Contents

	Pref	ace and Acknowledgments	page xiii
	List	of Abbreviations	xvii
1	Intro	duction: Pursuing Trade Liberalization in a	
	Post	:-Doha World	1
2	The	World Trading System under GATT and	
	the	WTO, 1947-2012	11
	1.	The Creation of the GATT	11
	11.	The Evolution and Implementation Processes	13
9 5 \$1	111.	The Uruguay Round Negotiations	16
\mathcal{A}_{i}	IV.	Debacle in Seattle and the Rise of the BRICs and	
		Other MICs	26
3	The	Doha Round Failure and the Likely Demise	
	of th	ne "Single Undertaking"	30
	1.	Events Leading to the Doha Round Failure	31
	11.	Exploring the Reasons for the Failure	36
		A. Rise in MIC Economic Power	37
		B. Divergence in Developing Member Objectives	
		and Concerns	38
		C. Fear of Increased Chinese Source Imports	39
		D. Lack of Political Will	41

		E. Lack of Strong Support from Business	
		Stakeholders	41
		F. Expansion of Government Industrial Policies	43
		G. Increased Use of Non-Tariff Barriers	44
		H. The WTO's Consensus Requirement	45
	111.	Reduced Prospects for Future Single-Undertaking	
		Rounds	46
4	Assis	sting Developing Nations with Duty-Free, Quota-Free	
	Mark	ket Access, Trade Facilitation, and Related Initiatives	50
	1.	Tariff and Quota Barriers for LDCs	51
	11.	Developing Nations and Rules of Origin	54
	111.	Trade Facilitation	57
	IV.	Reducing or Eliminating Cotton Subsidies	61
	V.	Expanding and Improving GSP and Similar Programs	64
	VI.	Tariff Rate Quotas, Food Security, and Related	
		Aspects of Agricultural Trade	69
5	Pres	erving the Environment: Fisheries Subsidies and	
	Trad	e in Environmental Goods	72
	1.	Fishing Subsidies and Related Measures	74
		A. Importance of Fisheries	74
		B. Status of the Negotiations in Geneva	7.5
		C. Alternative Approaches	76
	11.	Encouraging Freer Trade in "Green" Technology Goods	
		and Services: A Sustainable Energy Trade Agreement?	78
		A. General Considerations	78
		B. Addressing Subsidies and Unfair Trade Actions	81
		C. A Plurilateral Initiative at APEC	84
6	New	and Expanded Plurilateral Agreements (Part I)	87
	"	Expanding the Government Procurement Agreement	89
		A. History and Significance	89
		B. Updating the GPA – 2011	91
		C. Further Expansion of the GPA	93

CONTENTS

	11.	Revision and Expansion of the Information	
		Technology Agreement	96
		A. History and Significance	96
•		B. Conclusion of a Revised ITA and Expanded	
		Country Participation	97
	111.	Other Possible Plurilateral Agreements Affecting	
Ni	and the same of the same of	Trade in Goods	104
	grant Springer and the	A. Health Care Products and Services	104
		B. Electronic Commerce	104
		C. Investment Protection Agreements	105
		D. Competition Law	111
		E. Anti-Counterfeiting Trade Agreement	114
7	New	v and Expanded Plurilateral Agreements (Part II):	
,		International Services Agreement	120
		Introduction and Background	121
	11	Reasons for Pursuing Additional Services	
		Market Access	124
	111.	Creation of the GATS	128
	IV.	Alternative Routes to an International	
		Services Agreement	132
		A. Continued Negotiations under Doha	133
		B. Plurilateral Agreement with WTO Waiver	134
		C. Economic Integration Agreement under GATS,	
		Article V	135
	٧.	Shaping the ISA	140
		A. General Approach	140
		B. Expansion of Sector Coverage	145
		C. Foreign Direct Investment, Government	
		Procurement, and Competition	147
		D. SOE and Other Desirable Provisions	149
		E. Dispute Settlement	152
		F. Institutions	155
- 1	VI.	Conclusions	156

8	Con	tinued Proliferation of Regional Trade Agreements	158
>	١.	Historical Background	159
	11.	GATT/WTO Legal Structure	184
	111.	Exploring the Pros and Cons	190
		A. Traditional Considerations	190
		B. Dealing with Twenty-First-Century Issues	192
		C. Seeing RTAs as the Preferred Approach	196
9	Wide	ening and Deepening (or Disregarding) Existing RTAs	201
	1.	European Union	202
		A. Overview of the EU and Eurozone	202
		B. The Eurozone Crisis	204
		C. Further EU Expansion	209
		D. British Euroskepticism	210
	11.	Mercosur	212
		A. Overview	212
		B. Mercosur's Implementation Challenges	214
		C. Admission of Venezuela and Bolivia	216
	111.	ASEAN FTA	218
		A. Overview	218
		B. ASEAN's Implementation and Fragmentation	
		Challenges	220
	IV.	North American Free Trade Agreement	223
		A. Overview	223
		B. Implementation without Amendment	225
	V.	Asia-Pacific Economic Cooperation Forum	229
		A. Standstill, Environmental Goods, and	
		Trade Facilitation	231
		B. Supply Chain Support	232
		C. Free Trade Area of the Asia-Pacific?	233
10	Con	cluding New and Pending RTAs (Part I)	235
	1.	European Union Initiatives	235
		A. Free Trade Agreements	236
		B. Economic Partnership Agreements	240

	11.	A Transatlantic Trade and Investment Partnership?	247
		A. The Pros and Cons	247
		B. Will They or Won't They?	250
	111.	Pacific Alliance	255
	IV.	All-Asian FTA Initiatives	258
		A. China-Japan-South Korea FTA	258
		B. Regional Comprehensive Economic Partnership	261
4.00	V.	All African Regional Initiatives	263
	VI.	Prospects for Chinese Trade Arrangements with Africa	266
11	Con	cluding New and Pending RTAs (Part II):	
	The	Trans-Pacific Partnership	269
	1.	Introduction	269
	11.	The General Approach	272
	111.	Potential Expansion of Membership	272
		A. Canada and Mexico	274
		B. Japan	275
		C. Other Possible TPP Members	278
	IV.	Progress and Challenges	279
		A. Investment	281
		B. State-Owned Enterprises	283
		C. Tobacco Products	285
		D. Intellectual Property	286
		E. Labor and Environment	288
		F. Market Access	289
		G. Regulatory Coherence and Supply Chain Support	295
	V.	Domestic Political Factors in the United States	297
		A. Political Support and Opposition	297
		B. The Obama Administration's Catch-22	299
	VI.	Other Legal and Economic Challenges	301
		A. The "Spaghetti Bowl"	301
		B. Addressing Variations in Level of Economic	
		Development	303
		C. Putting the TPP into Force	304

	VII. "Backdoor" Modification of NAFTA?	306
	VIII. The Prognosis	308
12	Unilateral Approaches to Trade and Market	
7'	Liberalization	312
	I. Individual Developing Nation Market and	
	Trade Liberalization	314
	A. The "Four Tigers"	314
	B. The Latin American "Jaguars": Chile, Colombia,	
	Mexico, and Peru	324
	C. Concluding Observations on Unilateralism	334
	II. The "Washington Consensus" as an Incentive to	
	Unilateral Actions	335
	III. Model Corporate and Commercial Laws	338
	A. Secured Transactions	338
	B. Simplified Stock Corporation	341
	IV. Reduction of Agricultural Subsidies in the	
	EU and United States?	343
13	Conclusions and the Crystal Ball	347
	Selected Bibliography	351
	Table of Cases	365
•	Index	367