

INTERNATIONAL  
TRADE LAW:  
*An Interdisciplinary,  
Non-Western Textbook*

**Volume Two of Two**  
Fourth Edition

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# INTERNATIONAL TRADE LAW: *An Interdisciplinary, Non-Western Textbook*

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**Volume Two of Two**  
**Fourth Edition**

**Raj Bhala**

*Wikipedia Entry:*  
[http://en.wikipedia.org/wiki/Raj\\_Bhala](http://en.wikipedia.org/wiki/Raj_Bhala)

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*All India Law Teachers Congress  
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MATTHEW  BENDER

# *Dedication*

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*For Shera and Her Generation,  
That They Are Not Scourged by a Clash of Civilizations,  
But Rather Blessed by Peace through Trade,  
And for the Glory of God*



# *Worldwide Praise for this Textbook*

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*From the United States—*

“In my experience, few books set a first rate standard for students and teachers alike. This Textbook does. Its interdisciplinary, non-western orientation, coupled with its coverage of time-honored precepts and contemporary issues, is a novel and timely synthesis.”

Jagdish N. **Bhagwati**

University Professor (Economics, Law, and International Affairs)  
Columbia University

“I have followed this ambitious Textbook since its 1st edition, which I adopted at Columbia Law School. It presents the canon of International Trade Law, both theory and practice at the multilateral, FTA, and domestic levels. Having negotiated trade, environment, and human rights agreements for the U.S., chairing the U.S. International Religious Freedom Commission, and specializing also in Japanese law, I admire its coverage of trade-related ‘linkage’ issues, and its emphasis on the Asia-Pacific region. It is a pleasure to endorse a work of such fine pedagogy, indeed, of serious scholarship.”

Michael K. **Young**

President  
The University of Washington

“This Textbook sets the standard for world-class excellence. First, it synthesizes law with international trade and development economics, explaining and analyzing vital insights and empirical evidence that affect trade law and policy everyday around the world. Second, it takes first and second best solutions seriously, covering not only multilateral trade liberalization in Volume One, but also free trade agreements and customs unions in Volume Two. Third, it moves well beyond traditional tariff and non-tariff barriers, to 21st century behind-the-border protectionist measures, such as technical barriers to trade, sanitary and phytosanitary measures, and state owned enterprise behavior. Fourth, it admirably emphasizes trade law and policy in developing and least developed countries, including India. For the serious student of the field, there simply is no substitute for this Textbook.”

David A. **Gantz**

Samuel M. Feghtly Professor of Law  
Director, International Trade Law Program  
Rogers College of Law  
The University of Arizona

“This Textbook was an early leader in broadening the field to include a range of perspectives and disciplines. Such an approach is essential in today’s complex and diverse

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## *Worldwide Praise for this Textbook*

legal environment, in which Trade Law regulates a global economy and students may practice anywhere in the world. The book remains a standard in its incorporation of multiple paradigms, not only conventional efficiency-based Neo-Classical economics, but also compelling normative approaches to social justice. There is much here for any student, teacher, or practitioner, regardless of her approach to Trade Law.”

Frank J. **Garcia**  
Associate Dean for Global Initiatives  
Professor of Law  
Boston College

“With this 4th edition of his Textbook on *International Trade Law*, Professor Bhala, one of the world’s leading scholars in International Trade Law, has produced something of very special value for and deserving of widespread attention by academics, law and economic students, policymakers, and professionals in the area. This Textbook most ably explains the technical details of the complex and expanding matrix of interdisciplinary subject-matter comprising International Trade Law, while simultaneously providing the ‘big picture’ from the perspectives of both the developed and developing countries. From the intricacies of dumping margin calculations and rules of origin, to the divergent concepts of trade theory, to the views of Saint Thomas Aquinas on the ethics of traders, to the special interests of the BRICS, its pages are a mastery of synthesis and of intellectual and practical nourishment. This Textbook clearly will be of enduring value, spanning classic GATT cases of the early 1950s to modern controversies like currency manipulation. Simply put, this exceptional Textbook is a work of exhaustive and balanced scholarship and of great added-value for all those interested in the Trade Law arena. My American and international students (and I) have greatly benefitted from Professor Bhala’s prior three editions, and we will do so even more with this brilliantly executed 4th edition. Already students from over 100 law schools around the world have been enriched by Professor Bhala’s prior edition, and I am fully confident this ‘global cadre’ will be further enlarged by this new edition.”

Professor Joseph J. **Norton**, SJD, D. Phil, LLD  
James L Walsh Distinguished Faculty Fellow  
Professor of Financial Institutions Law  
Dedman School of Law  
Southern Methodist University, and  
Sir John Lubbock Professor of Banking Law  
University of London (1993–2004)

“Since *NAFTA* took effect in 1994, and the WTO in 1995, International Trade Law has become a far broader, deeper specialty than ever before. New initiatives such as *TPP* and *T-TIP* raise new challenging issues, such as protection for biologics and investor-state dispute settlement. This Textbook is comprehensive and up-to-date in covering both the enduring themes and the details. Here, students and teachers enjoy the flexibility to cover the entirety of the field, or focus intensely on topics within it. Either way, they will be richly rewarded by this very impressive work.”



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## *Worldwide Praise for this Textbook*

Gregory **Shaffer**  
Chancellor's Professor  
School of Law  
University of California, Irvine

“This Textbook sets an absolute standard for top quality. It is extremely well researched, well balanced, and well written. Especially impressive is its synthesis of key concepts from international trade and development economics, and political science, with classic and contemporary legal issues. From traditional tariff and non-tariff measures to emerging behind-the-border barriers, from safeguards cases to Section 337 litigation, there is no substitute for this Textbook.”

Beau **Jackson**, Esq.  
Attorney  
Adduci, Mastriani & Schaumberg, LLP  
Washington, D.C.

“It is rare to find a work on trade that is both comprehensive and truly international. I have relied on this Textbook both to teach and apply principles of trade and development. It is a significant contribution to the field, and will have an impact on the way Trade Law is taught and practiced around the world.”

Katrin **Kuhlmann**  
President and Founder  
The New Markets Lab,  
Adjunct Professor  
Georgetown University Law Center  
Washington, D.C.

