

Cambridge University Press

978-0-521-82311-1 - Dispute Settlement in the World Trade Organization: Practice and Procedure: Second Edition

David Palmeter and Petros C. Mavroidis

Index

[More information](#)

INDEX

- abus de droit*, 68, 79
- acquis*
 GATT (1947), 14, 53
 World Trade Organization (WTO), 63
- African, Caribbean, and Pacific (ACP)
 countries, 71–72
- agreements
 agriculture *see* Agriculture Agreement
 amendment, 64
 antidumping *see* Antidumping Agreement
 ATC *see* Textiles and Clothing Agreement
 between parties, 75–78
 conflicts, 22
 covered *see* covered agreements
 Customs Valuation Agreement, 185
 GATS *see* General Agreement on Trade in Services
 GATT *see* General Agreement on Tariffs and Trade
 GPA *see* Government Procurement Agreement
 international *see* international agreements
 negotiation, 265–266, 279, 303
 plurilateral agreements, 14, 203, 206
 Preshipment Inspection (PSI), 14
 reasonable period of time, 239
 referred to in WTO agreements, 69–73
 safeguards *see* Safeguards Agreement
 SCM *see* Subsidies and Countervailing Measures (SCM) Agreement
 simultaneous application, 22–23
 SPS Agreement, 61, 149–150, 175
 TBT *see* Technical Barriers to Trade (TBT) Agreement
 Trade in Civil Aircraft Agreement (TCA), 14, 206
 Trade-Related Investment Measures (TRIMS), 12, 83
 TRIPS *see* Trade-Related Aspects of Intellectual Property Rights
 WTO *see* Marrakesh Agreement; WTO Agreement
 WTO a party, 78–79
- agriculture
 Chile, 245
 European Community (EC), 76
 SCM Agreement, 148
 Uruguay Round, 11, 13, 148
- Agriculture Agreement
 burden of proof, 149, 217
 Canada, 81, 217
 export subsidies, 148, 149, 217
- aim-and-effect test, 58
- amicus curiae*
 Appellate Body, 37–224
 Dispute Settlement Understanding (DSU), 37, 38, 113
 environmental organizations, 36, 113
locus standi, 35
 panel submissions, 35–38, 113–114
 WTO General Council, 39
- antidumping
 administrative review, 178
 Argentina, 44, 78
 Brazil, 44, 78
 estoppel, 44, 78
 experts, 123
 Guatemala, 34, 123, 163
 India, 42, 123, 252–253
 Kennedy Round, 5
 Mexico, 34, 123, 163
 national decisions, 128, 179–180
 national legislation, 20
 recommendations, 296–297
 reimbursement of duties, 263, 296
 United States, 47, 123, 263
- Antidumping Agreement (1994)
 captive production provisions, 47
 confidential information, 183–184
 countervailing duties, overlap, 184
 developing countries, 172, 184
 evidence and information, 135
 generally, 177–178
 interpretation, 44
 investigations, 163
 matter before panel, 24, 179

Cambridge University Press

978-0-521-82311-1 - Dispute Settlement in the World Trade Organization: Practice and Procedure: Second Edition

David Palmeter and Petros C. Mavroidis

Index

[More information](#)

- national legislation, 20
- nullification or impairment, 178
- panel establishment, 178–179
- petitions, 163
- positive evidence, 180
- review of factual determinations, 180–181
- review of legal determinations, 182–183
- special rules and procedures, 177–184
- standard of review, 179–180
- appeals
 - fact/law distinction, 211
 - generally, 210
 - guidance, 153–154
 - prevailing parties, 217–218
 - process, 210–233
 - right of appeal, 212
 - third parties, 110, 212, 219–220
- Appellate Body
 - amicus* submissions, 37–224
 - anonymity, 213, 214
 - authority, 61
 - collegiality, 62, 213–214
 - Communications, 38–39
 - confidential information, 38–136
 - consultations, 39
 - de novo* findings, 229, 230
 - decision-making, 213–214
 - Dispute Settlement Understanding (DSU), 45–46
 - Divisions, 62
 - evidence and information, 135
 - factual issues undecided by panel, 232–233
 - functions, 210–211
 - general-rule exception analysis, 150–152
 - jurisdiction, 17, 45–48, 210, 230
 - last resort, 64
 - legal issues undecided by panel, 228–232
 - legal perspective, 68, 85
 - memberships, 213
 - Notice of Appeal, 41
 - passive observers, 220–221
 - private counsel/advisors, 165–166, 223
 - prohibited/actionable subsidies, 212–213
 - recommendations, 60, 195
 - remand authority lacking, 227–233
 - reports, 42, 60–64, 234–235
 - Secretariat, 214, 215, 216, 220
- Appellate Body Working Procedures
 - amicus* submissions, 37, 38, 223–224
 - appellant's submission, 217–218
 - appellee's submission, 218
 - conditional appeals, 218
 - cross appeals, 218, 219
 - Divisions, 213
 - documents, 214–215
 - failure to appear, 221
 - generally, 212
 - multiple appeals, 219
 - notice of appeal, 215–216, 222
 - oral hearings, 221
 - record on appeal, 220
 - terminology, 212
 - third participants, 110, 212, 219–220
 - time limits, 212–213, 216–217, 218, 219, 224–226, 227
 - withdrawal of appeal, 222
 - working schedule, 216–217
 - written responses to questions, 221
- arbitration
 - awards/decisions, 207, 240–242, 271, 274
 - bilateral agreements, 76
 - burden of proof, 117, 152–155, 272–274
 - confidential information, 139
 - developing countries, 246–247
 - Dispute Settlement Understanding (DSU), 45, 152–155, 278
 - due process, 104
 - evidence and information, 117, 272, 274–275
 - GATS, 208–209
 - generally, 206–207
 - implementation of decision, 240–242
 - jurisdiction, 45, 237–239, 269–270
 - modification of schedules, 201–202, 208–209
 - non-actionable subsidies, 208
 - prohibited/actionable subsidies, 291–293
 - reasonable period of time, 236–239
 - requests, 249–253
 - special rules and procedures, 206–209
 - suspension of concessions, 103, 104, 152–155, 266–268, 269–270, 280, 301
 - terms of reference, 104
 - third parties, 111, 206, 277–278
 - time limits, 240–242, 271
 - TRIPS Agreement, 270, 299
- Argentina
 - anti-dumping, 44, 78
 - provisional safeguards, 27
 - specific duties, 27
- Australia, government information, 142
- Balance of Payments Committee, 23, 124
- Berne Convention (1971), 31, 69, 70, 73–75
- Brazil
 - amicus* submissions, 39
 - antidumping, 44, 78
 - bilateral agreements, 76–77
 - export subsidies, 193–194
- Bretton Woods Conference (1944), 1
- burden of proof
 - Agriculture Agreement, 149, 217
 - arbitration, 117, 152–155, 272–274
 - benefit of the doubt, 144

