

INTERNATIONAL TRADE LAW: A COMPREHENSIVE E-TEXTBOOK
(6TH EDITION, 2024, 2025, EIGHT VOLUMES)

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(6 Parts, 25 Chapters, 753 pages)
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(5 Parts, 28 Chapters, 885 pages)
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(5 Parts, 16 Chapters, 440 pages)
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ABSTRACT FOR
VOLUME ONE: INTERDISCIPLINARY FOUNDATIONS

(6 Parts, 25 Chapters, 753 pages)

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Concerning the Eight Volume Set:

The eight Volumes of this new (6th) edition of *International Trade Law: A Comprehensive E-Textbook* build on the success of the prior five editions, which date to 1996, and were well-received globally for their clarity, cogency, extensiveness, elegance, and user-friendliness.

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Across the *E-Textbook*, new Chapters include the documentary sale, American trade history, industrial policy, animal rights, LGBTQ+ issues, Section 232 cases, Russia sanctions, Section 301 investigations, U.S.-China trade relations, free trade agreements (FTAs), forced labor, trade and climate change, and India’s trade law and policy. These innovations reflect the fact there has been more disruption in the world trading system since the 2016 U.S. Presidential Election than at any time since the Second World War.

The *E-Textbook* set begins at the multilateral level of trade, *i.e.*, the historic General Agreement on Tariffs and Trade-World Trade Organization (WTO) system. But, that is hardly the end point. The demise of the WTO Appellate Body highlights the shift to what trade is increasingly about – regional and bilateral deals. So, the *E-Textbook* covers all existing U.S. FTAs, including the *United States Mexico Canada Agreement (USMCA)* and its innovative Labor Value Content Rule of Origin (ROO) and Rapid Response Mechanism (RRM). Likewise, trade is increasingly driven by unilateral national level measures. Thus, the *E-Textbook* deals with customs law enforcement of circumvention of antidumping (AD) and countervailing duty (CVD) remedies, amplified sanctions against Iran, and environmental initiatives such as the European Union (EU) Carbon Border Adjustment Mechanism (CBAM).

Overall, the *E-Textbook* provides the broadest, deepest possible coverage of International Trade Law to serve the needs and interests of students, teachers, researchers, scholars, practitioners, and policymakers around the world. Each Volume is available Open Access, and thus freely, quickly downloadable.

Concerning Volume One:

Volume One, *Interdisciplinary Foundations*, carefully explains the rich, diverse intellectual heritage of international trade. Part One sets the tone for this and the remaining Volumes, laying out 10 themes – including the importance of having fun through the study of the field.

Part Two shows how and why cross-border importation and exportation, and foreign direct and portfolio investments, are more than merely economic phenomena. Morality is very much at stake. Dating to Ancient Greece and Rome, and through the great thinkers of the early and medieval Christian Church, trade transactions, and the behavior of traders, were the subject of philosophical and religious debate. Only in 18th and 19th centuries did the writings of classical economists – Adam Smith and David Ricardo – pivot attention to economic analyses of mercantilism and free trade.

Parts Three and Four thus cover the economics of trade. Here, too, diversity is evident: both capitalist and communist trade theory is discussed in detail. Some of these economic topics link to the politics of trade, including trade deficits, the Stolper-Samuelson Theorem, and industrial policy.

In Part Five, the sweep of trade history is chronicled. American trade history – not just tariff policy before, during, and after the Civil War, but also the reality of the Constitutional protection for slave trade – is examined. So, too, is the history of the modern multilateral trading system, which arises from the Great Depression and *Atlantic Charter*, and takes root with the GATT in 1947, and ultimately the WTO in 1995. All of the multilateral trade negotiation (MTN) rounds, including the failed Doha Round, are analyzed.

Finally, Part Six reviews another interdisciplinary foundation of trade, namely, international relations (IR) theory. Here, Realism, Liberalism, and Constructivism are explained. These theories are a reminder of the promise, and limitation, of trade as means to build peace among peoples.

Overall, Volume One welcomes readers, regardless of their prior background, by giving them the interdisciplinary tools they need to be well-educated and well-rounded in International Trade Law. Like the other seven Volumes of *International Trade Law: A Comprehensive E-Textbook*, this Volume is available Open Access, and thus freely, quickly downloadable.

