. Appellate Body Report, European Communities – Measures Affecting Asbestos and Asbestos-Containing Products, WT/DS135/AB/R, adopted 5 April 2001

Cited in the following paragraphs/footnotes: 

 58,  77,  84,  86-88,  fn57,  fn58,  89-101,  103,  107-108,  113-115,  117,  125,  128,  132-133,  136,  139-142,  147-149,  151,  153-154,  192

SUMMARY

The Appellate Body recalled the procedures it had adopted governing *amicus curiae* submissions (paras. 50-57). The Appellate Body reversed the Panel's finding that the TBT Agreement did not apply to the part of the Decree relating to the ban on imports of asbestos and asbestos-containing products because that part did not constitute a "technical regulation" within the meaning of Annex 1.1 to the TBT Agreement, and found that the measure, viewed as an integrated whole, did constitute a "technical regulation" under the TBT Agreement (paras. 59-83). The Appellate Body reversed the Panel's interpretation of "like products" under Article III:4 of GATT 1994, and reversed the Panel's finding that the measure was inconsistent with Article III:4 of the GATT 1994 (paras. 84-154). The Appellate Body upheld the Panel's finding that the measure at issue was "necessary to protect human ... life or health", within the meaning of Article XX(b) of GATT 1994, and found that the Panel acted consistently with Article 11 of the DSU in reaching this conclusion (paras. 175-181). The Appellate Body found that the Panel did not act inconsistently with Article 11 of the DSU (paras. 176-181). The Appellate Body upheld the Panel's finding that measures justified under Article XX of GATT 1994 may nonetheless give rise to a cause of action under Article XXIII:1(b) of GATT 1994 (paras. 182-191).

EXTRACT(s):

KEY FINDINGS FOR THIS PROVISION:

[Jurisprudence Citator](#) 

8.6. Extracts from Reasons (where relevant)

Where there is considerable reasoning on a particular subject, key points from that reasoning may be extracted. The extracts are intended solely to assist you in quickly identifying information that is relevant to your research. Please consult the full text of the jurisprudence using the links provided. This function is most widely used in the Article Citator.

· 8. Appellate Body Report, European Communities – Measures Affecting Asbestos and Asbestos-Containing Products, WT/DS135/AB/R, adopted 5 April 2001

Cited in the following paragraphs/footnotes: 

 58,  77,  84,  86-88,  fn57,  fn58,  89-101,  103,  107-108,  113-115,  117,  125,  128,  132-133,  136,  139-142,  147-149,  151,  153-154,  192

SUMMARY

EXTRACT(s):

Paragraph 89:

[W]hile the meaning attributed to the term "like products" in other provisions of the GATT 1994, or in other covered agreements, may be relevant context in interpreting Article III:4 of the GATT 1994, the interpretation of "like products" in Article III:4 need not be identical, in all respects, to those other meanings.

Paragraph 90:

Bearing these considerations in mind, we turn now to the ordinary meaning of the word "like" in the term "like products" in Article III:4. According to one dictionary, "like" means:

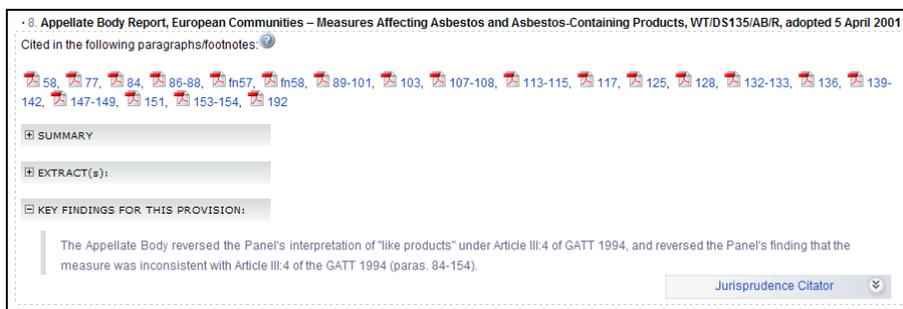
Having the same characteristics or qualities as some other ... thing; of approximately identical shape, size, etc., with something else; similar.

Paragraph 91:

This meaning suggests that "like" products are products that share a number of identical or similar characteristics or qualities. The reference to "similar" as a synonym of "like" also echoes the language of the French version of Article III:4, "*produits similaires*", and the Spanish version

8.7. Key Findings (where relevant):

Where key findings are made on a particular WTO provision, the Article Citator extracts those findings.



