SUBJECT INDEX

A	Article 9.4, 355
ACP-EU Joint Parliamentary Assembly,	Article 10.1, 366, 381
216	Article 10.2, 353, 378
Actionable subsidies	Article 10.3, 360, 361
adverse effects of, 782	Article 21.1, 369, 370, 372
countervailing measures, 788, 789	export subsidies, 806
definition, 787	reduction commitments, 806
Part III of SCM Agreement, 788, 789	tax discipline, 773
Ad valorem equivalent (AVE), 867	Uruguay Round, 378
Africa	Agreement on Rules of Origin
debt relief, 715–717	(ARO), 1099
domestic savings and investment,	Agreement on Subsidies and
689–692	Countervailing Measures (ASCM),
fiscal policy, 711–712	726, 767
G8 commitments, 706–710	Agricultural policy
Gleneagles Declaration, 705–706	1988 Constitution approval and
MDGS, 697–703	NAL, 672–673
Monterrey Consensus, 703-704	subsidies, 675-677
official flows, 692-694	tariffs and quantitative restrictions,
poverty, 688	673–674
private capital flows, 694-696	Uruguay Round, 671
remittances, 696-697	Agricultural products. See also Export
Rome, Marrakech, and Paris	credit support
Declarations, 704–705	agreement, 354–368
scaling up aid, 712-715	historical context, 352-353
African Growth and Opportunity Act	OECD countries, 351
(AGOA), 259, 280	SCM agreement, 369-373
Agreement on Agriculture (AoA)	Agricultural trade, China, 1311–1312
Annex 1, 353	Agricultural trade negotiation
Article 1(e), 354	farmers involvement, 680
Article 8, 806	food crisis, 670

tariff barriers, 673	Anti-dumping duty, 1159
Uruguay Round, 668	Anti-dumping investigation
Agricultural trade restrictiveness	interim reviews, 1244-1257
AC study, 1112–1113	Ironing Boards, 1268–1271
comparative studies, 1120	Mexico Rice, 1258–1265
disaggregated data set, 1118	validity of, 1253-1254
domestic-to-border price ratio, 1116	Welded Tubes, 1265–1268
import competition, 1119	Anti-dumping negotiations
KNO study, 1112–1113	Cancun 2003, 937–938
OTRI, 1110	chair's text, 960–965
TRIs, 1112	core issues, 951–953
welfare reduction indices, 1121	duty assessment and reviews, 958–960
World Bank's new Distortions to	economic situation, 946–947
Agricultural Incentives database, 1116	facts available, 957–958
WTO integrated database, 1116	Friends of Anti-Dumping Negotiations,
A/H1N1 influenza	935, 944–945
affected countries, 528–529	Hong Kong 2005, 938
countries trade restrictions, 527–528	Hong Kong declaration, 939
member implementing measures, 538	Hong Kong mandate, 938–939
negotiation, 536	injury/domestic industry, 954–955
2009 outbreak, 526	July 2008 Ministerial, 941–942
scientific information, 535	mandate and initial phase, 936–937
TBT agreement, 533	regional trade agreements, 949–950
temporary trade restrictions, 530, 531	rule-making and dispute settlement,
trade-related aspects, 531	947–949
WHO recommendations, 533–534	Seventh Ministerial Conference, 943
Aid volatility, 715	transparency/due process, 955–957
Anti-dumping Agreement (ADA), 186	Uruguay Round, 932–933
Article 3.2, 733	working document in May 2008, 941
Article 3.4, 733	WTO members, 946
Article 3.5, 729	WTO Seattle Ministerial Meeting 1999,
Article 9.3, 734	933–935
Article 11.3, 735	zeroing, 940–941
causal relationship, 1032-1033	Anti-dumping regulation
EC-Pipe Fittings case, 742–743	Article 3, determination of injury, 1027
EC-Salmon case, 751	causation analysis, 1024–1026
Egypt-Rebar case, 753	European Community, 1026
non-attribution, 732, 1030–1032	Kennedy Round negotiation,
Thailand-H Beams case, 745	1025–1026
US-Anti-Dumping Measures on Oil	Tokyo Round negotiation, 1026
Country Tubular Goods, 735	Anti-trade sentiment, 967, 982
US-Hot Rolled case, 748	AoA. See Agreement on Agriculture

Appellate Body (AB), 145, 160 Article 31, 138, 170 Article 32, 172 Article 11of DSU, 163 benefits, 781 Brazil-Tyres case, 817 China – WTO dispute settlement, 1156 GATS obligations, 32 GATT Article XX, 892 likeness concept, 889–891	Audiovisual Media Services (AVMS) Directive, 2007, 71 Australia. See also EITE assistance program (EAP) Article 2.1 of Kyoto Protocol, 340–346 Carbon Pollution Reduction Scheme (CPRS), 323–325 EAP scheme, 328–340
non-WTO law, 30	В
systemic approaches, 141 US – Gambling, 150	Basel Committee on Banking Supervision, 508, 511, 513
US-Gambling case, 876	Beijing Platform for Action (1995), 204
Arab economic integration	Berne Convention, 14, 33
deeper market integration, 1277–1284,	Bilateral migration agreements
1287–1303	advances of, 1237–1240
goods market, 1274	concerted migration management,
Gulf Cooperation Council (GCC), 1276–1277	France, 1231–1233 France's and Spain's new agreement,
intra-regional trade (IRT), 1273–1274	1233–1234
market segmentation, 1290–1294	MFN consistency, 1235–1236
Pan-Arab Free Trade Area (PAFTA),	Spain's cooperation agreements,
1275–1276	1230–1233
political conditions, 1274–1275	temporary labour mobility, 1234–1235
Argentina	BPT. See Business, professional and
Argentina-Uruguay dispute, 1139–1143	technical
environmental defence, 1144	Brazil
Argentina – Footwear case, 737, 1024, 1039	agricultural policies, 670–677
Article 2.1 of Kyoto Protocol	Article 50(d) of 1980 Montevideo
application of market instruments,	Treat, 1133
344–345	Brazil-Uruguay dispute, 1133-1138
compliance, 345-346	decision-making process and Ministry
international trade and environmental	of Agriculture, 677–679
treaties, 340–342	farmers, 679–681
object of convention, 344	food crises, 669–670
obligations, 342–343	GMC, 1133
phase out subsidies, 344	ISI, 669
ASCM. See Agreement on Subsidies and	Ouro Preto Protocol, 1133
Countervailing Measures	Uruguay Round, 663–668
Asia Pacific Economic Cooperation	Brazil-Aircraft case, 615, 616, 625
Forum (APEC), 219	Brazil – Tyres case

1.047	
appeal, 816	capital controls, 577
Appellate Body findings, 817	consumption, 577
Article XXIV, 819–821	economic growth, 573
facts and claims, 814–815	economic stability, 573–574
GATT Articles I:1 and XIII:1, 818–819	foreign finance, 571–572
MERCOSUR (see MERCOSUR)	foreign investment, 572–573
panel findings, 815–816	market discipline, 575
Bureau of Fair Trade for Imports and	mechanism, 576
Exports (BOFT)	policy transparency, 574-575
functions, 635	Capital mobility, 579
Japanese consultations, 645, 646	Carbon and Alloy Long Steel (Hot Bar)
Bureau of Indian Standards (BIS), 989	case, 1044, 1045
Business, professional and technical (BPT), 971	Carbon Pollution Reduction Scheme (CPRS)
Business visitors (BVs), 1214-1215	cap-and-trade emissions trading
	scheme, 323
C	emission reductions, 324
Cairns Group, 666, 676	GHG emissions, 323
Canada-Autos case, 1092	Cassis de Dijon case, 879–881
Canada - Chile Agreement on Labour	Causation analysis
Cooperation, 218	AD agreement, 1030-1033
Canada – Measures Affecting the Export of	anti-dumping regulation, 1024-1026
Civilian Aircraft, 781	countervailing regulation, 1026-1028
Canada – Periodicals case, 73	critical assumption, 1041
Canada – US Free Trade Agreement	econometric model, 1038
(CUSFTA), 73	elasticity/partial equilibrium model,
Canadian Chamber of Commerce, 111	1038–1039
Cap-and-trade system, 1055	false assumptions, WTO case law,
Capital controls	1039-1041
benefits, 568	firm's cost structure, 1042, 1043
capital markets, 569	price and costs, 1043-1046
economic crises, 584	safeguard agreement, 1036–1038
FDI, 585, 586	safeguard regulation, 1028
financial liberalization, 569	SCM agreement, 1033-1036
free capital flow benefits, 582	Central Board of Excise and Customs
limitation, 568, 569	(CBEC), 988
market liberalization, 571-578	Central Product Classification (CPC), 76
net capital flows, 582	Certain Circular Welded Carbon Quality
orthodox theory, 578–580	Line Pipe Case, 1043
Pareto improvement in welfare,	Certain Steel Wire Rod Case, 1044
584, 585	Chapter 20 of NAFTA
Capital market liberalization	Country vs. Country cases, 184–185

