

World Trade Institute (WTI) PhD course, 6 – 10 December, 2021

“Trade negotiations and techniques”

Dr Maarten Smeets, Non-Resident Fellow at the World Trade Institute, Bern (WTI), Associate Professor at St Petersburg State University and the Shanghai University of International Business and Economics (SUIBE) and Senior Associate at the Clingendael Academy (Den Haag)

Annotated agenda and syllabus

Course Goals

This PhD course on trade negotiations and techniques will be held immediately after the conclusion of the WTO Ministerial Conference (MC12), scheduled to take place in Geneva 30 November-3 December 2021. It therefore is the first occasion to analyze and review its outcome with key negotiators and leading experts in the field. A key note speech will be delivered by WTO DDG J.M. Paugam on Monday afternoon (13.30-14.30 PM) and the course will be concluded with a Round Table discussion on the future of the WTO Multilateral Trading System, with the participation of Ambassadors, high level trade policy makers, negotiators, and academics.

The goal of the course is to gain a thorough understanding of how trade negotiations are conducted in the WTO. It includes an analysis of the various techniques and approaches applied in negotiating trade agreements in today's increasingly complex and challenging trading environment and with members at different levels of economic development. The course will combine theory and practice, with contributions from trade negotiators, experts and practitioners. It will identify the main obstacles encountered in specific areas of the DDA negotiations, analyze the outcomes of MC-12 and assess the determinants for success. It will consider the future of multilateralism and the ways forward to open markets and liberalize trade through trade negotiations, including plurilateral and sectoral approaches. Specific attention will be given to the participation of developing countries and their special and differential needs. Through case studies and an active student participation, after the course students should be better prepared in engaging in trade negotiations.

Organization of the program and work

Details on the course content for each session are provided below, including suggestions for readings. While the readings are not compulsory, they are meant to guide students in preparing the sessions and assisting them in conducting further research on specific topics. In addition to the segments of the course delivered by Dr Maarten Smeets, most sessions will benefit from the inputs and expertise of key trade negotiators, including chairs of the various negotiating bodies, former Ministers, WTO experts and academics. The sessions will be interactive: students are expected to actively engage in discussions. Students should also view prior to the course the interview of WTO Director General Dr Ngozi Okonjo-Iwela, by Mr Peter Mandelson, former EU Commissioner for Trade and former British Secretary of State for Trade and Industry, and which sets out the level of ambition and expectations of MC-12. This can be viewed on <https://vimeo.com/619940719>.

A list of research topics will be provided for those students wanting to qualify for 4 ECTS credits. The research papers should be 6000 words and are to be submitted by Friday 17 December.

Opening

- **Opening statement by Prof Dr Peter Van den Bossche, Director of Studies World Trade Institute (WTI), President of the Society of International Economic Law (SIEL).**
- **Key note speech by Mr Jean Marie Paugam, Deputy Director General of the World Trade Organization, former Permanent Representative of France to the WTO (scheduled 1.30-2.30 PM).**

Course Content:

Day 1: Introduction to trade negotiations: setting the scene

A brief introduction to the course outline, objectives, methodology, requirements, readings.

- **Preparing for successful negotiations**

From theory to practice. How to prepare for the negotiations, building a team, getting a negotiating mandate, the domestic process, defining national interests, coordination, consultation, interaction with private sector, civil society, parliament.

- **Trade negotiations in the GATT and the WTO.**

Mandate for negotiations in the WTO, institutional set up, structures, TNC, role of the secretariat and the members, reaching consensus, developing country concerns. How to negotiate with increased and diverse membership.

- **Bilateral, regional, plurilateral negotiations as compared to multilateral agreements**

What are the alternative approaches that are emerging in the negotiations, including plurilateral, bilateral, regional, sectoral, zero for zero, 'Friends groups', Joint initiatives.

Guest speaker: Prof. Dr Gabrielle Marceau, University of Geneva, senior counsellor Economic Research Statistics Division, World Trade Organization, Geneva.

- **Trade and Inclusive growth**

How to ensure an equal spread of the benefits of trade liberalization? How do the processes of globalization, de-globalization, the rise in nationalism and protectionism influence the trade agenda, including the role GVCs and supply chains.

- **Negotiating WTO accession: case study on Russia's accession to the WTO**

Legal basis, Article XII, are these real negotiations? Process, domestic reforms, Russia's accession to the WTO.

Guest speaker: Prof. Dr Maxim Medvedkov, head of Trade Policy Department Higher School of Economics (HSE), Moscow, Russian Federation, former chief negotiator for the accession of the Russian Federation to the WTO.

Suggested readings for Day 1:

- Bacchetta, M., Cerra, V., Piermartini, R., Smeets, M., 'Trade and Inclusive Growth', IMF Working Paper (WP/21/74), IMF, Washington DC, March 2021.
- Elsig, M. Hahn, M., Spilker G.: The shifting landscape of global trade governance, World Trade Forum, Cambridge University Press, 2019.