### *From Australia—*

“This book is what it sets out to be: Interdisciplinary and Non-Western. More than that, it is a book that encourages students to think. Sure, it works through all of the essential black letter law, the treaty provisions, and the case law across the entire field of WTO law, to help students become competent legal advisers. But, first of all, it exposes students to various perspectives on the objectives, functions, and impacts of the law with an especially thorough introduction to economic analysis of trade. Then, it continues that critical inquiry by incorporating into each topic references to examples, case studies, and stories that bring the black letter law to life. It encourages students to think about law in its political, historical, and economic context — and also about how international law meshes with domestic law and politics. The choice of examples and case studies avoids the traditional focus of scholars on the U.S.A. and the European Community, and succeeds in explaining Trade Law in a truly international way. Diligent students of this text will be left with an enduring sense of the importance of a legal system of trade relations, a conviction that this area of law really matters.”

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## *Worldwide Praise for this Textbook*

Dr. Brett **Williams**  
Williams Trade Law  
Sydney,  
External Lecturer in WTO Law  
Faculty of Law  
University of Sydney,  
External Lecturer in WTO Law  
College of Law  
Australian National University (ANU)  
Canberra

### *From China—*

“There is a reason why I have prescribed this Textbook in jurisdictions all over the world, from the United Kingdom to Hong Kong. My students everywhere adore it, and I love it. The 4th edition is even better than its predecessor, with new chapters on balance of payments crises, climate change, export controls, trade adjustment assistance, and World Trade Organization accessions. The new chapter on ethics in trade practice, together with new chapters on the public morality exception under GATT Article XX(a), are sure to impress on students the importance of high standards of professional conduct. And when it comes to intricate matters like the interpretation of market access and national treatment commitments in the four modes of cross-border services supply in a GATS Schedule of Concessions, the explanations and illustrations provide simplicity without simplification. This Textbook is more than a laudable work of legal scholarship. It is a practical handbook for all who work in International Trade.”

Gonzalo Villalta **Puig**  
Associate Dean (Research)  
Professor of Law  
Vice Chancellor’s Outstanding Fellow of the Faculty of Law  
The Chinese University of Hong Kong  
Hong Kong, SAR

### *From India—*

“India is the world’s largest free market democracy, and finally with this Textbook we have a work for students, teachers, and practicing lawyers that takes India seriously. Spread across its pages is balanced coverage of legal and policy controversies involving the country, and Subcontinent, such as compulsory licensing of pharmaceuticals, patent evergreening, public stockpiling for food security and Green Box reform, invocation of antidumping and countervailing duty remedies, reforms to trade, foreign direct investment, and foreign exchange laws, and strategies and tactics in multilateral and regional trade negotiations. Best of all, the Textbook conveys real passion for the subject.”

Kishu **Daswani**  
Professor of Law  
Government Law College, Mumbai, and

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## *Worldwide Praise for this Textbook*

Professor of Law  
St. Xavier's College, Mumbai

“This Textbook is world class in part because it is so user friendly. Its explanations, graphs, and tables are accessible to students with no background in the subject, yet its insights and analyses engage even the most seasoned veterans. Its coverage of major emerging markets like the BRICS helps prepare students for new global realities. But, what makes this Textbook a masterpiece is its integration of economics, politics, philosophy, religion, and ethics with International Trade Law. As a result, the student not only gains technical understanding essential for success in practice, but also becomes a broad-minded scholar.”

Dr. Anupam **Jha**  
Professor of Law  
University of Delhi

“In a word, this Textbook is ‘courageous.’ It treats not only the most complex technical matters in International Trade Law, but also the most controversial topics in the field. It probes all sides of each issue, showing the reader the perspectives of competing constituencies in developed, developing, and least developed countries. Especially noteworthy is its sensitive, sensible discussion of human rights issues, including socio-economic, labor, and environmental matters, as they interact within the regime of International Trade Law. Does trade liberalization advance or undermine those human rights? Whether the reader plans a career in Private or Public International Law, this Textbook is indispensable.”

Dr. Shashi **Kumar**  
Senior Assistant Professor  
Department of Human Rights  
School for Legal Studies  
Babasaheb Bhimrao Ambedkar University  
Lucknow

### *From Ireland—*

“I am happy to endorse this outstanding contribution to the growing number of works on International Trade Law. What distinguishes this work from its competitors is not only its comprehensive coverage of WTO law, but also its treatment of preferential trading regimes. It is also particularly rewarding to have a Textbook that moves beyond the legal content of trade to explore its economic, moral, and political dimensions, thus enriching understanding in this area. Moreover, it emphasizes the increasing need to be familiar with the emerging power of the Global South. A truly outstanding work.”

Joseph A. **McMahon**  
Dean and Professor  
UCD Sutherland School of Law

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## *Worldwide Praise for this Textbook*

University College Dublin

### *From Mexico—*

“I had the fortune to learn from this Textbook in its 2001 2nd edition, as a law student. It gave me and my cohorts the knowledge, skills, and inspiration to launch our careers, whether in trade or other specialties of international law. To have studied from it is a plus factor for anyone entering or shifting into the field. Now in practice for over 10 years as an international transactional lawyer, I (and many others) rely on the new editions of the Textbook for the big picture and key details. Its coverage of NAFTA, as well as ‘second generation’ FTAs like Colombia, Panama, KORUS, TPP, and T-TIP, is unparalleled. Its use in conjunction with the *Dictionary of International Trade Law* (also by Professor Bhala) is efficient and rewarding.”

Luis Fernando **Gomar**, Esq.  
Partner  
Thompson & Knight  
Mexico City

### *From New Zealand—*

“As always, Raj Bhala offers thought provoking perspectives and fresh insights that show how and why the international trade regime has become so contested. This latest Textbook is a timely and important contribution to today’s debate about the philosophy, ethics, and outcomes that should shape this regime for the 21st century.”

Jane **Kelsey**  
Professor of Law  
The University of Auckland

### *From Nigeria—*

“This Textbook is sorely needed throughout law schools in Africa, particularly Nigeria. When I did my LL.B. degree at the University of Nigeria in Nsukka, we did not have a course in International Trade Law. Only in LL.M. studies at the University of Denver, and later for my S.J.D. at the University of Kansas, did I encounter this Textbook. It was a wonderful revelation! The emphasis of the Textbook on special and differential treatment for poor countries, and attention paid to Catholic Social Justice Theory, is especially appreciated. Using this Textbook certainly will help build legal capacity in Africa. With this Textbook and International Trade Law introduced in law schools throughout Africa, and Nigeria in particular, African countries will acquire priceless skills for a redefined participation in international trade negotiations at the WTO.”