ABSTRACT FOR
VOLUME TWO: FUNDAMENTAL MULTILATERAL OBLIGATIONS

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Concerning Volume Two:

Volume Two, Fundamental Multilateral Obligations, provides in-depth coverage of the General Agreement on Tariffs and Trade (GATT) and World Trade Organization (WTO). International Trade Law springs from, and operates at, three levels: multilateral trade treaties, *i.e.*, GATT-WTO rules; regional trade agreements, *i.e.*, rules arising from free trade agreements (FTAs) and customs unions (CUs); and national measures, *e.g.*, rules specific to one country, such as America or India. Volume Two is all about this first level. Subsequent Volumes deal with the other levels. But, across all eight Volumes, GATT-WTO rules are of special, if not pre-eminent, importance – at least if there is anything to the international rule of law.

Part One lays out the architecture of multilateral trade treaties. Special emphasis is on the 1986-1994 Uruguay Round. It produced the largest and most complex of trade treaties in human history, and birthed the WTO. Also discussed here is how countries became contracting parties to GATT, and how they accede as Members to the WTO.

Part Two provides studies the luster and blemishes on the “crown jewel” of the GATT-WTO regime, namely, its adjudicatory system. How did this system evolve since 1947 into today’s sophisticated set of procedures for resolving trade disputes among WTO Members? What problems do WTO Panels and the Appellate Body face? Does *stare decisis* operate, in a *de facto sense*, in this system? Why did the Appellate Body – loosely akin to a Supreme Court of International Trade – collapse in December 2019, and what replaced it? Can it be said, under Positivist Legal Theory, that International Trade Law is truly “law,” unlike, perhaps, Public International Law?

Part Three sets the foundation for the remaining two Parts, Three and Four. All GATT-WTO disputes necessarily begin with a basic question: what is the relationship between or among (1) an imported product, and either (2) an allegedly aggrieved other imported product or (3) domestically-produced product? If (1) an imported product bears no “likeness” either to (2) another imported product or (3) a domestically-produced product, then that imported product cannot be said to cause harm to the other merchandise. Part Three elucidates the legal tests for “likeness,” which derive from considerable GATT-WTO jurisprudence.

Part Four then identifies each of the five most important rules in the entire multilateral trading system – the “Five Pillars.” They are most-favored nation (MFN) treatment, national treatment (for both fiscal and non-fiscal measures), tariff bindings, quantitative restrictions (QRs), and transparency. To know these rules well is to know a lot about International Trade Law. They, or their analogs, are reincarnated countless times not only in WTO treaties that deal with, for example, IP and services, but also and in FTAs. Part Four untangles the text of each of these rules, and the leading GATT-WTO cases that apply them in a wide array of provocative circumstances.

Finally, Part Five addresses the reality that every rule has one or more exceptions. There are “cracks” in each of the Pillar obligations. Some are across-the-board derogations, available in the event of a violation of any provision of GATT. Others are specific to a violation of a particular GATT Article. This Part also asks why there is no broad exception to justify a protectionist measure to advance human rights.

Overall, Volume Two gives readers both the basic concepts, and advanced critiques, of how the international rule of law is manifest with respect to trade, namely, the GATT-WTO regime. Like the other seven Volumes of *International Trade Law: A Comprehensive E-Textbook*, this Volume is available Open Access, and thus freely, quickly downloadable.

ABSTRACT FOR
VOLUME THREE: CUSTOMS LAW

(5 Parts, 16 Chapters, 440 pages)

<https://kuscholarworks.ku.edu/handle/1808/35064>

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Concerning Volume Three:

Volume Three, Customs Law, is about a (maybe the) “bread-and-butter” specialty within International Trade Law, namely, the clearance of merchandise exported from one country into the customs territory of another country. Every article of merchandise shipped across an international boundary must satisfy the customs rules of the importing country. Though the GATT-WTO regime contains treaties on Customs Law, most of the key rules are at the national level. So, the focus of this Volume is on U.S. Customs Law. As the dominant player in world trade, and the one with the most sophisticated set of customs rules dating to the founding of the American Republic, that focus is the most influential example.