- Jackson, J., *The World Trading System, Law and Policy of International Economic Relations* (MIT Press, Cambridge MA, 1999).
- Jones, M. *Negotiating against the odds, a guide for trade negotiators from developing countries*, Palgrave MacMillan, 2013
- Smeets, M. (Text 0) History of GATT/WTO, Institutional set up in the World Trade Organization.
- Smeets, M. (Text 1 distributed later) Negotiating Function in the World Trade Organization.
- Smeets, M. (Text 2 distributed later) Accession into the World Trade Organization.
- Smeets, M., Mashayekhi, M., Trade policies in support of inclusive growth to the benefit of all, chapter 2 in *Prevost, D., Alexovicova, I., Hillebrand Pohl, J., Restoring Trust in Trade, Liber Amicorum in Honor of Peter Van den Bossche*, Hart Publishers, 2019.
- Smeets, M., 'The WTO Multilateral Trading System in a Globalizing World: Challenges and Opportunities', Maastricht, 2017, ISBN 9789462404212.
- Smeets M., Djumaliev, M., 'Kyrgyz Republic and structural reforms, twenty years of WTO Membership', *St Petersburg University Journal of Economic Studies*, No 4, 2019.
- Van den Bossche, P. and W. Zdouc, *The Law and Policy of the WTO* (5th edition, Cambridge University Press, 2021).
- Van den Bossche, P. and Prevost, D., *The Essentials of WTO Law*, 2nd edition, 2021.
- World Trade Organization: *The multilateral trading system: 50 years of achievements*, WTO, 1998.
- Williams, P.J., *A Handbook on Accessions to the WTO* (Cambridge University Press, 2008).
- World Trade Organization, *WTO Accession 2016: Annual Report by the Director-General December 2016*, WT/ACC/28.

Day 2: The WTO negotiations and the Doha Development Agenda

- **Negotiating Ministerial Declarations with an enlarged and diversified membership**

How did the negotiating techniques and approaches evolve and what are the main key challenges in today's negotiations? How can different levels of ambitions and expectations be reconciled between a rapidly increasing and diversified WTO membership?

- **From MC-4 (Doha) to MC-12 (Astana/Geneva)**

Looking back at the launch of the Doha Development Agenda (DDA) negotiations, which is the only round of multilateral trade negotiations launched and conducted under the aegis of the WTO, what has been accomplished, where do we stand now, what are the challenging issues and how were they addressed in the negotiations?

Guest Speaker: H.E. Stephen C. de Boer, Ambassador and Permanent Representative of Canada to the WTO

- **The power of coalitions**

Coalitions play an increasingly important role in shaping the trade negotiations: how did they emerge, who are the coalition members and how can they contribute to the success of the negotiations?

- **Development perspectives and the role of trade capacity building**

Trade capacity building is increasingly referred to in the WTO negotiations and used as a tool to get the buy-in from the Membership in concluding trade agreements. What are the perspectives for future agreements?

- **Tariff negotiations (NAMA)**

Tariff negotiations have been at the heart of all rounds of trade negotiations, thus securing success in the liberalization of markets and in the negotiations per se. This seems no longer the case with negotiators struggling to agree on the tariff cuts in the DDA. Why are the NAMA negotiations stalled and how can this dilemma be solved?

Guest speaker: Mr Roy Santana, senior counsellor, Market Access Division, World Trade Organization Geneva

Suggested Readings day 2:

- Mohamed, A., 'Nairobi Trade Talks Made History', All Africa, WTO press release, 8 January 2016.
- Narlikar, A. and Tussie, D., 'The G-20 at the Cancún Ministerial: Developing Countries and Their Evolving Coalitions in the WTO', 27 *The World Economy* (2004), p. 947–966.
- Smeets, M. (Text 4 distributed later) Market Access in the World Trade Organization.
- Smeets, M. (Text 5 distributed later) Coalitions in the World Trade Organization.
- Smeets, M., 'Trade Capacity Building in the WTO: Main Achievements Since Doha and Key Challenges', *Journal of World Trade*, Vol.47.5, October 2013.
- Smeets, M.: Africa's integration into the WTO multilateral trading system: Academic support and the role of WTO Chairs, forthcoming in *JWT*, 56:3 (June 2022) (to be distributed).
- SAANA Consulting (2019), External Evaluation of the WTO Chairs Programme (WCP), Final Evaluation Report.
- SAANA Consulting, 'WTO Trade-Related Technical Assistance External Evaluation', Final Report, 31 October 2016.
- Van Grastek, C., *The History and Future of the World Trade Organization* (WTO, 2013).
- WTO Ministerial Conferences, Cambridge University Press, 2019.

Day 3: Key areas of negotiations and outcomes

- **Agriculture**

Agriculture historically has always been one of the most sensitive areas in trade negotiations, with negotiators seeking to balance preserving domestic interests with international trade concerns. What are the key challenges and issues negotiating agriculture?

Guest speaker: H.E. Gloria Abraham Peralta, Ambassador of the Permanent Mission of Costa Rica to the WTO, Chair of the Agriculture Negotiations

- **Digital trade and e-commerce**

Digital trade and e-commerce are the new drivers of the economy with both consumers and business increasingly resorting to electronic transactions. While WTO Agreements already cover many aspects of e-commerce trade and a moratorium has been in place since 1998, there are

no specific rules governing this area per se. What are the key challenges and how to address them in trade negotiations?