Cambridge University Press

978-0-521-82311-1 - Dispute Settlement in the World Trade Organization: Practice and Procedure: Second Edition

David Palmeter and Petros C. Mavroidis

Index

[More information](#)

318

INDEX

- burden of proof (*cont.*)
 - defenses, 157
 - exceptions, 148
 - general-rule exception analysis, 150–152
 - generally, 143–144
 - panels, 143–152
 - prima facie* case, 144–147, 163
 - reasonable period of time, 242
 - report implementation disputes, 256
 - specific agreements, 148–150
 - suspension of concessions, 272–274
 - violation complaints, 163
- Canada
 - adverse inference, 119, 146
 - Agriculture Agreement, 81, 217
 - bilateral agreements, 76
 - confidential information, 142
 - export subsidies, 193–194, 244
 - fisheries, 27–28
 - municipal law, 132, 245
 - provincial government, 30
- carousel suspension, 268, 269
- Chile
 - agriculture, 245
 - measures changed, 25
 - provisional safeguards, 27
- China, non-application, 23
- claims
 - abandoned claims, 43
 - arguments distinguished, 157–158
 - legal basis of complaint, 99
 - panel submissions, 157
 - review of jurisdictional claims, 40–45
- Codex Alimentarius Commission, 70
- committees
 - Balance of Payments, 23, 124
 - Customs Valuation, 185
 - Government Procurement, 203, 204
 - Safeguards, 100
 - Subsidies and Countervailing Measures, 208
 - Trade in Civil Aircraft, 206
 - World Trade Organization (WTO), 14, 87
- compensation
 - disadvantages, 265–266
 - most-favored-nation (MFN), 265
 - negotiations, 265–266, 279
 - past damages, 263
 - public international law, 262
 - regional/local measures, 31
 - report implementation, 247
- competition
 - compensation, 266
 - opportunities, 33
- complaints
 - CONTRACTING PARTIES, 8
 - counter-complaints, 112–113
 - GATT (1994), 162–163
 - generally, 162–163
 - justification, 164
 - legal basis, 51, 99–101, 164
 - multiple complainants, 109, 111–112, 293–295
 - non-violation complaints, 163–164
 - other situation disputes, 164–165, 261, 300
 - outcomes, 304
 - panel process, 162–165
 - violation complaints, 163
- compromise, offers, 91
- conciliation, GATT (1947) dispute settlement, 67, 85
- confidential information
 - Antidumping Agreement (1994), 183–184
 - Appellate Body, 38–136
 - arbitration, 139
 - business confidential information (BCI), 138–140
 - cabinet privilege, 142
 - Canada, 142
 - consultations, 90, 91–93, 136
 - designation, 139
 - European Community (EC), 140
 - experts, 176
 - generally, 135–136
 - government information, 142–143
 - mediation, 86
 - national security, 142
 - non-confidential summaries, 136, 176, 183, 185, 195, 199–200
 - private counsel/advisors, 136–138
 - Safeguards Agreement, 120, 141, 142
 - special rules and procedures, 138–142
 - systemic issues, 120, 142
 - Textiles and Clothing Agreement (ATC), 199–200
 - third parties, 92
 - trade remedy cases, 138
 - TRIPS Agreement, 142
 - waiver, 141
- conflict of interest, verification, 123
- consensus
 - Dispute Settlement Body (DSB), 15, 105
 - experts, 121
 - GATT (1947) dispute settlement, 10, 15, 165
 - panel establishment, 105
 - reports, 61, 85, 165, 234, 261, 300
- consultations
 - absence, 43
 - adequacy, 90–91
 - Appellate Body, 39

Cambridge University Press

978-0-521-82311-1 - Dispute Settlement in the World Trade Organization: Practice and Procedure: Second Edition

David Palmeter and Petros C. Mavroidis

Index

[More information](#)

INDEX

319

- change in legal justification, 26
- confidential information, 90, 91–93, 136
- developing countries, 172–174
- disclosure, 91, 118
- Dispute Settlement Understanding (DSU), 172–174
- due process, 91
- form and content of request, 87–89
- formal requests, 10, 18, 86
- fully forthcoming, 91
- GATT (1947) provisions, 7–8
- Government Procurement Agreement (GPA), 204
- informal process, 86
- measures at issue, 30, 87
- procedure, 86–94
- purpose, 86–87
- reasons for request, 87
- regional/local measures, 30
- report implementation disputes, 255–256
- requests, 187–188
- SCM Agreement, 186, 187–188, 190
- Textiles and Clothing Agreement (ATC), 198
- third parties, 94
- time limits, 10, 86, 93–94, 95, 280
- waiver, 89
- whether occurring, 89–90
- contemporaneity, 83
- CONTRACTING PARTIES
 - complaints, 8
 - customary international law, 66
 - decisions, 53
 - GATT (1947) *acquis*, 14, 53
 - GATT (1947) dispute settlement, 8, 9
 - non-member territories, 29
 - recommendations, 9
 - Understanding (1979), 9
- copyright
 - Berne Convention (1971), 31, 69, 70
 - minor exceptions doctrine, 70
 - TRIPS *see* Trade-Related Aspects of Intellectual Property Rights
- Council for Trade in Goods, 87, 199
- Council for Trade in Services, 87, 201
- counterfeit goods, 11, 12
- countervailing duties *see* subsidies and countervailing measures
- covered agreements
 - Dispute Settlement Understanding (DSU), 49, 50, 51, 163
 - jurisdiction, 21–22
 - obligations, 162, 266
 - sources of law, 49, 50, 51
 - special rules and procedures, 171, 172
- Cuba, 7, 34, 304
- customary international law
 - Dispute Settlement Understanding (DSU), 65–66
 - environment, 65, 74
 - international tribunals, 79
 - interpretation, 32–33, 71, 74, 80, 180, 182–183
 - precautionary principle, 65
 - Vienna Convention, 65, 71, 79, 80, 151, 182
- customs valuation, United States, 5
- Customs Valuation Agreement, 185
- Dam, Kenneth, 301
- decision-making
 - Appellate Body, 213–214
 - political, inefficiency, 64
- defenses
 - Article XX, 103
 - burden of proof, 157
 - prejudice, 99, 100
- developing countries
 - amicus* submissions, 39, 223
 - Antidumping Agreement (1994), 172, 184
 - arbitration, 246–247
 - consultations, 172–174
 - Dispute Settlement Understanding (DSU), 174
 - GATT (1947), 171
 - good offices, 86, 173
 - Informal Group, 39, 223
 - more-favorable treatment, 20
 - other situation disputes, 300
 - panel composition, 106, 174
 - panel establishment, 173
 - panel procedures, 173, 174
 - private counsel/advisors, 165
 - report implementation, 246–247
 - SCM Agreement, 172, 195
 - Secretariat, 174
 - special rules and procedures, 171, 172
 - third parties, 110
 - Understanding (1966), 172–174
- dictionaries, 82
- Dillon Round, 5
- diplomacy, 7, 67, 85, 136, 303, 304
- Director-General
 - arbitrators, 236
 - mediation, 86, 173
 - nominating panelists, 107
 - record on appeal, 220
- disclosure
 - authorization, 183
 - consultations, 91, 118
 - non-confidential summaries, 136, 176, 183, 199–200
 - Working Procedures, 138