Part One deals with the answer to an obvious question: how is it known whether a good is “foreign,” and thus being imported? The answer is a Rule of Origin. That answer belies the complexity of identifying and applying the correct ROO for a shipment of merchandise. This Part, however, expounds on the different conceptual types of ROOs, and how they are employed in practice.

Part Two deals with the answer to a non-obvious question: what options exist for bringing merchandise into an importing country? Most merchandise is entered for consumption, but there are other possibilities. Warehouses and FTZs are among the leading alternatives, and afford importers and exporters alike transactional and strategic flexibility.

Parts Three and Four deal with the heart of the customs clearance process – classification and valuation, respectively. Tariff liability owed by an importer of record depends on the proper classification of merchandise in the Harmonized Tariff Schedule, which yields an applied duty rate, multiplied by the value of the product, which thus yields a specific tariff figure. Both processes, classification and valuation, are zero-sum games: importers seek to minimize their tariff liability, while governmental customs authorities, like U.S. CBP, wish to maximize tariff revenue. The games are refereed, as it were, by rules on product classification, such as the GRI, and on methodologies for valuation. These rules and methodologies, along with the vast U.S. case law on them, and how to read a Tariff Schedule, are covered in this Part.

Finally, Part Five summarizes special Customs Law programs under U.S. Customs law. One program, drawback, allows importers to be refunded certain tariffs on inputs they previously paid, when finished merchandise is exported. A second program, pre-shipment inspection, can help speed up the customs clearance process by taking care of necessary checks in the exporting country. PSI can be especially helpful to developing and least developed countries, ensuring their merchandise – including perishable products – are not held up at entry ports in developed countries because they fail the checks. Likewise, poor countries can benefit from trade facilitation and the possibilities afforded by the WTO Trade Facilitation Agreement.

Overall, Volume Three provides highly practical material used in the everyday life of International Trade Lawyers around the world. This Volume further underscores the

importance that customs clearance be as algorithmic a process as possible, so as to expedite trade by minimizing inefficiencies and/or opportunities for corruption. Like the other seven Volumes of *International Trade Law: A Comprehensive E-Textbook*, this Volume is available Open Access, and thus freely, quickly downloadable.

ABSTRACT FOR
VOLUME FOUR: NATIONAL SECURITY

(7 Parts, 25 Chapters, 1,089 pages)
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Concerning Volume Four:

The significance of the link between trade and national security cannot be overstated. While it is a link dating to ancient times (as Volume One observes), in the post-Cold War era, it is fair to say trade policy is national security policy, or a part thereof, and vice versa. Thus, Volume Four is about the theory and practice of this link.

Part One covers border security in a post-9/11 world. After that terrorist attack, the function of the U.S. Customs Service – renamed Customs and Border Protection (CBP) – enlarged from clearance of merchandise (discussed in Volume Two) to protecting America’s borders. The job of CBP now includes ensuring only “good goods and good people” enter the U.S. customs territory. That is likewise the task of customs authorities around the globe. Here, again, the U.S. national-level measures have been studied in other countries, and at the World Customs Organization (WCO), as role models to one degree or another.

Part Two is about how “national security” is defined in theory and practice. Both the multilateral level, *i.e.*, Article XXI of the General Agreement on Tariffs and Trade (GATT) and Article V of the *General Agreement on Trade in Services*, and the U.S. level, *i.e.*, the array of Presidential authorities to deal with “national security” challenges, are reviewed. So, too, is the controversy as to whether World Trade Organization (WTO) adjudicators do, or even should, have any subject matter jurisdiction over the invocation by WTO Members of national security as a reason to derogate from a GATT-WTO obligation.

Parts Three and Four concern two of the most important manifestations of the link between trade and national security – Section 232 and export controls, respectively. Again, both theory and practice are discussed. Section 232 allows the President to adjust imports to avoid an impairment to national security. Steel and aluminum imports are among the key targets for this weapon. Export controls are relevant to nuclear, military, or dual-use (civilian and military) items. The U.S. reasons for controlling such exports, and how it does so, are evaluated.

