

Trade Law, Domestic Regulation and Development

Joel P Trachtman

Tufts University, USA

 **World Scientific**

NEW JERSEY • LONDON • SINGAPORE • BEIJING • SHANGHAI • HONG KONG • TAIPEI • CHENNAI

Contents

<i>About the Author</i>	ix
<i>Introduction</i>	xi
Part I. Trade Law and Domestic Regulation	1
Chapter 1. Philippines — Taxes on Distilled Spirits: Like Products and Market Definition <i>with Damien Neven</i>	3
Chapter 2. Brazil — Measures Affecting Imports of Retreaded Tyres: A Balancing Act <i>with Chad P. Bown</i>	33
Chapter 3. Continued Suspense: EC-Hormones and WTO Disciplines on Discrimination and Domestic Regulation <i>with Bernard Hoekman</i>	85
Chapter 4. Embedding Mutual Recognition at the WTO	123
Chapter 5. Incomplete Harmonization Contracts in International Economic Law: Report of the Panel, China — Measures Affecting the	

Protection and Enforcement of Intellectual Property Rights, WT/DS362/R, adopted 20 March 2009	143
<i>with Kamal Saggi</i>	
Chapter 6. Canada–Wheat: Discrimination, Non-Commercial Considerations, and the Right to Regulate Through State Trading Enterprises	167
<i>with Bernard Hoekman</i>	
Chapter 7. Regulatory Jurisdiction and the WTO	189
Chapter 8. The World Trading System, the International Legal System and Multilevel Choice	211
Part II. Trade Law and Development	229
Chapter 9. Incorporating Development among Diverse Members	231
Chapter 10. Doing Justice: The Economics and Politics of International Distributive Justice	257
Chapter 11. The WTO and Development Policy in China and India	273
Chapter 12. Legal Aspects of a Poverty Agenda at the WTO: Trade Law and ‘Global Apartheid’	307
Part III. Systematic Concerns Regarding WTO Law	327
Chapter 13. The WTO Cathedral	329
Chapter 14. Jurisdiction in WTO Dispute Settlement	381

Chapter 15. Negotiations on Domestic Regulation and Trade in Services (GATS Article VI): A Legal Analysis of Selected Current Issues	395
Chapter 16. Toward Open Recognition? Standardization and Regional Integration under Article XXIV of GATT	415