Reverend Dr. (Father) Alphonsus **Ihuoma**  
Owerri, Nigeria  
B.A. Philosophy (Rome), M.A. Theology (Rome), LL.B. (Nigeria),  
LL.M., (Denver), S.J.D. (Kansas)

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## *Worldwide Praise for this Textbook*

Chaplain  
Mayo Clinic  
Rochester, Minnesota

### *From the United Arab Emirates—*

“I myself learned the subject of International Trade Law, and fell in love with it, thanks to this Textbook while an LL.M. student at the University of Arizona, and then an S.J.D. candidate at American University (Washington College of Law). Now as Dean and Professor at Sharjah, my students use it, and I commend it to students throughout the Middle East and beyond. No other work treats Arab Islamic countries in the world trading system with such thought, vision, and hope. In addition to its insightful analysis of substantive topics, the quality of English writing is so high that even native speakers will improve their legal writing by perusing it. This Textbook inspires both the mind and heart.”

Bashar H. **Malkawi**  
Dean and Professor of Law  
College of Law  
University of Sharjah

### *From the United Kingdom—*

“This Textbook is the testimony of the intellectual prowess of a scholar’s scholar in the field of International Trade Law. The length and width of the subject are covered in clear, elegant prose, with topics organized and divided in a logical accessible manner that is a delight to read. Careful, indeed compassionate in the cosmopolitan spirit, attention is paid to problems faced by developing countries. Rightly so in the post-9-11 world, the link between trade liberalization and national security is highlighted, and the theme of ‘peace through trade’ is critically explored. This Indian-American, visible as he is in the field of rapid development, should take pride in serving the thankful world trade community with this enlightening and user-friendly Textbook.”

Dr. A.F.M. **Maniruzzaman**  
Chair and Professor of International Business Law  
School of Law  
University of Portsmouth



# *Table of Abbreviations*

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ACP	African, Caribbean, and Pacific
ACS	Automated Commercial System
AD	Antidumping
AD Agreement	WTO Antidumping Agreement (Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994)
ADB	Asian Development Bank
ADVANCE Democracy Act	Advance Democratic Values, Address Non-democratic Countries and Enhance Democracy Act of 2007
AECA	Arms Export Control Act of 1976
AEO	Authorized Economic Operator
AFA	Adverse Facts Available
AfDB	African Development Bank
AFL-CIO	American Federation of Labor-Congress of Industrial Organizations
AFTA	ASEAN Free Trade Area
Ag	Agriculture
AGOA	African Growth and Opportunity Act (2000)
Agriculture Agreement	WTO Agreement on Agriculture
AID	U.S. Agency for International Development
AIG	American Insurance Group
ALJ	Administrative Law Judge
AMA	American Medical Association
AmCham	American Chamber of Commerce
AMS	Aggregate Measure of Support
AOG	All Other Goods
AOR	All Others Rate
APEC	Asia Pacific Economic Cooperation (forum)
ARP Act of 2000	Agricultural Risk Protection Act of 2000
ARRA	American Recovery and Reinvestment Act of 2009
ASA	American Sugar Alliance
ASEAN	Association of South East Asian Nations
ASP	American Selling Price
ATAP	1996 Agreement Concerning Certain Aspects of Trade in Agricultural Products (1986 U.S.-Israel FTA)
ATC	WTO Agreement on Textiles and Clothing
ATPA	Andean Trade Preferences Act (1991)
ATPDEA	Andean Trade Promotion and Drug Eradication Act (2002)
ATT	2013 U.N. Arms Trade Treaty
AUV	Average Unit Value

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## *Table of Abbreviations*

AV	Audio-Visual
AVE	<i>Ad Valorem</i> Equivalent
B&O	Washington State Business and Occupation Tax Rate Reduction
BBS	Bangladesh Bureau of Statistics
BDC	Beneficiary Developing Country
BDS	Boycott, Divestment, and Sanctions
Berne Convention	1886 (1971) Berne Convention for the Protection of Literary and Artistic Works
BFA	Banana Framework Agreement
BILA (ILAB)	Bureau of International Labor Affairs (U.S. DOL OTLA)
BIA	Best Information Available (Pre-Uruguay Round U.S. term for Facts Available)
BIS (1st meaning)	Bank for International Settlements
BIS (2nd meaning)	Bureau of Industry and Security (U.S. DOC)
B.I.S.D.	Basic Instruments and Selected Documents
BIT	Bilateral Investment Treaty
BJP	Bharatiya Janata Party
BOP	Balance Of Payments
BOT	Balance Of Trade
BRICS	Brazil, Russia, India, China, and South Africa
BSE (1st meaning)	Bombay Stock Exchange
BSE (1st meaning)	Bovine Spongiform Encephalopathy (Mad Cow Disease)
BTA (1st meaning)	Bilateral Trade Agreement
BTA (2nd meaning)	Bio-Terrorism Act of 2002 (Public Health Security and Bioterrorism Preparedness and Response Act)
BTA (3rd meaning)	Border Tax Adjustment
BTD	May 2007 Bipartisan Trade Deal
CAFTA-DR	Central American Free Trade Agreement-Dominican Republic
CAN	Community of Andean Nations
CAP	Common Agricultural Policy (EU)
CBD	U.N. Convention on Biological Diversity
CBERA	Caribbean Basin Economic Recovery Act of 1983
CBI	Caribbean Basin Initiative
CBO	Congressional Budget Office
CBP	U.S. Customs and Border Protection (“U.S. Customs Service” until 1 March 2003)
CBSA	Canadian Border Services Agency
CCB	U.S. Conference of Catholic Bishops



## *Table of Abbreviations*

CCC (1st meaning)	Commerce Country Chart
CCC (2nd meaning)	U.S. Commodity Credit Corporation (USDA)
CCC (3rd meaning)	Customs Cooperation Council (renamed WCO in 1994)
CCI	Countervailing Currency Intervention
CCL	Commerce Control List
CCP	Chinese Communist Party (or CPC, Communist Party of China)
CCPA	U.S. Court of Customs and Patent Appeals (abolished 1982; transfer to Federal Circuit)
CCS	Carbon Capture and Storage
CDC (1st meaning)	U.S. Centers for Disease Control
CDC (2nd meaning)	Chilean Distortions Commission
CDM	Clean Development Mechanism
CEC	Commission for Environmental Cooperation (NAFTA)
CEP	Constructed Export Price
CER	Closer Economic Relationship
CET	Common External Tariff
CETA	Comprehensive Economic and Trade Agreement
CFIUS	Committee on Foreign Investment in the United States
C.F.R. (1st meaning)	Code of Federal Regulations
CFR (2nd meaning)	Council on Foreign Relations
CGE	Computable General Equilibrium
CJ	Commodity Jurisdiction
CIA	U.S. Central Intelligence Agency
CIF (c.i.f)	Cost, Insurance, and Freight
CISADA	Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010
CIT	U.S. Court of International Trade (New York, N.Y.)
CITA	U.S. Committee for Implementation of Textile Agreements
CITES	1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora
CITT	Canadian International Trade Tribunal
CMO	Common Market Organization (EU)
CNL	Competitive Need Limitation
COBRA	Consolidated Omnibus Budget and Reconciliation Act (multiple years)

