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Nota di contenuto	Part I: The AB in the WTO Governance and Its Reform – Broader Perspectives -- Introduction: Saving the Jewel in the Crown -- Between “Member-Driven Governance” and “Judicialization”: Constitutional and Judicial Dilemmas in The World Trading System -- Reforming the Appellate Body -- The AB Crisis as Symptomatic of the WTO’s Foundational Defects or: How I Learned to Stop Worrying and Love the AB -- The Impending Demise of the WTO Appellate Body: From Centrepiece to Historical Relic? -- WTO Appellate Body Overreach and the Crisis in the Making: A View from the South -- Part II: Reforms in Relation to the Basic Functions of the AB -- Why the WTO Adjudicatory Crisis Will Not Be Easily Solved: Defining and Responding to “Judicial -- Activism” -- A Proper Balance between WTO’s Members-Driven Nature and the Appellate Body’s Role as an Adjudicator – Careful Exercise of

Judicial Activism -- The Judicial Style of the Appellate Body -- Interpretative Authority of the Appellate Body: Replies to the Criticism by the United States -- Judicial Economy and Advisory Opinions of the Appellate Body – Potential Reform of Article 17.12 of the DSU -- The Use of Panel Process to Improve the Function of the Appellate Body: A Proposal to Utilize the Expert Review Group -- Part III: Options to Address the Crisis and Wider Implications Beyond the WTO -- Disruptive Construction or Constructive Destruction? Reflections on the Appellate Body Crisis -- WTO Appellate Body at Crossroads: Options and Alternatives -- Appointment and Reappointment of the Appellate Body Members: Judiciary or Politics -- Should Appellate Body Members Work Full Time -- The Appellate Body as a Trailblazer – Facilitation of Appellate Mechanism Discussion in Other International Courts -- The WTO AB as a Model for Other Adjudicatory Bodies – the Case of EU Investment Court System -- .

Sommario/riassunto

This is the first book that critically examines the reform of the Appellate Body (AB) of the World Trade Organization (WTO) in light of the current crisis resulting from the U.S. blocking of the appointment of its members. The reform of the AB is critical, as the appointment crisis could lead to the demise of “the jewel in the crown,” which may even cause the dismantling of the WTO as a whole. This book covers various aspects of the crisis and its reform. Specifically, as the crisis cannot be fully understood without reviewing the role of the AB from the broader perspectives of the other functions of the WTO, the book examines the reform of the AB from the broader perspectives of the WTO governance. Additional focus is on the reform of the AB in relation to its specific functions. Available options are provided to address the AB crisis, as well as discussion of wider implications beyond the WTO. Contributed by world-renowned academics, experts, and practitioners in the field of international economic law, this volume provides a comprehensive analysis of the AB crisis and its solutions.
