THE PROSPECTS OF INTERNATIONAL TRADE REGULATION

From fragmentation to coherence

Edited by
THOMAS COTTIER
and
PANAGIOTIS DELIMATSIS

CAMBRIDGE UNIVERSITY PRESS
CONTENTS

List of figures page viii
List of tables x
Contributors xi
Preface and acknowledgements xvii
Table of cases xx
List of abbreviations xxvi

Introduction: fragmentation and coherence in international trade regulation: analysis and conceptual foundations 1
THOMAS COTTIER, PANAGIOTIS DELIMATSIS, KATJA GEHNE AND TETYANA PAYOSOVA

PART I Constitutional issues in international trade regulation 67

1 The constitutionalisation of international trade law 69
KLAUS ARMINGEON, KAROLINA MILEWICZ, SIMONE PETER AND ANNE PETERS

2 Reflections on modes of decision-making in the World Trade Organization 103
YVES BONZON, MANFRED ELSIG, MARINA FOLTEA, THOMAS MESSERLI AND ANDREAS ZIEGLER

3 Regionalism: moving from fragmentation towards coherence 136
RICHARD BALDWIN AND THERESA CARPENTER
PART II Reforming specific areas of trade regulation

4 Reframing sustainable agriculture 169
PHILIPP AERNI, CHRISTIAN HABERLI AND BARIS KARAPINAR

5 Energy in WTO law and policy 211
THOMAS COTTIER, GARBA MALUMFASHI, SOFYA MATTEOTTI-BERKUTOVA, OLGA NARTOVA, JOELLE DE SEPIBUS AND SADEQ Z. BIGDELI

6 Developing trade rules for services: a case of fragmented coherence? 245
PANAGIOTIS DELIMATSIS, NICOLAS DIEBOLD, MARTIN MOLINUEVO, MARION PANIZZON AND PIERRE SAUVE

7 Challenges of biotechnology in international trade regulation 284
SUSETTE BIBER-KLEMM, MICHAEL BURKARD, THOMAS COTTIER, SUFIAN JUSOH AND MICHELANGELO TEMMERMAN

PART in 'Trade and...' linkages 321

8 A call for a WTO ministerial decision on trade and human rights 323
BARNALI CHOUDHURY, KATJA GEHNE, SIMONE HERI, FRANZISKA HUMBERT, CHRISTINE KAUFMANN AND KRISTA NADAKAVUKAREN SCHEFER

9 The protection and promotion of cultural diversity in a digital networked environment: mapping possible advances towards coherence 359
MIRA BURRI-NENOVA, CHRISTOPH BEAT GRABER AND THOMAS STEINER

10 Development and stability in the nexus between trade and finance 394
ERNST BALTENSPERGER AND NILS HERGER
11 The regulatory framework of international investment: the challenge of fragmentation in a changing world economy 417
BERTRAM BOIE, JULIEN CHAISSE AND PHILIPPE GUGLER

12 Low-income countries and commodity price volatility 452
HANNAH BARGAWI, ELVA BOVA, BENNO FERRARINI AND SUSAN NEWMAN

Index 483