

THE AMERICAN LAW INSTITUTE

THE WTO CASE LAW OF 2011

LEGAL AND ECONOMIC ANALYSIS

This book is the ninth report of the American Law Institute (ALI) project on World Trade Organization Law. The project undertakes yearly analysis of the case law from the adjudicating bodies of the WTO. These studies cover a wide range of WTO law: this volume focuses on the year 2011. Each case is jointly evaluated by well-known experts in trade law and international economics. The contributors critically review the jurisprudence of WTO adjudicating bodies and evaluate whether the ruling ‘makes sense’ from an economic as well as a legal point of view, and, if not, whether the problem lies in the interpretation of the law or in the law itself. The studies do not cover all issues discussed in a case, but they seek to discuss both the procedural and the substantive issues that form the ‘core’ of the dispute.

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## Foreword

In a series of books published by Cambridge University Press, scholars sponsored by The American Law Institute have discussed and criticized all important legal decisions rendered by the World Trade Organization since 2000. This volume is the ninth in the series. This was an especially busy year for WTO dispute settlement, as the adjudicating bodies confronted new issues and thus challenged the economists and lawyers who wrote our reports.

The ALI appreciates the leadership of Chad Bown and Petros Mavroidis, the hard work by our authors, and the helpful criticism they received as their drafts were discussed. We also appreciate the financial support we received for this work from The Jan Wallander and Tom Hedelius Foundation and from the Milton and Miriam Handler Foundation.

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