

ANTHEM STUDIES IN DEVELOPMENT AND GLOBALIZATION

THE WTO AND ITS DEVELOPMENT OBLIGATION

Prospects for Global Trade



ELIMMA C. EZEANI



The Wto And Its Development Obligation The Wto And Its Development Obligation

**United States. Congress. House.
Committee on Ways and Means.
Subcommittee on Trade**

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The WTO and its Development Obligation Elimma C. Ezeani, 2011-10-01 The WTO and its Development Obligation Prospects for Global Trade boldly argues that in view of the WTO's development based focus there is an urgent need for developing countries to realise the potential benefits of global trade in their domestic environment Ezeani also acknowledges and examines the underlying factors which make it challenging for developing countries to make meaningful gains from participating in global trade

The Right to Development: Obligations of States and the Rights of Minorities and Indigenous Peoples Margot E. Salomon, Arjun Sengupta, 2003-02-10 The United Nations adopted the Declaration on the Right to Development in 1986 The Declaration recognizes that development is an inalienable human right and describes development as a comprehensive process leading to the well being of all people All states are called upon to cooperate internationally and work nationally to ensure that this comprehensive process in which all human rights can be realized is undertaken without discrimination and that all people may participate fully and equally in this process This paper provides an elaboration of the content of the right to development by drawing on international law It addresses the obligations of states particularly with regard to international cooperation and considers the application of obligations of conduct as well as those of result in giving this right meaning This paper also details the rights of minorities and indigenous peoples and how they relate to the right to development The creation of conditions that enable a state to develop will not necessarily lead to the realization of the right to development by the individuals within that state Traditionally marginalized groups notably minorities and indigenous peoples may not benefit from this development or may be harmed by it Even where the right to development is being realized by the majority the rights of minorities and indigenous peoples could be violated if the process undertaken does not take account of their rights The authors discuss the need to have in place the standards to ensure that the protection and promotion of minority and indigenous rights are fully integrated into policies designed to fulfil the right to development Written in cooperation with the UN Independent Expert on the right to development this work builds on his contribution to the mandated objectives of the inter state UN Working Group on the Right to Development It provides an important contribution to the scope of rights and obligations in this area and the implications that stem from them particularly for minorities and indigenous peoples

Development at the WTO Sonia E. Rolland, 2012-02-23 Seeking to open paths for reconsidering the trade and development relationship at the WTO this book takes into account both the heritage of the trade regime and its present dynamics It argues that the institutional processes for creating and implementing trade rules at the WTO and the actual regulatory outcomes are inseparable A consideration of the WTO's development dimension must examine both jointly It shows that the shortcomings of the Doha Development Round are in part due to a failure to assess trade rules as part of the legal processes and institutions that produced them This book devotes significant analysis to the systemic impact of the WTO as an institution on developing and least developed members From a pragmatic perspective it provides a

coherent and systematic analysis of the legal meaning the implementation and the adjudication of special and differential treatment rules for developing members It then evaluates the different regulatory approaches to trade and development from a more theoretical perspective The book finishes by presenting a range of proposals for a better balance between trade liberalization and the development needs of many WTO members Research Handbook on the WTO and Technical Barriers to Trade Tracey Epps, Michael J. Trebilcock, 2013-11-29 The book's comprehensive and accessible approach makes it a first

point of reference for all trade law practitioners policymakers and regulators For scholars and students the Handbook will prove essential reading for a deeper understanding of trade **A Research Agenda for Global Power Shifts and**

International Economic Law Joel Slawotsky, 2025-06-09 This innovative Research Agenda examines the transformational changes affecting the global economic architecture international law and investment and trade paradigms Renowned authors discuss and raise insightful questions with respect to a host of topics including international tribunals human rights policies cross border data flows trends in the digital economy WTO reform sanctions subsidies judicialization of global economic governance the Digital Economy Partnership Agreement and the re conceptualization of national security *The Oxford Handbook on The World Trade Organization* Amrita Narlikar, Martin Daunton, Robert M. Stern, 2012-05-31 This handbook provides a holistic understanding of what the World Trade Organization does how it goes about fulfilling its tasks its achievements and problems and how it might contend with some critical challenges China's Compliance with World

