

Law of world trade organization

Law



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The paper " Law of the World Trade Organization" is a perfect example of an annotated bibliography on law.

Bossche Peter Van den and Zdouc Werner, *The Law and Policy of the World Trade Organization: Text, Cases, and Materials*. (Cambridge University Press, 2012).

Based on the observations made by Bossche and Zdouc, it becomes apparent how the World Trade Organisation (WTO) remained involved in addressing various issues relating to health and human rights. Justifiably, the participation of WTO in entering into one of the multilateral agreements based on trading goods, following the regulations of Annex 1A, holds utmost importance in relation to the above-stated context. In this regard, such agreement can be recognised as the Agreement on the Application of Sanitary and Phytosanitary Measures (the ' SPS Agreement'), which focuses on regulating the adoption and the usage of measures by the members of WTO, towards ensuring food safety and safeguarding the health of the humans, plants as well as animals from varied diseases. Thus, the above-discussed fact opposes the provided question, which emphasizes the role of WTO in not paying much attention to the concerns associated with health and human rights. Adlung Rudolf and Roy Martin, ' Turning Hills into Mountains? Current Commitments under the GATS and Prospects for Change' [2005] WTO Staff Working Paper.

According to Adlung and Martin, certain changes in the arrangements and the working conditions of WTO can be apparently observed that certainly raises the question about lesser involvement of WTO in resolving the issues associated with human rights, environmental degradations, and health conditions. To summarise the legal issues for responding to the provided <https://assignbuster.com/law-of-world-trade-organization/>

question, the Doha Development Agenda can be taken into concern for discussion, which clearly supports the fact that the WTO does not pay much attention to addressing the issues connected with health along with the environment and human rights. Justifiably, on an average, studying all the member states of WTO, it can be apparently noted that a small portion of all service sectors have been entailed in the current schedules of commitments and a larger portion of entries have been shared with significant limitations relating to their market access. This eventually resulted in limiting the power of the members of WTO towards addressing the issues linked with environmental and human rights, which provide evidence about the relevancy of the fact depicted in the provided question.

World Trade Organization, ' Guide to Reading the GATS Schedules of Specific Commitments and the List of Article II (MFN) Exemptions' [2005]

In accordance with the report published by World Trade Organization, the provided question, which revealed that WTO does not address health and human rights-related issues, can be supported based on the establishment of The General Agreement on Trade in Services (GATS). While summarising the legal issues in relation to the above case, defining four supply modes in “ Article 1” of the GATS eventually argues the fact that the free trade agenda, which is championed by various powerful states, is not detrimental in resolving the above-discussed issues. In this regard, these four supply modes can be reckoned as ‘ cross-border supply’, ‘ commercial presence’, ‘ presence of natural persons’ and ‘ consumption abroad’, as were heightened in this article³. Proper introduction and effective application of the aforementioned supply modes eventually opposes the fact presented by the <https://assignbuster.com/law-of-world-trade-organization/>

provided question concerning the inability of WTO in addressing the problems related to the environment, human rights and health in the global domain.

World Trade Organization, ' The General Agreement on Trade in Services (GATS): Objectives, Coverage and Disciplines' [2005]

Concerning the report published by the World Trade Organization, strong arguments can be made about the role of this international institution when addressing the concerns associated with health, environment and human rights. Based on the above report, this can be justified by taking into concern the formation and the application of GATS, in the year 1995, which provided authoritative power to the members of WTO for paying much attention to the challenges faced while preserving health, environment and human rights. The prime intentions of this particular agreement generally lay in promoting business trade, maintaining its development and ensuring equitable as well as fair treatment made towards all the participants. For fulfilling these objectives, one of the exceptions, which is considered by the agreement during covering the services, is quite important to consider that include “ services supplied in the exercise of governmental authority” in accordance with ‘ Article 1(3)’. This exception represents the fact that the issues relating to human rights can be resolved by availing equal cross-border flows with the utilization of additional supply modes, as affirmed in this article, this opposes to the fact mentioned in the provided question4.