## *Table of Abbreviations*

COCOM	Coordinating Committee on Multilateral Export Controls
COGS	Cost of Goods Sold
COMESA	Common Market for Eastern and Southern Africa
COP	Cost of Production
COS	Circumstances of Sale (dumping margin calculation adjustment)
CPA	Certified Public Accountant
CPC	U.N. Central Product Classification list
CPSC	U.S. Consumer Product Safety Commission
CQE	Certificate of Quota Eligibility
Crop Year 2001 Act	Crop Year 2001 Agricultural Economic Assistance Act
CRS	Congressional Research Service
CSI	Container Security Initiative
CTC	Change in Tariff Classification
CTD	WTO Committee on Trade and Development
CTESS	WTO Committee on Trade and Environment in Special Session
CTH	Change in Tariff Heading
CTHA	WTO Chemical Tariff Harmonization Agreement
C-TPAT	Customs-Trade Partnership Against Terrorism
CTSH	Change in Tariff Sub-Heading
CU	Customs Union
Customs Valuation Agreement	WTO Agreement on Customs Valuation (Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994)
CUFTA (CUSFTA)	Canada-United States FTA
CV	Constructed Value
CVA	Canadian Value Added
CVD	Countervailing Duty
DDA	Doha Development Agenda
DDTC	U.S. Directorate of Defense Trade Controls (Department of State)
DFQF	Duty Free, Quota Free
DGFT	Director General of Foreign Trade (part of Ministry of Commerce, India)
DHS	U.S. Department of Homeland Security
DIFMER	Difference in Merchandise (dumping margin calculation adjustment)
DM (1st meaning)	<i>Deutsche Marks</i>
DM (2nd meaning)	Dumping Margin
DMA	Domestic Marketing Assessment
DMZ	De-Militarized Zone

## *Table of Abbreviations*

DOC	U.S. Department of Commerce
DOD	U.S. Department of Defense
DOE	U.S. Department of Energy
DOJ	U.S. Department of Justice
DOL	U.S. Department of Labor
DOT	U.S. Department of Transportation
DP (DPW)	Dubai Ports Dubai Ports World
DPA	Deferred Prosecution Agreement
DRAM	Dynamic Random Access Memory
DSB	WTO Dispute Settlement Body
DSM	Dispute Settlement Mechanism
DSU	WTO Dispute Settlement Understanding (Understanding on Rules and Procedures Governing the Settlement of Disputes)
EA	Environmental Assessment
EAA	Export Administration Act of 1979
EAC (1st meaning)	East African Community
EAC (2nd meaning)	East Asian Community
EAC (3rd meaning)	Environmental Affairs Council (CAFTA-DR)
EAR	Export Administration Regulations
EBA	Everything But Arms
EBOR	Electronic On Board Recorder
EC (1st meaning)	European Commission
EC (2nd meaning)	European Communities
ECAT	Emergency Committee for Foreign Trade
ECB	European Central Bank
ECC (1st meaning)	Environmental Cooperation Commission (CAFTA-DR)
ECC (2nd meaning)	Extraordinary Challenge Committee (NAFTA)
ECCN	Export Control Classification Number
ECE	Evaluation Committee of Experts ( <i>NAFTA</i> )
ECFA	Economic Cooperation Framework Agreement
ECHR	European Court of Human Rights
ECJ	European Court of Justice
ECLAC	Economic Commission for Latin America and the Caribbean
E-Commerce	Electronic Commerce
ED	Economic Development Administration (of DOC)
EDI	Electronic Data Interchange

## Table of Abbreviations

EEC	European Economic Community
EFTA	European Free Trade Association
EGA	WTO Environmental Goods Agreement
EIF	Enhanced Integrated Framework (formerly “IF,” or “Integrated Framework”)
EN	Explanatory Note
EP	Export Price
EPA (1st meaning)	Economic Partnership Agreement
EPA (2nd meaning)	U.S. Environmental Protection Agency
EPZ	Export Processing Zone
ESCS	European Steel and Coal Community
ESP	Exporter’s Sales Price (Pre-Uruguay Round U.S. term for Constructed Export Price)
ERP	Effective Rate of Protection
ET (EST)	Eastern Time (Eastern Standard Time)
ETA	Employment and Training Administration (of DOL)
ETP	Eastern Tropical Pacific
ETS	Emission Trading Scheme
EU	European Union
Ex-Im Bank	U.S. Export-Import Bank
FACT Act of 1990 (1990 Farm Bill)	Food, Agriculture, Conservation, and Trade Act of 1990
FAIR Act of 1996 (1996 Farm Bill)	Federal Agricultural Improvement and Reform Act of 1996
FAO	Food and Agricultural Organization
FAS	Foreign Agricultural Service (of USDA)
FAST	Free And Secure Trade
FATA	Federally Administered Tribal Areas (Pakistan)
FBI	U.S. Federal Bureau of Investigation
FCIC	U.S. Federal Crop Insurance Corporation (USDA)
FCPA	Foreign Corrupt Practices Act of 1977
FDI	Foreign Direct Investment
Federal Circuit	U.S. Court of Appeals for the Federal Circuit (Washington, D.C.)
Fed. Reg.	Federal Register
FERC	U.S. Federal Energy Regulatory Commission
<i>FF</i>	<i>French Francs</i>
FICCI	Federation of Indian Chambers of Commerce and Industry
FINCEN	U.S. Financial Crimes Enforcement Network (Department of the Treasury)
FMCSA	Federal Motor Carrier Safety Administration
FMV	Foreign Market Value (Pre-Uruguay Round U.S. term for Normal Value)

