

Undergraduate design (thesis) of Beijing University of Technology

World Trade Organization; Achievements and setbacks.

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Abstract

The world economy has been polarized in the recent times. Trade disputes between powerhouse economies such as China and the US have been on the increase. The two countries have had disagreements regarding tariffs imposed on their imports/exports

Trade tussles also exist between countries that depend on each other economically due to the difference in individual interests by these countries, a trade tussle is always around the corner

The world trade organization exists in order to ensure that these disputes are solved before they get out of hand. It intends to carry on the work of its predecessor body, the GATT, and ensure that economies get a chance to trade freely and fairly. In its endeavors, the WTO has faced various challenges that have hampered its duty.

However, this is not to say that the WTO has not succeeded in its mandate. Under its leadership, 350 cases have been resolved and the world trade platform has lived to see another day.

This paper intends to find out how the WTO has succeeded, how it has failed, and what are the factors influencing either of the scenarios

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List of abbreviations

- AD, A-D Anti-dumping measures
- COMESA Common Market for Eastern and Southern Africa
- CTD Committee on Trade and Development
- CTE Committee on Trade and Environment
- CVD Countervailing duty (subsidies)
- DDA Doha Development Agenda
- DSB Dispute Settlement Body
- DSU Dispute Settlement Understanding
- EFTA European Free Trade Association
- EU European Union
- FAO Food and Agriculture Organization
- GATS General Agreement on Trade in Services
- GATT General Agreement on Tariffs and Trade
- GSP Generalized System of Preferences
- ILO International Labour Organization
- IMF International Monetary Fund
- ITC International Trade Centre
- ITO International Trade Organization
- MC Ministerial Conference
- MFA Multifibre Arrangement
- MTN Multilateral trade negotiations

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NAFTA North American Free Trade Agreement

PSE Producer subsidy equivalent (agriculture)

PSI Pre-shipment inspection

S&D, SDT Special and differential treatment (for developing countries)

SPS Sanitary and phytosanitary measures

TMB Textiles Monitoring Body

TNC Trade Negotiations Committee

TPRB Trade Policy Review Body

TPRM Trade Policy Review Mechanism

UR Uruguay Round

VER Voluntary export restraint

VRA Voluntary restraint agreement

WCO World Customs Organization

WIPO World Intellectual Property Organization

WTO World Trade Organization

Chapter 1. Introduction

Chapter 1.1: Topic and context.

The World Trade Organization (WTO) can be seen in a variety of ways. It's a trade liberalization body. It's a place where countries can sign trade deals. It's a venue where they can resolve trade disputes. It has a set of exchange rules in place.

It was established on the 1st of January 1995 by the Uruguay Round Negotiations and has a membership of 164 countries across the world which constitutes 98% of the country engaging in world trade across the entire world. It was established to be a better version of the general agreement on tariffs and trade-GATT. (Congressional Research Service et al., 2020)

It is an institution concerned with the creation of rules governing global trade. This rule acts as a bridge between consumers and producers; ensuring that the set standards for the production of consumables are adhered to (World Trade Organization, 2005). The said rules also regulate international markets. They ensure no country or company is unfairly locked out of a foreign market without valid reasons. Through facilitating negotiations among countries with trade disputes, the WTO prevents political tussles which may otherwise develop into military confrontations threatening world peace (Congressional Research Service et al., 2020). The WTO has set up a multilateral trading system through the facilitation of trade agreements between trading countries regardless of their economic status.

These are the agreements that form the basis of global trade; they are guarantors of trade rights to the WTO members (Congressional Research Service et al., 2020). Not only are these agreements an assurance for the trading countries, but also a framework for conducting trade and business between exporters, producers, and importers.

This paper is based on a research that analyzes events from 2003 to 2020 extensively as the WTO has held key talks and faced serious challenges that are of interest to this

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study. During this time period of WTO has experienced success and failure in equal measure during its pursuit of a fair and all-inclusive global trade platform. This paper, like, many others which deal with the specific subject of the success of WTO, has exhaustively analyzed the major events in the WTO timeline; both successful and botched trade negotiations alike. This paper seeks to give an understanding of why trade talks or disputes may fail to realize a successful or disagreeable ruling depending on the needs of the involved parties.