Parts Five, Six, and Seven treat a third key instance of the trade-national security nexus, namely, trade sanctions. Part Five is theoretical, asking whether trade sanctions are “moral.” Different criteria for evaluating what constitutes “moral” behavior are laid out. Parts Six and Seven are practical, with two major case studies, Iran and Russia, respectively. Like the U.N., and other WTO Members, the U.S. has maintained a dizzying array of sanctions against Iran ever since the 1979-1981 Hostage Crisis. These sanctions are explained chronologically. Associated with those sanctions is Iran’s alleged nuclear weapons program. So, a critical analysis of the terms of the *Joint Comprehensive Plan Of Action (JCPOA, i.e., the July 2015 Iran Nuclear Deal)* is offered. Further, since Russia’s February 2022 invasion of Ukraine, America and its Allies have slapped sanctions on Russia, and ratcheted them up. These punishments include innovative actions, such as price caps on oil and natural gas.

Overall, Volume Four examines all aspects of the concept of “national security” and logic for linking it to measures such as import adjustment, export controls, and trade sanctions. Included in this treatment are moral arguments for and against those measures. The Volume thus embraces the detailed legal rules at issue, and from them infers grand questions. Like the other seven Volumes of *International Trade Law: A Comprehensive E-Textbook*, this Volume is available Open Access, and thus freely, quickly downloadable.

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VOLUME FIVE : REMEDIES

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Concerning Volume Five:

When countries lower tariff and/or non-tariff barriers through multilateral trade negotiations (MTNs) under the auspices of the General Agreement on Tariffs and Trade (GATT) and World Trade Organization (WTO), or free trade agreements (FTAs), they are left with one category of measures to protect domestic producers: trade remedies. Volume Five covers this broad, deep specialty of International Trade Law. Remedies fall into four categories: (1) against unfairly traded merchandise; (2) against fairly-traded merchandise; (3) against non-market economies; and (4) unilateral action.

Parts One, Two, Three and Four deal with remedies to combat unfair trade, namely, antidumping (AD) and countervailing duties (CVDs). Each of these Parts lays out the definition and elements of “dumping” and “subsidies.” The elements are technical, to be sure, but they are what International Trade Law practitioners “do” every day. Accordingly, all relevant case law is integrated into the AD-CVD material. Attention also is paid to fishing subsidies, in Part Four. World fisheries are depleted amidst subsidized commercial-scale international fleets (as from China), threatening the livelihoods of artisan fishermen and the protein-sources of hundreds of million around the world.

Part Five turns to remedies against fair trade. It explains why that counter-intuitive idea – fighting imported merchandise that is not dumped or illegally subsidized – makes sense in historical, economic, and political terms.

Part Six covers material that, with the November 1989 fall of the Berlin Wall, might have been dismissed as irrelevant thereafter. In fact, given the economic policies of China (and other countries), remedies against imports of merchandise originating in countries that do not play by market economy standards and rules, *i.e.*, non-market economies (NMEs), remain relevant. Such remedies include modified metrics for AD-CVD, plus market disruption.

Part Seven is about the most controversial trade weapon in America’s trade arsenal: Section 301. This Part explains the theory and practice of why and how America acts on its own against foreign government acts, policies, or practices that are unreasonable or discriminatory, and burden or restrict U.S. commerce. Yes, Section 301 is an example of constructive ambiguity to deter possible “bad” behavior. But yes, the flexibility constructive ambiguity affords has led to major cases, indeed, trade wars, as between the U.S. and China.

Finally, Part Eight deals with a topic not well covered at any level of International Trade Law – multilateral, FTA, or national – namely, currency manipulation. How are foreign exchange rates set, how does foreign exchange (FX) trading work, and what are the criteria to determine when one country manipulates its currency to bolster its exports and disincentivize imports?

Overall, Volume Five details the range of trade remedies U.S. government entities, especially the Department of Commerce (DOC), International Trade Commission (ITC), and United States Trade Representative (USTR), administer. And not just them. With the infusion of the Uruguay Round agreements into the laws of all WTO Members, ever-more of the Members – including developing countries, such as India – are deploying these remedies to protect their domestic producers. Like the other seven Volumes of *International Trade Law: A Comprehensive E-Textbook*, this Volume is available Open Access, and thus freely, quickly downloadable.