## *Table of Abbreviations*

FMVSS	Federal Motor Vehicle Safety Standards
FOA	Facts Otherwise Available
FOB (f.o.b.)	Free On Board
FOP	Factors of Production
FPC	U.S. Federal Power Commission (predecessor of DOE)
FRAND	Fair, Reasonable, and Non-Discriminatory
FRCP	U.S. Federal Rules of Civil Procedure
FRCrimP	U.S. Federal Rules of Criminal Procedure
FRE	U.S. Federal Rules of Evidence
FSA (1st meaning)	U.S. Farm Services Agency
FSA (2nd meaning)	Food Safety Agency (EU)
FSC	Foreign Sales Corporation
FSRI Act of 2002 (2002 Farm Bill)	Farm Security and Rural Investment Act of 2002
FTA	Free Trade Agreement
FTAA	Free Trade Area of the Americas
FTAAP	Free Trade Agreement of the Asia Pacific Region
FTC	Free Trade Commission (NAFTA)
FTZ (1st meaning)	Foreign Trade Zone
FTZ (2nd meaning)	Free Trade Zone
FY	Fiscal Year
FX	Foreign Exchange
G7	Group of Seven Industrialized Nations
G8	Group of Eight Industrialized Nations
G20	Group of Twenty Developed Nations
G33 (or G-33)	Group of 33 Developing Countries
G&A	General and Administrative expenses
GAAP	Generally Accepted Accounting Principles
GAO	U.S. Government Accountability Office
GATB	General Agreement on Trade in Bananas (15 December 2009)
GATS	General Agreement on Trade in Services
GATT	General Agreement on Tariffs and Trade
GCC	Gulf Cooperation Council
GDP	Gross Domestic Product
GI	Geographical Indication
GM	Genetically Modified, Genetic Modification
GMO	Genetically Modified Organism
GNH	Gross National Happiness
GNI	Gross National Income
GNP	Gross National Product

## *Table of Abbreviations*

GOI	Government of India
GPA	Government Procurement Agreement (WTO Agreement on Government Procurement)
GPS	Global Positioning System
GRI	General Rules of Interpretation (of the HS)
GPT	General Preferential Tariff (Canada)
GSM	General Sales Manager
GSP	Generalized System of Preferences (U.S.)
GSP+	Generalized System of Preferences Plus (EU)
GTA	Global Trade Atlas
H5N1	Avian Flu
HCTC	Health Care Tax Credit
HDI	U.N. Human Development Index
HHS	U.S. Department of Health and Human Services
HIPC	Highly Indebted Poor Country
HKMA	Hong Kong Monetary Authority
HNW	High Net Worth
HPAE	High Performing Asian Economy
HPC	High Performance Computer
HS	Harmonized System
HSBC	Hong Kong Shanghai Banking Corporation
HTS	Harmonized Tariff Schedule
HTSUS	Harmonized Tariff Schedule of the U.S.
IA (1st meaning)	Import Administration (U.S. DOC)
IA (2nd meaning)	Information Available
IADB	Inter-American Development Bank
IAEA	International Atomic Energy Agency
IBRD	International Bank for Reconstruction and Development (The World Bank)
IBT	International Brotherhood of Teamsters
ICs	Indigenous Communities
ICC	International Chamber of Commerce
ICE	U.S. Immigration and Customs Enforcement
ICFTU	International Confederation of Free Trade Unions
ICJ	International Court of Justice
ICOR	Incremental Capital Output Ratio
ICSID	International Center for the Settlement of Investment Disputes
IEEPA	International Emergency Economic Powers Act of 1977
IFPRI	International Food Policy Research Institute
IFSA	Iran Freedom Support Act of 2006
IFTA	United States-Israel Free Trade Implementation Act of 1985

## Table of Abbreviations

IIPA	International Intellectual Property Alliance
ILO	International Labor Organization
ILRF	International Labor Rights Forum
ILSA	Iran and Libya Sanctions Act of 1996 (called ISA after IFSA)
IMF	International Monetary Fund
IMF Articles	Articles of Agreement of the International Monetary Fund
INR	Initial Negotiating Right
INS	U.S. Immigration and Naturalization Service (reorganized partly into ICE in March 2003)
IO	International Organization
IP	Intellectual Property
IPIC Treaty (Washington Treaty)	1989 Intellectual Property in Respect of Integrated Circuits
IPCC	Intergovernmental Panel on Climate Change
IPPC	1952 International Plant Protection Convention
IPR	Intellectual Property Right
IRC	U.S. Internal Revenue Code
IRQ	Individual Reference Quantity
IRS	U.S. Internal Revenue Service
ISA	Iran Sanctions Act of 1996, as amended (formerly ILSA)
ISDS	Investor-State Dispute Settlement
ISO	International Organization for Standardization
IT	Information Technology
ITA (1st meaning)	WTO Information Technology Agreement
ITA (2nd meaning)	U.S. International Trade Administration (DOC)
ITAR	International Traffic in Arms Regulations
ITC	U.S. International Trade Commission
ITO	International Trade Organization
ITO Charter (Havana Charter)	Charter for an International Trade Organization
ITU	International Telecommunications Union
JFTC	Japan Fair Trade Commission
JNPT	Jawaharlal Nehru Port Terminals (Mumbai, India)
JV	Joint Venture
KCBT	Kansas City Board of Trade
KDB	Korea Development Bank
KEXIM	Export-Import Bank of Korea
KORUS	Korea-United States Free Trade Agreement
KSA	Kingdom of Saudi Arabia
L/C	Letter of Credit
LAP	Labor Action Plan ( <i>Columbia TPA</i> )

## Table of Abbreviations

LCA	Large Civil Aircraft
LDBDC	Least Developed Beneficiary Developing Country
LDC (1st meaning)	Least Developed Country
LDC (2nd meaning)	Less Developed Country (includes developing and least developed countries)
LLDC	Landlocked Developing Country
LNG	Liquefied Natural Gas
LNPP	Large Newspaper Printing Press
LOT	Level of Trade (dumping margin calculation adjustment)
LPMO	Livestock Product Marketing Organization (Korea)
LTFV	Less Than Fair Value
MAD	Mutually Assured Destruction
MAI	Multilateral Agreement on Investment
MCL	Munitions Control List
MCTL	Military Critical Technologies List
MDG	Millennium Development Goal
MEA	Multilateral Environmental Agreement
MEFTA	Middle East Free Trade Agreement
MENA	Middle East North Africa
METI	Ministry of Economy, Trade, and Industry (Japan, formerly MITI)
MFA	Multi-Fiber Arrangement (1974–2004)
MFN	Most Favored Nation
MITI	Ministry of International Trade and Industry
MMBtu	Million British Thermal Unit
MNC	Multinational Corporation
MNE	Multinational Enterprise
MOCIE	Ministry of Commerce, Industry, and Energy (Korea)
MOFAT	Ministry of Foreign Affairs and Trade (Korea)
MOFCOM	Ministry of Commerce (China)
MOU	Memorandum of Understanding
MPF	Merchandise Processing Fee
MRA	Mutual Recognition Agreement
MRL	Maximum Residue Level
MRM	Marine Resource Management
MSF	<i>Médecins Sans Frontières</i>
MTA	Multilateral Trade Agreement
MTB	Miscellaneous Trade Bill (multiple years)
MTN	Multilateral Trade Negotiation
MTOP	Millions of Theoretical Operations per Second
MVTO	Motor Vehicles Tariff Order
MY	Marketing Year
NAD Bank	North American Development Bank ( <i>NAFTA</i> )