The current covid-19 pandemic has put a strain on the economic sector with viral sanitary restrictions changing how businesses are carried out. The export and import sector has been affected by far and large as new restrictions have arisen to curb the spread of the virus. Therefore, the WTO is crucial in the current times so as to be able to solve any dispute between economic states before the conflict gets out of hand and even turns into cold war.

Chapter 1.2: Research Questions and objectives

This paper intends to find out how the WTO has succeeded in maintaining economic tranquility between its members and the world at large.

How has the WTO failed with regard to the mandate it was established for?

How has the WTO succeeded in maintaining calm between various nations with differing trade interests and perspectives?

What are the factors responsible for the difficulties faced by the WTO in the execution of its responsibilities?

What are some of the solutions that can be adopted by the WTO in order to avoid the aforementioned obstacles?

The objectives of this paper are to analyze key texts and publications to dig out information relevant to the ups and downs of WTO so as to have a better understanding of the issues at hand. This will make the solution formulation process viable and more applicable to the current world economy.

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To sum the objectives up, this paper intends to find a new way (s) which the WTO can employ in order to become a better body and carry out its mandate in a more effective and efficient manner.

Chapter 1.3: Overview of the paper

The paper starts with an overview of the functions of the general functions of WTO. It then analyzes special case studies where the WTO has failed or succeeded in an in depth manner so as to paint the whole picture with as much clarity as possible. It then looks at the factors which are responsible for either cases and if possible, remedies which can be applied in future negotiations or situations.

Chapter 2:Literature review/theoretical framework

How has the WTO succeeded in maintaining calm between various nations with differing trade interests and perspectives? How has the WTO failed with regard to the mandate it was established for?

In order to answer this comprehensively, we first need to understand what are the functions of WTO

Chapter 2.1:Functions of the WTO

The main functions of the WTO are all geared towards ensuring a smooth flow of trade between its member countries. Some of the ways it achieves this is through:

Chapter 2.1.1:Facilitation and creation of trade agreements that did not exist before or revision of the existent ones.

In case one of the involved parties no longer feels like it's working in their favor.

The WTO trade agreements' scope includes services, products, and intellectual property. These agreements spell out the set customs tariffs, set regulations, and permitted exceptions. They also lay out a framework for settling disputes in case one arises(Congressional Research Service et al., 2020). The agreements are composed of a three-part outline; broad principles, extra agreements, and annexes then a detailed list of the commitments made by the participating countries giving a pass for provision of access of foreign products into their markets (World Trade Organization, 2005). The WTO integrated some of the principles applied by GATT when it came to these agreements within its regulatory framework for the creation of such. The terms differ depending on the products being discussed.

Chapter 2.1.2:Provision of a free and fair platform for trade negotiations

in case of a trade conflict due to disagreements on terms such as tariffs or taxes imposed on the exported or imported goods. In the case of a dispute which cannot be

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resolved by the conflicting parties, the WTO has a council(s) that settles the dispute after conducting hearings and giving the two parties a chance to present their cases. The WTO has a set framework in place for the resolution of trade disputes. Trade disputes arise when the member countries feel like their trade rights under the organization being stepped on (World Trade Organization, 2005). Judgments by specially appointed judges are delivered based on how the conflicting countries perceive each other and the set rules. The judges also consider the existent trade agreements. If the conflicting countries still do not feel satisfied with the passing judgment and provided resolutions, a step-by-step procedure for the solving of such intricate disputes is followed which may include a special expert's panel(Congressional Research Service et al., 2020). The duration of a dispute settlement can differ depending on the type of dispute. The longest dispute can take up to 1 year and three months and only 60 days for a dispute solved at the initial stages.

Chapter 2.1.3:Review of global and national trade policies from time to time.

Since the conditions and environment for trade are ever-changing, it only makes sense for these policies to be revised in order to fit with the current trade atmosphere.

Chapter 2.1.4:Building of trade capacities.

This is an initiative meant for the economically developing countries giving them a chance to grow and boost their economies through trade.

The WTO's membership largely constitutes of developing economies or least developed countries. The WTO gives such countries special provisions to aid their ventures so that they can have more trading opportunities to assist them in the construction of the infrastructure required for participation in world trade(Congressional Research Service et al., 2020). Case in point example, the WTO launched the Aid for Trade initiative that was meant to abet upcoming economies by creating trade capacities and strengthening their capacity to capitalize on global trading opportunities.

