CONTENTS

Notes on contributors		page viii
Preface xvi	i	
Table of cases	xix	
Abbreviations	XXXV	ii

PART I Introduction and General Considerations

- 1 The power of the WTO dispute settlement system 3 Rufus Yerxa
- The WTO dispute settlement and general international law 7

 Georges Abi-Saab

The WTO Dispute Settlement System: Its Processes and Its Institutions 13

- The WTO dispute settlement system and its operation: a brief overview of the first ten years

 15

 Bruce Wilson
- The role of the Dispute Settlement Body in the dispute settlement process 25

 Bozena Mueller-Holyst
- 5 Consultations and the panel process in the WTO dispute settlement system 29

 Gabrielle Marceau
- 6 Contingent trade remedies and WTO dispute settlement: some particularities 46

 Jesse Kreier

- 7 The making of the 'World Trade Court': the origins and development of the Appellate Body of the World Trade Organization 63

 Peter Van den Bossche
- 8 Special challenges at the appellate stage: a case study 80 *Valerie Hughes*
- The reasonable period of time for compliance with the rulings and recommendations adopted by the WTO Dispute Settlement Body 88

 Werner Zdouc
- 10 Implementation of panel and Appellate Body rulings: an overview 98 Brendan McGivern
- 11 A brief introduction to countermeasures in the WTO dispute settlement system 110

 Yves Renouf

PART III The WTO Dispute Settlement System: Systemic and Other Issues 123

- The role of lawyers in the WTO dispute settlement system 125

 Giorgio Sacerdoti
- 13 Jurisdiction in WTO dispute settlement 132Joel Trachtman
- 14 Due process in WTO disputes 144 Andrew Mitchell
- 15 Standards of review in WTO panel proceedings 161 Matthias Oesch
- 16 Administration of evidence in WTO dispute settlement proceedings 177

 Scott Andersen
- 17 Confidentiality issues under the DSU: fact-finding process versus confidentiality 190

 Olivier Prost

271

- Panels' consultations with scientific experts 204

 Mireille Cossy
- 19 Amicus curiae participation in WTO dispute settlement: reflections on the past decade 221

 James Durling and David Hardin
- 20 Suspension of concessions and retaliation under the Agreement on Safeguards: the recent US Steel Safeguards case 232 Raimund Raith
- Compliance with WTO dispute settlement decisions: is there a crisis? 242

 John Magnus
- DSU review: a view from the inside 251 David Evans and Celso de Tarso Pereira

PART IV Annexes 269

Annexes I–V

Selected statistics: the first ten years of the WTO