Cambridge University Press

978-0-521-82311-1 - Dispute Settlement in the World Trade Organization: Practice and Procedure: Second Edition

David Palmeter and Petros C. Mavroidis

Index

[More information](#)

320

INDEX

- discretion
 - panel submissions, 36
 - report implementation, 237, 251
 - standard of review, 153, 155
 - time limits, 125
- Dispute Settlement Body (DSB)
 - Chairman, 22
 - functions, 15
 - Government Procurement Agreement (GPA), 204
 - jurisdiction, 17
 - matter referred, 24
 - negative consensus, 15, 105
 - non-compliance, 265
 - panel establishment, 105
 - recommendations/rulings, 28–29, 60
 - report adoption, 224
 - report implementation, 247
 - SCM Agreement, 191, 192, 290
 - suspension of concessions, 15, 266, 267, 271
- Dispute Settlement Understanding (DSU)
 - amicus* submissions, 37, 38, 113
 - Appellate Body, 45–46
 - arbitration, 45, 152–155, 278
 - competence, 23–24
 - confidentiality *see* confidential information
 - consultation *see* consultations
 - covered agreements, 49, 50, 51, 163
 - customary international law, 65–66, 80
 - developing countries, 174
 - evidence and information, 116
 - experts, 121, 122
 - GATS, 200
 - good faith, 188
 - Government Procurement Agreement (GPA), 203, 204
 - interim reviews, 167–168
 - jurisdiction *see* jurisdiction
 - legal perspective, 85–86
 - Marrakesh Agreement (1994), 14
 - Montreal Rules (1989), 10
 - multiple complainants, 111–112
 - other situation complaints, 165, 261
 - predictability, 56
 - regional/local measures, 30
 - res judicata*, 41, 42
 - Rules of Conduct, 142
 - scope, 16
 - special rules and procedures, 171
 - standard of review, 152
 - standard terms of reference, 19, 102–103
 - suspension of concessions, 69, 266, 267, 278
 - time limits, 161–162, 224–225, 226
 - unsolicited information, 36, 38, 113
 - Uruguay Round, 16, 161
 - written submissions, 116
- due process
 - amended pleadings, 99
 - arbitration, 104
 - consultations, 91
 - evidence and information, 125, 126
 - legal basis of complaint, 100
 - panels, 18, 36, 51, 94, 112, 125, 152, 162
 - suspension of concessions, 268
- effectiveness, 84
- Egypt, 39
- El Salvador, 23
- environment
 - customary international law, 65, 74
 - Decision on Trade and the Environment, 74
 - environmental organizations, 36
 - exhaustible natural resources, 73, 83
 - international agreements, 73, 75, 76
- estoppel, 43–45, 78
- European Community (EC)
 - amicus* submissions, 37–38, 223
 - banana regime, 33, 82
 - bilateral agreements, 76–77
 - bonding requirements, 89
 - Common Agricultural Policy, 76
 - compliance review, 253–254
 - confidential information, 140
 - copyright, 207
 - Court of First Instance, 44
 - estoppel, 44
 - jurisdictional challenge, 40
 - Lomé Convention, 71–72
 - municipal law, 44
 - national treatment, 34
 - Oilseeds Agreement, 76–77
 - res judicata*, 42
 - risk assessments, 128
 - suspension of concessions, 267–268, 269
 - WTO applicability, 29
- European Court of Human Rights, 79
- evidence and information
 - admissions and statements, 123–125
 - adverse inference, 118–120, 146, 192
 - Antidumping Agreement (1994), 135
 - Appellate Body, 135
 - arbitration, 117, 272, 274–275
 - confidentiality *see* confidential information
 - developed countries, 173
 - disclosure, 91–93
 - due process, 125, 126
 - duty to provide, 117, 118
 - ex parte* communications, 108, 140
 - generally, 116
 - invoices, 134, 141
 - municipal law, 47, 116, 129–133
 - newspaper reports, 133, 134

Cambridge University Press

978-0-521-82311-1 - Dispute Settlement in the World Trade Organization: Practice and Procedure: Second Edition

David Palmeter and Petros C. Mavroidis

Index

[More information](#)