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The WTO achieves this through educating the developing countries on how they can benefit from existing trade opportunities. This can also come in other forms such as improvement of the infrastructure in the developing countries such as roads and ports to enable them to gain more from world trades (World Trade Organization, 2005). The WTO does this through close cooperation with other international organizations to get the required funding which augments the individual countries' allocations to the same. The WTO realizes that without the proper human, institutional and infrastructural capacities in place, countries will not be able to fully participate in world trade (Moore, 2005). It has thereby made it its mission to support countries so that they can achieve their full potential.

Chapter 2.1.5 : Co-existence and working together with other international organizations

In order to ensure that trade does not interfere with other set policies or other regulations put in place by the rest of the international organizations. Some of these organizations include; World Customs Organization, International Chamber of Commerce, United Nations Conference on Trade and Development, International Maritime Organization International Air Transport Association, International Organization for Standardization and United Nations Commission on International Trade Law (World Trade Organization, 2005).

Chapter 2.2: Current status of WTO

To the present-day date,600 disputes have been brought to the attention of WTO. Of the 600,350 rulings that have been issued

The rest of the disputes are either in the appeal stage or panel stage and a ruling is going to be issued after the WTO has found a mechanism to get the disputing parties to come to a consensus.

The 11th Ministerial Conference of the World Trade Organization (WTO) was held in Buenos Aires in December 2017. Despite the fact that WTO members worked hard to reach an agreement on legislation in a number of regions, MC11 did not yield significant breakthroughs. Members of the World Trade Organization (WTO) have pledged to step up efforts to cut fisheries subsidies, intending to reach a deal before the next Ministerial. Sixty representatives released a joint declaration in favor of multilateral talks on domestic service legislation. Subsets of WTO members have released statements agreeing to new work projects or open-ended negotiations with interested parties in order to eventually reach plurilateral agreements in fields such as agriculture, Electronic commercial services and trades, investment facilitation, and micro-small / medium-sized enterprises.

Currently, some negotiations are still underway. Some were to be concluded in the 2020 ministerial meeting which was postponed due to covid-19. They range from

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agricultural and fisheries subsidies to electronic commerce regulatory framework to the environmental goods agreement. A close look at these withstanding negotiations is given below.

Chapter 2.2.1: Digital commerce.

After the Uruguay Round of negotiations, digital trading has become a significant force in world trade, generating end-to-end value items such as social media, promoting commodities exchange by resources, and encouraging trade in services such as distribution and supply chains, both of which rely on automated data flows. Although the GATTs includes clear commitments for digital communications and financial services, which are at the heart of e-commerce, trade barriers relating to international trade, knowledge flows, and other related topics are not included. In 1998, the World Trade Organization (WTO) developed a Work Program. The members voted to keep the temporary ban on e-commerce customs duty in place. Since then, these moratoriums have been extended at each ministerial meeting. Members extended the customs duty moratorium on electronic transmissions until MC12, although it is uncertain if the extension would be maintained after the postponed Ministerial conference in 2020, given growing resistance from some developed countries and a lack of consensus on what constitutes electronic transmissions.

Apart from the 1998 work program, over 75 member countries agreed to initiate negotiations regarding electronic commerce issues at the 11th ministerial conference. Developing country members such as the US have already launched the initiative (January)2019 and the negotiations commenced in March 2019. These negotiations were coordinated by Japan, Australia, and Singapore. To date, the negotiation has attracted 84 countries. However, some developing countries are still reluctant to join the negotiations. These countries include South Africa and India, citing global constraints on strategies to protect their home industry and end up raising the potential tariff on digital output (World Trade Organization, 2005).

Multiple participants have submitted their proposals stating their positions and expected coverage of the negotiations. The United States of America and China are examples of such countries.

The WTO hopes to achieve multilateral standards and agreements to be applied in the electronic commerce ecosystem.

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As at the moment, the negotiations are ongoing virtually (World Trade Organization, 2005). The participating members acknowledge the existence of obstacles such as data privacy and flow regulations but aim to reach an agreement by the conclusion of this year.

Chapter 2.2.2: Agricultural subsidies

The 2015 Nairobi Ministerial conference resolved to abolish export subsidies applied on agricultural products (Congressional Research Service et al., 2020), but the question of the problem of public stockholding seems to be unsolvable. The term "public stockholding" refers to the practice of holding stock for the benefit of the general public (Congressional Research Service et al., 2020).