ABSTRACT FOR
VOLUME SIX: SPECIAL SECTORS

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Concerning Volume Six:

Every trading nation has “sensitive sectors.” They are the areas of economic endeavor a country desires to insulate from the competition of freely-traded exports. The sensitivities may be based on cultural legacies (think beef in Korea), political calculations (think dairy products in Canada), or economic consequences (think high-employment sectors in India). These sensitivities are the subject of Volume Six.

Part One covers the quintessential sensitive sector: agriculture. Though farm and farm-related endeavors employ a small fraction of the labor force in developed countries, the percentages are higher in developing and least developed countries. Moreover, agriculture is the one sector that effects every person – everyone must eat. So, this Part steers through the three legs of agricultural trade liberalization per the world’s first multilateral deal on cross-border transactions in this sector, the World Trade Organization (WTO) *Agreement on Agriculture*: market access; domestic support; and export subsidies. Further, this Part deals with a closely related matter of concern from ancient to modern times – sanitary and phytosanitary (SPS) standards, which are the subject of the WTO *SPS Agreement*. Alas, many controversies remain in this sector, including reforms to the Green Box and (as India presses) public stockholding for food security, and improper invocations of SPS protections.

Part Two deals with the dominant economic sector in developed countries: services. It is in services where most of the labor force is employed in them, and migrating from agriculture-based to services-based economies is the goal of developing and developing countries. This Part explains how services are categorized in Sectors, Sub-Sectors, and Sub-Sub-Sectors, and how they are traded across borders through four Modes of delivery. Then, the rules of such trade – horizontal (general) obligations, and specific commitments and exceptions – under the *General Agreement on Trade in Services (GATS)* are explained. Vitaly, how to read a Services Schedule, and thus how to understand the multi-dimensional character of services trade liberalization negotiations, are spelled out, and the limited WTO jurisprudence is untangled.

Part Three is about a highly contentious sector in which rich countries seek to maintain a lead, and poor countries hope to develop a comparative advantage: patents, trademarks, and copyrights – that is, IPRs. The WTO *Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPs)* is the focal point of this Part, both its textual provisions and WTO case law under it. So, too, are novel challenges, such as compulsory licensing and vaccine nationalism, some of which were highlighted by the COVID-19 pandemic. And, as in any area of International Trade Law, there are problems of enforcement, hence this Part reviews how, why, and who is responsible for policing intellectual property rights (IPRs).

Part Four deals with the new frontier of sensitive sectors, namely, digital trade (including electronic commerce). What is digital trade? What is its relation to electronic (e-) commerce? Is it properly the subject of International Trade Law, or does it also implicate

issues of antitrust (competition law), and cyber-security? What Digital Trade Agreements currently exist, and what do they say? Which countries incline toward free trade in digital services, and which champion barriers (*e.g.*, data localization), and why? All such questions are in play in this Part.

Overall, Volume Six conveys the vital point that unabashed, across-the-board, *laissez-faire* free trade policy is a quixotic goal in the mind of an ideological economist. In truth, countries understandably need to balance their inclination to free trade against adjustment costs. Like the other seven Volumes of *International Trade Law: A Comprehensive E-Textbook*, this Volume is available Open Access, and thus freely, quickly downloadable.

ABSTRACT FOR
VOLUME SEVEN: FREE TRADE AGREEMENTS, LABOR, AND ENVIRONMENT
(7 Parts, 30 Chapters, 1,196 pages)
<https://kuscholarworks.ku.edu/handle/1808/35068>

Concerning the Eight Volume Set:

The eight Volumes of this new (6th) edition of *International Trade Law: A Comprehensive E-Textbook* build on the success of the prior five editions, which date to 1996, and were well-received globally for their clarity, cogency, extensiveness, elegance, and user-friendliness.

