

1. Record Nr.	UNINA9910799951503321
Titolo	Environment and trade : a guide to WTO jurisprudence // Nathalie Bernasconi-Osterwalder. [et al.]
Pubbl/distr/stampa	London ; ; Sterling, Va. : , : Earthscan, , 2006
ISBN	1-136-56700-3 1-280-47552-8 9786610475520 1-136-56701-1 600-00-0126-6 1-84977-115-4
Descrizione fisica	1 online resource (391 p.)
Altri autori (Persone)	Bernasconi-OsterwalderNathalie
Disciplina	343.087
Soggetti	Foreign trade regulation - Environmental aspects Foreign trade regulation Non-tariff trade barriers - Law and legislation - Environmental aspects Non-tariff trade barriers International trade - Environmental aspects Environmental policy - Economic aspects
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Includes index.
Nota di contenuto	Front Cover; Environment and Trade; Contents; List of Contributors; Foreword by Philippe Roch; Acknowledgements; List of Acronyms and Abbreviations; List of Relevant GATT and WTO Disputes; List of Relevant WTO Agreements; Introduction; Chapter 1. Like Products; Background; Introduction; The concept of like products; The relevance of like products for environmental policy making; Discussion of relevant WTO provisions; The GATT in general; Article III of the GATT; Article I of the GATT; Article 2.1 of the TBT Agreement Article 6.3 of the Agreement on Subsidies and Countervailing Measures (SCM Agreement)Selected literature; Selected jurisprudence relating to 'like products' under GATT Articles I and III; The Australian Subsidy on Ammonium Sulphate, 1950; Belgian Family Allowances, 1952; Spain -

Unroasted Coffee, 1981; Japan - Alcoholic Beverages, 1987; US - Petroleum, 1987; Japan - Lumber, 1989; EEC - Oilseeds and Related Animal-Feed Proteins, 1990; US - Tuna/Dolphin I, 1991; US - Malt Beverages, 1992; US - Taxes on Automobiles, 1994; Japan - Alcoholic Beverages, 1996; US - Reformulated Gasoline, 1996
Canada - Periodicals, 1997; EC - Bananas III, 1997; Indonesia - Automobile, 1998; Chile - Alcoholic Beverages, 2000; Argentina - Bovine Hides, 2001; EC - Asbestos, 2001; Chapter 2. General Exceptions Clauses; Background; Discussion of relevant WTO provisions; Article XX of the GATT (in general); Article XX(g) of the GATT; Article XX(b) of the GATT; Function of Article XX's Chapeau; Article XIV of the GATS; Selected literature; Selected jurisprudence under Articles XX(b) and (g) of the GATT and Article XIV of the GATS; US - Tuna and Tuna Products from Canada, 1982
Canada - Unprocessed Herring and Salmon, 1988; Thailand - Cigarettes, 1990; US - Tuna/Dolphin I, 1991; US - Tuna/Dolphin II, 1994; US - Reformulated Gasoline, 1996; US - Shrimp/Turtle I, 1998; US - Shrimp/Turtle 21.5, 2001; US - Gambling, 2005; Chapter 3. The Necessity Requirement; Background; Discussion of Relevant WTO Provisions; Articles XX(a), (b) and (d) of the GATT; Articles 2.2 and 5.6 of the SPS Agreement; Article 2.2 of the TBT Agreement; Comparing the Necessity Requirement under the GATT, SPS and TBT Agreements; Articles VI and XIV of the GATS
Selected issues relating to the necessity requirement
Legitimate objectives; International standards and the presumption of necessity; Selected literature; Selected jurisprudence under the GATT, the SPS and TBT Agreements, and the GATS; Articles XX(b) and (d) of the GATT 159
US - Section 337, 1989; Thailand - Cigarettes, 1990; US - Tuna/Dolphin I, 1991; US - Tuna/Dolphin II, 1994; Korea - Beef, 2001; EC - Asbestos, 2001; DR - Cigarettes, 2005; SPS Agreement; Australia - Salmon, 1998; Japan - Varietals, 1999; TBT Agreement; EC - Sardines, 2002; Article XIV of the GATS; US - Gambling, 2005
Chapter 4. Processes and Production Methods

Sommario/riassunto

International trade rules have significant impacts on environmental law and policy, at the domestic, regional and global levels. At the World Trade Organization (WTO), dispute settlement tribunals are increasingly called to decide on environment- and health-related questions. Can governments treat products differently based on environmental considerations? Can they block the import of highly carcinogenic asbestos-containing products or genetically modified crops? Does the WTO allow governments to protect dolphins or endangered sea turtles through the use of import restrictions on certain produ