INDEX

321

- objective assessment, 120, 145
- panel powers, 36, 108, 113, 116–117, 120, 122, 144
- prima facie* case, 118, 134, 144–147
- SCM Agreement, 44, 191–193
- sufficiency and forms, 133–135
- third parties, 108
- time limits, 125–128
- unsolicited, 36, 38, 113
- unused, national decisions, 128–129
- written questions, 91
- written submissions, 156, 157
- expertise
 - panel composition, 105, 202
 - Secretariat, 68, 115
- experts
 - appointment, 121
 - confidential information, 176
 - consensus, 121
 - Dispute Settlement Understanding (DSU), 121, 122
 - expert review groups, 108, 121, 122, 136
 - individual capacity, 121, 122, 177
 - panels, 108, 110, 121–123
 - prima facie* case, 147
 - qualifications, 123, 176
 - SCM Agreement, 185, 188–189
 - SPS Agreement, 175
 - TBT Agreement, 122, 175, 176–177
 - Technical Committee on Customs Valuation, 185
 - translation, 123
 - written responses, 122
- failure to protest, 44
- Fitzmaurice, Gerald, 58
- GATT (1947) dispute settlement
 - Agreed Description, 8–9
 - conciliation, 67, 85
 - consensus, 10, 15, 165
 - consultation *see* consultations
 - CONTRACTING PARTIES, 8, 9
 - diplomacy, 7, 67, 85, 136, 303, 304
 - evolution, 6, 11
 - fait accompli*, 264
 - nullification or impairment, 7, 8
 - panels, 7, 9
 - past damages, 263
 - procedure, 7
 - remedies, 262–264
 - rules (1989) *see* Montreal Rules
 - sources of law, 50, 51, 52
 - Understanding (1979), 8, 9, 206, 300, 305
- GATT Council, 10
- General Agreement on Tariffs and Trade (GATT) (1947)
 - acquis*, 14, 53
 - contractual format, 9
 - definitive interpretation, 53
 - developing countries, 171
 - formation, 2
 - GATT *à la carte*, 11
 - Governmental Assistance to Economic Development, 171
 - grandfather rights, 4
 - jurisdiction, 17
 - MFN *see* most-favored-nation
 - negotiations, 2–3
 - non-application, 23
 - non-member territories, 29
 - non-tariff barriers (NTBs), 5
 - Protocol of Provisional Application (PPA), 3–4
 - rounds, 4–6
 - stare decisis*, 52, 53
 - substantive provisions, 3–4
 - Trade and Development, 172
 - trade liberalization, 4
- General Agreement on Tariffs and Trade (GATT) (1994)
 - balance of payments, 23
 - burden of proof, 150
 - competitive opportunities, 33
 - complaints, 162–163
 - like products, 20
 - national treatment, 103
 - nullification or impairment, 33
 - obligations, 19
 - panel establishment, 21
 - regional/local measures, 30–31
 - specific duties, 27
- General Agreement on Trade in Services (GATS)
 - air transport services, 202
 - arbitration, 208–209
 - Dispute Settlement Understanding (DSU), 200
 - double taxation treaties, 201
 - generally, 200
 - modification of schedules, 201–202, 208–209
 - negotiations, 12
 - nullification or impairment, 201
 - panel composition, 105, 202
 - regional/local measures, 31
 - special rules and procedures, 200–202
 - suspension of concessions, 276
- good faith, 68, 188, 245
- good offices, 86, 173

Cambridge University Press

978-0-521-82311-1 - Dispute Settlement in the World Trade Organization: Practice and Procedure: Second Edition

David Palmeter and Petros C. Mavroidis

Index

[More information](#)

322

INDEX

- government procurement
 - Korea, 32, 81
 - Norway, 264
- Government Procurement Agreement (GPA)
 - consultations, 204
 - cross-retaliation, 205
 - Dispute Settlement Body (DSB), 204
 - Dispute Settlement Understanding (DSU), 203, 204
 - generally, 203
 - Marrakesh Agreement (1994), 14
 - nullification or impairment, 32, 33, 204
 - report adoption, 205
 - report implementation disputes, 248
 - special rules and procedures, 203–205
 - terms of reference, 204
 - time limits, 205, 248
 - travaux préparatoires*, 81
- Governmental Assistance to Economic Development, 171
- grandfather rights, 4
- Guatemala, 34, 123, 163

- Havana Charter, 2, 4
- Hong Kong
 - amicus* submissions, 39
 - change in legal justification, 26
 - non-member territory, 29
- Hudec, Robert E., 7, 9
- Hungary, 96

- Import Licensing Procedures Agreement, 82
- India
 - abandoned claims, 43
 - amicus* submissions, 39
 - antidumping, 42, 123, 252–253
 - estoppel, 43, 44
 - import restrictions, 123
 - measures changed, 25
 - municipal law, 130
 - patents, 47, 298–299
- Indonesia, 118
- Inter-American Court of Human Rights, 79
- international agreements
 - environment, 73, 75, 76
 - incorporated into WTO, 71–73
 - intellectual property, 69, 72
 - sources of law, 69–79
 - see also* treaties
- International Bank for Reconstruction and Development (IBRD), 1, 78–79
- International Court of Justice (ICJ)
 - compensation, 262
 - ITO Charter, 7
 - jurisdiction, 17, 46, 227
 - non-members of UN, 29
 - proportionality, 69
 - sources of law, 49, 51, 56, 79
- International Law Commission, state responsibility, 35, 79, 262
- International Monetary Fund (IMF), 1, 78–79
- International Trade Organization (ITO), 2, 7
- interpretation
 - Antidumping Agreement (1994), 44
 - Art. XXIV interpretation, 24, 31
 - contemporaneity, 83
 - customary international law, 32–33, 71, 74, 80, 180
 - definitive interpretation, 53, 54
 - dictionaries, 82
 - lex specialis*, 82–83
 - municipal law, 46, 47, 129
 - principle of effectiveness, 84
 - public international law, 50, 80
 - redundancy/inutility, 80, 84
 - supplementary means, 81
 - textual interpretation, 50
 - travaux préparatoires*, 81, 83
 - Vienna Convention, 63, 80, 182
 - WTO law, 80–84
- Jackson, John H., 182
- Japan
 - national legislation, 20
 - non-application, 23
 - urgency, 95
- jurisdiction
 - Appellate Body, 17, 45–48, 210, 230
 - arbitration, 45, 237–239, 269–270
 - challenge by parties, 40
 - estoppel, 43–45
 - ex officio* review, 40–41
 - generally, 17
 - International Court of Justice (ICJ), 17, 46, 227
 - locus standi*, 33
 - measures at issue *see* measures *ratione materiae*, 17, 21–29
 - ratione personae*, 17, 29–33
 - res judicata*, 41–42
 - review of jurisdictional claims, 40–45
 - terms of reference, 18–21, 24, 25, 40, 94–95
- justification
 - change in legal justification, 26
 - complaints, 164
- Kennedy Round, 5
- Korea
 - government procurement, 32, 81
 - municipal law, 132

Cambridge University Press

978-0-521-82311-1 - Dispute Settlement in the World Trade Organization: Practice and Procedure: Second Edition

David Palmeter and Petros C. Mavroidis

Index

[More information](#)

