

## New Trade Regulatory Barriers and a Look at the WTO-Appellate Body

Global Trade is like a three-legged stool: Enterprise, B2B (Business to Business) Commerce/E-Commerce, and consumer markets. The international flow of products and services crosses borders and is heavily regulated by national laws, subject to international agreements. This GTCJ Issue is titled, 'New Trade Regulatory Barriers and a Look at the WTO-Appellate Body'.

It has eight articles and starts and ends with two clairvoyant interviews. The first interview is with Eddy de Smijter, the Head of the European Commission's International Relations Unit with Director-General (DG) Competition. It is on Foreign Subsidies regulation. If one wants to know *the mens legislatoris of the Foreign Subsidies Regulation*, Karel Bourgeois and Benjamim Geisel's interview, obtained all the answers from the Oracle. The closing interview is with Tom Graham, a Former WTO Appellate Body Member. My interview sets the table, as it were, in ten questions, that allowed one of the most erudite and passionate systemic reviews *on the functioning and the role of the Appellate Body*.

The issue flows with the analysis of Ambassador Castillo and Kholofel Kugler on *The WTO Joint Initiatives on E-Commerce* and the substance of the disagreement in elaboration of an Agreement on E-Commerce. Florin Dascalescu analyses the repercussions of the *erga omnis* landmark decision of the European Court of Justice (ECJ) in the *Eurocylinder case*. This decision voids Anti-Dumping (AD) based on a non-existent *threat of injury*, and creates the right to recover deposits. The Emeritus Professor Dr Rafiqul Islam and Prof. Dr Alhihi bring into light, with insight, the functionality of *the Anti-Dumping system under the Gulf Cooperation Council (GCC)* in its regional political and economic reality. Based on the ECJ's decision in *the case Stappert*, Dr Felderhoff explains the

subtleness of the Classification in the Harmonized System, and its practical implications on rules of origin, AD duties, of a product – seamless stainless-steel tubes – which production starts in a country and the 'last substantial transformation' is in another. Enrika Naujoke crafts a clever article on the practical use of *Artificial Intelligence* to speed up Customs classification. Some are scared, others amazed, but it seems AI is here to stay. Prof. Dr Lee and Prof. Dr. Lin in a '*study of maritime cargo insurance*', highlight a small detail proving that international trade lawyers must be on top of developments in their field of practice. Prof. Dr Chou and the PhD candidates Cheng and Kuo wrote a must-read article *on the World Customs Organization (WCO) Authorized Economic Operator (AEO) program* and how it dynamized commerce during Covid-19. The Lawyer Miyaoka and the Prof. Trehearne wrote an article *on Japan's regulations on semiconductors in a plurilateral approach* (US, Netherlands, and Japan) that looks like an embryo of script for a spy movie. It is amazing text.

I am pleased to have this opportunity to serve as the Guest Editor of this Issue. I would like to thank the General-Editor who: finely tuned my questions for the former WTO-Appellate Body Member Tom Graham, extended his hand, and like a fisherman oriented me as to when the hook line needs to run loose and when I need to wind the spool on deadlines, review of texts, comments, ideas, and the privilege of conversations.

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