Governments, especially in developed countries, use market support or supply management systems to acquire and stockpile food products to support domestic farm prices by removing surpluses from the general supply and distribution chain.

stocks from the stock exchange Parts of these government-owned assets can be released during times of market instability or scarcity and sold to the general public, but one major issue is that

Any of these stocks can be sold at a lower price than when they were purchased, resulting in indirect export subventions (Congressional Research Service et al., 2020).

Since the last Ministerial conference, there have been attempts to agree on issues regarding Market access, export competitiveness, export prohibitions/restrictions, public stockholding, and cotton exchange issues are all issues that need to be addressed.

Chapter 2.2.3: Fisheries subsidiaries

As previously stated, WTO members agreed to discuss fisheries subsidies that lead to overcapacity and overfishing in viable waterbodies intending to achieve an agreement by 2020. The plans are aimed at achieving the UN Sustainable Development Goal 14 targets of reducing illicit, uncontrolled, and unreported fishing (IUU) (Congressional Research Service et al., 2020). Members have proposed a number of changes aimed at:

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Fighting IUU fishing, overfishing, and overcapacity by barring detrimental fishery subsidies, capping overall fishery subsidies, identifying suspected maintenance of a banned subsidy by another member through a consultation process, and asking for greater transparency overfishing subsidies.

Chapter 2.2.4: Environmental goods agreement.

The EGA negotiations began in mid-2014 with the aim of liberalizing environmental goods trading by the reduction of tariffs, The United States, the European Union, and the United Nations were among the initial 14 members. China accounted for nearly 90% of global trade in protected environmental goods; 120 talks have been held. Since then, the group has grown to include 18 WTO participants. (Congressional Research Service et al., 2020)

The EGA, like the ITA, would be an inclusive plurilateral arrangement in which the gains gained by treaties would be applied to all WTO members on an MFN basis. Makers were unable to reach a consensus by the General Council meeting in December 2016, during 18 rounds of talks, and no negotiations have taken place yet (Congressional Research Service et al., 2020). Several parties criticized China for the lack of development, claiming that it failed to consider the list of goods that would be included and demanded long tariff phaseout times, which other countries refused to accept. Although many countries have voiced support for resuming negotiations, the EGA's future remains unclear.

A closer look at the succeeded and failed negotiations under the leadership of WTO is essential to the study of what constitutes a dispute and what determines the outcome.

Chapter 2.3 Case study of successful WTO negotiations.

Chapter 2.3.1: Costa Rica Vs the USA

In March 1995 the United States raised concerns regarding its domestic clothing industry claiming that it was under threat by outsourced cotton and synthetic fiber underwear from Costa Rica and six other countries. The United States started consulting with the nations asserted to be harming or undermining its industry with the goal of conjuring the momentary shield arrangements of the Agreement on Textiles and Clothing (ATC). As a result of these discussions, three of the seven nations consented to quantitative limitations on the imported clothing that would be

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Because of the one-sided presentation of restrictions, the case was referred to the Textile Monitoring Body (TMB) for investigations and recommendations based on the ATC's needs. The TMB discovered that the US had not shown that its industry had suffered genuine damage. However, it was unable to agree on whether the presence of a true danger of genuine damage had been shown, and so advised that further consultations be carried out within the involved parties. The United States in the long run agreed with Honduras, Thailand, and Turkey after additional counsels. Notwithstanding, the United States and Costa Rica couldn't arrive at a common understanding after meetings in August 1995 and November 1995. On 22 December 1995 Costa Rica started following the dispute settlement measures under Article XXIII of the General Agreement on Tariffs and Trade (GATT 1994) and the respective arrangements of the ATC.

Chapter 2.3.1.1 **Analysis of the problem**

In 1995, The recently established WTO had offered its members better terms of access to the world trading framework. All members had participated in the generation of these mechanisms and agreed to them, which, in their best judgment, addressed critical conditions of free or modified trade that would benefit the members' well-being as well as the global trading system. However, there concern whether the system would be able to withstand the exceptional, but unavoidable, political and monetary forces that would be provided as a powerful force for explicit issue situations, given the enormous inconsistencies in relative political and financial effect among individuals remained.

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At the time the dispute was brought to the attention of the WTO, individuals couldn't anticipate how the new DSU interaction would work. Agricultural nations, specifically, were worried about the new framework's fairness. In the recent progressing years developing nations comprised more than half of the newly raised disputes. However, when Costa Rica started its case, no developing country had brought an argument against a largely developed nation. Numerous witnesses asserted that standing up to the United States is a hazardous technique — for Costa Rica, yet additionally for the DSU interaction by and large. How might the United States react to a decision against it? Reluctance by the United States to maintain particular management could subvert the validity of the whole dispute resolution process.

