OVERVIEW

• Database on dispute settlement

• Digital dispute settlement registry (DDSR)
  – Serves 3 purposes
    (i) a secure electronic registry for filing and serving dispute settlement (DS) documents
    (ii) an electronic storage facility for all DS records
    (iii) research facility
RESEARCH FACILITY

- Searchable digital record for all WTO disputes
- Sophisticated searches on
  - Claims addressed in panels, appeals
  - Agreements considered
  - Key words (national treatment, jurisdiction)
  - Procedural rulings
  - Panelists-specific data (i.e., which agreements)
  - Multi-Member queries

17/01/2013
WHAT IS NEW?

• Now: Documents on Line and Dispute Settlement Gateway

• Current information is limited to what was in the Request for Consultations but does not reflect how a dispute evolves through the different phases
  – Claims are dropped at panel stage
  – Appeal covers narrower elements
  – Retaliation arbitrations
WHAT’S NEW?

- Track particular products or services – how have they been dealt with in disputes (eventually relate to I-TIP database)
- Limit search to a particular type of proceeding – panel phase, appellate phase, compliance phase, reasonable period of time arbitration
- Panelists: for example, which have served on panels addressing Article XX of the GATT
WHAT’S NEW?

- Members will have Member specific data about their own disputes
  - Calendar of upcoming filing deadlines
  - Hearing dates
  - Submissions filed in previous disputes
  - Exhibits filed
455 disputes in 18 years of WTO
100 Members have participated (developed, developing) = 63% Membership
About 250 different people have served as panelist from over 50 countries
Possible queries:

• 67 disputes involved preliminary rulings
• Only 1 dispute conducted completely in Spanish
• Amicus curiae briefs received in 35 disputes
• Open hearings before 11 panels
Confidentiality: as before

- No access to documents cannot access under current DS rules
PAST RECORDS

• Scanning and cataloguing
• About 250,000 pages scanned so far
• Have completed:
  – just over ½ panel records not appealed
  – Close to 1/3 panel records of appealed cases
  – About 2/3 appellate records
• Will start uploading soon and will take 1 year???
• New disputes – information added automatically as serve documents on line
PROCESS

- Developed in consultation with Members
- Working group established mid-2011
- Met several times to address issues such as access, security, content
- Demonstration at last MC (December 2011)
- Progress reports at DSB meetings
Now testing system that was delivered last month
Continue scanning and cataloguing
Uploading scanned material starting in next few months
“Live” test period for digital registry later in 2013?
Research facility will go live once data uploaded