

## Contents

Foreword.....	v
About the Authors .....	vii
Contents.....	ix
Abbreviations .....	xiii
1. The Establishment of the World Trade Organisation.....	1
1.1 Starting Position .....	1
1.2 The Failure of the ITO .....	3
1.3 The GATT as a 'Temporary Solution' .....	4
1.4 From the GATT to the WTO.....	6
1.5 Current Scope of Application of the WTO .....	8
2. The WTO as an Institution .....	11
2.1 Membership .....	11
2.2 Individual Organs .....	13
2.3 The Decision-Making Process.....	16
2.4 The Dispute Settlement Procedure .....	18
3. The General Provisions .....	23
3.1 Common Objectives .....	24
3.2 Most-Favoured-Nation Principle .....	25
3.2.1 Principle .....	25
3.2.2 Scope.....	26
3.2.3 Exceptions.....	27
3.3 National Treatment .....	29
3.4 Principle of Reciprocity.....	31
3.5 Elimination of Trade Barriers .....	33
3.5.1 Reduction of Tariffs .....	34
3.5.2 Elimination of Non-Tariff Barriers to Trade .....	37
3.6 The Situation of Developing Countries .....	39
3.6.1 GATT Special Provisions .....	40
3.6.2 GATS Special Provisions.....	41
3.6.3 TRIPS Special Provisions.....	42
3.6.4 The Continuing Conflict .....	42
3.7 Protection of the Environment.....	43
4. General Agreement on Tariffs and Trade.....	45
4.1 The GATT Provisions .....	45

*Contents*

---

4.2	Agreement on Agriculture .....	47
4.2.1	Market access .....	47
4.2.2	Realignment of Subsidies .....	49
4.2.3	Elimination of Export Subsidies .....	50
4.2.4	Continuing clash of interests .....	50
4.3	Agreement on the Application of Sanitary and Phytosanitary Measures .....	53
4.4	Agreement on Technical Barriers to Trade .....	55
4.5	Agreement on Trade-Related Investment Measures .....	57
4.6	Agreement on Anti-dumping .....	58
4.6.1	Definition of Dumping .....	59
4.6.2	Anti-dumping Duties .....	59
4.7	Agreement on Customs Valuation .....	61
4.8	Agreement on Preshipment Inspection .....	62
4.9	Agreement on Rules of Origin .....	63
4.10	Agreement on Import Licensing Procedures .....	65
4.11	Agreement on Subsidies and Countervailing Measures .....	66
4.12	Agreement on Safeguards .....	68
4.13	Other Agreements .....	69
5.	General Agreement on Trade in Services .....	71
5.1	Definition of Services .....	72
5.2	General Provisions .....	73
5.3	Improved Market Access .....	75
5.4	Supplementary Provisions and Renegotiations .....	75
5.4.1	Annex to Article II GATS .....	76
5.4.2	Annex on Movement of Natural Persons .....	76
5.4.3	Annex on Air Transport Services .....	76
5.4.4	Annex on Financial Services .....	77
5.4.5	Annex on Maritime Transport Services .....	78
5.4.6	Annex on Telecommunications .....	78
5.5	Comparing GATS to GATT .....	79
6.	The Agreement on Trade-Related Aspects of Intellectual Property Rights .....	81
6.1	General Principles .....	82
6.2	Individual Provisions .....	82
6.2.1	Copyright .....	82
6.2.2	Trademarks .....	83
6.2.3	Geographical Indications .....	83
6.2.4	Industrial Designs .....	84
6.2.5	Patents .....	84
6.2.6	Topographies .....	85
6.3	Legal Enforcement .....	85
7.	The Plurilateral Agreements .....	87
7.1	Agreement on Trade in Civil Aircraft .....	87
7.2	Agreement on Government Procurement .....	88
7.2.1	Objectives and Scope .....	89

*Contents*

---

7.2.2	Procedure for Awarding Contracts .....	90
7.2.3	Developing Countries .....	92
7.2.4	Developing the Agreement .....	92
8.	The WTO's Strengths and Weaknesses .....	93
8.1	Achievements of the World Trade System .....	95
8.2	Unresolved Issues .....	98
	Bibliography and further reading .....	105
	Index .....	109