Guest Speaker (TBC): H.E. George Mina, Ambassador, Permanent Representative of Australia to the World Trade Organization.

- **Services trade and domestic regulation**

After achieving a significant liberalization at the border for trade in goods, domestic regulation in the field of services trade is viewed as a critical element in enhancing effective competition for services trade in domestic markets. Reaching an agreement has been viewed as one of the potential deliverables, where do we stand?

Guest Speaker: Mina Mashayekhi, Former Director in charge of Trade Division and Head of Trade Negotiations and Commercial Diplomacy Branch (UNCTAD). Adjunct Professor Shanghai University of International Business and Economics (SUIBE), Shanghai, China.

- **The Trade Facilitation Agreement**

The TFA is the only multilateral trade agreement negotiated under since the creation of the WTO. What were the determining factors that led to a successful outcome? Can some of the elements that contributed to its success be replicated in other negotiations?

Suggested Readings day 3:

Agriculture

- Smeets, M. (Text 4) Market Access in the World Trade Organization, Nama, Agriculture and literature referred to in the footnotes.
- World Trade Organization, Report by Ambassador Gloria Abraham Peralta to the Committee on Agriculture in Special Session, JOB/AG/221, 18 October 2021.
- New Pathways for progress in Multilateral Trade Negotiations in Agriculture, paper coordinated by Carmel Cahill and Stefan Tangermann, May 2021.

Digital trade and e-commerce

- Aaronson, Susan Ariel. "Data Is Different, and That's Why the World Needs a New Approach to Governing Cross-Border Data Flows." *Digital Policy, Regulation and Governance*, 2019.
- Baldwin, R.: *The Great Convergence, Information technology and the new globalization*, The Belknap Press of Harvard University Press, 2016.
- Burri, Mira. "Trade in Services Regulation in the Data-Driven Economy." *Trade L. & Dev.* 12 (2020): 208.
- Fleuter, Sam. "The Role of Digital Products under the WTO: A New Framework for GATT and GATS Classification." *Chi. J. Int'l L.* 17 (2016): 153.
- Gao, H.: Data Regulation in trade agreements: different models and options ahead. In Smeets, M., (ed.), *Adapting to the digital trade era: challenges and opportunities*, (WTO, 2021).
- *Global Value Chain Development Report (2019)*, Technological Innovation, Supply Chain Trade, and Workers in a Globalized World, 2019.
- Hartzenberg T., (2021) *E-commerce on Africa's Trade and Integration Agenda* in Smeets M., (ed.), *Adapting to the digital trade era, challenges and opportunities*, WTO, Geneva.

- Ismail, Yasmin. "E-Commerce in the World Trade Organization: History and Latest Developments in the Negotiations under the Joint Statement." Geneva: International Institute for Sustainable Development and CUTS International, Geneva, January 2020.
- Smeets, M., (ed.), '*Adapting to the digital trade era: challenges and opportunities*', (WTO, 2021).
- Smeets, M., Converging thoughts on digital trade in preparing the future, in '*Adapting to the digital trade era: challenges and opportunities*', Smeets (eds.) ISBN 978-92-870-4302-3 (WTO, 2021).
- UNCTAD. "COVID-19 and e-Commerce: A Global Review." UNCTAD/DTL/STICT/2020/13. Geneva: United Nations Conference for Trade and Development, 2021.
- World Trade Organization, World Trade Report 2018, the future of world Trade: How digital technologies are transforming global commerce., WTO, Geneva 2018.
- World Trade Organization, Work Programme on Electronic Commerce, Ministerial Decision of 19 December 2015, (WT/MIN(15)/42, WT/L/977).
- World Trade Organization, OECD, World Bank (2019) Global Value Chains Development Report 2019; technological innovation, supply chain trade, and workers in a globalized world
- "Work Programme on Electronic Commerce: Reinvigorating the Work under the 1998 Work Programme on Electronic Commerce-Communication from South Africa and India." WT/GC/W/812. World Trade Organization, December 4, 2020.
- WTO. "Work Programme on Electronic Commerce The E-Commerce Moratorium: Scope And Impact Communication from India and South Africa." WT/GC/W/798.

Services Trade and domestic regulation

- General Agreement on Trade in Services Article VI.4
- Joint Initiative in Services Domestic Regulation, Reference Paper on Services Domestic Regulation , WTO 27 September 2021 (INF/SDR/1).
- Briefing note on Services Domestic Regulation JSI text of 27 September.
- Kelsey, J., Third World Network (TWN), 2021 (INF/SDR/1), October 2021.
- Mashayekhi, M., Tuerk, E., GATS Negotiations on Domestic Regulation A Developing Country Perspective in K. Alexander and M. Andenas (eds) *The World Trade Organization and Trade in Services* (Chapter Seven), pp 265-317, 2008 Koninklijke Brill.
- Mashayekhi, M.: *Services Trade, Structural Transformation and the SDGs 2030 Agenda*, in Klasen, A. (editor), *The Handbook of Global Trade Policy*, Wiley Blackwell 2020.
- Mashayekhi, M., Vangrasteck, C., *The Services Trade Agreements of Developing Countries in* Sauve, P., Roy, M (Editors), *Research Handbook on Trade in Services*, E. Elgar, Chapter 16, 2016.
- Baiker, L., Bertola, E., Jelitto: *Services Domestic Regulation, Locking in good regulatory practices, Analyzing the Prevalence of services domestic regulation disciplines and their potential linkages with economic performance*, Staff Working Paper ERSD-2021-14, WTO, 17 September 2021.
- *Services Domestic regulation, Fact Sheets*, WTO Joint Initiative on Services Domestic Regulation, WTO November 2021.