The cotton industry in the global trading system

The Short-Term Cotton Arrangement (STA) of 1961 interestingly officially recognized exceptional treatment of the textile industry on the planet exchanging framework. This exceptional course of action for cotton, which started as a one-year understanding, prompted a succession of plans on the textile industry traversing over forty years. The Long-Term Arrangement (LTA) enduring from 1962 to 1973 and the Arrangement Regarding International Trade in Textiles (also called the Multifiber Arrangement or MFA) enduring from 1974 to 1994, for all reasonable purposes absolved the materials area from GATT rules and discipline. The ATC, which succeeded the MFA in 1994, unequivocally recognized the need to coordinate the cotton sector into GATT and set a complete end date (31 December 2004) for the exceptional treatment of the area. Nonetheless, at the hour of the Costa Rica-US debate, the changing effect of the ATC remained vague. Also, the historical backdrop of the cotton industry treatment on the planet trading framework defended a specific degree of distrust.

Chapter 2.3.1.2:Costa Rica's Case

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Costa Rica had recently affirmed the Uruguay Round. The organization acquired homegrown political help for the understanding by promising that if the nation was able to embrace exchange changing changes, it would profit by expanded rights and openings inside the world exchanging framework. Hardly had the ink on the new arrangement dried, then the guarantee of new rights and openings was put to test. From Costa Rica's viewpoint, the United States' endeavors to force limitations were conflicting both with the soul of the ATC's objective of coordinating materials into the GATT and with the ATC arrangements for momentary defend measures. Costa Rica claimed that the United States, as a component of a deliberate system, was endeavoring to keep up control of a vertically incorporated industry by expecting nations to utilize US texture in articles of clothing planned for the US market (World Trade Organization, 2005).

The limitations viably simply applied to clothing articles of clothing made with a texture, not of US nativeness. Basically, the United States was endeavoring to ensure its texture businesses as opposed to the homegrown clothing industry. This technique would permit the United States to control the whole creation chain while using less expensive manpower from Costa Rica (and other upcoming economies) to assemble the materials into end products. Costa Rica contended that the transitional immunity measures accessible under the ATC didn't provide accommodation for limitations to be applied to the output of one industry to secure the interests of another.

Chapter 2.3.1.4: **Players involved in the dispute resolution process**

Government players

Inside Costa Rica, three legislative entities effectively affected the course of occasions. The Ministry of Trade dealt with specialized exchange-related issues and relations; especially with regards to WTO issues. The Ministry of Foreign Affairs was liable for the issue of worldwide relations. Costa Rica's embassy in Washington, regularly headed by a legislator with critical recognition in the Costa Rican government, took care of issues of explicit interest to the United States-Costa Rica relationship. These bodies didn't generally agree when it came to policing. The Ministry of Trade had just acquired the formal status during the better parts of the 1980s and was, accordingly, a generally new legislative element. The continuous advancement of a group taking care of exchange issues into a proper organization implied that the Trade Ministry's locale was not settled in law, which now and again prompted clashes with the Ministry of Foreign Affairs. (World Trade Organization, 2005) The possibility of bringing a dispute settlement instance against the United States stressed the connections between these organizations since the Ministry of Foreign Affairs and the Washington embassy did not approve of it at the initial stages.

At the point when Costa Rica got wind of the US' intentions to force quantitative limitations on the clothing business, the Minister of Trade, José Rossi, gave obligations regarding the case to a group of youthful lawyers; Irene Arguedas, Francisco Chacón, Roberto Echandi and Anabel González who had all gotten law degrees from top US colleges and had built up a name for themselves as genuine and able technocrats. They gave Costa Rica a vital, specialized, and legitimate ability to deal with dispute settlement.

Private-sector players

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In the time frame paving the way to the debate, textile manufacturing had been one of the quickest developing export sectors in the Costa Rican economy, to a great extent because the nation had started to convert imported materials into garments for trade. This strategy had profited enormously from the US esteem added tax provisions and special admittance to the US market under the Caribbean Basin Initiative. Industry development likewise corresponded with a Costa Rican monetary change program intended to raise homegrown worth added to results of fare interest. (World Trade Organization, 2005) The textile and attire industry gained significantly in the value addition and product ratio.

