

1. Record Nr.	UNINA9910300055503321
Titolo	Non-market Economies in the Global Trading System [[electronic resource] ] : The Special Case of China // edited by James J. Nedumpara, Weihuan Zhou
Pubbl/distr/stampa	Singapore : , : Springer Singapore : , : Imprint : Springer, , 2018
ISBN	981-13-1331-8
Edizione	[1st ed. 2018.]
Descrizione fisica	1 online resource (360 pages)
Disciplina	327.5105
Soggetti	International law Trade Public policy Mediation Dispute resolution (Law) Conflict management International Economic Law, Trade Law Public Policy Dispute Resolution, Mediation, Arbitration
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Includes index.
Nota di contenuto	The Continuing Relevance of the Non-Market Economy Classification in the Global Trading System -- Treating China as 'Someone Else': An evaluation of Article 15 of China's Protocol of Accession -- Assessment of the EU-Biodiesel case and the use of 'Particular Market Situation' in antidumping cases against China -- India's treatment of China in antidumping proceedings: Adopting a hybrid approach -- Australia's antidumping actions against China: The Growing Trend of 'Particular Market Situation' findings -- China and the NME treatment in Antidumping: An Evaluating of the European Union Practices -- China and the NME Treatment in Anti-dumping: Understanding Mexico's Practices -- China and the NME Treatment in Anti-dumping: The Brazilian Approach -- China's Non-Market Economy status: An Assessment of the Canadian practices -- Annex- Domestic statutes and legislations governing NME treatment. .

This book provides one of the most comprehensive and compelling analysis of Non-Market Economies (NMEs) and their treatment under the current world trading system. In particular, it examines the treatment of China as an NME in anti-dumping investigations, especially post-December 2016. Central to this analysis is Section 15 of China's Protocol of Accession to the WTO, which is the focal point of the controversy between China and other major WTO Members. The book highlights multiple perspectives on the interpretation of Section 15 and the Second Ad Note to Article VI of the General Agreement on Tariffs and Trade (GATT), which form the legal basis for China's special treatment in anti-dumping proceedings, and provides unique approaches on interpreting the above treaty texts. In addition, the book explores recourses to trade remedy instruments other than anti-dumping to identify and address state-driven market distortions in the case of NMEs. Authored by leading practitioners and scholars, the chapters offer a detailed commentary and rich insights into the diverse approaches and methods used by anti-dumping investigation agencies of leading users. This book serves as an all-inclusive resource for discerning all facets of this issue, magnitude of the consequences, and potential threats to the delicate trading system. It is of particular relevance to economies-in-transition and newly acceding countries to the WTO. This book generates special interest among legal practitioners, exporters, trading firms, think tanks, academicians, policy makers and the entire community engaged in international trade disputes with China.

---