Trade Facilitation Agreement

- Janssen, M., Sadni Jallab, M., Smeets, M., (eds.), (2014) *Connecting to Global Markets, Challenges and Opportunities: Case Studies Presented by WTO Chair-holders* (WTO).
- Moise, E. and Sorescu, S., '*Trade Facilitation Indicators: The Potential Impact of Trade Facilitation on Developing Countries*', OECD Trade Policy Papers (No. 144, 2013).

- Neufeld; N., Implementing the Trade Facilitation Agreement: From Vision to Reality, WTO Working Paper ERSD-2016-14, 29 September 2016 World Trade Organization Economic Research and Statistics Division.
- Neufeld; N., The long and winding road: how WTO Members finally reached a trade facilitation agreement, Staff Working Paper ERSD-2014-06, April 7, 2014 World Trade Organization Economic Research and Statistics Division.
- Teh, R., Smeets M., Sadni Jallab M., Chauhdri F., (eds.), *Trade Costs and Inclusive Growth, Case Studies Presented by WTO Chair-holders* (WTO, 2016).
- World Trade Organization (2015d) World Trade Report, speeding up trade: benefits, and challenges of implementing the WTO trade facilitation agreement (2015).
- World Trade Organization, Trade Facilitation Agreement, 11 December 2013, WT/MIN(13)/36 WT/L/911.

Day 4: Addressing new areas relevant to today's trade

• Investment Facilitation for Development

Foreign Direct Investment is a key driver for international trade, which triggered the Joint Statement on Investment Facilitation, aimed at reducing administrative barriers to investment. What are the key issues in the negotiations and how can a positive outcome be assured?

Guest speaker: Mina Mashayekhi, Former Director in charge of Trade Division and Head of Trade Negotiations and Commercial Diplomacy Branch (UNCTAD). Adjunct Professor Shanghai University of International Business and Economics (SUIBE), Shanghai, China.

• Fisheries

Fisheries has for long been considered one of the key deliverable at MC-12, with negotiations possibly resulting in a multilateral trade agreement. What is the final outcome, how were the results achieved or alternatively what main obstacles are standing in the way of reaching an agreement?

Guest Speaker: H.E. Santiago Wills, Ambassador of the Permanent Mission of Colombia to the WTO, Chair of the Fisheries negotiations.

• Information Technology Agreement (ITA)

The Information Technology Agreement (ITA) is a plurilateral agreement with multilateral (MFN) application. What are its main features and could it serve as a model for other plurilateral and/or sectoral agreements?

Guest speaker: Mr Roy Santana, senior counsellor, Market Access Division, World Trade Organization Geneva.

Suggested Readings Day 4:

Investment Facilitation for Development

- Trade Organization: Joint Ministerial Statement on Investment Facilitation for Development Revision (WT/L/1072/Rev.1, 22 November 2019).

- World Trade Organization: Joint Ministerial Statement on Investment Facilitation for Development (WT/MIN(17)59, 13 December 2017).
- Draft Joint initiative on Investment Facilitation 18 November 2021, WTO
- Mashayekhi, M.: Services Trade, Structural Transformation and the SDGs 2030 Agenda in Klasen A. (Editor), The Handbook of Global Trade Policy, Wiley Blackwell, 2020.
- Mashayekhi, M., Vangrasteck, C., The Services Trade Agreements of Developing Countries in Sauve, P., Roy, M. (Editors), Research Handbook on Trade in Services, 2016.
- Lunenburg, P., Investment Facilitation Framework & Most Favoured Nation (MFN) Treatment South Centre , September 2021.
- Kelsey, J., Why the Joint Statement Initiatives lack Legal Legitimacy in the WTO; and Investment Facilitation Joint Statement Initiative: No home in the WTO . The University of Auckland , 22 June 2021.

Fisheries:

- OECD Review of Fisheries, 2020
- Sumaila, U. Rashid et al: Updated estimates and analysis of global fisheries subsidies, Marine Policy, Elsevier, journal homepage: <http://www.elsevier.com/locate/marpol> 2019.
- Negotiating group on rules– fisheries subsidies revised draft consolidated chair text TN/RL/W/276/Rev.1 30 June 2021
- TNC: Minutes of the meeting TN/C/M/41, 30 July 2021.
- Fisheries subsidies revised draft consolidated chair text and chair's explanatory note accompanying TN/RL/W/276/REV.1.
- FAO, 2020. The State of World Fisheries and Aquaculture 2020. Sustainability in action. Rome. <https://doi.org/10.4060/ca9229e>

Information Technology Agreement

- World Trade Organization, Ministerial Declaration on the Expansion of Trade in Information Technology Products, 16 December 2015, MC-X (Nairobi).
- World Trade Organization, World Trade Report 2015: Speeding Up Trade: Benefits and Challenges of Implementing the WTO Trade Facilitation Agreement (2015).
- World Trade Organization, Trade Facilitation Agreement, 11 December 2013, (WT/MIN(13)/36 WT/L/911).
- World Trade Organization, '15 Years of the Information Technology Agreement, Trade Production and Global Production Networks', WTO report prepared for the 15th anniversary of the ITA (2011).