Thusly, the material and attire industry was a significant industry at the hour of the debate, and albeit the limitations just influenced a fragment of the general business, the expected monetary results to the textile and garments area overall were critical. Costa Rica was a generally significant expense, albeit internationally a competitive, maker of garments. Notwithstanding, the utilization of generally expensive US texture would very likely sabotage Costa Rica's competitiveness in the worldwide texture and attire market. To stay on track Costa Rica would have to source its texture from the least expensive providers.

By and large, the Costa Rican textile sector was of great help to the cause. However, some US global corporations had significant investments in the industry and therefore campaigned effectively and against the dispute.

Chapter 2.3.1.5 **Difficulties faced and the ruling delivered.**

Costa Rica expected to acquire the support of key Costa Rican partners to go after the case by any means. The Ministry of Foreign Affairs and the Costa Rican international embassy in Washington held comparative analytics concerning the choice to initiate the DSU cycle. Given the limited monetary stakes and gains in this specific case, the potential financial gains from the clothing dispute didn't legitimize taking a chance at the more extensive relationship with the United States. In any case,

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it was between administrative quarreling, yet generally, various perspectives that prompted the disparate mentalities among the organizations towards this exchange debate. (World Trade Organization, 2005) From the viewpoint of the Ministry of Trade, these contrasting perspectives addressed an age hole. They saw the overarching view among their partners in the Ministry of Foreign Affairs, who would, in general, be a lot more established, as gotten from a previous time when the economy had been intended for the Central American market and zeroed in on import replacement. The Trade group accepted that the Ministry of Foreign Affairs disparaged the significance of the WTO rules-based exchanging framework to Costa Rica's financial improvement system, and henceforth saw the likely question as basically a material issue. The Trade group saw the exchange, and Costa Rica's full investment in a standard situated worldwide exchanging framework, as vital for the country's monetary future.

While the group from the Ministry of Trade didn't accept that that the case ought to be sought after no matter what, they were inspired by essential contemplations notwithstanding the monetary stakes. Roberto Echandi, an individual from the legal group, made the following submission regarding the issue:

In the Uruguay Round, an equilibrium had been reached in regards to the consolidation of materials to the typical standards of exchange (away from the unilateralism and segregation of the Multifiber Arrangement). After such an equilibrium was reached, here came the United States and singularly endeavored to disregard the arrangement. That was very perilous to an economy as reliant on trade and the US market as was Costa Rica's.

The Ministry of Foreign Affairs and the Washington consulate described the Ministry of Trade's situation as unduly affected by the 'heartfelt' and 'hypothetical' thoughts of a group of credulous technocrats.

The homegrown material industry didn't consequently uphold seeking after the case by the same token. As Irene Arguedas, an individual from the group from the

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Ministry of Trade reported, two unique organizations worked in the background to impact the choice to seek after then dispute resolution measures (World Trade Organization, 2005). The first was the individuals who were vertically coordinated with the US business and sourced their cut texture from US providers. These organizations could trade their item back to the United States under the Guaranteed Access Level (GAL) program(13) and were agreeable to a favorable arrangement. The other group of organizations comprised of the individuals who sourced their texture from places other than the United States. They were not qualified to send out their items to the United States under the GAL program. The entrance of these organizations to the US market would be straightforwardly influenced by as far as possible (SL) portion limitations and they were correspondingly keener on seeking after the dispute as it would bring good tidings to them if it went through.

Despite the solid reservations of key political players inside Costa Rica and the forceful campaigning by the US exchange authorities and US multinationals with interests in the material industry, the Ministry of Trade needed to make solid and convincing contentions to proceed with the case. Notwithstanding, even inside the Ministry of Trade, colleagues were hesitant to seek after the case, particularly alone.

Individuals from the Ministry of Trade group review that to abstain from bearing the weight of testing the framework alone they endeavored to forge alliances with different nations. To start with, they looked for the help of other Central American nations facing similar hurdles as Costa Rica. Nonetheless, those nations dreaded the likely twofold outcomes of losing a question settlement case or potentially losing admittance to the US market. Then, Costa Rica endeavored to acquire support from Turkey, Pakistan, and India. Costa Rican exchange authorities headed out to Geneva to meet with the diplomats to the WTO. Albeit these nations recognized that they confronted comparable issues, they didn't accept that they could fashion the homegrown alliances essential enough to bring a question case to the WTO. India said that it would be behind Costa Rica at the WTO with an outsider submission, but would not be a complainant in the case. Costa Rica would need to settle on the choice to

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seek after the case alone to test 'regardless of whether the ideas and standards of GATT would truth be told apply to the materials area'.

