

1. Record Nr.	UNINA9910458972503321
Titolo	The law, economics and politics of retaliation in WTO dispute settlement // edited by Chad P. Bown, Joost Pauwelyn [[electronic resource]]
Pubbl/distr/stampa	Cambridge : , : Cambridge University Press, , 2010
ISBN	1-107-20354-6 1-282-48648-9 9786612486487 0-511-67407-4 0-511-67526-7 0-511-67201-2 0-511-67073-7 0-511-67459-7 0-511-67328-0
Descrizione fisica	1 online resource (xiv, 677 pages) : digital, PDF file(s)
Collana	Cambridge international trade and economic law ; ; 3
Disciplina	382/.5
Soggetti	Arbitration (International law) Foreign trade regulation Dumping (International trade) - Law and legislation Tariff - Law and legislation Import quotas
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Title from publisher's bibliographic system (viewed on 05 Oct 2015).
Nota di contenuto	The nature of WTO arbitrations on retaliation / Giorgio Sacerdoti -- The calculation and design of trade retaliation in context : what is the goal of suspending WTO obligations? / Joost Pauwelyn -- Extrapolating purpose from practice : rebalancing or inducing compliance / Gregory Shaffer and Daniel Ganin -- The law of permissible WTO retaliation / Thomas Sebastian -- From bananas to Byrd : damage calculation coming of age? / Yves Renouf -- The economics of permissible WTO retaliation / Chad P. Bown and Michele Ruta -- Sticking to the rules : quantifying the market access that is potentially protected by WTO-

sanctioned trade retaliation / Simon J. Evenett -- The United States' experience and practice in suspending WTO obligations / Scott D. Andersen and Justine Blanchet -- The European community's experience and practice in suspending WTO obligations / Lothar Ehring -- The politics of selecting trade retaliation in the European community : a view from the floor / Hakan Nordstrom -- Canada's experience and practice in suspending WTO obligations / Vasken Khabayan -- Is retaliation useful? : observations and analysis of Mexico's experience / Jorge A. Huerta Goldman -- Procedures for the design and implementation of trade retaliation in Brazil / Luiz Eduardo Salles -- Retaliation in the WTO : the experience of Antigua and Barbuda in US-gambling / Mark E. Mendel. Evaluating the criticism that WTO retaliation rules undermine the utility of WTO dispute settlement for developing countries / Hunter Nottage -- Optimal sanctions in the WTO : the case for decoupling (and the uneasy case for the status quo) / Alan O. Sykes -- Sanctions in the WTO : problems and solutions / William J. Davey -- WTO retaliatory measures : the case for multilateral regulation of the domestic decision-making process / Reto Malacrida -- The WTO secretariat and the role of economics in panels and arbitrations / Chad P. Bown -- The equivalence standard under Article 22.4 of the DSU : a 'tariffic' misunderstanding? / Simon Schropp -- Cross-retaliation and suspension under the GATS and TRIPS agreements / Werner Zdouc -- Cross-retaliation in TRIPS : issues of law and practice / Frederick Abbott -- Preliminary thoughts on WTO retaliation in the services sector / Arthur E. Appleton -- Compensation assessments : perspectives from investment arbitration / Gabrielle Kaufmann-Kohler -- Reforming WTO retaliation : any lessons from competition law? / Simon J. Evenett.

Sommario/riassunto

The WTO allows its members to retaliate in the face of continued non-compliance. After more than ten years' operation and ten arbitration disputes, this volume assesses the law, economics and politics of trade sanctions in WTO dispute settlement. Including more than thirty contributions from leading academics, trade diplomats and practitioners, it offers a thorough analysis of the legal rules on permissible WTO retaliation as well as an assessment of the economic rationale and calculations behind the mechanism. In addition, it provides first hand experiences of those countries that have obtained WTO authorisation to retaliate, ranging from the United States and the EC to Mexico and Antigua. In this assessment, the question of how to make the system work also for small countries is paramount. Finally, the volume spells out lessons that could be learned from related fields such as remedies for non-compliance in investment arbitration and competition or anti-trust regimes.