- Lafer, Celso, 303
- Language Services and Documentation Division, 167
- lawyers *see* private counsel/advisors
- Legal Affairs Division, 106, 114, 115
- legal perspective, 68, 85–86, 143, 303, 305
- lex specialis*, 82–83
- local government
- measures, 30–31
- TBT Agreement, 177
- locus standi*
- amicus curiae*, 35
- economic interest, 33
- jurisdiction, 33
- legal interest, 33–34
- local remedies exhausted, 34–35
- report implementation disputes, 253–254
- Lomé Convention, 71–72
- MacCormick, Neil, 61
- Marrakesh Agreement (1994)
- Dispute Settlement Understanding (DSU), 14
- “particular” international convention, 49
- plurilateral agreements, 14
- Trade Policy Review Mechanism, 14
- WTO established, 11, 13
- see also* WTO Agreement
- measures
- amended after panel request, 98–99
- amended during proceedings, 24–26
- change in legal justification, 26
- compliance, 249–253, 255
- consultations, 30, 87
- existence/consistency, 255
- matter before panel, 24, 97, 179
- meaning, 97
- no longer in effect, 26–28
- notification, 44
- panel establishment, 87–89, 97
- panel submissions, 97–98, 157
- reasonable measures available, 31
- regional/local, 30–31
- review of conformity, 28–29, 103, 104
- specific measures, 97–98
- subsidiary/closely related, 97
- mediation
- confidential information, 86
- Director-General, 86, 173
- procedure, 86
- Mercosur, 44, 78
- Mexico
- antidumping, 34, 123, 163
- consultations, 89
- estoppel, 43
- Mohamed Shahabuddeen, 51, 62
- Moldova, 23
- Montreal Rules (1989)
- adoption, 10
- GATT Council, 10
- other situation disputes, 165, 261, 300
- panel establishment, 10
- time limits, 10
- most-favored-nation (MFN)
- compensation, 265
- consular taxes, 7, 304
- GATT (1947) provisions, 3, 4, 66
- Multifibre Agreement (MFA), 75, 195
- multiple appeals, 219
- multiple complainants, 109, 111–112, 293–295
- municipal law
- appellate jurisdiction, 46–48
- Canada, 132, 245
- European Community (EC), 44
- evidence, 47, 116, 129–133
- factual questions, 46, 129, 130, 131
- India, 130
- interpretation, 46, 47, 129
- judiciary, 131
- Korea, 132
- panel conclusions, 47
- United States, 131–133, 297–298
- national treatment
- GATT (1994), 103
- TRIPS, 34
- negotiations
- compensation, 265–266, 279
- settlements, 303
- Netherlands, The
- consular taxes, 7, 304
- non-member territories, 29
- New Zealand, risk analysis, 126
- non-discrimination, 3
- non-tariff barriers (NTBs)
- Kennedy Round, 5
- side-agreements/codes, 6
- Tokyo Round, 11
- United States, 5–6
- non ultra petita*, 19–20, 145, 155
- North American Free Trade Agreement (NAFTA), 73, 150
- Norway
- change in legal justification, 26
- government procurement, 264
- nullification or impairment
- Antidumping Agreement (1994), 178
- economic interest, 33
- GATS, 201
- GATT (1947) dispute settlement, 7, 8
- GATT (1994), 33

Cambridge University Press

978-0-521-82311-1 - Dispute Settlement in the World Trade Organization: Practice and Procedure: Second Edition

David Palmeter and Petros C. Mavroidis

Index

[More information](#)

324

INDEX

- nullification or impairment (*cont.*)
- Government Procurement Agreement (GPA), 32, 33, 204
 - non-violation complaints, 32, 33, 163–164, 201
 - other situation disputes, 164–165
 - prima facie* case, 163
 - SCM Agreement, 191
 - suspension of concessions, 69, 270, 276
- objective assessment
- evidence and information, 120, 145
 - standard of review, 152, 154, 155, 216
- obligations
- covered agreements, 162, 266
 - GATT (1994), 19
 - Suspension *see* suspension of concessions waiver, 71–72
- OECD Arrangement, 73
- Oppenheim, Lassa, 83
- Organization for Economic Cooperation and Development (OECD), 70, 73
- other situation disputes, 164–165, 261, 300
- panel composition
- developing countries, 106, 174
 - expertise, 105, 202
 - GATS, 105, 202
 - impartiality, 107
 - nominations, 106–108, 109
 - numbers, 105
- panel establishment
- Antidumping Agreement (1994), 178–179
 - blocking, 9, 105
 - consensus, 105
 - defense prejudiced, 99, 100
 - developing countries, 173
 - Dispute Settlement Body (DSB), 105
 - estoppel, 43
 - fair notice, 51
 - form and content, 96–97
 - GATT (1994), 21
 - generally, 94–95
 - legal basis of complaint, 51, 99–101, 164
 - measures at issue, 87–89, 97
 - Montreal Rules (1989), 10
 - prior consultation *see* consultations
 - products listed, 101–102
 - requests, 18, 51, 86, 87, 94–99, 101–102, 104, 164
 - SCM Agreement, 186, 190
 - time limits, 95–96
 - urgency, 95–96
- panel submissions
- amicus curiae*, 35–38, 113–114
 - belated submissions, 37
 - claims discussed, 157
 - discretion, 36
 - Dispute Settlement Understanding (DSU), 116
 - evidence and information, 156, 157
 - executive summaries, 159, 167
 - first written submissions, 99, 101, 109, 117, 118, 126, 156–158
 - generally, 156
 - measures at issue, 97–98, 157
 - multiple complainants, 111
 - rebuttal submissions, 114, 126, 146, 158–159, 160, 161
 - second written submissions, 158–159, 160
 - terms of reference compared, 21
 - third parties, 109
 - third written submissions, 161
 - time limits, 108, 114
 - unsolicited information, 36, 38, 113
- panels
- additional fact-finding, 91
 - all issues referred, 20–21
 - burden of proof, 143–152
 - delegations, 165–166
 - due process, 18, 36, 51, 94, 112, 125, 152, 162
 - evidence *see* evidence and information
 - experts, 108, 110, 121–123
 - factual issues undecided, 232–233
 - first meeting, 159–160
 - flow chart, 169
 - functions, 108–109
 - GATT (1947) dispute settlement, 7, 9
 - generally, 85–86
 - judicial economy, 218, 227–228, 229
 - jurisdiction, 17
 - legal issues undecided, 228–232
 - matter before panel, 24, 97, 179
 - measure at issue *see* measures *non ultra petita*, 19–20, 145, 155
 - prior case law, 51–64, 114
 - procedure *see* Working Procedures
 - process, 85–170
 - questions, 159–160, 161
 - report implementation disputes, 248
 - reports *see* reports
 - rules cases, 114
 - Rules of Conduct, 107
 - second meeting, 160, 161
 - standing *see locus standi*
 - terms of reference *see* terms of reference
 - Textiles and Clothing Agreement (ATC), 196, 200
 - third parties, 29, 109–111, 160
- Paris Convention (1967), 31, 34, 69
- patents
- India, 47, 298–299
 - TRIPS *see* Trade-Related Aspects of Intellectual Property Rights