DSU, 174–177	changing involvement (2001-2009),
panels, 200–201	1168–1181
China. See also Chinese multinational	constructivism, 1162
corporation	consultations, 1162
auto parts, 142–145	development in third party delegation,
capital controls, 575	1157
chinese leadership, 1316-1318	Dispute Settlement Body (DSB), 1162
economic growth, 573	Doha Development Agenda (DDA),
export taxes, 156, 157	1156
FDI, 572, 586	domestic constraints, 1164-1168
financial information services, 152-155	implementation stage, 1162
financial liberalization, 570	literature socialization, 1160–1161
foreign exchange, 441	mutually satisfactory solution, 1162
GATT Article XI:1, 161	panel process, 1162
GATT exceptions, 157-158	Rules and Procedures Governing the
global crisis, 583	Settlement of Disputes, 1162
global economic crisis impact,	semiconductor value-added tax (VAT)
1311–1316	rebate policy, 1159
guanxi, 450	Chinese leadership and Doha Round
interpretation of protocol provision,	behavior, 1316–1317
167–172	special safeguard mechanism (SSM),
Japan-Laver case, 643–649	1318
mini-ministerial conference, 1310–1311	strategy, 1317-1318
post-accession policy evolution,	Chinese multinational corporation
1319–1327	academic research, 427–428
Provisional Rules, 634-643	acquisitions, 439–440
publications and audiovisual products,	Chinalco-Rio Tinto/Australia,
145–151	445–448
saving rate, 572	CNOOC-Unocal/United States,
suggestions, TBI, 655-658	441–443, 446
systemic <i>vs.</i> commercial commitments,	geopolitics, 451
163–167	global expansion, 442, 451
TBI difficulties, 649–655	Haier-Maytag/United States, 442, 443,
China Accession Protocol. See	446
'WTO-PLUS' Provisions	Huawei/Bain Capital-3COM/
China – Publications and Audiovisual	United States, 444–447
Products case, 58	internationalization, 438
China – WTO dispute settlement	Lenovo-IBM's PC division/United
aggressive legalism, 1158–1159	States, 442, 444–446
anti-dumping, 1159	long-term benefits, 450
Appellate Body (AB), 1156	oil and gas/energy and mining, 444,
appellate review, 1162	446, 447
rr	· · · · / · · · ·

OLI theory, 450	Common Market for Eastern and
public relations campaigns, 450	Southern Africa (COMESA), 243
'soft power' theory, 451	Competition, 23–24
TCL-Thompson/France, 441, 443, 446 Civil society organizations (CSOs)	Competition Commission India (CCI), 1016
democratic deficit, 468	Complementarity approaches, 18-23
international organizations (IOs),	cross-retaliation, 36
469, 470	incorporation of rules, 35
mechanisms, 474–475	Computable general equilibrium (CGE)
method of investigation, 475-476	model, 232
OECD vs. non OECD countries, 476,	Comtrade database, 232
479, 482	Contractual service suppliers (CSSs),
participation, 477–481	FTA, 1214
political equality, 470, 471	Cooperation analysis, 23-24
regional distribution, 473	Corporate political activity (CPA)
sectoral distribution, 472	firm resources and capabilities, 905
submission of written documents, 477	generic resources, 909
submissions of working papers, 481–484	non-market strategy, 904, 905
trade unions, 476	petitioners prosecution, 918
CMC. See Common Market Council	political resources, 907, 908
Codex Alimentarius Commission, 299	regulatory advantage, 906
Commission v. Ireland case, 409	respondents prosecution, 921
Committee on Foreign Investment in the	tangible and intangible resources,
United States (CFIUS)	906, 907
academic research, 425	Cotonou agreement, 217, 225
global finance and geopolitics, 430	Counterfactual analysis, 84–86
mainstream investigation criteria,	Countervailing duties (CVDs), 329
433–435	Article VI, 726
seven-step review process, 431, 432	import competition, 910
US Department of Treasury, 429	trade remedy, 909
Committee on Regional Trade	Countervailing regulation
Agreements (CRTA), 820, 1148	causation analysis, 1026, 1028
Committee on Trade in Financial	Country v. Country cases, 184–185
Services (CTFS)	CRTA. See Committee on Regional
Basel Committee, 506, 508	Trade Agreements
international norms, 507	Cultural diversity, 53
liberalization of financial services,	Cultural policy, 65
503-504	Culture and trade debate
reluctance of developing	adoption of, UNESCO Convention,
countries, 505	1340–1355
Common Market Council (CMC), 1130	Article IV, GATT, 1338

audiovisual products, 1339 mass media, 1337	compulsory arbitration, 539–540 formal aspect, 389
principal legal techniques, 1340	group resemblance, 400–401
television programmes, 1338–1339	informal aspect, 389–393
World Trade Organization evaluation,	International Health Regulations,
1334–1337	536–537
Customs Excise and Service Tax Appellate	international trade agreements, 387
Tribunal (CESTAT), 991	legal and political functions, 399
Custom unions (CUs), 838	MERCOSUR, 1131–1132
Cyber-balkanization, 65	panels, 395–397
D	remedies, 400
	rule oriented, 393–394
DDA-NAMA sectoral negotations	stages, 394–395
GATT guidance, 864	tailor-made arbitration, 540 timetables, 398
negotiating mandate, 849	
reciprocity (see Reciprocity)	trade restrictions, 530–531
supplementary approach, 865 Swiss Formula (see Swiss Formula)	WTO, 387–389, 530
tariff liberalization, 865	Dispute Settlement Body (DSB), 15, 28,
Debt relief, Africa	1162, 1172 Dispute Settlement Understanding (DSU)
compliance, 709	Dispute Settlement Understanding (DSU)
growth effects, 716–717	Article 1.1, 18
social expenditures, 716	Article 3(2), 56
Deeper market integration, Arab	Article 3.2, 825
-	Article 3.6, 31 Article 11, 163
economic integration authoritarian, 1300	
	Article 13.2, 303
cooperation, 1300–1301 goods markets, 1277–1281	Article 19.1, 180, 190 Article 21.5, 31
investment flow, 1287–1290	Article 22, 31
labour movement, 1285–1287	Article 22.2, 15
PAFTA and GCC, 1299–1300	
potential gains, 1294–1297	Article 22.3, 31 Article 22.6, 31, 32, 33
PTAs, 1297–1299	
services markets, 1281–1284	NAFTA chapter 20, 175–177
transparency and accountability	WTO procedures, 174–175
enhancment, 1301–1303	Distributive strategy
Digital Rights Management (DRM), 68	SVE 1996, 558–559 TRIPS/health coalition, 2001,
Dispute settlement	557–558
anti-dumping negotiations, 947–949	Doha Declaration
Article 56, 524, 525	modalities, agriculture and NAMA, 89
causes, 399–400	paragraph 16, 107
choice of forum, 400	
Choice of forum, 400	TRIPS Council, 24

