



WORLD TRADE  
ORGANIZATION

# **The First Ten Years of the WTO 1995–2005**

Peter Gallagher



CAMBRIDGE

# First Ten Years Of The Wto 1995 2005

**E. Bohne**



## **First Ten Years Of The Wto 1995 2005:**

*Redesigning the World Trade Organization for the Twenty-first Century* Debra P. Steger, 2010-05-06 Two high level commissions the Sutherland report in 2004 and the Warwick Commission report in 2007 addressed the future of the World Trade Organization and made proposals for incremental reform This book goes further it explains why institutional reform of the WTO is needed at this critical juncture in world history and provides innovative practical proposals for modernizing the WTO to enable it to respond to the challenges of the twenty first century Contributors focus on five critical areas transparency decision and rule making procedures internal management structures participation by non governmental organizations and civil society and relationships with regional trade agreements Co published with the International Development Research Centre and the Centre for International Governance Innovation The Path of World Trade Law in the 21st Century Steve Charnovitz, 2014-11-07 The advent of the World Trade Organization WTO in 1995 transformed international economic law for states enterprises and nongovernmental organizations This book analyzes how the WTO is changing the path of international trade law and examines the implications of these trends for the world economy and the global environment Containing 18 essays published from 1999 to 2011 the book illuminates several of the most complex issues in contemporary trade policy Among the topics covered are Is there a normative theory of the WTO s purpose Can constitutional theory provide guidance to keep the WTO s levers in balance Should the WTO use trade sanctions for enforcement What can the WTO do to enhance sustainable development and job creation **The Relationship of WTO Law and Regional Trade Agreements in Dispute Settlement: From Fragmentation to Coherence** Malebakeng Agnes Forere, 2015-10-12 It is becoming increasingly evident that traditional sovereignty is simply out of date Instead what we might call cooperative sovereignty which focuses on communication and interaction is more responsive to the realities of interdependent economies in the twenty first century Nowhere is this more salient than in the area of dispute resolution especially as labour intellectual property and the environment can no longer be evaded in trade negotiations This ground breaking book suggests that it is this shift in perspective that has given rise to the proliferation of Regional Trade Agreements RTAs and the inevitable overlaps and tensions between their provisions and those of the World Trade Organization WTO The author examines this phenomenon in great detail and offers viable recommendations to restore coherence in the global trading system without upsetting the rights and obligations of WTO Member States Because the WTO and RTAs must be viewed as layers of one system and must therefore have a relationship that extends to dispute settlement such principles of subsidiarity as autonomy mutual assistance and flexibility are key to a successful institutional relationship between the WTO and RTAs From this theoretical springboard the author proceeds to analyse the following issues and more the relationship between WTO and RTAs based on Article XXIV of GATT the extent to which WTO panels can apply RTA law the extent to which the WTO panels can hear RTA claims opportunity for RTA Members to secure preliminary rulings and

advisory opinions from the WTO recognition by WTO panels of the results of litigation or arbitration that took place at the RTA level opportunity for RTA Members to appeal RTA dispute settlement decisions to the WTO and clarification of WTO rules designed to enable RTA activities or intervene if necessary Major cases decided at the WTO and RTA levels that manifest conflict between RTAs and the WTO are fully analysed Confronting directly the stagnation in negotiating and concluding new trade agreements at the multilateral level and the fragmentation of the international trade law system this important book shows clearly how the institutional relationship between the WTO and RTAs can be restructured with a view to establishing mutual recognition of the judgments of both In a nutshell the book calls for reconfiguration of WTO Dispute Settlement Body to perform functions of World Trade Court that is capable of hearing disputes arising between WTO Members RTA Members and Non WTO Members It will prove invaluable to all involved in the negotiation and implementation of trade agreements at every level

**Historical Dictionary of International Organizations** Michael G. Schechter, 2009-11-09 One of the most pervasive phenomena that distinguish the early 21st century is the prevalence of international organizations IOs There are IOs in virtually every sector political economic trade social educational scientific defense and so forth Some IOs are restricted to clearly defined activities and closely controlled by their members others just grow and grow moving into new sections and becoming more powerful in some ways than their members The second edition of Historical Dictionary of International Organizations provides a comprehensive overview of the major international organizations both intergovernmental and international intergovernmental of the 20th and 21st centuries While the emphasis is on organizations that continue to operate today important organizations that have ceased to exist are also included This reference includes a chronology an introductory essay and over 700 cross referenced dictionary entries on the organizations significant leaders pioneers founders and members

**Reclaiming Development in the World Trading System** Yong-Shik Lee, 2016-10-20 In this second edition Lee provides extensive coverage of international trade law from an economic development perspective