Cambridge University Press

978-0-521-82311-1 - Dispute Settlement in the World Trade Organization: Practice and Procedure: Second Edition

David Palmeter and Petros C. Mavroidis

Index

[More information](#)

- Permanent Court of International Justice, 46, 129, 262
- Preshipment Inspection Agreement (PSI), 14
- prima facie* case
- burden of proof, 144–147, 163
 - evidence and information, 118, 134, 144–147
 - experts, 147
 - nullification or impairment, 163
- private counsel/advisors
- Appellate Body, 165–166, 223
 - confidential information, 136–138
 - delegations, 165–166, 223
 - developing countries, 165
 - exclusion, 137
 - representation, 165–166, 223
- private parties, 35, 274–275
- procedure
- appeals *see* Appellate Body Working Procedures
 - confidential information, 138–142
 - consultations, 86–94
 - mediation, 86
 - panels *see* Working Procedures
 - sequencing, 271, 278–289
 - special rules *see* special rules and procedures
- prohibited/actionable subsidies
- Appellate Body, 212–213
 - appropriate steps, 290, 291–293
 - arbitration, 291–293
 - countermeasures, 290, 291–293
 - multiple complainants, 293–295
 - remedies, 290–295
 - report implementation, 258–261
 - SCM Agreement, 186–187, 212–213, 258–261, 290–295
 - see also* subsidies and countervailing measures
- Protocol of Olivos, 44, 78
- public international law
- compensation, 262
 - custom *see* customary international law
 - interpretation, 50, 80
 - pacta sunt servanda*, 301
- public procurement *see* government procurement
- publicists, sources of law, 49, 66–68
- ratione materiae*
- conflicts among agreements, 22
 - covered agreements, 21–22
 - jurisdiction, 17, 21–29
 - measures at issue *see* measures non-application between Members, 23
 - simultaneous application of agreements, 22–23
- ratione personae*
- customary international law, 32–33
 - jurisdiction, 17, 29–33
 - non-members, 29
 - regional/local measures, 30–31
- reasonable period of time
- agreements, 239
 - arbitration, 236–239
 - burden of proof, 242
 - report implementation, 236–242, 265, 279
 - see also* time limits
- recommendations
- antidumping, 296–297
 - Appellate Body, 60, 195
 - Dispute Settlement Body (DSB), 28–29, 60
 - generally, 295
 - implementation, 295–300
 - legal effect, 299–300
 - measures changed, 25
 - remedies, 295–300
 - report on action taken, 9
 - review of compliance measures, 28–29
 - subsidies and countervailing measures, 297
 - Textiles and Clothing Agreement (ATC), 298
 - TRIPS Agreement, 298–299
 - see also* reports
- remedies
- compensation *see* compensation
 - compliance, 28–29
 - concessions suspended *see* suspension of concessions
 - GATT (1947) dispute settlement, 262–264
 - generally, 262
 - local remedies exhausted, 34–35
 - non-violation complaints, 164
 - procedure, 262
 - prohibited/actionable subsidies, 290–295
 - recommendations, 295–300
 - retaliation, 264
 - SCM Agreement, 195
 - sequencing problem *see* sequencing
 - trade remedy cases, 138
 - WTO regime, 265
- report adoption
- blocking, 9–10, 11, 25, 55, 85
 - consensus, 61, 85, 165, 234, 261, 300
 - consideration, 234–235
 - date of circulation, 235
 - Dispute Settlement Body (DSB), 224
 - GATT (1947) reports, 52–54
 - generally, 234
 - prohibited/actionable subsidies, 258–261
 - time limits, 234–235
 - unadopted GATT (1947) reports, 52, 54–55
 - Uruguay Round, 11

- report implementation
 - arbitration, 236–239
 - compensation, 247
 - complexity, 243
 - developing countries, 246–247
 - discretion, 237, 251
 - Dispute Settlement Body (DSB), 247
 - domestic opposition, 245
 - economic harm, 246
 - good faith, 245
 - intentions, notification, 235
 - legislation/administrative action, 244
 - procedure, 234–261
 - prohibited/actionable subsidies, 258–261
 - reasonable period of time, 236–242, 265, 279
 - SCM Agreement, 258–261
 - suggestions *see* recommendations
 - surveillance, 247
 - time allowed, 242–247
- report implementation disputes
 - burden of proof, 256
 - compliance review, 249–253, 279
 - consultations, 255–256
 - generally, 247–248
 - Government Procurement Agreement (GPA), 248
 - locus standi*, 253–254
 - panels, 248
 - third parties, 256–258
- reports
 - appeals *see* appeals
 - Appellate Body, 42, 60–64, 234–235
 - consistency, 57
 - decisions, 53
 - descriptive portions, 159, 166–167
 - Dispute Settlement Body (DSB), 224
 - final reports, 168–170, 186
 - generally, 166
 - Government Procurement Agreement (GPA), 205, 248
 - interim reports, 166, 167–168
 - legitimate expectations, 55, 57
 - multiple complainants, 111–112
 - other situation disputes, 165, 261, 300
 - persuasive effect, 55, 56
 - reviews, 166
 - Secretariat, 167
 - sources of law, 51–64
 - subsidiary sources, 53
 - time limits, 162, 173, 174, 224–225
 - translation, 167
 - WTO (1994), 55–60
 - see also* recommendations
 - res judicata*, 41–42
- retaliation
 - cross-retaliation, 205, 276–277
 - remedies, 264
 - see also* suspension of concessions
- reviews
 - conformity/compliance, 28–29, 103, 104, 113, 249–253, 271, 279
 - de novo*, 154
 - disagreements, 279
 - expert review groups, 108, 121, 122, 136
 - factual determinations, 180–181
 - interim review, 110, 166, 167–168
 - jurisdictional claims, 40–45
 - legal determinations, 182–183
 - sequencing problem *see* sequencing
 - standard *see* standard of review
 - sunset review procedures, 98
 - third parties, 111
- Rome Convention, 69
- Rules Division, 106, 114
- rules of change, 63
- safeguards
 - Argentina, 27
 - Chile, 27
 - provisional safeguards, 27
 - Textiles and Clothing Agreement (ATC), 68
 - United States, 34, 183
- Safeguards Agreement
 - confidential information, 120, 141, 142
 - local remedies, 35
 - sequencing, 288–289
 - unforeseen circumstances, 84
- Sanitary and Phytosanitary Measures (SPS) Agreement, 61, 149–150, 175
- Secretariat
 - developing countries, 174
 - expertise, 68, 115
 - nominating panelists, 106–107, 109
 - non-working days, 161
 - panel meetings, 160
 - reports, 167
 - role, 114–115
 - Trade Policy Review Mechanism, 14
- sequencing
 - ad hoc* solutions, 284–286
 - Bananas III* case, 280–284
 - generally, 278–280
 - procedure, 271, 278–289
 - proposals for change, 286–288
 - Safeguards Agreement, 288–289
- Services Sectoral Classification List, 275
- sources of law
 - covered agreements, 49, 50, 51
 - formalism/realism, 52
 - GATT (1947) dispute settlement, 50, 51, 52

