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Abstracts

Operationalizing Special and Differential Treatment in the World Trade Organization: Game Over?



Andrew D. Mitchell and Tania Voon

The notion of providing special and differential treatment to developing countries has a long history in the World Trade Organization, but some commentators continue to question its rationale and practical effectiveness in supporting development and integration into the multilateral trading system. In particular, while operationalizing special and differential treatment is one of the important tasks of negotiators in the ongoing Doha Round, some argue that this will be not merely difficult, but in fact impossible to achieve. Doubtless, special and differential treatment cannot of itself solve the problems of the developing world, and relying too heavily on this kind of discrimination will ultimately disadvantage developing country WTO members. Nevertheless, in achieving a successful conclusion to the Doha Round, members must take greater account of the different needs of developing countries and adopt more concrete provisions in this regard than are currently contained in the Uruguay Round agreements. In general, WTO members themselves appear to have accepted this responsibility, despite the slow progress in this as in many other areas of the negotiations. Ideally, this process should involve in-depth economic analysis to identify measurable criteria for granting special and differential treatment to particular countries under specific provisions. If these criteria can be agreed and incorporated into the WTO agreements, no new independent bodies will be required to assess individual cases separate from the established WTO dispute settlement system. **KEYWORDS:** World Trade Organization, developing countries, international trade, international law, multilateral negotiations.

Aid for Trade and the “Missing Middle” of the World Trade Organization



Simon J. Evenett

As part of the Doha Development Agenda, many members of the World Trade Organization and, in particular, its director-general have actively promoted the so-called Aid for Trade initiative. Rather than offer a comprehensive account of this initiative, the purpose here is to consider its implications for proposals to fill in the WTO’s “missing middle,” that is, for suggestions to develop the WTO’s non-negotiating, nonjuridical, deliberative functions. **KEYWORDS:** Aid for Trade, World Trade Organization, deliberation.

Critical Mass as an Alternative Framework for Multilateral Trade Negotiations



Peter Gallagher and Andrew Stoler

The article posits that, over time, the sense of the World Trade Organization's so-called Single Undertaking has been perverted, and that the current interpretation requiring every WTO member to be obligated by all new Doha Round agreements is a major problem in the stalled negotiations. The authors' preliminary research supports the idea of conducting international trade negotiations in agriculture on the basis of a critical mass framework, where only those WTO members accounting for some nominated major percentage of trade would take on new obligations. The article recounts how this approach has worked before in the General Agreement on Tariffs and Trade (GATT) and the WTO, and suggests areas of further research in order to test the proposition with respect to agricultural trade. **KEYWORDS:** international negotiations, trade, World Trade Organization, agriculture, political economy.

The Multilateral Trading System and Preferential Trade Agreements: Can the Negative Effects Be Minimized?



Heribert Dieter

Preferential trade agreements pose a big challenge for the multilateral trading system. Throughout the first decade of the twenty-first century, their number has grown significantly. However, these agreements have a range of disadvantages compared with the multilateral regime, for example, in trade facilitation and in dispute settlement. Whereas it will be difficult to stop the further spreading of this wave of preferential agreements, attempts can be made to reduce the negative effects of trade agreements that do, by definition, discriminate other countries. In this article, a range of potential remedies are discussed, from a moratorium to the better enforcement of World Trade Organization rules on preferential agreements as well as improved monitoring. **KEYWORDS:** world trade, preferential trade agreements, rules of origin, Article XXIV, World Trade Organization.