Doha Development Agenda (DDA), 6–7 chinese leadership, 1316–1318 global economic crisis impact, 1311–1316 mini-ministerial conference, 1310–1311 negotations, 1156 post-accession policy evolution, 1319–1327	Hong Kong 2005, 938 Hong Kong declaration, 939 Hong Kong mandate, 938–939 July 2008 Ministerial, 941–942 level of trust, 100–102 mandate and initial phase, 936–937 ministerial, 117 ministers and official role, 97–99 negotiations, chairpersons, 87–88
Uruguay Round, 932–933 WTO Seattle Ministerial Meeting 1999,	non-actionable subsidies, 789–790 prohibited subsidies, 786–787
933–935	SCM Agreement, 618
Doha Ministerial Declaration, 6	Seventh Ministerial Conference, 943
Doha negotiations, Mode 4	single undertaking, 92
dual policy paradox, 1225-1226	subsidies, 807–808
GATS Articles, 1226-1227	working document in May 2008, 941
Global Commission on International	WTO norms, 612
Migration (GCIM) principles,	WTO – WIPO relationship, 25
1229	zeroing, 940–941
International Agenda for Migration	Domestic constraints, China and WTO
Management (IAMM), 1229–1230	dispute settlement
Trade Negotiations Committee	international adjudication, 1166
(TNC), 1228	legal landscape, 1164–1166
Doha Round. See also Least developed	Domestic policy. See Agricultural policy
countries (LDCs); Market access	Domestic savings, Africa
actionable subsidies, 787–789	classification of savings ratios, 691
agenda considerations, 89–91	disputes, 691, 692 effective fiscal reforms, 692
agricultural export credit support negotiation, 374–378	investment and savings ratios, 690
black box problem, 105–107	mobilization, 689
Cancun 2003, 937–938	Dutch disease effect, 712–713
Chair's text, 791–794	Duty-free quota-free (DFQF) access,
clubs, 93–95	278–282
complexity and critical mass	270 202
negotiations, 91–92	E
countervail measures, 790–791	EC
definition of subsidy, 785-786	core disciplines approach, 379
demand for flexibility, 104-105	reduction commitment approach, 376
developing countries, 107-108	rules-based approach, 376
formula approach, 103	EC – DRAMS CVDs case, 742
G-7, 95–97	Economic partnership agreements (EPA)
Green Room, 95	EC-CARIFORM EPA of 2008, 1243

Japan-Philippines EPA (JPEPA) (2006), 1244–1245	prohibited export subsidy, 338–339 SCM Agreement, 328–329
migratory movement equity, 1209	subsidy definition, 330–331
Revised EC-ACP Cotonou Partnership	trade exposure, 326
Agreement, 1241–1243	trade share, 326
Economic Partnership Agreements	Electronics and electrical products sector,
(EPAs), 216–217	862–863
criticisms, 227–231	Emerging markets (EMs), 449
methodology and data, 231-232	Emissions-intensive trade-exposed
negotiations, 225, 226	(EITE), 320
revenue losses, 237–244	Emissions trading system (ETS),
tariff cuts, 232–237	1061–1063
trade diversion, 244-246	Environmental policies, 1128–1131
EC – Pipe Fittings case, 742–744, 753–754	Environmental Protection Agency (EPA), 1059
EC Plant Directive (2000/29/EC)	Environmental subsidies, 1079–1080
Article 1.4, 600	EU – China Agreement
Article 16, 601	aim and scope, 411–412
EC Plant Health Directive	analysis, 413–414
Annexes, 603	character and typology, 414–415
Article 1.4, 600	Community and Member States, 410
Article 3, 599	mixed agreements, 407–410
Article 16, 601	political negotiation, 415–417
EC – Salmon case, 751	EU – India summit of November 2003,
EC-Sardines case	416
Appellate Body (AB), 303	EU market
Codex Stan 94, 301	LDC preferential margins, 284
EC regulation, 303	linear regression, 284, 285
EC's submissions	smoothing regression, 284, 286
MERCOSUR, 824	EU-Mexico Global Agreement, 217
Turkey – Textiles case, 834	European Commission (EC), 69–71, 232
Egypt – Rebar case, 753–754	European Community (EC), 407
EITE assistance program (EAP)	anti-dumping regulation, 1026
actionable subsidy, 339	SCM Agreement, 783, 784
benefits, 335–336	European Community Law, 596
carbon leakage, 325	European Court of Justice (ECJ), 408
characterization of policy measure, 330	European Economic Community (EEC),
	662, 664
entities and specificity test, 337 financial contribution, 332–335	
	European Free Trade Area (EFTA)
free permits, 330, 331	agreement, 398
Independent Expert Advisory	European Union (EU), 80, 92, 96, 225
Committee, 327–328	Article 3, 1027

Article 5, 1029	WTO, 613–614
economic liberalization, 887–888	WTO tax cases, 771-772
emissions trading system, 1061–1063	Export tariffs, 131
free movement of goods, 878–883	•
free movement of services, 884–886	F
proportionality test, 886-887	FDI policy, 985
Exon-Florio Act, 433	Financial services
Export competition, 121	Article 2(a) of GATS Annex, 495, 497
Export Credit and Insurance Agency	500, 502
(ECA)	domestic regulation, 495-498
credit repayment, 621, 622	institutional framework, 503-504
export subsidies, 612	legal framework, 493-494
Export credit provisions. See also	Financing development, Africa
Subsidies and Countervailing	domestic savings and investment,
Measures (SCM) Agreement	689–692
ECA, 612	Gleneagles Declaration, 705–706
WTO Doha Negotiations, 618	Marrakech Declaration, 704-705
Export credit support	Monterrey Consensus, 703-704
Annex J, 378, 381	official flows, 692-694
Article 10.1, 356	Paris Declaration, 704–705
Article 10.2, 357	private capital flows, 694-696
cost-recovering premium rates, 373	remittances, 696-697
EACs, 383	Rome Declaration, 704–705
Korea – Commercial Vessels, 350	Fittings Case, 1045, 1046
non-primary products, 352	Food crises, 669-670
obligations, 356	Foreign direct investment (FDI), 243
OECD, 374	activities of, 438
paragraph 2 of Article 10, 356	China, 571, 586
reduction commitment approach, 376	financing development, 695
rules-based approach, 375	industrial projects, 448
STEs, 378	mainstream MNCs, 429
Export processing zones (EPZs), 243	net inward, Sub-Saharan Africa, 696
Export subsidies. See also Export credit	performance and impacts, 585, 586
support	resources-seeking (RS), 442
Annex I, 618	United States, 433-435
AoA, 806	Foreign-invested enterprises (FIEs), 146
Article XVI GATT, 726	Foreign investment
EC, 351	capital markets and portfolio
illustrative list, 352, 614, 615	investment, 999–1000
listed types, 354–355	NRIs and OCBs, 996
non-listed types, 355-368	outward FDI (OFDI) policy, 998
primary products, 352	performance requirements, 999

remittances of dividend and royalty, 998–999	pro-mobility visas, 1216 unfinished regulatory mandate, 1220
special economic zone, 1000–1001	Free Trade Area Agreement (FTAA), 386
Foreign Trade Act (FTA)	Free Trade Commission, 176
anti-dumping duties, 1262	Friends of anti-dumping negotiations
Article 68, 1258, 1260	(FAN)
Foreign Trade Barrier Investigation (TBI)	features and membership, 944–945
mechanism, China	'statement on anti-dumping
Article 5, 638	negotiations', 943
BOFT functions, 635	
Chapter 2, 638, 639	G
Chapter 3, 639, 640	GATS Mode 4
Chapter 4, 640, 641	Article 1, 1211
Foreign Trade Law of 1994, 636	domestic employment, non-nationals,
functions, 636	1212–1213
government reluctance, 650, 651	foreign capital, collateral, 1222-1223
inappropriate location, 652	in LDC, 1221
Japan-Laver case, 634–649	missing mandate, migration regulation,
lack of direct access, 649, 650	1217–1219
lack of industry associations, 650	mutual recognition agreements,
MOFTEC establishment, 635	1224–1225
political dimensions, 651, 652	occupational shortage lists, 1216-1217
products subjects, 652, 653	pro-mobility visas, 1216
regulatory omission problems, 637	service provider categories and visa
suggestions, 655-658	coverage, mismatch, 1213-1216
termination of investigation, 641, 642	social dumping prevention, 1223-1224
trade-distorting effect, 643	unfinished regulatory mandate, 1220
Foreign Trade Law, 147	GATT Article XXIV
Free movement of goods	scope and applicability, 839-841
Article 34 of TFEU, 880–883	Turkey – Textiles case, 820–821,
Cassis de Dijon case, 879–880	833–838
Keck case, 881–882	General Affairs and External Relations
Free movement of services, 884–886	Council, 411
Free trade	General Agreement on Tariffs and Trade
economy, 976–978	(GATT), 2–5
MERCOSUR, 1141, 1142	Article 20, 533
Free Trade Agreements (FTAs), 58-59,	Article I, 1151
267, 1322–1323	Article II:4, 161
missing mandate, migration regulation,	Article III, 143, 888, 889
1217–1219	Article IV, 71, 72
occupational shortage lists, 1216–1217	Article VI, 729