## Table of Abbreviations

NAAEC	North American Agreement on Environmental Cooperation (NAFTA Environmental Side Agreement)
NAALC	North American Agreement on Labor Cooperation (NAFTA Labor Side Agreement)
NAFTA	North American Free Trade Agreement
NAM (1st meaning)	U.S. National Association of Manufacturers
NAM (2nd meaning)	Non-Aligned Movement
NAMA	Non-Agricultural Market Access
NAO	National Administrative Office ( <i>NAFTA</i> )
NASA	U.S. National Aeronautics and Space Administration
NBP	National Bank of Pakistan
NCTO	National Council of Textile Organizations
NEI	National Export Initiative
NFIDC	Net Food Importing Developing Country
NFTC	National Foreign Trade Council
NG	Natural Gas
NIC	Newly Industrialized Country
NIEO	New International Economic Order
NMDC	National Minerals Development Corporation (India)
NME	Non-Market Economy
NNSA	U.S. National Nuclear Security Administration (DOE)
NOAA	U.S. National Oceanic and Atmospheric Administration (DOC)
NPA	Non-Prosecution Agreement
NPC	National People's Congress (China)
NPL	Non-Performing Loan
NPT	Nuclear Non-Proliferation Treaty of 1968
NRC	U.S. Nuclear Regulatory Commission
NRI	Non-Resident Indian
NRL	Nuclear Referral List
NSA	U.S. National Security Agency
NSPD	National Security Presidential Directive
NSS	WTO SPS National Notification System
NTA	National Textile Association
NTB	Non-Tariff Barrier
NTE	National Trade Estimate Report on Foreign Trade Barriers (USTR)
NTM	Non-Tariff Measure
NTR	Normal Trade Relations
NV	Normal Value
NWFP	North West Frontier Province (Pakistan)
OAS	Organization of American States
OBRA	Omnibus Budget and Reconciliation Act (multiple years)

## Table of Abbreviations

OCD	Ordinary Customs Duties
OCR	Out of Cycle Review
ODA	Official Development Assistance
ODC	Other Duties and Charges
OECD	Organization for Economic Cooperation and Development
OED	Oxford English Dictionary
OEE	U.S. Office of Export Enforcement (BIS)
OEM	Original Equipment Manufacturer
OFAC	U.S. Office of Foreign Assets Control (Department of the Treasury)
OIC	Organization of Islamic Conference
OIE	World Organization for Animal Health ( <i>Office International des Epizooties</i> )
OMA	Orderly Marketing Arrangement
OMO	Open Market Operation
OOIDA	Owner-Operator Independent Drivers Association
OPEC	Organization of Petroleum Exporting Countries
OPIC	U.S. Overseas Private Investment Association
OTC	Over the Counter
OTCA	Omnibus Trade and Competitiveness Act of 1988
OTDS	Overall Trade distorting Domestic Support
OTEXA	Office of Textiles and Apparel (U.S. DOC)
OTLA	Office of Trade and Labor Affairs (in DOL)
PAPS	Pre-Arrival Processing System
Paris Convention	1883 Paris Convention for the Protection of Industrial Property
PASA	Pre-Authorization Safety Audit
PBC (PBOC)	People's Bank of China
PBUH	Peace Be Upon Him
PCA	Post-Clearance Audit
PEO	Permanent Exclusion Order
PFC	Priority Foreign Country
PhRMA	Pharmaceutical Manufacturers of America
PNTR	Permanent Normal Trade Relations
POI	Period of Investigation
POR	Period of Review
PPM (1st meaning)	Parts Per Million
PPM (2nd meaning)	Process and Production Method
PP	Purchase Price (Pre-Uruguay Round U.S. term for Export Price)
PPP	Purchasing Power Parity
PRC	People's Republic of China
PSA	Port of Singapore Authority

## Table of Abbreviations

PSI	Pre-Shipment Inspection
PSI Agreement	WTO Agreement on Pre-Shipment Inspection
PSRO	Product Specific Rule of Origin
PTA	Preferential Trade Agreement, or Preferential Trading Arrangement
PTO	U.S. Patent and Trademark Office
QE	Quantitative Easing
QIZ	Qualified Industrial Zone
QR	Quantitative Restriction
R&D	Research and Development
R&TD	Research and Technological Development measures
RAM	Recently Acceded Member (of WTO)
RBI	Reserve Bank of India
RCEP	Regional Comprehensive Economic Partnership
REER	Real Effective Exchange Rate
RMA	U.S. Risk Management Association (RMA)
<i>RMB</i>	<i>Ren min bi</i> ("people's money," the Chinese currency)
RMG	Ready Made Garment
Rome Convention	1964 Rome Convention for the Protection of Performer, Producers of Phonograms and Broadcasting Organizations
ROO	Rule Of Origin
ROW	Rest Of World
ROZ	Reconstruction Opportunity Zone
RPT	Reasonable Period of Time
RTA	Regional Trade Agreement
RTAA	Re-employment Trade Adjustment Assistance
RVC	Regional Value Content
S&D	Special and Differential
SAA	Statement of Administrative Action
SAARC	South Asia Association for Regional Cooperation
SACU	Southern African Customs Union
SADC	Southern African Development Community
SAFE Port Act	Security and Accountability for Every Port Act of 2006
SAFTA	South Asia Free Trade Agreement
SAGIA	Saudi Arabian General Investment Authority
SAMA	Saudi Arabian Monetary Authority
SAPTA	South Asia Preferential Trading Arrangement
SARS	Sudden Acute Respiratory Syndrome
SCGP	Supplier Credit Guarantee Program
SCM	Subsidies and Countervailing Measures
SCM Agreement	WTO Agreement on Subsidies and Countervailing Measures
SCP	Sugar Containing Product