Day 5: Is there a future for multilateralism?

• Restoring the credibility of the MTS

One of the many often heard criticisms of the WTO concerns its negotiating function, with only one multilateral trade agreement concluded since its creation in 1995. In addition, various recent initiatives taken by members risk to fragment the trading system and undermine the centrality of the WTO. At the same time, the recent COVID pandemic episode clearly underscores the need to have a strong and reinvigorated MTS. How can the WTO's negotiating

function be strengthened in order to address the multiple challenges the multilateral trading system is currently facing?

- **Regionalism in support of multilateralism**

Regionalism has been strongly on the rise, often covering areas and topics that could not be solved at the multilateral level or were left out of the negotiations altogether. How can the regional approaches to trade liberalization be acting as building stones in support of the multilateral trade negotiations?

Guest speaker: Mrs Rohini Acharya, Head of Section, Trade Policy Review Division, World Trade Organization, Geneva.

- **Covid -19 and the primacy of trade liberalization and multilateralism**

The Covid 19 pandemic has underscored the importance of having a strong MTS, the need to respond rapidly in a coordinated fashion to an international health situation affecting citizens in all nations of the globe, to resist protectionist measures, support Global Value Chains and ensure an equitable distribution of medicines and medical related equipment. What are the key challenges in the negotiations and how are Members addressing them?

Guest speaker: Roy Santana senior counsellor, Market Access Division, World Trade Organization Geneva

- **Round Table Discussion**

The round table will include key trade negotiators, who will discuss the future of the MTS in light of its current achievements, including the outcome of the MC-12.

Moderator: **Dr. Maarten Smeets**

H.E. Xolelwa Mlumbi-Peter, Ambassador and Permanent Representative to the WTO, Permanent Mission of South Africa in Geneva.

H.E. Dr. Manuel Teehankee, Ambassador and Permanent Representative to the WTO, Permanent Mission of the Philippines.

Mr Hiddo Houben, Deputy Permanent Representative of the European Union to the WTO.

Prof. Dr. Peter van den Bossche Director of Studies World Trade Institute (WTI), President of the Society of International Economic Law (SIEL).

Mrs. Mina Mashayekhi, Former Director in charge of Trade Division and Head of Trade Negotiations and Commercial Diplomacy Branch (UNCTAD). Adjunct Professor Shanghai University of International Business and Economics (SUIBE), Shanghai, China.

H.E. George Mina (TBC), Ambassador, Permanent Representative of Australia to the World Trade Organization

H.E. Santiago Wills (TBC), Ambassador of the Permanent Mission of Colombia to the WTO, Chair of the Fisheries negotiations

Suggested readings day 5:

- Acharya, R. (ed.), Regional Trade Agreements and the Multilateral Trading System (Cambridge University Press, 2016).

- Bahri, A, Zhou, W. and Boklan, D., (Editors): Rethinking, repackaging and Rescuing World Trade Law in the Post-Pandemic Era, Hart publishing, 2021.
- Baldwin, R., Evenett, S. (Editors), Covid-19 and Trade Policy: Why turning inward won't work Centre for Economic Policy Research, 2020.
- Bohanus, J.: An overview of Trade Related Measures Taken by WTO Members during the Covid-19 Pandemic and a few reflections thereon in: Rethinking, repackaging and Rescuing World Trade Law in the Post-Pandemic Era, edited by Bahri, A, Zhou, W. and Boklan, D., Hart publishing, 2021.
- Bown, C.: 'The GATTs starting point' Chapter 3 in Elsig, M., Hoekman, B., Pauwelyn Joost (editors) Assessing the World Trade Organization Fit for purpose? Cambridge University Press, 2017.
- Elsig, M., Hoekman, B., Pauwelyn Joost (editors) Assessing the World Trade Organization Fit for purpose? Cambridge University Press, 2017.
- Elsig, M. Hahn, M., Spilker G.: The shifting landscape of global trade governance, World Trade Forum, Cambridge University Press, 2019.
- VanGrasstek, C., The History and Future of the World Trade Organization (WTO, 2013).
- World Trade Organization, The Future of the WTO, Addressing Institutional Challenges in The New Millennium', report by the consultative board to the Director General Supachai Panitchpakdi, WTO, 2004.
- Winters, A., The WTO and regional trade agreements, is it all over for multilateralism? Chapter 13 in Elsig, M., Hoekman, B., Pauwelyn Joost (editors) Assessing the World Trade Organization Fit for purpose? Cambridge University Press, 2017.
- World Trade Organization Covid-19 Vaccine production and tariffs on vaccine inputs, information note, 8 October 2021
- World Trade Organization Indicative list if trade related bottlenecks and trade facilitating measures on critical products to combat Covid-19, information note, 8 October 2021

