

## Contents

<i>Table of Cases</i>	xiii
<i>List of Contributors</i>	xxiii
1. Introduction: A <i>Liber Amicorum</i> to Celebrate Mitsuo Matsushita's Contributions to International Economic Law <i>Julien Chaisse and Tsai-yu Lin</i>	1
PART I RULES-BASED INTERNATIONAL DISPUTE SETTLEMENT	
2. The WTO Dispute Settlement System: Dealing with Success <i>William J Davey</i>	11
3. The Dispute Settlement System of the WTO: A Bright Picture with a Few Dark Spots <i>Claus-Dieter Ehlermann</i>	26
4. The Scope of Regulatory Autonomy of WTO Members under Article III:4 of the GATT: A Critical Analysis of the Jurisprudence of the WTO Appellate Body <i>Frieder Roessler</i>	30
5. How to Reconcile Health Law and Economic Law with Human Rights? Looking for Hercules in the WTO Appellate Body <i>Ernst-Ulrich Petersmann</i>	39
6. The WTO Jurisprudence of Article XX(g) and the Conservation of Natural Resources <i>Joel P Trachtman</i>	58
7. Balancing Investment Protection and Other Public Policy Goals: Lessons from WTO Jurisprudence <i>Yasubei Taniguchi and Tomoko Ishikawa</i>	68
8. Trade Law and the Vienna Treaty Convention's Systemic Integration Clause <i>Chin Leng Lim</i>	94

9. When Popular Decisions Rest on Shaky Foundations:  
Systemic Implications of Selected WTO Appellate Body  
Trade Remedies Jurisprudence 113  
*Meredith Kolsky Lewis*
10. Taming Investor–State Arbitration? 131  
*Jaemin Lee*
11. The Limits of Legalization in Asia-Pacific Investment  
Treaty Arbitration? 153  
*Luke Nottage*

PART II NORMATIVE INFLUENCES  
TO AND FROM WTO LAW

12. The Interplay between the G20 and the WTO:  
Informal Law-making in Action 183  
*Jan Wouters and Ines Willemyns*
13. Unfinished Business: Competition Law and the WTO 201  
*Rolf H Weber*
14. Competition Law in Emerging Markets: The Virtue  
of Regulatory Diversity 216  
*Frederick M Abbott*
15. Untangling the Triangle: Issues for State-controlled Entities  
in Trade, Investment, and Competition Law 233  
*Julien Chaisse*
16. In Search of Coherence: Navigating the WTO in the Universe  
of International Law 259  
*Chien-huei Wu*
17. Natural Resources and the Rules of the Multilateral Trading  
System: A Sustainable Development Perspective 284  
*Thomas J Schoenbaum*
18. Facilitating Coherent Application of WTO Law Within  
and Outside the Organization: Investment Regime as  
an Example 300  
*Tsai-yu Lin*

19. Reinterpretation of the National Treatment Principle:  
Making International Economic Law a Friend of Global  
Governance of Environmental Protection 314  
*Won-mog Choi*
20. The Soft Law Approach to Regulatory Harmonization:  
Are We Trading Away Privacy for Economic Integration? 328  
*Shin-yi Peng*

PART III ISSUES IN THE POLICY-  
AND LAW-MAKING PROCESS

21. Members Only: Embracing Diversity in the WTO 351  
*Bernard M Hoekman and Petros C Mavroidis*
22. TTIP and the Post-Bali WTO: Towards a New World Trade Order? 367  
*David A Gantz and Laura Nielsen*
23. Regulatory Co-operation and Regulatory Coherence through  
Mega-FTAs: Possibilities and Challenges 392  
*Junji Nakagawa*
24. Rise of the Plurilaterals: Threat or Opportunity for Multilateral  
Trade Governance 411  
*R V Anuradha*
25. Trade in Pharmaceuticals: Patents and Access to Medicines  
since TRIPS—Some Certainty and Several Lingering Questions 427  
*Bryan Mercurio*
26. Trans-Pacific Partnership Intellectual Property Controversies 445  
*Raj Bhala*
27. Interdependence and the WTO Agreement as  
a ‘Contractual Constitution’ 462  
*Chios Carmody*
28. Bridging Global and Regional Governance of International Trade 475  
*Chang-fa Lo*
29. Decision making in the WTO: From Negotiated Law-making  
to Judicial Law-making 487  
*R Rajesh Babu*

30. Legal Development of WTO Trade Remedy Practices in East Asia <i>Dukgeun Ahn</i>	515
31. A Managerial Approach to Secure Compliance with the SPS Agreement <i>Yuka Fukunaga</i>	534
32. Conclusion: Some Thoughts on the WTO's Next Twenty Years <i>Julio A Lacarte Muró</i>	551
<i>Index</i>	559