## Table of Abbreviations

SDF	Steel Development Fund (India)
SE	Secretaría de Economía (Secretariat of Economy, Mexico, formerly <i>SECOFI</i> )
SEBI	Securities and Exchange Bureau of India
SEC	U.S. Securities and Exchange Commission
SECOFI	Secretary of Commerce and Industrial Development ( <i>Secretario de Comercio y Fomento Industrial</i> ), i.e., Ministry of Commerce and Industrial Development (Mexico, renamed SE in December 2000)
SEIU	Service Employees International Union
SENTRI	Secure Electronic Network for Travelers Rapid Inspection
SEZ	Special Economic Zone
SG&A	Selling, General, and Administrative expenses
SME (1st meaning)	Small and Medium Sized Enterprise
SME (2nd meaning)	Square Meter Equivalent
SNAP-R	Simplified Network Application Process — Redesign
SOCB	State Owned Commercial Bank
SOE	State Owned Enterprise
SOF	Special Operations Forces
SPI	Special Program Indicator
SPS (1st meaning)	Sanitary and Phytosanitary
SPS (2nd meaning)	Single Payment Scheme
SPS Agreement	WTO Agreement on Sanitary and Phytosanitary Measures
SRO	Specific Remission Order
SSA	Sub-Saharan Africa
SSAC	Sub-Saharan African Country
SSG	Special Safeguard
SSM	Special Safeguard Mechanism
STDF	WTO Standards and Trade Development Facility
STE	State Trading Enterprise
STO	Special Trade Obligation
SVE	Small, Vulnerable Economy
SWAT	Strategic Worker Assistance and Training Initiative
T&A	Textiles and Apparel
TAA (1st meaning)	Trade Adjustment Assistance
TAA (2nd meaning)	Trade Agreements Act of 1974, as amended
TAAEA	Trade Adjustment Assistance Extension Act of 2011
TAA Reform Act	Trade Adjustment Assistance Reform Act of 2002
TAC	Total Allowable Catch

## Table of Abbreviations

TBT	Technical Barriers to Trade
TBT Agreement	WTO Agreement on Technical Barriers to Trade
TCP (1st meaning)	Third Country Price
TCP (2nd meaning)	<i>El Tratado de Comercio entre los Pueblos</i> , (“Trade Treaty for the Peoples”)
TDI	Trade Defense Instrument
TEA	Trade Expansion Act of 1962
TED	Turtle Excluder Device
TEO	Temporary Exclusion Order
TEU	Twenty Foot Equivalent Unit
TFR	Total Fertility Rate
TGAAA	Trade and Globalization Adjustment Assistance Act of 2009
TIEA	Tax Information Exchange Agreement
TIFA	Trade and Investment Framework Agreement
TIPT	Trade and Investment Partnership Initiative
TISA (TSA)	WTO Trade in Services Agreement
TOT	Terms of Trade
TPA (1st meaning)	Trade Promotion Agreement
TPA (2nd meaning)	Trade Promotion Authority (Fast Track)
TPL	Tariff Preference Level
TPM	Trigger Price Mechanism
TPP	Trans Pacific Partnership
TRA	Trade Readjustment Allowance
TRIMs	Trade Related Investment Measures
TRIMs Agreement	WTO Agreement on Trade Related Investment Measures
TRIPs	Trade Related Aspects of Intellectual Property Rights
TRIPs Agreement	WTO Agreement on Trade Related Aspects of Intellectual Property Rights
TRQ	Tariff Rate Quota
TSA	U.S. Transportation Security Administration
TSUS	Tariff Schedule of the United States (predecessor to HTSUS)
T-TIP	Trans-Atlantic Trade and Investment Partnership
TVE	Town and Village Enterprise
TWEA	Trading With the Enemy Act of 1917
UAW	United Auto Workers
UI	Unemployment Insurance
UIEGA	Unlawful Internet Gambling Enforcement Act of 2006
U.K.	United Kingdom
UN	United Nations

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## *Table of Abbreviations*

UNCITRAL	United Nations Commission on International Trade Law
UNCTAD	United Nations Commission on Trade and Development
UNEP	United Nations Environmental Program
UNFCCC	United Nations Framework Convention on Climate Change
UPS	United Parcel Service
UPU	Universal Postal Union
URAA	Uruguay Round Agreements Act of 1994
U.S.	United States
U.S.C.	United States Code
USML	United States Munitions List
USP	United States Price (Pre-Uruguay Round U.S. term encompassing both Purchase Price and Exporter's Sales Price)
U.S.S.R.	Union of Soviet Socialist Republics
USTR	U.S. Trade Representative
USW (1st meaning)	United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union
USW (2nd meaning)	United Steel Workers of America
VAT	Value Added Tax
VEO	Violent Extremist Organization
VER	Voluntary Export Restraint
VEU	Validated End User
Vienna Convention	1969 Vienna Convention on the Law of Treaties
VRA	Voluntary Restraint Agreement
W120	WTO services classification list (based on CPC)
WA	Wassenaar Arrangement of 1995
WAML	Wassenaar Arrangement Munitions List
WCO	World Customs Organization (formerly CCC until 1994)
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMD	Weapon of Mass Destruction
WMO	World Meteorological Association
WTO	World Trade Organization
WTO Agreement	Agreement Establishing the World Trade Organization (including all 4 Annexes)
WWF	World Wildlife Fund

# Note on Sources

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The increased availability of information about the subject of this Textbook, made possible thanks to the Internet, does not ease its preparation. To the contrary, it is ever more difficult. There are 2 problems: quantity and quality.

First, the sheer volume of data available is overwhelming. From blogs and media coverage to law review articles and think-tank studies, there is an assault of materials.

Second, of the material available, much of it is of low, zero, or even negative marginal value. That is especially true of official government pronouncements. In November 2014, Lori Wallach, Director of Global Trade Watch, which is part of the NGO, Public Citizen, lambasted a White House statement that claimed, in respect of *TPP* negotiations, negotiators had “narrowed the remaining gaps,” the conclusion was “coming into focus,” and finishing the talks “as soon as possible” was “a top priority.”<sup>1</sup> Ms. Wallach called the statement the “same sort of *vague cheerleading*” about “progress and a path to an imminent deal” made since 2011.<sup>2</sup> Her characterization was apt, even polite. More than a few officials trumpet little or no progress as momentous. A realist might say that is because there is so little genuine progress in the polarized political atmosphere in many governments and international economic relations that any step looks like a leap. A cynic might say they do so because progress, real or not, on their watch helps them get better, higher paying positions in the private sector when they rotate out of what is supposed to be public service.