Literature and readings

- Aaronson, Susan Ariel. "Data Is Different, and That's Why the World Needs a New Approach to Governing Cross-Border Data Flows." Digital Policy, Regulation and Governance, 2019.
- Acharya, R. (ed.), *Regional Trade Agreements and the Multilateral Trading System* (Cambridge University Press, 2016).
- Abu-Ghazaleh, T., 'WTO at Cross Roads: A Report on the Imperative of a WTO Reform Agenda', informal discussion paper, WTO, January 2013.
- Arveladze, G. and Smeets, M., 'Georgia's Post-Accession Structural Reform Challenges', WTO Working Paper Series, ERSD-2017-10, June 2017.
- Bacchetta, M., Cerra, V., Piermartini, R., Smeets, M., Trade and Inclusive Growth', IMF Working Paper (WP/21/74), IMF, Washington DC, March 2021
- Bahri, A, Zhou, W. and Boklan, D., (Editors): Rethinking, repackaging and Rescuing World Trade Law in the Post-Pandemic Era, Hart publishing, 2021.
- Baiker, L., Bertola, E., Jelitto: Services Domestic Regulation, Locking in good regulatory practices, Analyzing the Prevalence of services domestic regulation disciplines and their potential linkages with economic performance, Staff Working Paper ERSD-2021-14, WTO, 17 September 2021.

- Baldwin, R., Evenett, S. (Editors), *Covid-19 and Trade Policy: Why turning inward won't work* Centre for Economic Policy Research, 2020.
- Baldwin, R.: *The Great Convergence, Information technology and the new globalization*, The Belknap Press of Harvard University Press, 2016.
- Barnier, M.: *La Grande Illusion, Journal Secret du Brexit (2016-2020)*, Gallimard, 2021
- Blustein, P.: *Schism, China, America and the fracturing of the multilateral trading system*, 2019, the Centre for International Governance Innovation (CIGI), Canada.
- Bohanus, J.: *An overview of Trade Related Measures Taken by WTO Members during the Covid-19 Pandemic and a few reflections thereon in: Rethinking, repackaging and Rescuing World Trade Law in the Post-Pandemic Era*, edited by Bahri, A, Zhou, W. and Boklan, D., Hart publishing, 2021.
- Burri, Mira. "Trade in Services Regulation in the Data-Driven Economy." *Trade L. & Dev.* 12 (2020): 208.
- Cerra, V., Eichengreen, B., El-Ganainy, A., and Schindler, M. (Editors), *Trade and Inclusive Growth*, in 'How to Achieve Inclusive Growth', edited by, Oxford University Press forthcoming 2021.
- Croome, J. *Reshaping the World Trading System* (WTO, 1995).
- Dadush, U., Osakwe, C., 'WTO accessions and Multilateralism: Case Studies and Lessons Learned' (WTO, Geneva, October 2015).
- Dunkel, A., *Trade Policies for a Better Future: The Leutwiler Report, the GATT, and the Uruguay Round* (Kluwer Academic Publishers, 1987).
- Elsig, M., Hoekman, B., Pauwelyn Joost (editors) *Assessing the World Trade Organization Fit for purpose?* Cambridge University Press, 2017.
- Elsig, M. Hahn, M., Spilker G.: *The shifting landscape of global trade governance*, World Trade Forum, Cambridge University Press, 2019.
- Fleuter, Sam. "The Role of Digital Products under the WTO: A New Framework for GATT and GATS Classification." *Chi. J. Int'l L.* 17 (2016): 153.
- Froese, Marc D. "Digital Trade and Dispute Settlement in RTAs: An Evolving Standard?" *Journal of World Trade* 53, no. 5 (October 1, 2019).
- Ismail, Yasmin. "E-Commerce in the World Trade Organization: History and Latest Developments in the Negotiations under the Joint Statement." Geneva: International Institute for Sustainable Development and CUTS International, Geneva, January 2020.
- GATT, *The Results of the Uruguay Round of Multilateral Trade Negotiations*, Geneva, (November 1994).
- GATT, *Ministerial Declaration of the Uruguay Round, Punta Del Este* (September 1986).
- Hoda, A., *Tariff Negotiations and Renegotiations under the GATT and the WTO, Procedures and Practices* (Cambridge University Press, 2001).
- Hoekman, B., Tu, X., and Wang, D., (Editors): *Rebooting multilateral trade cooperation: perspectives from China and Europe*, Centre for Economic Policy Research (CEPR), 2021.
- Jackson, J., *The World Trading System, Law and Policy of International Economic Relations* (MIT Press, Cambridge MA, 1999).
- Jansen, M., Sadni Jallab, M., Smeets, M. (editors) '*Connecting to Global Markets: key challenges and opportunities, case studies presented by WTO Chairs*', WTO, January 2014.
- Jones, M. *Negotiating against the odds, a guide for trade negotiators from developing countries*, Palgrave MacMillan, 2013.