Article VIII, 158	preferences, countries, 1079
Article XI, 649	General Agreement on Trade in Services
Article XI:1, 161	(GATS)
Article XI:2(a), 157	Article 2(a), 495
Article XVI, 726	Article VI, 153, 496, 502, 507, 896
Article XVI:1, 798	Article VI:1, 495
Article XVI:4, 800	Article VI.4, 504
Article XVII, 161, 773-774	Article VII, 497, 502
Article XX, 139, 149, 157, 161, 162,	Article VII:1, 497
166, 495, 891, 1129	Article XIV, 154
Article XX(a), 58, 150	Article XIV(a), 58, 150, 154
Article XX(d), 162	Article XVI, 895, 896, 898
Article XX(g), 157	Article XVII, 895
Article XXI, 162	Article XXVIII, 1086
Article XXII, 15	commercial and natural persons
Article XXIII, 15, 648	presence, 1088–1090
Article XXIII:1, 648	cross-border supply and consumption
Article XXIV, 234, 1150, 1203-1205	abroad, 1087
Brazilian internal taxes, 765	juridical person, scattered shareholder
cases, 181	structure, 1092–1094
contracting parties, 798, 799	mode 4, 213
dispute settlement mechanism, 388	ownership/control requirement,
Havana Charter, 798	1095-1096
justification of breach, 891-895	real origin of service, 1094-1095
likeness concept, 889–891	service insufficiency, 1094
negotiation, 561, 680	special origin rules, 1090
preferential trade agreements, 1147	substantial input test (see Substantial
primary products, 799	input test)
Tokyo Round Subsidies Code,	US-Gambling, 896–898
801–805 United States – measures affecting	Generalized System of Preferences (GSP), 282
alcoholic and malt beverages, 766	General principles of civil law china, 1167
United States – taxes on petroleum and	Geneva
imported substances, 765–766	emerging economies, 113–14
Uruguay Round, 663	macroeconomic conditions, 109–110
General Agreement on Trade and	politics in Washington and Brussels,
Emissions (GATE)	111–113
Article II, 1077–1078	producer interests, 111
commitments, 1080	Gleneagles Declaration, 705–706
environmental subsidies, 1079–1080	Global economic crisis and China
MFN clause, 1077	impacts, 1315–1316
national treatment, 1078–1079	negotiating positions, 1311–1315
	0 0 1

Globalization	Guide on Information Collection on
candidate explanatory variables, 973	Trade and Investment Barriers,
cultural values and economic factors,	636, 637
974	Gulf Cooperation Council (GCC),
Globalization of business. See also Chinese	1276–1277
multinational corporation	
business markers, 436	Н
consumer convergence, 420, 436	Harmonized commodity description and
MNCs, 420	coding system (HS), 232
G-20 London Summit, 82	Havana Charter
G-7 members, 95–97	Article 25, 798
G-12 members, 99	GATT, 3, 798
G-33 members, 94, 101	Heavily Indebted Poor Countries (HIPC)
Government procurement (GPA),	characteristics, 709, 710
1001–1002	debt relief, 708
Greenhouse gas (GHG) emissions, 321,	2005 Hong Kong declaration, 82, 89, 106
323	
cap-and-trade system, 1055	I
carbon allowances, 1056	Illustrative List of Export Subsidies
environmental exceptions, role of,	Annex I, 614–618
1069–1070	first paragraph of item (K) approaches,
EU emissions trading system,	621–626
1061–1063	item (J), 362-364, 618-621
free allowances, domestic industries,	second paragraph of item (K)
1068-1069	approaches, 626–630
General Agreement on Trade and	WTO export subsidies, 613–614
Emissions (see General Agreement on	Import substitution industrialization (ISI),
Trade and Emissions)	669
import adjustment, 1064–1068	Independent Expert Advisory Committee,
international climate change code,	327–328
1075, 1076	Information communication technology
leverage argument, 1073–1075	(ICT), 986
political climate change, 1058–1059	Information Technology Act 2000, 992
pricing system, 1055	Institute of Chartered Accountants of
UNFCCC, 1075	India (ICAI), 1015
unilateral failures, 1071–1073	Insufficient and Non-redundant Parts of
US effort, 1059–1061	Unnecessary but Sufficient Cause
WTO Members, 1057	(INUS) test
Gross domestic product (GDP), 579, 582	conditions, 1049
	USITC, 1048
G8 Summit, 705	
Guidelines for Arrangements on Relations with	Wheat Gluten case, 1050
Non-governmental Organizations, 473	Intellectual property, 126

Intellectual property rights (IPRs), 66–69	International Organization for
International Association of Insurance	Standardization (ISO), 297, 314
Supervisors (IAIS), 501, 502, 505	International Organization of Securities
International Court of Justice (ICJ), 14	Commissions (IOSCO), 501, 502
International Finance Facility (IFF), 701	International Organizations (IOs),
International Financial Standards. See also	469–471
Financial services	International Plant Protection Convention
CTFS, 503–509	(IPPC)
financial services, 493–497	Article VI, 595
general institutional practice, 509–513	Article VIII, 601
limitation, 498–502	definition, 601
International Health Regulations (IHR)	principles, 604
additional health measures, 519–523	regulated products, 604
Article 15, 516	International Standards
Article 43, 534–536	burden of proof, 306–307
Article 43.1, 522	deference, 311–312
Article 43.5, 538	definition, 298–299
compulsory arbitration, 539–540	deviation, 306–311
dispute settlement procedure, 524–525,	EC-Sardines, 303
536–537	issues of concern, 312–317
excessive trade measures, 518-519	presumption, 304–306
import restriction, 527	product standards heterogeneity, 295,
international traffic, 538	296
tailor-made arbitration arrangements,	rational relationship, 303
540-543	relevant of, 300–302
International labour migration	temporal scope of, 299-300
International Organization for	International trade disputes
Migration (IOM), 1210	Article 1904 Panel, 177–178
UN Refugee Agency (UNHCR), 1209	DSU, 174–175
International Law Commission (ILC), 170	multilateral and regional legal remedies,
International Law of Economic Migration	178–179
bilateral migration agreements,	NAFTA chapter 20, 175-177
1230-1240	WTO dispute settlement procedures,
GATS Mode 4, 1211-1230 (see also	174–175
GATS Mode 4)	International trade negotiation
missing regime, international labour	coalitions, 553-554
migration, 1209-1211	distributive strategy, 556-559
temporary movement of persons,	GATT, 551
1241–1245	mixed-integrative strategy, 559-562
International Monetary Fund (IMF), 571	national capacity, 552-553
International Organization for Migration	outside options, 553
(IOM), 1210	public opinion, 554–555

shares of world imports, income levels and population, 547–551 small states, advantages, 562 International Trade Organization (ITO), 775 International Trade Union Confederation (ITUC), 205 Intra-corporate transferees (ICTs), 1214 Ironing Boards, Anti-Dumping investigation case background, 1268–1269	causes, 978–980 economic anxiety, 968 free trade and economy, 976–978 offshore outsourcing, 971–973 outsourcing and international trade, 969–971 remedies, 980 survey data and regression methodology, 975–976 July 2008 Ministerial, 941–942 The July 2008 package, 118–126
comments, 1271	K
issues, 1269–1270 Israel. <i>See also</i> Dispute settlement; Prefer-	Korea-Commercial Vessels, 1035
ential trade agreements (PTAs)	Kyoto Protocol
Canada and Mexico agreements, 400	Article 2, 340, 343
Free Trade Area Agreement (FTAA),	Article 2.3, 322
386, 387	Article 18, 345
MERCOSUR countries, 401	EAP, 346
WTO member, 386	flexibility mechanisms, 322
Israel – Canada agreement, Article 8.7,	policy measures, 322
395	SCM agreement, 347
Israel – MERCOSUR agreement (2007),	
395, 397, 398, 400	L
Israel - Mexico agreement, 394, 395	Labour, GATS Mode 4
Israel - Turkey agreement, 396	foreign capital, collateral, 1222-1223
Israel – US agreement, 399	in LDC, 1221
ITO. See International Trade	mutual recognition agreements,
Organization	1224–1225
_	social dumping prevention, 1223–1224
J	Labour markets, 206–209
Japan-DRAMS CVDs case, 733	Least developed countries (LDCs), 227,
Japan-Laver case	703
Article 22, Provisional rules, 647	DFQF access, 278–282
BOFT, 645, 646	market access, 254, 258–278
China consultations, 646, 647	QUAD, 253–257 Legal landscape, China and WTO dispute
Korea consultations, 648 MOFCOM, 644, 645	settlement
mutually agreed solution (MAS), 648	cultural revolution, 1166
Japan-Philippines EPA (JPEPA) (2006),	judicial system, in China, 1165
1244–1245	transitional review mechanism (TRM),
Job losses	1164

