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978-1-107-02824-1 - International Organizations in WTO Dispute Settlement: How Much Institutional Sensitivity?

Marina Foltea

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INTERNATIONAL ORGANIZATIONS IN WTO DISPUTE SETTLEMENT

How Much Institutional Sensitivity?

This book analyses the role of international organizations in WTO dispute settlement as arising from a number of WTO disputes. In particular, the roles of the IMF, WIPO, the WCO and WHO are addressed. The use of the Vienna Convention rules of interpretation framework allows an evaluation of the weight attributed to this material by the WTO adjudicator. This allows specific conclusions to be drawn regarding the level of institutional sensitivity of the WTO adjudicator to each of the organizations. As well as being a valuable source of research, the analysis will appeal to international law scholars, civil servants and law practitioners interested in the WTO and dispute settlement.

MARINA FOLTEA is a researcher at the University of Bocconi, Milan, a senior research fellow at the World Trade Institute and a visiting lecturer for the LL M in intellectual property rights at the University of Turin.

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CAMBRIDGE UNIVERSITY PRESS
Cambridge, New York, Melbourne, Madrid, Cape Town,
Singapore, São Paulo, Delhi, Mexico City

Cambridge University Press
The Edinburgh Building, Cambridge CB2 8RU, UK

Published in the United States of America by Cambridge University Press, New York

www.cambridge.org
Information on this title: www.cambridge.org/9781107028241

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First published 2012

Printed in the United Kingdom at the University Press, Cambridge

A catalogue record for this publication is available from the British Library

Library of Congress Cataloguing in Publication data
Foltea, Marina, 1977–

International organizations in WTO dispute settlement : how much
institutional sensitivity? / Marina Foltea.

pages cm. – (Cambridge international trade and economic law)
Includes bibliographical references and index.

ISBN 978-1-107-02824-1 (hardback)

1. World Trade Organization. 2. Foreign trade regulation. 3. International
agencies. 4. Arbitration (International law) I. Title.

K4610.5.F65 2012
382'.92 – dc23 2012030973

ISBN 978-1-107-02824-1 Hardback

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ABBREVIATIONS

AB	Appellate Body
ABR	Appellate Body Report
ACP	African, Caribbean and Pacific Countries
AD	Anti-dumping
BIRPI	United International Bureaux for the Protection of Intellectual Property
CBD	Convention on Biological Diversity
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
Codex	Codex Alimentarius Commission
CPM	Commission on Phytosanitary Measures
DSB	Dispute Settlement Body
DSU	Dispute Settlement Understanding
EC	European Commission
EFTA	European Free Trade Association
ESCAP	Economic and Social Commission for Asia and the Pacific
EU	European Union
FAO	Food and Agriculture Organization
FCTC	Framework Convention on Tobacco Control
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
GPVD	Good Practice in the Use of Veterinary Drugs
HACCP	Hazard Analysis and Critical Control Points
HS	Harmonized Commodity Description and Coding System
IARC	International Agency for Research on Cancer
ICANN	Internet Corporation for Assigned Names and Numbers
ICAO	International Civil Aviation Organization
ICJ	International Court of Justice
IEC	International Electrotechnical Commission
IHR	International Health Regulations
IICA	Inter-American Institute for Cooperation on Agriculture
ILC	International Law Commission
ILO	International Labour Organization

LIST OF ABBREVIATIONS

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IMF	International Monetary Fund
IMO	International Maritime Organization
IPCS	International Programme on Chemical Safety
IPPC	International Plant Protection Convention
ISO	International Organization for Standardization
ITC	International Trade Centre
ITLOS	International Tribunal for the Law of the Sea
ITO	International Trade Organization
ITU	International Telecommunication Union
JECFA	Joint FAO/WHO Expert Committee on Food Additives
NGO	non-governmental organization
OAU	Organization of African Unity
OECD	Organization for Economic Co-operation and Development
OIE	Office International des Epizooties/International Office of Epizootics, now World Organization for Animal Health
OIRSA	Organismo Internacional Regional de Sanidad Agropecuaria (Regional International Organization for Plant Protection and Animal Health)
PCIJ	Permanent Court of International Justice
PGE	Permanent Group of Experts
RFMO	Regional Fisheries Management Organizations
SCM	Subsidies and Countervailing Measures
SELA	Latin American Economic System
SPS	Sanitary and Phytosanitary Measures
TBT	Technical Barriers to Trade
TPRM	Trade Policy Review Mechanism
TRIPS	Trade-Related Aspects of Intellectual Property Rights
UNCLOS	United Nations Convention on the Law of the Sea
UNCTAD	United Nations Conference on Trade and Development
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UPOV	International Union for the Protection of New Varieties of Plants
VCLT	Vienna Convention on the Law of Treaties 1969
WCO	World Customs Organization
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WTO	World Trade Organization
WWF	World Wildlife Fund

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Cambridge University Press

978-1-107-02824-1 - International Organizations in WTO Dispute Settlement: How Much Institutional Sensitivity?

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