8. Appellate Body Report, European Communities – Measures Affecting Asbestos and Asbestos-Containing Products, WT/DS135/AB/R, adopted 5 April 2001
Cited in the following paragraphs/footnotes:

58, 77, 84, 86-88, fn57, fn58, 89-101, 103, 107-108, 113-115, 117, 125, 128, 132-133, 136, 139-142, 147-149, 151, 153-154, 192

SUMMARY

EXTRACT(s):

KEY FINDINGS FOR THIS PROVISION:

The Appellate Body reversed the Panel's interpretation of "like products" under Article III:4 of GATT 1994, and reversed the Panel's finding that the measure was inconsistent with Article III:4 of the GATT 1994 (paras. 84-154).

Jurisprudence Citator

9. Treatment of Panel Reports that Have Been Appealed

Where TradeLawGuide provides information related to a panel report that has been appealed, it provides information relevant to the appeal in the following ways.

9.1. Where the Appellate Body Report has Not Yet Been Issued

Where a panel report is under appeal and an Appellate Body report has not been issued, the designation "(Panel Report under appeal)" will be included following the citation.

Here is an example from Directory data:



Directory

Name of Dispute	Reports, Awards & Decisions Circulated to the WTO Members
1. China - Measures Affecting Trading Rights and Distribution Services for Certain Publications and Audiovisual Entertainment Products (DS363)	<p>(the large size (3.3MB) of this document may slow download and browsing)</p> <p>Panel Report, China – Measures Affecting the Trading Rights and Distribution Services for Certain Publications and Audiovisual Entertainment Products, WT/DS363/R, 12 August 2009 (Panel Report under appeal)</p> <p>SUMMARY</p> <p>Display all documents from this dispute</p> <p>Circulated: 12 August 2009</p>

Here is an example from Tree/Branch data:

... Article XXVIII(e) of the GATS defines "sector" generally as "the whole of that service sector, including all of its subsectors"; a service sector or subsector in a GATS schedule thus includes not only every service activity specifically named within it, but also any service activity that falls within the scope of the definition of that sector or subsector referred to in the schedule + All

China - Measures Affecting the Trading Rights and Distribution Services for Certain Publications and Audiovisual Entertainment Products (DS363)

Panel Report, China - Measures Affecting the Trading Rights and Distribution Services for Certain Publications and Audiovisual Entertainment Products, WT/DS363/R, 12 August 2009
(Panel Report under appeal)

PARAGRAPH(S):
7.1014

[+] SUMMARY

Jurisprudence Citator

9.2. Where an Appellate Body Report has Been Issued

Where a panel report has been appealed and an Appellate Body report has been issued in that appeal, TradeLawGuide provides the following information.

The citation of the panel report will include reference to the Appellate Body report:

Panel Report, Argentina – Measures Affecting Imports of Footwear, Textiles, Apparel and Other Items, WT/DS56/R, adopted 22 April 1998, as modified by the Appellate Body Report, WT/DS56/AB/R and Corr.1

The Jurisprudence Citator will identify paragraphs and footnotes in the panel report that have been explicitly referenced in the Appellate Body report with an asterisk ("*"):

Panel Report, Canada – Measures Affecting the Importation of Milk and the Exportation of Dairy Products, WT/DS103/R, WT/DS113/R, adopted 27 October 1999, as modified by the Appellate Body Report, WT/DS103/AB/R, WT/DS113/AB/R and Corr.1

SUMMARY

All references to this report, award or decision

MORE ON THE JURISPRUDENCE CITATORS

References to specific paragraphs & footnotes of this report, award or decision

(#) - number of reports, awards, decisions referring to paragraph
* - referred on appeal (appealed panel reports only)

Footnote 412 (1)	Paragraph 7.73 (1)	Paragraph 7.105 (1) *	Paragraph 7.133 (1) *
Footnote 515 (1)	Paragraph 7.74 (2) *	Paragraph 7.106 (1) *	Paragraph 7.138 (1)
Footnote 530 (4) *	Paragraph 7.75 (1)	Paragraph 7.108 (1) *	Paragraph 7.139 (1)
Paragraph 7.25 (1)	Paragraph 7.76 (2) *	Paragraph 7.109 (1) *	Paragraph 7.140 (1)
Paragraph 7.26 (1)	Paragraph 7.77 (2) *	Paragraph 7.110 (1) *	Paragraph 7.142 (1) *
Paragraph 7.33 (2)	Paragraph 7.78 (2) *	Paragraph 7.111 (1) *	Paragraph 7.143 (1) *

The "Summary" and "Key Findings" (where relevant) for the Appellate Body report will summarize the treatment of the panel's reasoning and findings:

8. Appellate Body Report, European Communities – Measures Affecting Asbestos and Asbestos-Containing Products, WT/DS135/AB/R, adopted 5 April 2001

Cited in the following paragraphs/footnotes:

58, 77, 84, 86-88, fn57, fn58, 89-101, 103, 107-108, 113-115, 117, 125, 128, 132-133, 136, 139-142, 147-149, 151, 153-154, 192

SUMMARY

The Appellate Body recalled the procedures it had adopted governing *amicus curiae* submissions (paras. 50-57). The Appellate Body reversed the Panel's finding that the TBT Agreement did not apply to the part of the Decree relating to the ban on imports of asbestos and asbestos-containing products because that part did not constitute a "technical regulation" within the meaning of Annex 1.1 to the TBT Agreement, and found that the measure, viewed as an integrated whole, did constitute a "technical regulation" under the TBT Agreement (paras. 59-83). The Appellate Body reversed the Panel's interpretation of "like products" under Article III:4 of GATT 1994, and reversed the Panel's finding that the measure was inconsistent with Article III:4 of the GATT 1994 (paras. 84-154). **The Appellate Body upheld the Panel's finding** that the measure at issue was "necessary to protect human ... life or health", within the meaning of Article XX(b) of GATT 1994, and found that the Panel acted consistently with Article 11 of the DSU in reaching this conclusion (paras. 175-181). The Appellate Body found that the Panel did not act inconsistently with Article 11 of the DSU (paras. 176-181). The Appellate Body upheld the Panel's finding that measures justified under Article XX of GATT 1994 may nonetheless give rise to a cause of action under Article XXIII:1(b) of GATT 1994 (paras. 182-191).

EXTRACT(s):

KEY FINDINGS FOR THIS PROVISION:

The Appellate Body reversed the Panel's interpretation of "like products" under Article III:4 of GATT 1994, and reversed the Panel's finding that the measure was inconsistent with Article III:4 of the GATT 1994 (paras. 84-154).

Jurisprudence Citor

Where the information being displayed in TradeLawGuide is addressed by both the panel and the Appellate Body, links to both reports will be included:

Before deciding to continue to countervail pre-privatization, non-recurring subsidies, an investigating authority is obliged to examine the conditions of such privatizations and to determine whether the privatized producers received any benefit from the prior subsidization to the state-owned producers + All

United States - Countervailing Measures Concerning Certain Products from the European Communities (DS212)

Panel Report, United States - Countervailing Measures Concerning Certain Products from the European Communities - Recourse to Article 21.5 of the DSU by the European Communities, WT/DS212/RW, adopted 27 September 2005

PARAGRAPH(s):
7.171, 7.199

[+] SUMMARY

Jurisprudence Citor

Appellate Body Report, United States - Countervailing Measures Concerning Certain Products from the European Communities, WT/DS212/AB/R, adopted 8 January 2003

PARAGRAPH(s):
149

[+] SUMMARY

Jurisprudence Citor

Panel Report, United States - Countervailing Measures Concerning Certain Products from the European Communities, WT/DS212/R, adopted 8 January 2003, as modified by the Appellate Body Report, WT/DS212/AB/R

PARAGRAPH(s):
7.98-7.100, 7.115-7.117

[+] SUMMARY

Jurisprudence Citor

Where the information being displayed in TradeLawGuide is addressed by the panel but not the Appellate Body, a link to the Appellate Body report is included.

United States - Final Countervailing Duty Determination with Respect to Certain Softwood Lumber from Canada (DS257)

Panel Report, United States - Final Countervailing Duty Determination with Respect to Certain Softwood Lumber from Canada, WT/DS257/R and Corr.1, adopted 17 February 2004, as modified by the Appellate Body Report, WT/DS257/AB/R

PARAGRAPH(s):
7.55

[+] SUMMARY

[\[View associated Appellate Body Report\]](#)

Jurisprudence Citator

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12. European Communities - Measures Affecting Asbestos and Asbestos-Containing Products (DS135)

Appellate Body Report European Communities – Measures Affecting Asbestos and Asbestos-Containing Products, WT/DS135/AB/R, adopted 5 April 2001

Cited in the following paragraphs/footnotes: ?

58, 77, 84, 86-88, fn57, fn58, 89-101, 103, 107-108, 113-115, 117, 125, 128, 132-133, 136, 139-142, 147-149, 151, 153-154, 192

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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

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7.7, 8.78, 8.80, 8.83-8.87, fn63,SectionVIII, 8.90, 8.95, 8.98-8.100, fn72,SectionVIII, 8.103, 8.105, 8.107, fn81,SectionVIII, 8.108, 8.113, 8.119-8.122, 8.124, fn95,SectionVIII, 8.134, 8.139, fn103,SectionVIII, 8.144, 8.149-8.150, 8.154, 8.157-8.159, fn112,SectionVIII, 8.166, 8.213, 8.225, 8.227-8.228, fn199,SectionVIII, 8.241, 8.261, 8.263, 9.1

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