Legal remedy	public engagement, 989-990
EC – Bananas III (27), 199	trade restrictiveness, 1002–1006
Mexico – Transformers (216), 199–200	Market segmentation, Arab economic
power of defendant, 197	integration
WTO, 195–196	national regulatory policies and
Lomé Conventions, 223	operating costs, 1292–1294
,	rules of origin (ROO), 1290–1292
M	Marrakech Declaration, 704–705
Maritime transport. See also EU - China	Marrakesh Agreement
Agreement	Article V.2, 474
annual implementation meetings, 412	WTO, 473
Article 10, 415	Media regulations
cooperation, 414	analogue-based cultural policy
non-discriminatory treatment, 413	measures, 65
services of, 411	audiovisual, 62
Market access	digital mode ability, 63
EU cumulative exports, 268	traditional media companies, 63–64
LDC export products, 270–277	user created content (UCC), 64
preferential margins, 266, 267	MERCOSUR
RoO, 282–283	Argentina-Uruguay dispute, 1139-1143
steep step approaches, 267, 268	Article 3.2 of DSU, 825
tariff, EU and US markets, 258–260	Article XXIV:5(A), 831–832
US cumulative exports, 269	Article XXIV:5(a), 831–832
Market economy, 129–130	Article XXIV:7, 821–823
Market openness regulation, India	Article XXIV:8(A), 823-830
business community, 987–989	Brazil-Uruguay dispute, 1133–1138
Competition Commission India, 1016	case law, trade and environment,
customs procedures, 1006–1010	1132–1133
foreign investment framework,	custom unions, 838
996–1001	dispute settlement, 1131-1132
government procurement, 1001–1002	environmental policies, 1128-1131
international harmonization of	exemption of, 815
regulatory measures, 1011-1015	Free trade, 1141, 1142
international trade framework, 992-996	Treaty of Asuncion, 1129
interpretation and regulation	Mexico
applications, 990-991	GATT cases, 181
Monopolies and Restrictive Trade	international trade disputes, 174-179
Practices Commission, 1017	legal remedies, 195-200
mutual recognition agreements,	political economy, 195
1015–1018	PTAs cases, 184-188
New Telecom Policy, 986	rate of initiations, 188-189
open-sky policy, 986	WTO cases, 181-184, 189-194

Mexico-Olive Oil case, 752–753 Mexico Rice, Anti-Dumping investigation Appellate Body's Findings, 1260–1261 arguments, 1259 case background, 1258 economic justification, panel's decision, 1262–1265 legal doctrine, 1261–1262 panel's finding, 1259–1260	Multilateral Debt Reduction Initiative (MDRI) characteristics, 709, 710 debt relief, 708 Multilateral negotiations, 810–811 Multinational Corporations (MNC), 450. See also Chinese multinational corporation Mutually agreed solution (MAS), 178, 181
Millennium Development Goals (MDGs) aid and growth, 714 assess the cost of meeting, 697–700	Mutual recognition agreements, 1015–1018
debt relief, 715	N
finance proposals, 700–703 fiscal space, 711	National Agricultural Law (NAL), 672–673
Monterrey Consensus, 703	National Plant Protection Organization
Ministry of Foreign Trade and Economic	(NPPO), 600
Cooperation (MOFTEC)	National regulatory autonomy
Chapter 3, examination process, 639,	EU approachs, 878–888
640	GATS, 895–898
investigation process, 641	GATT, 888–895
provisional rules, 637	New Telecom Policy, 986
Mixed Agreements	New Zealand-Electric Transformers case, 756
European community, 407	Non-agricultural market access (NAMA),
mixity facets and aspects, 408-410	1312–1313
Mixed-integrative strategy, 559–562	anti-concentration clause, 104, 123
MNC-government relations	formula and flexibilities, 116, 123
academic research, 425	sectoral negotiations, 104, 123
issues of, 435-437	Non-agricultural products, 352, 383
Monopolies and Restrictive Trade	Non-attribution
Practices Commission (MRTPC),	EC-Pipe Fittings case, 753–754
1017	Egypt-Rebar case, 753–754
Monterrey Consensus, 703–704	factors, 751-752
1980 Montevideo Treaty	general approaches, 750-751
Article 50, 1129	injury factor, 751–752
Article 50(d), 1133, 1144	merits and panels approach, 758-759
Most Favoured Nation (MFN), 251, 389	Mexico-Olive Oil case, 752–753
GATT principles, 1064	New Zealand-Electric Transformers case,
General Agreement on Trade and	756
Emissions, 1077	US-DRAMS CVDs case, 752–753
Swiss formula, 260	US-Steel case, 753–754
US tariff, 279	Non-governmental organizations (NGOs)

OECD countries, 481	academic research, 428
submissions of working papers, 483	acquisitions, 439-440
Non-tariff barriers to trade (NTBS),	Chinalco-Rio Tinto/Australia, 448
1004-1006	CNOOC-Unocal/United States, 442
North American Agreement on Labor	corporate expansion, 421
Cooperation, 217	Haier-Maytag/United States, 442
North American Free Trade Agreement	Huawei/Bain Capital-3COM/United
(NAFTA), 553. See also International	States, 447
trade disputes	Lenovo-IBM's PC division/United
Article 1904, 200	States, 445
Chapter 19, 177-178	oil and gas/energy and mining
Chapter 20, 176, 200–201	MNCs, 447
•	TCL-Thompson/France, 441
0	types, synergies and benefits, 430-431
Official Development Assistance (ODA)	Overall Trade-distorting Domestic
Monterrey Consensus, 704	Support (OTDS), 118
regional distribution, 693	Overall Trade Restrictiveness Index
scaling up aid, 704	(OTRI), 1110
Sub-Saharan Africa, 695	•
Offshore outsourcing	P
globalization, 971	Pan-Arab Free Trade Area (PAFTA),
goods trade and educated workers, 973	1275–1276
OECD, 972	Panel's interpretive approach, 144
unemployment in recessions, 973	Paris Act, 17
Online Gambling case, 32, 33	Paris Convention, 11
Open-sky policy, 986	Paris Declaration, 704-705
Opinion 1/76, 408	Patent Law Treaty, Article 30, 14
Organization for Economic Cooperation	Permanent Court of Arbitration (PCA),
and Development (OECD), 64	525
ECA, 621	Plant Quarantine Order, 1014
in-kind transfers, 335	Political legitimacy, 470
memorandum, 496	Post-Accession Policy evolution, China
NGO sector, 479	developing countries relationship,
vs. non OECD countries, 476, 479, 482	1325–1327
offshore outsourcing, 972	Doha Round negotiations outcome,
RoO, 282	1319
second paragraph of item (K), 626, 627	domestic political scene, 1320-1322
OTRI. See Overall Trade Restrictiveness	issues, 1319
Index	multilateral trading system benefits,
Outward foreign direct investment	1319–1320
(OFDI). See also Foreign direct	regionalism, 1322-1323
investment (FDI)	trade litigation, 1323-1324

Preference erosion, 124	R-index, 283
Preferential trade agreements (PTAs), 224,	Prohibited subsidies
227. See also Brazil-Tyres case	Article 3 of SCM Agreement, 786
AD/CVD orders, 186	developing countries, 786
Americas group, 394	European Communities, 786
Article XXIV:8(a), 823, 836	United States, 786
Country v. Country case, 184–185	Proposal for working principles
direct application, 400	intension, China, 167–172
experts, 398	Protocol provisions, 160
GATT, 1147	systemic vs. commercial commitments,
legal discipline, 1148–1149	163–167
litigation, 1150	trading rights case, 161, 162
multilateral agenda, 1152	WTO agreements, 160, 161
nationality of panellists, 396	WTO-plus obligation, 159
nomination process, 396	Provisional rules
professional record of panel members,	Article 6, 645
395	Article 22, 647
recognition, 389	Article 25, 647
retaliation measure, 391	Chapter 2, 638, 639
state of affair, 1150-1152	Chapter 3, 639, 640
substantially all the trade, 827	Chapter 4, 640, 641
sunset reviews, 187	investigation process, 640, 641
veto right concern, 396-397	MOFTEC, 637
work procedures and panel authorities,	revision, 642, 643
397	PTAs. See Preferential trade agreements
WTO and article 1904 litigations,	
187–188	Q
Price and Costs	QUAD
Carbon and Alloy Long Steel (Hot Bar)	LDC countries, 253-254
case, 1044, 1045	RoO, 282
Certain Circular Welded Carbon Quality	
Line Pipe Case, 1043	R
Certain Steel Wire Rod Case, 1044	Reciprocity
Fittings Case, 1045, 1046	limitation, 852–854
Welded Pipe Case, 1044, 1045	measuring in GATT Rounds, 851-852
Private capital flows, Africa	non-mandatory participation, 864-865
equity flows, 694	options, 866
external finance, 694, 695	principles, 849–850
FDI, 695, 696	sectoral initiatives, 863
Private Party v. Country case, 185-188	solutions, 863
Product-specific-rules of origin (PSRO)	Regional trade agreements (RTA)
EU market, 283–287	anti-dumping negotiations, 949-950