Trade Organization Obligations: A Review of China's First Two Years of Membership Terence Stewart, 2021-11-22 This book takes a look at the first two years of China's membership in the WTO and attempts to assess the level of China's WTO compliance achieved to date and the problems that remain ahead In particular the book examines China's modification to its laws and regulations China's participation in WTO committee work and technical assistance programs available to China from the WTO the US and other member nations How effectively the WTO's first and second Transitional Review Mechanisms have operated The US China bilateral relationship and structures in place for discussion of US China trade issues and major WTO compliance issues The monitoring of China's WTO compliance by the US government and private sector groups as well as a survey of the important compliance issues that arose in the first two years of China's WTO membership The use made by the US of transitional rights outlined in China's accession agreement in particular the textile and product specific safeguards and the non market economy methodology used in antidumping proceedings concerning products from China Published under the Transnational Publishers imprint **Corporate Social Responsibility, Human Rights and the Law** Olufemi

Amao, 2011-05-05 The control of multinational corporations is an area of law that has attracted immense attention both at national and international level In recognition of the importance of the subject matter the United Nations Secretary General has appointed a special representative to work in this area The book discusses the current trend by MNCs to self regulate by employing voluntary corporate social responsibility CSR strategy Olufemi Amao argues that the CSR concept is insufficient to

deal with externalities emanating from MNCs operations including human rights violations Amao maintains that for CSR to be effective the law must engage with the concept In particular he examines how the law can be employed to achieve this goal While noting that the control of MNCs involves regulation at the international level it is argued that more emphasis needs to be placed on possibilities at home in States and host States where there are stronger bases for the control of corporations This book will be useful to academic scholars students policy makers in developing countries UN UN Agencies the African Union and its agencies the European Union and its agencies and other international policy makers

Opportunities and Obligations Terance P. Stewart, 2009-09-01 Opportunities and Obligations New Perspectives on Global and U S Trade Policy is an extraordinary collection of essays by leading trade officials academic experts and major stakeholders The essays are divided into three topics The global trading system and its future direction The range of views presented provides diverse perspectives on the future direction of the trading system the challenges of the Doha Round the aspirations of developing countries within the system the future direction of rules rights and obligations the challenges faced by countries trying to join the WTO Perspectives on the direction of US trade policy Leaders from the past Administration both sides of the aisle in the U S House of Representatives labor business a leading NGO as well as leading journalists and writers offer views about where U S trade policy should go to secure America s economic future The global food crisis and how the trading system can help be part of the solution The run up of food prices internationally in 2007 08 and the efforts by many countries to restrict exports in the name of providing for citizens at home created some severe challenges for the global institutions and raised within trade circles the question of how trade could make a contribution to the alleviation of hunger and not exacerbate the problems of hunger Papers in part three of the book look at the issue from the perspective of the WTO the European Commission and the United Nation s World Food Program *Integrating Sustainable Development Into International Investment Agreements* John Anthony VanDuzer, Penelope Simons, Graham Mayeda, 2013 This guide is designed to assist developing countries to negotiate International Investment Agreements IIAs that are more effective in promoting their sustainable development The book is a useful reference tool for developing country negotiators and interested parties **U.S.-Africa Trade Flows and Effects of the Uruguay Round Agreements and U.S. Trade and Development Policy**, 1999 **The TRIPS Regime of Trademarks and Designs** Nuno Pires de Carvalho, 2018-12-20 Recognized since its first edition as the preeminent work on its subject this incomparable book thoroughly and expertly examines the intricacies of the provisions concerning trademarks and industrial designs enshrined in the Agreement on Trade Related Aspects of Intellectual Property Rights the TRIPS Agreement It is organized as a paragraph by paragraph annotated text of the Agreement with detailed commentary not only on the articles specifically dealing with industrial property but also on every clause in the agreement that could affect the protection of trademarks and or designs The fourth edition brings the author s prodigious analysis of case law dispute settlements ongoing scholarship and other pertinent