Cambridge University Press

978-0-521-82311-1 - Dispute Settlement in the World Trade Organization: Practice and Procedure: Second Edition

David Palmeter and Petros C. Mavroidis

Index

[More information](#)

- general principles of law, 68–69
 - generally, 49–50
- International Court of Justice (ICJ), 49, 51, 56, 79
- international tribunals, 79
- multilateral agreements, 73
- other international agreements, 69–79
- publicists, 49, 66–68
- reports, 51–64
- subsidiary sources, 49, 51, 53
- textual interpretation, 50
- special rules and procedures
 - Antidumping Agreement (1994), 177–184
 - arbitration, 206–209
 - confidential information, 138–142
 - covered agreements, 171, 172
 - developing countries, 171, 172
 - GATS, 200–202
 - generally, 171
 - Government Procurement Agreement (GPA), 203–205
 - SCM Agreement, 185, 195
 - SPS Agreement, 175
 - TBT Agreement, 175–177
 - Textiles and Clothing Agreement (ATC), 195–200
 - Trade in Civil Aircraft Agreement (TCA), 206
 - TRIPS Agreement, 203
- standard of review
 - Antidumping Agreement (1994), 179–180
 - discretion, 153, 155
 - Dispute Settlement Understanding (DSU), 152
 - objective assessment, 152, 154, 155, 216
 - panels, 152
 - substantial evidence test, 155
 - Textiles and Clothing Agreement (ATC), 59
- stare decisis*, 52, 53, 56
- submissions *see* panel submissions
- subsidies and countervailing measures
 - estoppel, 44
 - export subsidies, 148, 149, 193–194, 217, 244
 - prohibited/actionable *see* prohibited/actionable subsidies
 - recommendations, 297
 - United States, 98, 297
 - Uruguay Round, 184
 - withdrawn without delay, 187, 290
- Subsidies and Countervailing Measures (SCM) Agreement
 - actionable subsidy procedures, 190
 - adverse effects, 190, 292
 - agriculture, 148
 - antidumping, overlap, 184
 - appeals, 212–213
 - appropriate countermeasures, 291
 - available evidence, 187, 190
 - consultations, 186, 187–188, 190
 - countervailing measures, 194
 - developing countries, 172, 195
 - Dispute Settlement Body (DSB), 191, 192, 290
 - evidence and information, 44, 191–193
 - export credits, 70
 - facilitators, 192–193
 - fast track, 186–187, 194, 212
 - foreign source income, 75
 - multiple subsidy procedures, 193–194
 - non-actionable subsidies, 194, 208
 - nullification or impairment, 191
 - OECD Arrangement, 73
 - panel establishment, 186, 190
 - Permanent Group of Experts (PGE), 185, 188–189
 - prohibited/actionable subsidies, 186–187, 212–213, 258–261, 290–295
 - remedies, 195
 - report implementation, 258–261
 - serious prejudice, 190, 191–193
 - special rules and procedures, 185, 195
 - specific subsidies, 144
 - statement of available evidence, 44
 - subsidy withdrawn, 258–261
 - third parties, 191
 - time limits, 186, 192, 193–194
- suspension of concessions
 - applicable principles, 275–277
 - arbitration, 103, 104, 152–155, 266–268, 269–270, 280, 301
 - authorization, 8, 247, 266–268, 279
 - burden of proof, 272–274
 - calculation methodologies, 139–140, 266, 272
 - carousel suspension, 268, 269
 - concessions suspended, 270, 275–277
 - cross-retaliation, 276–277
 - Dispute Settlement Body (DSB), 15, 103, 266, 267, 271
 - Dispute Settlement Understanding (DSU), 69, 266, 267, 278
 - due process, 268
 - European Community (EC), 267–268, 269
 - forms, 265
 - GATS, 276
 - information, private parties, 274–275
 - list of products, 267–268, 269
 - nullification or impairment, 69, 270, 276
 - procedure, 266–278
 - purpose, 268, 300–302
 - recision of contract, 264, 301

Cambridge University Press

978-0-521-82311-1 - Dispute Settlement in the World Trade Organization: Practice and Procedure: Second Edition

David Palmeter and Petros C. Mavroidis

Index

[More information](#)