Committee on Regional Trade	plant health and environmental
Agreements, 1148	protection, 595
India, 994	quarantine objects, 598
Transparency Mechanism for Regional	SPS Agreement (See Sanitary and
Trade Agreements, 1148	Phytosanitary Measures (SPS)
Revenue losses	Agreement)
fiscal considerations, 240-242	
limitation, 237–240	S
tax exemptions and trade agreement,	Safeguard regulation
243–244	causal relationship, 1037-1038
Rima Eletrometalurgia case, 1256–1257	non-attribution, 1036-1037
R-index, 283	Safeguards Agreement
Risk Management System	Argentina-Footwear case, 737
(RMS), 992	Article 2.1, 731
Rome Declaration, 704–705	Article 4.2(a), 757
Rules of Origin (RoO)	Article 4.2(b), 731
complexity, 283	US-Steel case, 738
trade deflection, 282	US-Wheat Gluten case, 735
Russian Federation Law on Plant	Sanitary and Phytosanitary Measures (SPS)
Quarantine	Agreement. See also International
Article 1, 597	Standards
Article 2, 597	Article 3.1, 302, 303, 304, 306, 307
Article 3, 598	Article 3.3, 306, 307, 308
Article 4, 599	Article 3.5, 315
Article 6, 601	Article 5.1, 303
Article 7, 601	Article VI, IPPC, 595
Article 9, 602, 603, 604	cross-border trade, 593
Article 10, 604	deviation, 307–309
Article 11, 605, 606	external norms, 499
Article 12, 606	international health regulations, 520-522
Article 13, 606	measures, 309
Article 14, 606, 607	Member States, 499
Article 15, 607	pest risk analysis, 594
Article 16, 607	WTO, 532–533
EC Plant Directive, 600, 601	Sanitary and Phytosanitary Measures (SPS)
European Community Law, 596	Committee, 313, 315
harmful organisms, 598	Scale up aid, Africa
implications, 597	Dutch disease effect, 712–713
law adoption, 596–597	fiscal sustainability, 714–715
NIPPO, 600	growth effects, 714
normative international framework,	provision of social services, 715
592–593	volatility, 715

Seattle Ministerial Conference, 480	Special products (SP), 119
Sectorals	Special safe-guard mechanism (SSM), 105,
chemical sector, 859-860	106, 119
EC, 849	State-owned enterprises (SOEs), 146, 148,
electronics and electrical products	151
sector, 862–863	State Quarantine Phytosanitary Control
industrial machinery sector, 861-862	Article 2, 602
mandate, 856	Article 7, 601
Sensitive products, 119	Statistical Levy case, 879
September 2000 UN Millennium	Subsidies. See also Export subsidies
Summit, 697	actionable, 787–789
Services, China, 1313	actionable subsidy, 339
Services signalling conference, 126	agricultural policy, Brazil, 675-677
Seventh Ministerial Conference, 943	categories, 783–784
Shrimp-Turtle case, 1069, 1070	definition, 330-331, 781, 785-786
Single undertaking approaches, 92	Doha Round, 807–808
Small-scale enterprises, 206-209	GATT (see GATT)
Small Vulnerable Economies (SVE), 125,	non-actionable, 789-790
558–559	prohibited, 786–787
Social expenditures, 716	prohibited export subsidy, 338-339
South Asian Free Trade Area (SAFTA)	Uruguay Round (see Uruguay Round)
Agreement	Subsidies and Countervailing Measures
administration, of agreement, 1192	(SCM) Agreement
Afghanistan's accession, 1188-1189	Article 1, 373, 381, 782
Article XXIV, GATT, 1203-1205	Article 1.1, 331, 332, 338
dispute settlement mechanism,	Article 1.1(a), 347
1194–1198	Article 1.1(a)(1), 378
free trade agreement, 1188	Article 2, 337, 782
miscellaneous provisions, 1198-1199	Article 3, 338, 373, 380, 786
principles of, 1189	Article 3.1, 369, 371, 372
revenue loss compensation mechanism,	Article 3.1(a), 338, 370
LDC, 1200	Article 3.1(b), 370
rules of origin, 1199-1200	Article 3.2, 370
tariff reduction scheme, 1189-1192	Article 4.7, 369, 373
trade facilitation measures, LDC,	Article 6.1, 788
1200-1201	Article 6.3, 1034
trade remedy measures, 1192-1193	Article 14, 781, 785, 790
WTO rule, compliance, 1201-1203	Article 15.5, 730
Southern African Development	Article 19.4, 734
Community (SADC), 223, 243	Article 27, 786
Special Drawing Rights (SDRs), 702	Article 31, 789
Special economic zone (SEZ), 1000–1001	Article 1 juncto 3, 364–366

Articles 1, 362 Articles 3, 362 benefits, 781 causal relationship, 1033	substantive business operations, 1102 trade restrictive effects, 1106 W/140 and UNCTAD suggestion, 1103
causation issues, 1034-1036	WTO diputes on trade, 1101
countervailing measures, 783	Substantially all the trade (SAT)
definition of subsidy, 781	Article XXIV, 836, 841
doha round proposals (See Doha	definition, 826, 827
Round)	Sunset reviews, 187
EC-DRAMS CVDS case, 742	Swiss Formula
export contingency, 362	ad valorem equivalent, 867
financial contribution, 781	mandate, 854–856
first paragraph of item (K) approaches,	MFN tariff reductions, 260
621–626	modalities vs. US and China, 856-858
Illustrative list of Annex I, 614-618	NAMA, 103, 867
item (J) approaches, 618–621	tariff reduction, 847, 865
Japan-DRAMS CVDs case, 733	Tokyo Round, 864
Mexico-Olive Oil case, 752	uncertainty-related market access, 865
negotiations, 809	·
non-attribution, 1033–1034	T
overview, 328-329	Tailor-made arbitration
paragraph (iv) of Article 11.2, 733	health trade arbitrators, 541-542
Part III, 782, 788	restricted party autonomy, 540-541
Part V, 783	transparency of arbitration award,
second paragraph of item (K)	542-543
approaches, 626-630	Tariff barriers, 673-674
specificity, 782	Tariff capping, 121
subsidies categories, 783–784	Tariff cuts, 236, 253
Uruguay Round, 807	customs, 233
WTO export subsidies, 613-614	simple and weighted average rate,
Substantial input test	234, 235
ARO, 1099	WTO requirements, 232-234
Article 31 VCLT, 1097	Tariff rate quotas (TRQ), 1003
Article XXVIII, 1099	Tariff rates, 142–145
aspects, 1100	Tariff simplification, 121
burden of proof rule, 1106	Tax discipline
cross-border supply, 1107	AoA, 773
definition, 1105	direct and indirect taxes, 769-770
flexiblility, 1105	GATT, 765–766, 773–774
general rules of interpretation, 1097-1101	tax friction, 763
mode of commercial presence, 1103	tax treaty system, 763
potential alternative approach, 1104	Tokyo Round Subsidies Code, 768

