Contents

Acknowledgements vii
Series Preface ix
Introduction xi

PART I DISCRIMINATION

1 Robert E. Hudec (1998), 'GATT/WTO Constraints on National Regulation: Requiem for an "Aim and Effects" Test', *International Lawyer*, **32**, pp. 619–48. 3
2 William J. Davey and Joost Pauwelyn (2000), 'MFN Unconditionality: A Legal Analysis of the Concept in View of its Evolution in the GATT/WTO Jurisprudence with Particular Reference to the Issue of "Like Product"', in Thomas Cottier and Petros Mavroidis (eds), *Regulatory Barriers and the Principle of Non-Discrimination in World Trade Law*, Ann Arbor: University of Michigan Press, pp. 13–50. 33
3 Robert Howse and Donald Regan (2000), 'The Product/Process Distinction – An Illusory Basis for Disciplining "Unilateralism" in Trade Policy', *European Journal of International Law*, **11**, pp. 249–89. 71
4 Lothar Ehring (2002), '*De Facto* Discrimination in World Trade Law: National and Most-Favoured-Nation Treatment – or Equal Treatment?', *Journal of World Trade*, **36**, pp. 921–77. 113

PART II BEYOND DISCRIMINATION

5 Henrik Horn and Joseph H.H. Weiler (2005), 'European Communities – Trade Description of Sardines: Textualism and its Discontent', in Henrik Horn and Petros Mavroidis (eds), *The WTO Case Law of 2002*, Cambridge: Cambridge University Press, pp. 248–75. 173
6 Jacqueline Peel (2012), 'Of Apples and Oranges (and Hormones in Beef): Science and the Standard of Review in WTO Disputes under the SPS Agreement', *International and Comparative Law Quarterly*, **61**, pp. 427–58. 201

PART III POLICY EXCEPTIONS

7 Donald H. Regan (2007), 'The Meaning of "Necessary" in GATT Article XX and GATS Article XIV: The Myth of Cost–Benefit Balancing', *World Trade Review*, **6**, pp. 347–69. 235
8 Dapo Akande and Sope Williams (2003), 'International Adjudication on National Security Issues: What Role for the WTO?', *Virginia Journal of International Law*, **32**, pp. 365–404. 259

PART IV SUBSIDIES AND TRADE REMEDIES

9 Alan O. Sykes (2005), 'Subsidies and Countervailing Measures', in Arthur Appleton, Patrick F.J. Macrory and Michael G. Plummer (eds), *The World Trade Organization: Legal, Economic and Political Analysis*, New York: Springer, pp. 83–107. 301
10 Alan O. Sykes (2003), 'The Safeguards Mess: A Critique of WTO Jurisprudence', *World Trade Review*, **3**, pp. 261–95. 327

PART V DEVELOPING COUNTRIES

11 Guglielmo Verdirame (1996), 'The Definition of Developing Countries under GATT and other International Law', *German Yearbook of International Law*, **39**, pp. 164–97. 365
12 Lorand Bartels (2007), 'The Trade and Development Policy of the European Union', *European Journal of International Law*, **18**, pp. 715–56. 399

PART VI REGIONAL TRADE AGREEMENTS

13 Kenneth W. Dam (1963), 'Regional Economic Arrangements and the GATT: The Legacy of a Misconception', *University of Chicago Law Review*, **30**, pp. 615–65. 443
14 Andrew D. Mitchell and Nicolas J.S. Lockhart (2008), 'Legal Requirements for PTAs under the WTO', in Simon Lester and Bryan Mercurio (eds), *Bilateral and Regional Trade Agreements: Commentary and Analysis*, Cambridge: Cambridge University Press, pp. 81–113. 495

Name Index 529