developments fully up to date With the authority and in depth experience of a former long time WIPO official with unparalleled knowledge of WTO Members practices in implementing TRIPS provisions Nuno Pires de Carvalho brings his practical insight and vast scholarship to such complex questions as the following What are signs that can constitute trademarks Which elements assist in identifying a well known mark What are the limitations on the protection of non visually perceptible marks like sounds scents and tastes What lessons can we learn so far from the Dispute Settlement Mechanism What are WTO Members obligations as regards marks that relate to goods and services that offend religious and moral values Are they obliged to register and protect them How strict is the TRIPS Agreement as regards the use of industrial property in relation to public policies Are private rights limitless Are they enforceable no matter what The recent worldwide phenomenon of measures involving the use of trademarks to pursue public health goals through plain packaging schemes is thoroughly analyzed and evaluated Lawyers judges scholars and government officials will find a wealth of information and legal analysis in this new edition of that will help them identify new approaches and solutions to problems of trademark and design law posed by the implementation of the TRIPS Agreement With its combination of practically focused article by article commentary and scholarly analysis and insight this edition will be an invaluable resource to all those who wish to understand industrial property at a deeper level

Human Rights Obligations of Non-State Actors Andrew Clapham, 2006-03-02

The threats to human rights posed by non state actors are of increasing concern Human rights activists increasingly address the activity of multinational corporations the policies of international organizations such as the World Bank and the World Trade Organization and international crimes committed by entities such as armed opposition groups and terrorists This book presents an approach to human rights that goes beyond the traditional focus on states and outlines the human rights obligations of non state actors Furthermore it addresses some of the ways in which these entities can be held legally accountable for their actions in various jurisdictions The political debate concerning the appropriateness of expanding human rights scrutiny to non state actors is discussed and dissected For some extending human rights into these spheres trivializes human rights and allows abusive governments to distract us from ongoing violations For others such an extension is essential if human rights are properly to address the current concerns of women and workers The main focus of the book however is on the legal obligations of non state actors The book discusses how developments in the fields of international responsibility and international criminal law have implications for building a framework for the human rights obligations of non state actors in international law In turn these international developments have drawn on the changing ways in which human rights are implemented in national law A selection of national jurisdictions including the United States South Africa and the United Kingdom are examined with regard to the application of human rights law to non state actors The book s final part includes suggestions with regard to understanding the parameters of the human rights obligations of non state actors Key to understanding the legal obligations of non state actors are concepts such as dignity and democracy While neither concept

can unravel the dilemmas involved in the application of human rights law to non state actors a better understanding of the tensions surrounding these concepts can help us to understand what is at stake **The International Legal**

Responsibility of the European Union in the Context of the World Trade Organization in Areas of Non-Conferred Competences

Plarent Ruka, 2017-05-11 This work focuses on the EU's participation in the Dispute Settlement Proceedings DSP of the WTO for matters of non conferred competences The underlying thesis is that the joint membership of the EU and its Member States is fallacious in that it could cause the EU to become responsible for violations of the WTO regulations on the part of the Member States Such fallacies are rooted in the blurred nature of the distribution of powers in the EU polity In order to tackle the issue of international responsibility the analysis is based on the facts of a real world case Based on the tenets of public international law the law of mixed agreements and the EU constitutional principles the book puts forward a model for the EU's participation in the DSP and for the reallocation of burdens to the respective responsible entity This proposition deconstructs the joint responsibility regime and endorses a solution that could address the issue of responsibility in mixed agreements without a declaration of powers *U.S.-Africa Trade Flows and Effects of the Uruguay Round*