TPRM, 774	Trade Act 1974, 5, 1048
TRIMs Agreements, 772–773	Trade agreements
Uruguay Round ASCM, 770-771	ex-ante assessment, 216-217
WTO tax cases, 766-767, 771-772	implementation, 218-219
Tax reforms, 246	negotiation, 217–218
TBT Committee Decision, 315	Trade and culture in international law
Technical Barriers to Trade (TBT)	effects of, 59-61
Agreement, 533. See also International	fragmentation, 69-71
Standards	IPR, 66–69
Annex 1, 301	media regulations, 61-66
Annex 1.2, 301	WTO agreements, 71–78
Annex 1(4), 298	Trade and Tariff Act, 1984, 5
Article 2.2, 305	Trade Barrier Regulation (TBR)
Article 2.4, 299, 300, 301, 307, 309	European Commission, 652
Article 2.5, 305	informal inter-service consultations, 651
deviation, 309-311	mechanism, 655
measures, 302–304	product categories, 652
private/public international law, 500	Trade diversion
technical analysis, 313	EU exporters, 245
WTO Member, 313	non-discriminatory trade liberalization,
TFEU	246
Article 34, 880–883	Trade liberalization
Article 56, 884	national regulatory autonomy, 898-900
Thailand-H Beams case, 745, 749	price impacts, 205
Tiered approach, 103, 116	Trade Negotiations Committee (TNC),
Tire retreading	87, 96, 1228
Article 50 of 1980 Montevideo Treaty,	Trade policy and gender
1129	agricultural production, 209–211
Article 1 of Treaty of Asuncion, 1128	global economic crisis, 214-215
Brazil's response, 1137–1138	labour markets, 206–209
Brazil-Uruguay dispute, 1134–1138	mainstreaming gender, 215-219
Common Market Council, 1130, 1131	migration, 211–214
economic benefits, 1127	small-scale enterprises, 206–209
Uruguaya, 1135	Trade Policy Review Mechanism
Tokyo Round Subsidies Code, 768	(TPRM), 511–513
Article 9, 804	Trade-preferences-for-development
Article 10:2, 803	(TPFD), 252
EC, 804	Trade reduction index (TRI), 1110
effects-based approach, 802	agricultural sector, 1112, 1114
injury test, 802	developing countries, 1117
primary products and non-primary	high-income and transition economies,
product, 802	1116

import-competing and exporting	anti-dumping of cultural products, 1348
subsectors, 1110	appraisal, 51–52
Trade-related intellectual property rights	Article 2(2), 54
(TRIPS), 68, 555	Article 3, 54
agreement, 5–6	Article 6(2), 53
Article 2, 7	Article 16, 53
Article 2.2, 31, 33	Article 20, 56, 1344
Article 9, 7	audiovisual entertainment products,
Article 23(1)(b), 16	1349–1354
Article 23.4, 6	European Court of Justice, 1354–1355
Article 27.3(b), 24	guidelines, 1342–1344
Article 35, 8	impact of, 1341-1342
Article 39, 8	incompleteness, 54-59
Article 63.2, 11	rights and obligations, 52-54
Article 64, 15	role of screen quotas, 1346-1347
Article 66.2, 10	scholarly contributions, 1345-1346
Article 68, 11	trade and intellectual property rights
Article 71.1, 24	relationship, 1347-1348
Articles 7, 24	UNESCO Declaration, Article 5, 55
Articles 8, 24	United Nations Conference on Trade and
Trade restrictiveness	Developments (UNCTAD's)
NTBS, 1004–1006	TRAINS database, 1116
tariff rate quotas, 1003	United Nations Framework Conference
Trade unions, 476	on Climate Change (UNFCCC)
Trading Rights case, 145-146, 165	Article 2, 342
Transnational coalitions, 554	Article 3.5, 341
Transparency Mechanism for Regional	greenhouse gas emissions, 1075
Trade Agreements, 1149	United States
Treaty of Asuncion	border measures, role of, 1060
Article 1, 1128	CFIUS, 421
MERCOSUR countries, 1129	domestic politics, 449
Ouro Preto protocol, 1128	Environmental Protection Agency,
TRIMs Agreements, 772–773	1059
Turkey – Textiles case, 820–821	FDI, 448
analysis, 834–838	national security concerns, 433
Brazil's submissions, 833-834	in political climate changes, 1058-1059
EC's submissions, 834	United States International Trade
	Commission (USITC), 1048
U	United States Trade Representative
Unemployment, recessions, 973	(USTR), 79
UNESCO Convention	UN Refugee Agency (UNHCR), 1209
advancement of technology, 1348-1349	Uruguay

Argentina-Uruguay dispute, 1139–1143 Brazil-Uruguay dispute, 1133–1138 Uruguay Round (UR), 72, 92, 105 agricultural decision-making process, 677, 678 agricultural issues, 851 agricultural negotiations, 671, 672 agricultural policy, 671 agricultural subsidies, 676 anti-dumping negotiation, 726 anti-dumping negotiations, 932–933 Article 8 of AoA, 806 ASCM, 770–771 domestic policies, 671 EEC, 664 export credit support, 352 international standards, 296 Multilateral Trade Negotiations, 772 reduction commitments, 807	competitive strategy, 910 CPA, 905–909 DOC phases, 923 duty rates, 924 economic and political justification, 911 financial resources, 920 information, role of, 916–919 internal resources, 919 methodology, 914–916 petitioners reputation, 922 petitioning firms, 919 pre-petition phase, 913 respondents' relational resources, 923 review stages, 913, 914 trade attorneys and economists, 920 trade defence measures, 911 US – Upland Cotton case, 350, 351, 361, 366, 369, 1035 US-Wheat Gluten case, 735, 737–738
SCM Agreement, 807	03-WHEH Case, 733, 737 730
tariff barrier, 673, 674	V
US-Anti-Dumping Measures on Oil Country	Value-added tax (VAT) rebate policy,
Tubular Goods, 735	1159
•	
US Chamber of Commerce, 111	Value-content (VC) rule, 289
US Chamber of Commerce, 111 US – Copyright case, 29	Value-content (VC) rule, 289 Vienna Convention on the Law of
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748 US-led sectoral initiatives	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33 Article 30(4), 33
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748 US-led sectoral initiatives chemical sector, 859–860	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33 Article 30(4), 33 Article 31, 159, 170, 172, 825, 1097,
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748 US-led sectoral initiatives chemical sector, 859–860 electronics and electrical products	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33 Article 30(4), 33 Article 31, 159, 170, 172, 825, 1097, 1101
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748 US-led sectoral initiatives chemical sector, 859–860 electronics and electrical products sector, 862–863	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33 Article 30(4), 33 Article 31, 159, 170, 172, 825, 1097, 1101 Article 31(1), 136, 170, 1100
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748 US-led sectoral initiatives chemical sector, 859–860 electronics and electrical products sector, 862–863 industrial machinery sector, 860–862	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33 Article 30(4), 33 Article 31, 159, 170, 172, 825, 1097, 1101 Article 31(1), 136, 170, 1100 Article 31(2), 170
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748 US-led sectoral initiatives chemical sector, 859–860 electronics and electrical products sector, 862–863 industrial machinery sector, 860–862 US market	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33 Article 30(4), 33 Article 31, 159, 170, 172, 825, 1097, 1101 Article 31(1), 136, 170, 1100 Article 31(2), 170 Article 31.3, 29
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748 US-led sectoral initiatives chemical sector, 859–860 electronics and electrical products sector, 862–863 industrial machinery sector, 860–862 US market duty free status, 280	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33 Article 30(4), 33 Article 31, 159, 170, 172, 825, 1097, 1101 Article 31(1), 136, 170, 1100 Article 31(2), 170 Article 31.3, 29 Article 31(3)(a), 137
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748 US-led sectoral initiatives chemical sector, 859–860 electronics and electrical products sector, 862–863 industrial machinery sector, 860–862 US market duty free status, 280 tariff lines, 278, 279	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33 Article 30(4), 33 Article 31, 159, 170, 172, 825, 1097, 1101 Article 31(1), 136, 170, 1100 Article 31(2), 170 Article 31.3, 29 Article 31(3)(a), 137 Article 31(3)(b), 827
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748 US-led sectoral initiatives chemical sector, 859–860 electronics and electrical products sector, 862–863 industrial machinery sector, 860–862 US market duty free status, 280 tariff lines, 278, 279 US – Offset Act (217/234) case, 183	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33 Article 30(4), 33 Article 31, 159, 170, 172, 825, 1097, 1101 Article 31(1), 136, 170, 1100 Article 31(2), 170 Article 31.3, 29 Article 31.3, 29 Article 31(3)(a), 137 Article 31(3)(b), 827 Article 32, 159, 170, 171, 172, 825
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748 US-led sectoral initiatives chemical sector, 859–860 electronics and electrical products sector, 862–863 industrial machinery sector, 860–862 US market duty free status, 280 tariff lines, 278, 279 US – Offset Act (217/234) case, 183 US-Steel case, 738–741, 753–754	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33 Article 30(4), 33 Article 31, 159, 170, 172, 825, 1097, 1101 Article 31(1), 136, 170, 1100 Article 31(2), 170 Article 31.3, 29 Article 31(3)(a), 137 Article 31(3)(b), 827 Article 32, 159, 170, 171, 172, 825 Visa coverage, Free Trade Agreements
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748 US-led sectoral initiatives chemical sector, 859–860 electronics and electrical products sector, 862–863 industrial machinery sector, 860–862 US market duty free status, 280 tariff lines, 278, 279 US – Offset Act (217/234) case, 183 US-Steel case, 738–741, 753–754 US tariff, 259, 279, 280	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33 Article 30(4), 33 Article 31, 159, 170, 172, 825, 1097, 1101 Article 31(1), 136, 170, 1100 Article 31(2), 170 Article 31(3), 137 Article 31(3)(a), 137 Article 32, 159, 170, 171, 172, 825 Visa coverage, Free Trade Agreements business visitors, 1214–1215
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748 US-led sectoral initiatives chemical sector, 859–860 electronics and electrical products sector, 862–863 industrial machinery sector, 860–862 US market duty free status, 280 tariff lines, 278, 279 US – Offset Act (217/234) case, 183 US-Steel case, 738–741, 753–754 US tariff, 259, 279, 280 US trade remedy	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33 Article 30(4), 33 Article 31, 159, 170, 172, 825, 1097, 1101 Article 31(1), 136, 170, 1100 Article 31(2), 170 Article 31(3), 137 Article 31(3)(a), 137 Article 32, 159, 170, 171, 172, 825 Visa coverage, Free Trade Agreements business visitors, 1214–1215 contractual service suppliers, 1214
US Chamber of Commerce, 111 US – Copyright case, 29 US-DRAMS CVDs case, 741, 752–753 US – Gambling, 141 US-Hot Rolled case, 748 US-led sectoral initiatives chemical sector, 859–860 electronics and electrical products sector, 862–863 industrial machinery sector, 860–862 US market duty free status, 280 tariff lines, 278, 279 US – Offset Act (217/234) case, 183 US-Steel case, 738–741, 753–754 US tariff, 259, 279, 280	Value-content (VC) rule, 289 Vienna Convention on the Law of Treaties (VCLT), 136 Article 30(2), 342 Article 30(3), 33 Article 30(4), 33 Article 31, 159, 170, 172, 825, 1097, 1101 Article 31(1), 136, 170, 1100 Article 31(2), 170 Article 31(3), 137 Article 31(3)(a), 137 Article 32, 159, 170, 171, 172, 825 Visa coverage, Free Trade Agreements business visitors, 1214–1215