*The Future of International Competition Law Enforcement* Valerie Demedts, 2018-10-16 While forces of globalization have created a genuine global marketplace global rules safeguarding the competitive process in this marketplace have not emerged International cooperation among national regulators and enforcers is therefore needed to create a competitive global business environment The Future of International Competition Law Enforcement using the variety of legal instruments available to the EU as a point of departure undertakes an original assessment of the EU's cooperation agreements in the field of competition law The work's focus is on the bilateral sphere often labelled as a mere interim solution awaiting a global agreement further attention is given to competition provisions in free trade agreements as well as the main multilateral initiatives in this field in order to determine their relative value

**The New Global Trading Order** Dennis Patterson, Ari Afilalo, 2008-03-31 The international institutions that have governed global trade since the end of World War II have lost their effectiveness and global trade governance is fractured

The need for new institutions is obvious and yet few proposals seem to be on offer. The key to understanding the global trading order lies in uncovering the relationship between trade and the State and how the inner constitution of the Statecraft drives the architecture of the global order and requires structural changes as the State traverses successive cycles. The current trade order focused on the liberalization of trade in goods and services and the management of related issues is predicated on policies and practices that were the product of a global trading order of the 20th century modern nation states. Today a new form of the State, the post modern State, is evolving. In this book the authors propose a new trade norm, the enablement of global economic opportunity and a new institution, the Trade Council, to overhaul the global trading order.

*The World Trade Organization* E. Böhne, 2010-01-20. This book is about how the WTO functions as a public organization. It analyzes and evaluates the WTO from a public administration perspective which is absent from the current debate on WTO reforms dominated by the traditional view that only nation states matter, not international organizations. *King Cotton in*

*International Trade* Meredith A. Taylor Black, 2016-05-02. In *King Cotton in International Trade* Meredith A. Taylor Black provides a comprehensive analysis of the WTO Cotton dispute and its significant jurisprudential and negotiating effect on disciplining and containing the negative effects of highly trade distorting agricultural subsidies of developed countries. To that end, this work details the historic economic and political background leading up to Brazil's challenge of the US cotton subsidies and the main findings of the five WTO reports that largely upheld that challenge. It explores the impacts of the successful challenge in terms of political and negotiating dynamics involving agriculture subsidies and other trade related issues in the WTO while examining the effects on domestic agriculture subsidy reforms in the United States and the European Union. Finally, this volume sets forth the possible impacts of the Cotton challenge on the negotiating end game of the Doha Development Round. **An Institutional And Normative Analysis of the World Trade Organization** Mary E. Footer, 2006. This book establishes a framework for analysis of the institutional and normative character of the WTO by locating the organization in a broader theory of international institutional law and in determining the basis for the conferral and exercise of powers in relation to its executive, legislative and adjudicative functions. The WTO is also read as an international regime in order to go beyond its formal legal and constitutional bases and to observe the Members' practice in the context of the former semi-institutionalised GATT treaty regime with which it retains strong links. WTO decision making which underpins and informs its institutional and normative acts is analysed in order to better understand the dynamics of the organization. Normative developments in the WTO are reviewed from the perspective of the creation, maintenance and revision of legally binding and non-binding or soft law norms in the sense of principles, rules and standards contained in primary treaty rules which set out the rights and obligations of the Members and subsidiary rule making activity by WTO bodies. **The First Ten Years of the WTO** Peter Gallagher, 2005-12-15. Publisher Description **The International Law on Foreign Investments and Host Economies in Sub-Saharan Africa** Valentine Nde Fru, 2011 **The Globalization of**

**World Politics** John Baylis, Steve Smith, Patricia Owens, 2017 This title provides an introduction to international relations IR supporting over 300 000 students taking their first steps in IR and beyond

*Better Business Regulation in a Risk Society* Alberto Alemanno, Frank den Butter, André Nijssen, Jacopo Torriti, 2012-09-14 The premise of this volume is that business regulations are expected to grow in the near future as a consequence of the emergence of a world risk society Risks related to terrorism climate change and financial crises for example will penetrate all conditions of life Increasingly the decisions and actions of some bring about risks for many in this era of globalization Controlling these risks implies managing the world through high quality regulation with a particular emphasis on businesses and financial institutions Central to this approach is the argument that a major if not the primary aim of regulation is to internalize externalities or in a broader context to repair market failure Such repair can only be accomplished when the costs are smaller than the welfare gains Featuring contributions from researchers and policy analysts from the fields of economics management law sociology political science and environmental policy this book focuses on three major topics Social risks and business regulation Preconditions for better business regulation Theoretical issues related to better business regulation Collectively the authors demonstrate that the easier it is for regulated businesses to comply at the lowest costs possible without jeopardizing the related public goals the greater the degree of compliance When successful the net result is a balance of individual and collective net benefits and by further implication sustainable business practice and economic growth