Pedagogically, the entire *E-Textbook* set may be used in a complete, two-semester course, such as basic and advanced International Trade Law. Or, any one or more of the Volumes may be used for one-semester courses or seminars in specialty topics based on the focus of that Volume, such as Customs Law, National Security, Remedies, Special Sectors, Free Trade Agreements, Labor and the Environment, or Development. As a scholarly reference, the *E-Textbook* may be perused horizontally, across Volumes and Chapters, to draw connections among topics, or vertically, with “deep dives” into selected issues. Each Volume contains the same, extensive Table of Abbreviations to guide readers through the thicket of acronyms in the field.

Across the *E-Textbook*, new Chapters include the documentary sale, American trade history, industrial policy, animal rights, LGBTQ+ issues, Section 232 cases, Russia sanctions, Section 301 investigations, U.S.-China trade relations, free trade agreements (FTAs), forced labor, trade and climate change, and India’s trade law and policy. These innovations reflect the fact there has been more disruption in the world trading system since the 2016 U.S. Presidential Election than at any time since the Second World War.

The *E-Textbook* set begins at the multilateral level of trade, *i.e.*, the historic General Agreement on Tariffs and Trade-World Trade Organization (WTO) system. But, that is hardly the end point. The demise of the WTO Appellate Body highlights the shift to what trade is increasingly about – regional and bilateral deals. So, the *E-Textbook* covers all existing U.S. FTAs, including the *United States Mexico Canada Agreement (USMCA)* and its innovative Labor Value Content Rule of Origin (ROO) and Rapid Response Mechanism (RRM). Likewise, trade is increasingly driven by unilateral national level measures. Thus, the *E-Textbook* deals with customs law enforcement of circumvention of antidumping (AD) and countervailing duty (CVD) remedies, amplified sanctions against Iran, and environmental initiatives such as the European Union (EU) Carbon Border Adjustment Mechanism (CBAM).

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Concerning Volume Seven:

If the question is, “what areas of International Trade Law are blazing?,” then Volume Seven encompasses the answer: free trade agreements (FTAs), labor, and environment. With no end in sight to decades of paralysis at the World Trade Organization (WTO), the “action” on market access and social justice issues is at the regional level.

So, Part One covers the theory and practice of FTAs and customs unions. FTAs and customs unions (CUs) are more than economic agreements; they also are instruments to advance political and national security interests of the Parties to them. Philosophies differ as to how ambitious they should be, from American-style exhaustiveness to Indian-style boundedness. Perspectives differ on what countries should be invited into an FTA – Taiwan? And, they differ on whether to remain in a deal – as the Brexit divorce debacle memorably shows.

Part Two pays respect to the multilateral disciplines on FTAs and CUs. WTO Members are supposed to adhere to certain parameters when they negotiate, draft, and execute such deals. That they do not always do so is problematic, and helps explain the frenzied activity in this space.

No FTA or CU can function without Rules of Origin (ROOs). They are the subject of Part Three. In contrast to ROOs discussed in Volume Three (Customs Law), which are non-preferential, ROOs in the context of an FTA or CU (or a poor-country preference scheme) are preferential. How, and why, that is so, and what is at stake, are explored in Part Three. The *North American Free Trade Agreement (NAFTA)*, both version 1.0 and 2.0 (the latter known as the *United States Mexico Canada Agreement*, or *USMCA*), furnishes an excellent case study of how ROOs function. *NAFTA* 1.0 and 2.0 also illustrate how ROOs can advance favored sectoral interests (e.g., autos and auto parts) and labor rights (e.g., wages and dispute settlement), and how they can be looser (encouraging third-country inputs) or tighter (i.e., protectionist).

Part Four demonstrates that free trade, in a pure sense, never is purely free. “Free” Trade Agreements are really “Managed Trade Agreements.” Using Staging Categories (SCs), Duty-Free, Quota Free (DFQF) treatment rarely is accorded to 100 percent of merchandise traded among FTA Parties immediately upon Entry into Force (EIF). Likewise, Parties hold back from liberalization commitments certain sensitive sectors, and reserve the right to snapback protections using safeguards. Analogous limitations – sometimes even more protective ones – exist for provisions on services and foreign direct investment (FDI) flows.