short-term employees, 1215	Appellate Body, 392
sportsmen/artists, 1215	bargaining power, 192–193
	Clinton, Bill, 468
W	counterfactual analysis, 84-86
Welded Pipe case, 1044, 1045	democratic legitimacy, 470-473
Welded Tubes case	dispute settlement, 15–16, 387–389
aspects, of case, 1267-1268	dispute settlement procedure,
case background, 1265	530–531
reasons, 1266–1267	emerging economies, 113-114
Welfare reduction indices (WRIs), 1121	environmental exceptions, role of,
Wheat Gluten case, 1050	1069–1070
WIPO Conventions, 8	export subsidies, 613-614
WIPO Copyright Treaty (WCT), 17,	free allowances for domestic industries,
18, 28	1068-1069
WIPO Development Agenda, 11	Jan Woznowski, 725–727
WIPO Performances and Phonograms	July 2008 ministerial, 82–83
Treaty (WPPT), 8, 28	leverage argument, 1073-1075
Working Party Report	macroeconomic conditions, 109-110
paragraph 18, 139	mandate restrictions, 531-532
paragraph 93, 143, 144, 145	Marrakesh Agreement Establishing the
paragraph 309, 153-154	World Trade Organization, 473, 474
World Bank, 212	Ministerial Conferences, 476
World Health Organization (WHO)	modalities, 102–108
influence limitation, 533-534	national regulatory autonomy (see
pork safety consumptions, 526-527	National regulatory autonomy)
procedural requirements, 524	negotiated vs. litigated implementation,
recommendations, 526	193–194
World Integrated Trade Solution (WITS),	organization of meeting, 93-97
232	politics in Washington and Brussels,
World Intellectual Property Organization	111–113
(WIPO)	producer interests, 111
dispute settlement, 14-15	public symposia, 483, 485
GATT encounter, 2	range of findings, 190-192
intellectual property (IP), 68, 69	rate of implementation and legal
International Bureau, 17	remedies, 181-184
vs. WTO, 7–18	requirements, 232-234
World Trade Organisation (WTO).	SAFTA compliance, 1201-1203
See also Civil society organizations	Secretariat, 475
(CSOs); International trade	SPS Agreement (see Sanitary and
negotiation	Phytosanitary Measures (SPS)
accession process, 510-511	Agreement)
adjustments for imports, 1064–1068	tax discipline (see Tax Discipline)

trade and culture in international law, 71–78 unilateral failures, 1071–1073	WTO origin of services ARO, 1099 Article 31 VCLT, 1097
World Trade Organization (WTO) Integrated Database, 1116	Article XXVIII, 1086, 1099 aspects, 1100
WRIs. See Welfare reduction indices	burden of proof rule, 1106
WTO Agreement, 78	commercial and natural persons
Article IX:2, 137	presence, 1088–1090
Article 3.5 of AD Agreement, 729	cross-border supply, 1107
Article 4.2(b) of Safeguards Agreement, 731	cross-border supply and consumption abroad, 1087
Article 15.5 of SCM Agreement, 730	definition, 1105
Article VI of GATT 1994, 729	flexiblility, 1105
Article X, 134, 135	general rules of interpretation,
Article XII, 132, 137	1097-1101
Article XVI:4, 181	juridical person, scattered shareholder
Article XX GATT, 495	structure, 1092–1094
DSU, 498	mode of commercial presence, 1103
GATS, 493, 494	ownership/control requirement,
International health regulations,	1095–1096
522–523 SCM 329 320	potential alternative approach, 1104
SCM, 328–329	real origin of service, 1094–1095
WTO – China dispute settlement (2001–2009)	service insufficiency, 1094 special origin rules, 1090
complaints initiation, 1175–1176	substantive business operations, 1102
conciliatory stance, 1171–1175	trade restrictive effects, 1106
early preference for settlement,	W/140 and UNCTAD suggestion,
1169–1171	1103
socializing interaction in domain,	WTO diputes on trade, 1101
1176–1178	'WTO-PLUS' provisions
third party participation, 1168–1169	auto parts, 142–145
WTO coalitions, 554	cultural products, 148
WTO Institutional Practice	domestic governance, 130
CTFS, 503–509	export tariffs, 131
relevance, 509-513	financial information services, 152-155
WTO law	foreign direct investment, 130
Member States, 493	identifying the baseline, 159-162
recourse, 500–502	imperfect formulation, 138-140
vs. international standards, 498–500	intensions, 167–172
WTO members, anti-dumping	legal protocol, 132–138
negotiations, 946	market access, 131
WTO Ministerial Conferences, 476, 485	market economy, 129-130

publications and audiovisual products,	US-Wheat Gluten case, /3/–/38
145–151	WTO Agreement (see WTO
raw material exportation, 155-158	Agreement)
systemic commitments, 163-167	WTO - WIPO relationship
systemic issues, 140-142	agreement, 11
tariff rates, 142–145	Article 4(2), 9
trading rights, 146	common register, 11-12
WTO-PTA relationship. See also Dispute	competition, 24–26
settlement	complementarity, 18-23
competition, 390–393	conflict of law rules, 28-34
informal inspiration, 389-390	conventions, 7–8
WTO Secretariat, 475	cooperation, 23–24
WTO tax cases	development, 9-11
export subsidies, 771-772	dispute resolution, 14-15
national treatment, 766–767	dispute settlement, 15-16
WTO Trade Policy Review, 156	Doha Development Agenda (DDA),
WTO trade remedy disputes	6–7
Appellate body interpretation, 735–736	GATT negotiations, 2-5
Argentina-Footwear case, 737	interaction, 17-18
coincidence, time approach, 745-747	legal and technical assistance, 8-9
conditions of competition standard,	observer status, information exchange,
743–744	and informal contacts, 12-13
cumulative analysis, 750	training programmes, 13
dumping/subsidization effects, 732-735	TRIPS Agreement, 5-6
EC-DRAMS CVDs case, 742	unhealthy institutional rivalry,
EC-Pipe Fittings case, 743–744	26–27
imports, 736	
'non-attribution' findings, 750-758	X
'non-attribution' requirement, 747–749	Xinhua case, 152–155
Thailand-H Beams case, 749	
US-DRAMS CVDs case, 741	${f z}$
US-Steel case, 738–741	Zeroing, 940–941