- Kelsey, J. 'Why the Joint Statement Initiatives Lack Legal Legitimacy in the WTO', a response to Hamid Mamdouh, 22 June 2021.
- Mamdouh, H., 'Plurilateral Negotiations and Outcomes in the WTO', 16 April 2021.
- Marchetti, J.A. and Roy, M., 'The TISA Initiative: An Overview of Market Access Issues', 48 *Journal of World Trade* (2014).
- Mashayekhi, M., Tuerk, E., 'GATS Negotiations on Domestic Regulation A Developing Country Perspective' in K. Alexander and M. Andenas (eds) *The World Trade Organization and Trade in Services* (Chapter Seven), pp 265-317, 2008 Koninklijke Brill.
- Mashayekhi, M.: 'Services Trade, Structural Transformation and the SDGs 2030 Agenda', in Klasen, A. (editor), *The Handbook of Global Trade Policy*, Wiley Blackwell 2020.
- Mashayekhi, M., VanGrasstek, C., 'The Services Trade Agreements of Developing Countries in Sauve, P., Roy, M (Editors), *Research Handbook on Trade in Services*, E. Elgar, Chapter 16, 2016.
- Mitchell, Andrew D., and Neha Mishra. "WTO Law and Cross-Border Data Flows: An Unfinished Agenda." In *Big Data and Global Trade Law*, edited by Mira Burri, 83–112. Cambridge University Press, 2021. <https://doi.org/10.1017/9781108919234.006>.
- Mohamed, A., 'Nairobi Trade Talks Made History', *All Africa*, WTO press release, 8 January 2016.
- Moise, E. and Sorescu, S., 'Trade Facilitation Indicators: The Potential Impact of Trade Facilitation on Developing Countries', *OECD Trade Policy Papers* (No. 144, 2013).
- Narlikar, A. and Tussie, D., 'The G-20 at the Cancún Ministerial: Developing Countries and Their Evolving Coalitions in the WTO', 27 *The World Economy* (2004), p. 947–966.
- Neufeld, N., 'The Long Winding Road: How Members Finally Reached a Trade Facilitation Agreement', *Staff Working Paper ERSD-2014-06*, WTO (2014).
- Prevost, D., Alexovicova, I., Hillebrand Pohl, J., *Restoring Trust in Trade*, Liber Amicorum in Honor of Peter Van den Bossche, Chapter 2, Hart Publishers, 2019
- SAANA Consulting, 'WTO Trade-Related Technical Assistance External Evaluation', Final Report, 31 October 2016.
- Schwab, K.: *The fourth industrial revolution*, World Economic Forum, 2016.
- Smeets, M., 'Africa's integration in the WTO Multilateral Trading System: Academic Support and the Role of the WTO Chairs', *WTO Staff Working Paper, ERSD 2021-9*, WTO, 1 March 2021.
- Smeets, M., (ed.), *'Adapting to the digital trade era: challenges and opportunities'*, (WTO, 2021).
- Smeets, M., *Converging thoughts on digital trade in preparing the future*, in *'Adapting to the digital trade era: challenges and opportunities'*, Smeets (eds.) ISBN 978-92-870-4302-3 (WTO, 2021).
- Smeets, M, Mashayekhi, M., *Trade policies in support of inclusive growth to the benefit of all*, chapter in *Restoring Trust in Trade*, Liber Amicorum in Honor of Peter Van den Bossche, Chapter 2, Hart Publishers, 2019.
- Smeets, M., *'The WTO Multilateral Trading System in a Globalizing World: Challenges and Opportunities'*, Maastricht, 2017, ISBN 9789462404212;
- Smeets M., Djumaliev, M., 'Kyrgyz Republic and structural reforms, twenty years of WTO Membership', *St Petersburg University Journal of Economic Studies*, No 4, 2019.
- Smeets, M., 'Trade Capacity Building in the WTO: Main Achievements Since Doha and Key Challenges', *Journal of World Trade*, Vol.47.5, October 2013.
- Tangermann, S., Cahill, C.: *New Pathways for progress in Multilateral Trade Negotiations in Agriculture*, working paper, New Pathways, May 2021.
- Teh, R., Smeets, M., Sadni Jallab, M. and Chaudri, F. (eds.), *Trade Costs and Inclusive Growth, Case studies presented by WTO chair-holders* (WTO, 2016).