So, to prepare each edition of this Textbook, I must sift through a monstrous amount of sources with a skeptical eye. I need filtering devices. Three of them are the *International Trade Reporter*, *Economist*, and *Financial Times*. In my humble estimation, these publications include the finest journalists on international trade in the English language. Their stories, which stuff 3 file cabinets in my garage, stories help keep my students and me current. It is impossible to cite every story I have used.

Special mention deservedly should be made for many pieces by Toshio Aritake, Bryce Baschuk, Len Bracken, Rossella Brevetti, Lucien O. Chauvin, Stephanie Cohen, Amrit Dhillon, Tony Dutra, Brian Flood, Tom Gilroy, Joe Kirwin, Peter Menyas, Rick Mitchell, Leslie A. Pappas, Daniel Pruzin, Madhur Singh, Amy Tsui, and Gary G. Yerkey in the *International Trade Reporter*, which Bloomberg BNA publishes, and by Alan Beattie, Guy de Jonquière, Simon Mundy, David Pilling, Victor Mallet, Gillian Tett, Frances Williams, and Martin Wolf in the *Financial Times*. (*The Economist* does not identify author bylines.) With apologies to them and their colleagues, this new Edition would be nothing but a multi-volume citation list, were I not to adopt a simple policy: a footnote appears to accompany a direct quote, or extensive use of key data. In brief, may I express my deepest thanks and respect for these publications and their staff? May I also express gratitude to *Al Jazeera*, *Khaleej Times*, *Gulf News*, and *The Gulf Today*, for their coverage of developments concerning trade and the Islamic world?

Similarly, several Chapters of this Textbook has benefited from a large number of official publications of the U.N., World Bank, and WTO, and from some U.S. and foreign

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<sup>1</sup> Quoted in Leslie A. Pappas, *Ministerial Meeting Doesn't Yield Consensus But Leaders in Talks Say Gaps More Narrow*, 31 INT'L TRADE REP. (BNA) 1990 (13 Nov. 2014). [Hereinafter, Pappas.]

<sup>2</sup> Quoted in Pappas (emphasis added).

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## Note on Sources

government bodies. None of them bears a copyright, and almost all of them are available on the official websites of these entities. Citing them all would load the Textbook down in footnotes. Yet, it is worth remarking that among them, my lodestar has been the *Overview and Compilation of U.S. Trade Statutes* (111th Congress, 2nd Session, 2010). Prepared periodically by the Committee on Ways and Means of the U.S. House of Representatives, this Committee Print is what I believe to be the clearest and most concise summary of American foreign trade law contained in any official publication.

What I have learned from legal sources referenced in earlier *International Trade Law* editions resonates in the present edition. Space does not permit a full list of the hundreds of law books, book chapters, and articles I have examined over the years, and to which I remain indebted. That list grows daily. The same policy applies to legal sources: a footnote accompanies a direct quote or great dependence.

There are core texts on international and development topics on which I draw to prepare material (including graphs). It is only right to acknowledge them explicitly:<sup>3</sup>

- P.T. Bauer, *Dissent on Development* (1976)
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- Immanuel Wallerstein, *The Essential Wallerstein* (2000)

In addition, certain parts of this Textbook draw on my other books.

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<sup>3</sup> The free online *Teacher's Manual* for this Textbook sets out a longer list of consulted works, particularly in the fields of international and development economics.



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## Note on Sources

On GATT topics, it is only natural to peek at my treatise, *Modern GATT Law*, originally published in 2005 and expanded to 2-volume 2nd edition in 2013, by Thomson Reuters Sweet & Maxwell in London. Eleanor Norton and Andrew Moroney, the Publishing Editors on the 1st and 2nd editions, respectively, and more recently Lydia Manch, kindly understood my desire to avoid “re-inventing the wheel.” I have drawn on Chapters and used sections from 2nd edition of the treatise, with appropriate substantive and stylistic changes. To a lesser degree, I draw on *Trade, Development, and Social Justice* (Carolina Academic Press 2003), and a treatise with Professor Kevin Kennedy of Michigan State, *World Trade Law* (Lexis Publishing 1998, with 1999 *Supplement*). My dear friend, Dr. Keith Sipe, President of Carolina Academic Press, and Ms. Adriana Sciortino, Lexis Publishing, indulged my efforts to economize on my efforts.

Similarly, I rely on previous articles, some of which are not cited in, or subsequent to, the *Modern GATT Law* treatise. Material on GATT Article XX(a) and Islamic countries comes from *Diversity within Unity: Import Laws of Islamic Countries on Ḥarām (Forbidden) Products*, 47 THE INTERNATIONAL LAWYER 343–406 (2014, with Shannon B. Keating). The discussion of trade preferences for Africa uses *The Limits of American Generosity*, 29 FORDHAM INTERNATIONAL LAW JOURNAL 299–385 (January 2006), and some discussion of FTAs is based on *Competitive Liberalization, Competitive Imperialism, and Intellectual Property*, 28 LIVERPOOL LAW REVIEW issue 1 (2007). The trade sanctions analysis is informed by *MRS. WATU and International Trade Sanctions*, 33 THE INTERNATIONAL LAWYER 1–26 (Spring 1999). The review of the EU CAP draws on *Empathizing with France and Pakistan on Agricultural Subsidy Issues in the Doha Round*, 40 VANDERBILT JOURNAL OF TRANSNATIONAL LAW 949–985 (2007). The annual *WTO Case Review*, published by the *Arizona Journal of International and Comparative Law* (co-authored with Arizona Professor David Gantz, and more recently with Shannon Keating and Bruno Simões) assists in many spots.

Confessedly, it is not easy to set aside my views, and in any event, value-free scholarship is impossible, as C.S. Lewis (1898–1963) rightly argued in *The Abolition of Man* (1943). Besides, who wants a Textbook replete with bland regurgitation, but no provocative analysis to ponder? A book without personality is both unnatural and insufferable. So, regarding WTO dispute settlement, my views on precedent are evident in the coverage of the *DSU* (and *The Stare Decisis Trilogy* is cited in the pertinent Chapter). Likewise, my views in *The Doha Round Trilogy* (cited in the Chapter on that Round) are evident in various discussions. To all the journals in which the *Trilogies* and other articles on which I have drawn, thank you.



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