Agreements and U.S. Trade and Development Policy, Inv. 332-362, *The Development of World Trade Organization Law*

Gregory Messenger, 2016 As one of the pillars of economic globalisation the WTO is at the heart of a complex network of rules and institutions This volume analyses WTO law in light of the influence of globalised actors identifying causal language as an indispensable component in understanding the development of WTO law Emerging Issues in Sustainable

Development Mitsuo Matsushita, Thomas J. Schoenbaum, 2016-10-05 This book seeks to answer the questions how do the rules of international treaties on trade and investment apply to the new laws and policies relating to energy related trade and do the rules of the multilateral system contribute to or detract from sustainable development An emerging set of new problems in the law of international trade is how to reconcile the rules of the multilateral trading system with shortages of certain natural resources and the necessity to develop renewable energy resources The chapters in this book provide a comprehensive analysis of the international trade issues presented by national trade laws and policies with regard to natural resources and energy This book is about the extent to which we are interpreting existing rules to cover emerging problems and how the rules of the multilateral trading system can be adapted to achieve sustainable development in natural resources and energy The book begins with a survey of selected national laws relating to recent restrictions on the export of natural resources both resources used to produce energy as well as natural resources essential for industrial production After examining the range of such laws in selected important countries we turn to the application of the rules of the multilateral trading system to such export restrictions We discuss the major rules of the World Trade Organization WTO as well as the natural resources rules in selected regional preferential free trade agreements While there is not a comprehensive global legal regime on competition law we believe it is also important to examine how selected national competition laws impact

export restrictions on natural resources This book will be a major contribution to the international dialogue on international economic law issues with respect to trade in natural resources and energy Balancing Human Rights, Environmental Protection and International Trade Emily Reid, 2015-02-26 This book explores the means by which economic liberalisation can be reconciled with human rights and environmental protection in the regulation of international trade It is primarily concerned with identifying the lessons the international community can learn specifically in the context of the WTO from decades of European Community and Union experience in facing this question The book demonstrates first that it is possible to reconcile the pursuit of economic and non economic interests that the EU has found a mechanism by which to do so and that the application of the principle of proportionality is fundamental to the realisation of this It is argued that the EU approach can be characterised as a practical application of the principle of sustainable development Secondly from the analysis of the EU experience this book identifies fundamental conditions crucial to achieving this reconciliation Thirdly the book explores the implications of lessons from the EU experience for the international community In so doing it assesses both the potential and limits of the existing international regulatory framework for such reconciliation The book develops a deeper understanding of the inter relationship between the legal regulation of economic and non economic development adding clarity to the debate in a controversial area It argues that a more holistic approach to the consideration of development encompassing economic and non economic concerns sustainable development is not only desirable in principle but realisable in practice *Law and Development Perspective on International Trade Law* Yong-Shik Lee, Gary Horlick, Won-Mog Choi, Tomer Broude, 2011-07-25 Economic development is the most important agenda in the international trading system today as demonstrated by the Doha Development Agenda DDA adopted in the current multilateral trade negotiations of the World Trade Organization the Doha Round This book provides a relevant discussion of major international trade law issues from the perspective of development in the following areas general issues on international trade law and economic development and specific law and development issues in World Trade Organization Free Trade Agreement and regional initiatives This book offers an unparalleled breadth of coverage on the topic and diversity of authorship as seventeen leading scholars contribute chapters from nine major developed and developing countries including the United States Canada Japan China including Hong Kong South Korea Australia Singapore and Israel **The Future of United States-China Trade Relations and the Possible Accession of China to the World Trade Organization** United States. Congress. House. Committee on Ways and Means. Subcommittee on Trade, 1999

Unveiling the Energy of Verbal Beauty: An Emotional Sojourn through **The Wto And Its Development Obligation The Wto And Its Development Obligation**

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