- UNCTAD. "COVID-19 and e-Commerce: A Global Review." UNCTAD/DTL/STICT/2020/13. Geneva: United Nations Conference for Trade and Development, 2021.
- VanGrasstek, C., *The History and Future of the World Trade Organization* (WTO, 2013).
- Van den Bossche, P. and W. Zdouc, *The Law and Policy of the WTO* (5th edition, Cambridge University Press, 2021).
- Van den Bossche, P., and Prevost, D., *The Essentials of WTO Law*, 2nd edition, 2021.
- Williams, P.J., *A Handbook on Accessions to the WTO* (Cambridge University Press, 2008).
- Winters, L.A., 'The WTO and Regional Trading Agreements: Is it All Over for Multilateralism?' *University of Sussex Working Paper* (No. 82–2015).
- Wolfe, R., 'The Special Safeguard Fiasco in the WTO: The Perils of Inadequate Analysis and Negotiation', 8 *World Trade Review* (2009), p. 517–44.
- World Bank, *From Disintegration to Reintegration: Eastern Europe and the Former Soviet Union in International Trade* (Washington DC, 2005).
- World Trade Organization, Report by Ambassador Gloria Abraham Peralta to the Committee on Agriculture in Special Session, JOB/AG/221, 18 October 2021
- World Trade Organization Covid-19 Vaccine production and tariffs on vaccine inputs, information note, 8 October 2021.
- World Trade Organization Indicative list of trade related bottlenecks and trade facilitating measures on critical products to combat Covid-19, information note, 8 October 2021
- Trade Organization: Joint Ministerial Statement on Investment Facilitation for Development Revision (WT/L/1072/Rev.1, 22 November 2019)
- World Trade Organization, World Trade report 2018, the future of world Trade: How digital technologies are transforming global commerce., WTO, Geneva 2018
- World Trade Organization: Joint Ministerial Statement on Investment Facilitation for Development (WT/MIN(17)59, 13 December 2017.
- World Trade Organization, WTO Accession 2016: Annual Report by the Director-General December 2016, WT/ACC/28.
- World Trade Organization, Trade News, 20 December 2015.
- World Trade Organization, Nairobi Ministerial Declaration, adopted on 19 December 2015 (2015) WT/MIN(15)/DEC.
- World Trade Organization, Work Programme on Electronic Commerce, Ministerial Decision of 19 December 2015, WT/MIN(15)/42, WT/L/977.
- World Trade Organization, WT/MIN(15)45–WT/L/979 Export Competition, Ministerial Decision of 19 December 2015.
- World Trade Organization, WT/MIN(15)45–WT/L/980 Public Stockholding for Food Security Purposes, Ministerial Decision of 19 December 2015.
- World Trade Organization, WT/MIN(15)45–WT/L/978 Special Safeguard Mechanism for Developing Country Members, Ministerial Decision of 19 December 2015.
- World Trade Organization, Work Program on Small Economies, compilation paper prepared by the Secretariat, 16 October 2015, WT/COMTD/SE/W/22/Rev.7.
- World Trade Organization, Ministerial Declaration on the Expansion of Trade in Information Technology Products, Nairobi (2015) WT/MIN(15)/25.
- World Trade Organization, *WTO at Twenty: Challenges and Achievements*, WTO (2015).

- World Trade Organization, World Trade Report 2015: Speeding Up Trade: Benefits and Challenges of Implementing the WTO Trade Facilitation Agreement (2015).
- World Trade Organization, Bali Ministerial Declaration, 11 December 2013, WT/MIN(13)/DEC.
- World Trade Organization, Trade Facilitation Agreement, 11 December 2013, WT/MIN(13)/36 WT/L/911.
- World Trade Organization, '15 Years of the Information Technology Agreement, Trade Production and Global Production Networks', WTO report prepared for the 15th anniversary of the ITA (2011).
- World Trade Organization Fourth Revision of Draft Modalities for Non-Agricultural Market Access, TN/MA/W/103/Rev.4.
- World Trade Organization, Revised Draft Modalities for Agriculture' (TN/AG/W/4/Rev.4, 6 December 2008)
- World Trade Organization, World Trade Report 2007: Six decades of multilateral trade cooperation: What have we learnt? (2007).
- World Trade Organization, Transparency Mechanism for Regional Trade Agreements, Decision of 14 December 2006, WT/L/671.
- World Trade Organization, Hong Kong Ministerial Declaration, 18 December 2005, WT/MIN(05)/DEC.
- World Trade Organization, The Future of the WTO, Addressing Institutional Challenges in The New Millennium', report by the consultative board to the Director General Supachai Panitchpakdi, WTO, 2004.
- World Trade Organization, WTO Ministerial Declaration, Doha, 9–14 November 2001, WT/MIN(01)/DEC/1, 20 Nov.2001.
- World Trade Organization, 'A New Strategy for the WTO Technical Cooperation: Technical Cooperation for Capacity Building, Growth and Integration', 21 September 2001, WT/COMTD/W/90.
- World Trade Organization, WTO Secretariat: WTO Guide to the Uruguay Round Agreements (Kluwer Law International, 1999).
- World Trade Organization, Ministerial Conference, Second Session, Ministerial Declaration, 25 May 1998, WT/MIN(98)/DEC/1.
- World Trade Organization, Ministerial Declaration adopted on 13 December 1996 at the Ministerial Conference, 18 December 1996, WT/MIN(96)/DEC.
- World Trade Organization, 'The Results of the Uruguay Round of Multilateral Trade Negotiation', GATT Secretariat, WTO, June 1994.
- World Trade Organization, Marrakesh Agreement Establishing the World Trade Organization, 15 April 1994, 33 ILM 1125 (1994).
- Work Programme on Electronic Commerce: Reinvigorating the Work under the 1998 Work Programme on Electronic Commerce-Communication from South Africa and India." WT/GC/W/812. World Trade Organization, December 4, 2020.
- WTO. "Work Programme on Electronic Commerce The E-Commerce Moratorium: Scope And Impact Communication from India and South Africa." WT/GC/W/798.
- ZHOU, Weihuan and GAO, Henry. US-China trade war: A way out?. (2020). *World Trade Review*. 19, (4), 605-617. Research Collection School Of Law.