328

INDEX

- suspension of concessions (*cont.*)
 - regional/local measures, 31
 - requirements, 266
 - sectors, 270, 275
 - sequencing problem *see* sequencing
 - third parties, 277–278
 - TRIPS Agreement, 270, 275, 277
 - United States, 267, 269
- Sutherland, Peter, 11, 12
- taxation
 - consular taxes, 7, 304
 - double taxation treaties, 74–75, 201
- Technical Barriers to Trade (TBT) Agreement
 - experts, 122, 175, 176–177
 - generally, 175
 - international standards, 70
 - legal issues undecided, 230–231
 - lex specialis*, 82
 - local government, 177
 - notification, 44
 - pre-existing measures, 61
 - special rules and procedures, 175–177
 - standards, 176
 - technical regulations, 176
- Technical Committee on Customs Valuation, 185
- terms of reference
 - all issues referred, 20–21
 - arbitration, 104
 - consultations, parallelism, 18
 - Government Procurement Agreement (GPA), 204
 - inadvertent omissions, 101
 - jurisdiction, 18–21, 24, 25, 40, 94–95
 - legal basis of complaint, 99, 164
 - non ultra petita*, 19–20
 - panel establishment, 94–95
 - panel submissions, parallelism, 21
 - rationale, 18
 - special, 103
 - specific measures, 98
 - standard terms of reference, 19, 102–103
- textiles, Multifibre Agreement (MFA), 75, 195
- Textiles and Clothing Agreement (ATC)
 - ATC procedures, 196–199
 - confidential information, 199–200
 - consultations, 198
 - delegations, 199
 - generally, 195–196
 - panels, 196, 200
 - recommendations, 298
 - safeguards, 68
 - special rules and procedures, 195–200
 - standard of review, 59
 - Textiles Monitoring Body (TMB), 196, 197, 198–200
 - time limits, 198
 - transitional safeguard mechanism, 197–198
 - Working Procedures, 199–200
- Thailand, 138, 140–141
- third parties
 - appeals, 110, 212, 219–220
 - arbitration, 111, 206, 277–278
 - confidential information, 92
 - consultations, 94
 - developing countries, 110
 - enhanced rights, 110–111
 - information provision, 108
 - panel meetings, 160
 - panel submissions, 109
 - panels, 29, 109–111
 - report implementation disputes, 256–258
 - reviews, 111
 - SCM Agreement, 191
 - substantial trade interest, 94
 - suspension of concessions, 277–278
- time limits
 - Appellate Body Working Procedures, 212–213, 216–217, 218, 219, 224–226, 227
 - arbitration, 240–242, 271
 - computation, 161–162
 - consideration of reports, 234–235
 - consultations, 10, 86, 93–94, 95, 280
 - discretion, 125
 - Dispute Settlement Understanding (DSU), 161–162, 224–225, 226
 - evidence and information, 125–128
 - good cause, 127
 - Government Procurement Agreement (GPA), 205, 248
 - Montreal Rules (1989), 10
 - non-working days, 161
 - notification, 163
 - panel establishment, 95–96
 - panel submissions, 108, 114
 - reasonable period *see* reasonable period of time
 - reports, 162, 173, 174, 224–225
 - SCM Agreement, 186, 192
 - shortest period possible, 241, 242, 265
 - tactical considerations, 226
 - Textiles and Clothing Agreement (ATC), 198
 - Working Procedures, 125, 156
- Tokyo Round, 6, 8, 11, 263
- Trade in Civil Aircraft Agreement (TCA), 14, 206
- trade liberalization, 4, 265
- Trade Policy Review Mechanism, 14

- Trade-Related Aspects of Intellectual Property Rights (TRIPS)
 agreement, 12
 arbitration, 270, 299
 categories, 275
 confidential information, 142
 national treatment, 34
 other international agreements, 69, 72
 recommendations, 298–299
 regional/local measures, 31
 special rules and procedures, 203
 suspension of concessions, 270, 275, 277
travaux préparatoires, 81
 United States, 125–128, 142
- Trade-Related Investment Measures (TRIMS), 12, 83
travaux préparatoires, 81, 83
- treaties
 double taxation treaties, 74–75, 201
 Intellectual Property in Respect of Integrated Circuits, 69
 non-retroactivity, 71
 Vienna Convention *see* Vienna Convention on the Law of Treaties
- TRIPS Council, 87, 207
- Turkey, 77–78
- Understandings
 Art. XXIV interpretation, 24, 31
 balance of payments, 23
 developing countries (1966), 172–174
 DSU *see* Dispute Settlement Understanding
 GATT (1947) dispute settlement (1979), 8, 9, 206, 300, 305
- United Kingdom, non-member territories, 29
- United States
 antidumping, 47, 263
 bonding requirements, 89
 Congress, 2, 5–6, 243
 copyright, 207
 countervailing duties, 98
 customs valuation, 5
 estoppel, 43
 exhaustible natural resources, 228–229
 fast-track procedure, 6
 import restrictions, 26, 27–28
 International Trade Commission, 119, 141, 184
 International Trade Organization (ITO), 2
 legislative amendment, 24
 municipal law, 131–133, 297–298
 national treatment, 34
 non-application, 23
 non-tariff barriers (NTBs), 5–6
 potential exporter, 33
 safeguards, 34, 183
 subsidies and countervailing measures, 98, 297
 sunset review procedures, 98
 suspension of concessions, 267
 Trade Act (1974), 6
 TRIPS Agreement, 125–128, 142
- Uruguay, *amicus* submissions, 39
- Uruguay Round
 agriculture, 11, 13, 148
 counterfeit goods, 11, 12
 countervailing duties, 184
 Dispute Settlement Body (DSB), 15
 Dispute Settlement Understanding (DSU), 16, 161
 early harvest, 10
 negotiations, 11–13
 Punta del Este Declaration, 12
 reduction commitments, 148
 report adoption, 11
 scope, 6, 11
 services sector, 275
- verification, conflict of interest, 123
- Vienna Convention on the Law of Treaties
 Appellate Body, 74
 customary international law, 65, 71, 79, 80, 151, 182, 183
 error in treaty formation, 32
 general rule-exception analysis, 151
 interpretation, 63, 80, 182
 subsequent agreement, 71
travaux préparatoires, 81
- Weiler, Joseph, 115
- Wells, Sumner, 1
- WIPO Copy Right Treaty (WCT), 73
- Working Procedures
amicus submissions, 37, 38
 appeals *see* Appellate Body Working Procedures
 Appendix 3: 109, 125, 126, 136, 168
 confidential information, 136, 138, 142
 disclosure, 138
 due process, 126
 evidence and information, 116, 127
 executive summaries, 159
 final reports, 168
 full text, 306
 methodology, 167
 panel powers, 108–109
 panel submissions, 156
 special rules *see* special rules and procedures
 Textiles Monitoring Body (TMB), 199–200
 time limits, 125, 156
see also procedure
- World Bank, 1, 78–79

Cambridge University Press

978-0-521-82311-1 - Dispute Settlement in the World Trade Organization: Practice and Procedure: Second Edition

David Palmeter and Petros C. Mavroidis

Index

[More information](#)

330

INDEX

- World Court *see* International Court of Justice
- World Trade Organization (WTO)
- acquis*, 63
 - committees, 14, 87
 - GATT (1947) replaced, 2, 13–15
 - legal system, 46
 - Marrakesh Agreement (1994), 11, 13
 - Ministerial Conference, 14
 - non-members, 29
 - official languages, 225
 - trade in goods, 13–14
- WTO Agreement
- international agreements incorporated, 71–73
 - non-application between Members, 23
 - see also* Marrakesh Agreement (1994)
- WTO General Council
- amicus* submissions, 39
 - balance of payments, 23
 - functions, 14
 - Lomé Convention, 71
 - rules of procedure, 235
- WTO law
- contributions, 50
 - interpretation, 80–84
 - sources *see* sources of law
- Yugoslavia, successor states, 29