Trade and the Environment

Fundamental Issues in International Law, WTO Law, and Legal Theory

ERICH VRANES

OXFORD UNIVERSITY PRESS
Summary Table of Contents

General Editor's Preface v
Preface vii
List of Abbreviations xxiii
Table of Cases and other Legal Materials xxvii

Introduction 1

Part I  Issues in General International Law and Legal Theory:
Conflicts of Norms and Related Problems

1. The Definition of 'Conflicts of Norms' 9
2. The Principles of Conflict Resolution 39
3. The Role of International Law Conflicting with WTO Law in WTO Proceedings 69

Part II  Further Issues in General International Law and
Legal Theory: Extraterritorial Jurisdiction,
Unilateralism, and Proportionality

1. Extraterritorial Jurisdiction 95
2. 'Unilateralism' in the Trade and Environment Context 172

Part III  Fundamental Issues in WTO Law

1. Non-Discrimination and Justification in the GATT 187
2. The Trade Disciplines Arising under the TBT Agreement 285
3. Processes and Production Methods: A Special Case under the GATT and the TBT Agreement? 319
### Summary Table of Contents

**Part IV  Case Study: Trade, Ozone, and Climate Protection**

1. Ozone Protection and WTO Law 353  
2. Climate Protection and WTO Law 373  

*Epilogue* 396  
*Main Theses* 402  
*Bibliography* 410  
*Index* 435