**Power and the Governance of Global Trade** Soo Yeon Kim, 2011-02-23 In *Power and the Governance of Global Trade* Soo Yeon Kim analyzes the design evolution and economic impact of the global trade regime focusing on the power politics that prevailed in the regime and shaped its distributive impact on global trade Using documents now available from the archives of the General Agreement on Tariffs and Trade GATT Kim examines the institutional origins and critical turning points in the evolution of the GATT as well as preferences of the lesser powers of the developing world that were the subject of heated debate over the International Trade Organization ITO which failed to materialize Using quantitative analysis Kim assesses the impact of the global trade regime on international trade and finds that the rules of trade forged by the great powers resulted in a developmental divide in which industrialized countries benefited from trade expansion but developing countries reaped far fewer gains The findings indicate that a successful conclusion to the Doha Round of the World Trade Organization WTO is urgently needed to mitigate the developmental divide by increasing trade between the industrialized and developing worlds Kim offers a timely reading of the GATT WTO system as a way to think about how trade and globalization more broadly may be governed in this post Cold War century as the global economy contends with a new geopolitical configuration featuring rising powers from the developing world Important trading nations such as China India and other emergent actors in the G 20 countries Kim argues reflect the new power politics that will shape the course of global trade governance in the years to come

**A World Beyond Borders** David MacKenzie, 2010-11-01 This short and well written overview provides essential information on the

history of international organizations IOs with particular focus on the League of Nations the development of the United Nations and the UN system Starting at the beginning of the twentieth century when there were very few international organizations in existence *A World Beyond Borders* traces the growth of IOs through to the close of the century when there were literally thousands at the heart of the international system Following this chronological order the book examines how international organizations became the major legal moral and cultural forces that they are today involved in all aspects of international relations including peacekeeping disarmament peace resolution human rights diplomacy and environmentalism This book is the first in the Canadian Historical Association University of Toronto Press International Themes and Issues Series which is dedicated to publishing concise focused overviews of topics that are of international significance in the study of history

*Small States in the Multilateral Trading System* Laura Gosset, 2015-11-20 Developing countries including as small states and least developed countries LDCs continue to face significant challenges within the global trading system Action is required to allow them to overcome disadvantages and achieve sustainable levels of income from trade This study provides a fresh perspective on how measures can be taken to enhance the participation of small states many of which are Commonwealth countries in the multilateral trading system It contributes to the ongoing general debate about reforming the World Trade Organization and global trade governance

*Manual on International Courts and Tribunals* Ruth Mackenzie, Cesare P. R. Romano, Yuval Shany, Philippe Sands, 2010 The dramatic rise in the number of international courts and tribunals and the expansion of their legal powers has been one of the most significant developments in international law of the late 20th century The emergence of an international judiciary provided international law with a stronger than ever law enforcement apparatus and facilitated the transformation of many aspects of international relations from being power based to being law based The first edition of the *Manual on International Courts and Tribunals* published in 1999 was the first book to survey systematically this new institutional landscape by describing in an accessible and uniformly structured manner the legal powers and operating procedures of all major international judicial and quasi judicial bodies In doing so it laid the groundwork for comparative study and research of the law and practice of international courts and tribunals an emerging field of international legal research which has already spurred a series of publications conferences and academic courses This second edition updates the first edition by describing the many legal changes that have taken place in the last decade including important reforms in the laws and procedures of many international courts and tribunals relevant developments in their increasingly rich jurisprudence and the creation of new judicial fora Moreover it assesses the overall record of these judicial bodies The data and legal analysis offered in the book provide both practitioners and academics with an important basis of knowledge that will help them better understand the details of international adjudication and its context

**Sugar and the Making of International Trade Law** Michael Fakhri, 2014-11-27 Michael Fakhri uses the transnational history of sugar to tell the multilateral institutional history of trade law

**International Arbitration: Law and Practice in**

**Switzerland** Gabrielle Kaufmann-Kohler, Antonio Rigozzi, 2015-10-22 This book expounds the theory of international arbitration law. It explains in easily accessible terms all the fundamentals of arbitration from separability of the arbitration agreement to competence-competence, over procedural autonomy, finality of the award and many other concepts. It does so with a focus on international arbitration law and jurisprudence in Switzerland, a global leader in the field. With a broader reach than a commentary of Chapter 12 of the Swiss Private International Law Act, the discussion contains numerous references to comparative law and its developments in addition to an extensive review of the practice of international tribunals. Written by two well-known specialists, Professor Kaufmann-Kohler being one of the leading arbitrators worldwide and Professor Rigozzi one of the foremost experts in sports arbitration, the work reflects many years of experience in managing arbitral proceedings involving commercial investment and sports disputes. This expertise is the basis for the solutions proposed to resolve the many practical issues that may arise in the course of an arbitration. It also informs the discussion of the arbitration rules addressed in the book, from the ICC Arbitration Rules to the Swiss Rules of International Arbitration, the CAS Code and the UNCITRAL Rules. While the book covers commercial and sports arbitrations primarily, it also applies to investment arbitrations conducted under rules other than the ICSID framework.



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