Parts Five and Six cover labor issues. The linkage between trade and labor rights always mattered, as the 1948 *Havana (International Trade Organization, or ITO) Charter* prove. Today this link is at the forefront of trade politics and social justice debates. Part Five examines several critical legal and policy questions: What are “internationally recognized workers’ rights”? What role does the ILO play in defining and advancing them? To what extent does an FTA, through (for example) labor arbitration proceedings, enforce those rights? This Part also lays out new rules – such as the U.S. *Uyghur Forced Labor Protection*

Act (UFLPA) – to cleanse merchandise supply chains of forced labor. Because of these questions and rules (plus those concerning the environment in Part Seven and national security in Volume Three), it is not too much of an overstatement to say that International Trade Law is very much about supply chain management.

Part Seven covers another vital linkage in world trade, that between trade and the environment. Neither GATT-WTO nor FTA provisions can, by themselves, solve the problem of climate change. But, they can play a role in adaptation and mitigation. This Part begins with in-depth coverage of GATT-WTO exceptions to promote conservation of exhaustible natural resources and support sanitary and phytosanitary (SPS) measures, showing how the restrictive Two Step Test developed through cases dating to the 1990s has limited the practical effect of those exceptions. Accordingly, WTO Members – led by the European Union (EU) – have proposed, and indeed implemented, their own trade-restrictions to deal with climate change.

Overall, Volume Seven has an underlying implicit theme of “WTO be damned.” On market access, labor, and environmental matters, some WTO Members have ceased waiting for action at the multilateral level. They are pursuing their interests in these areas – otherwise, they are left behind by not only certain other Members, but also their own domestic constituencies. Like the other seven Volumes of *International Trade Law: A Comprehensive E-Textbook*, this Volume is available Open Access, and thus freely, quickly downloadable.

ABSTRACT FOR
VOLUME EIGHT: GROWTH, DEVELOPMENT, AND POVERTY

(3 Parts, 15 Chapters, 590 pages)

<https://kuscholarworks.ku.edu/handle/1808/35069>

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Concerning Volume Eight:

Does participation in cross-border importation, exportation, and direct and portfolio investment enhance human well-being? In particular, does international trade stimulate economic growth and development, and does it alleviate poverty? These hotly debated controversies are the heart of Volume Eight.

To engage in this debate, it is necessary to understand Development Economics. That is the subject of Part One. How are “growth,” “development,” and “poverty” defined and measured? Armed with clear answers, this Part describes the classic theoretical models of economic growth, development, and poverty reduction. They include Rostow’s Stages of Economic Growth, and the Fei-Ranis Labor Surplus Model. The potential role of trade in them is highlighted. Equally importantly, this Part also reviews the empirical record of the contribution of trade to growth, development, and poverty across the half-century following the end of the Second War and de-colonization. Thus, the records of countries that pursued export-oriented versus import-substitution policies are contrasted.

Part Two spells out and critically analyzes the leading programs in International Trade Law designed to benefit developing and least developed countries: the *Generalized System of Preferences* (GSP), a GATT-WTO exception to the most-favored nation (MFN) obligation. This Part also highlights one among many national-level, targeted preference schemes, namely, the U.S. *African Growth and Opportunity Act* (AGOA). Unfortunately, *GSP* and *AGOA* have underrealized their full potential to help poor countries. This Part explains why they have not done so.

Volume Eight, and thus the eight-Volume set, conclude with a review and evaluation of the trade laws and policies of India. India is the world’s most populous country, the world’s largest democracy, and the world’s most religiously pluralistic country. Its trade regime, characterized by import substitution and protectionism in the decades after the 15 August 1947 British Partition of the Indian Sub-Continent, pivoted in 1991 to openness. But, the pivot is partial: India’s trade liberalization is inchoate, and its free trade agreement (FTA) program is only modestly ambitious. What might the future hold for India and, therefore, the world?

Overall, Volume Eight clearly manifests the interdisciplinary nature of International Trade Law through the pressing questions of inequality and injustice in the world trading system. Like the other seven Volumes of *International Trade Law: A Comprehensive E-Textbook*, this Volume is available Open Access, and thus freely, quickly downloadable.