Eventually, José María Figueres, the then president of Costa Rica, chose to start the question settlement measure. He was a previous Minister of Trade himself and had of late studied strategy and rivalry while undertaking a degree at Harvard University. Therefore, he liked the essential contention that the case rose above the financial contemplations of the clothing business. Neglecting an obligation to stand firm on what Costa Rica saw as a danger to its privileges under the GATT could, in the long run, lead to a bigger, and financially considerable, hazard — the disintegration of Costa Rica's capacity to take an interest in and advantage from the global trading framework.

When the choice was made to seek after the case, the organization needed to conclude how to deal with its indictment. Albeit the Ministry of Trade legal team was accomplished and had gained notoriety for great work, they were likewise seen in certain quarters as too youthful to even think about representing Costa Rica in a, particularly significant case. Along these lines, a few endeavors were made to get outside advice to help with the case. Notwithstanding, given the measure of exploration the in-house group had effectively directed on the particular issues, they found that they knew more than the 'specialists' they looked to hire. Likewise, the expenses of outsourcing legal services were high. (World Trade Organization, 2005) In the long run, worries about the restricted worth to be added by an outside counsel comparative with the expenses and the way that the case appeared to be lawfully clear, driven the critical partners to permit the current exchange group to deal with the case.

Regardless of the worries about seeking after the case and dealing with its indictment, Costa Rica won in both the debate settlement measure and the resulting

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lawful allure. Not exclusively did Costa Rica get a favorable ruling but also the United States additionally acknowledged and adjusted to the choices.

In Costa Rica's point of view, there was more than one positive outcome not including the legitimate result of the case. To start with, the case assisted with building the discernment locally and globally, that developing nations could profit by participating in the WTO. Second, without meaningfully harming the relationship, Costa Rica acquired an expanded degree of regard from the United States and all the more among WTO individuals. At long last, the nation acquired critical experience and extended its ability as to worldwide exchange and legitimate issues, while the lawful group inside the Ministry of Trade additionally improved its standing for validity inside the Costa Rican government.

Key Lessons for successful dispute resolution from this case study.

Costa Rica, regardless of its interests in 'testing the framework' alone, utilized the instruments accessible to it as a WTO part to guarantee that significant standards of the multilateral exchanging framework (as settled upon by the individuals' economies) were properly applied. The 'framework' filled in as proposed for this situation. Just about ten years after the question, both created and agricultural nations consistently utilize the DSU interaction. This case, as an early trial of the framework, plainly highlighted a few exercises.

Anabel Gonzales of the Costa Rican lawful group distinguished one general exercise identified with overseeing exchange conflicts: 'Keep in mind an exchange struggle. Focus on it all along and all through the cycle.' The United States presumably thought little of both Costa Rica's purpose and its ability to indict the case. While different nations recognized by the United States as representing a danger to its clothing industry immediately consented to settle with the United States, Costa Rica didn't. At the point when the case went before the question settlement board, numerous disparities in the data given by the United States considerably sabotaged the

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believability of the case that its industry was being damaged. The Costa Rican exchange group taking care of the case accepted that if the United States had genuinely imagined that a debate settlement board would, at last, examine the case, they would have gathered the information supporting their case all the more cautiously.

While there were very few things that the group from the Ministry of Trade would maybe have done another way whenever given the opportunity, Costa Rica's involvement with exploring the DSU cycle recommends a few extra exercises. Notwithstanding Costa Rica's achievement for this situation, Irene Arguedas underlines that nations should utilize the DSU as a final retreat: 'First, it is critical to deplete each chance there might be to attempt to keep away from the question and settle with your accomplice.' Pursuing a debate case is mentally requesting, tedious, asset concentrated and politically upsetting. Just when the options have been depleted and the possible dangers of not pressing together the case are considerable should nations start a case.

It is significant for complainants to be solid and steady. They must have a thorough view of the case's problems and conclude that the case has substantial legal merit. As Anabel Gonzales put it, before bringing the case to the [dispute resolution process], make sure you know it and [are confident] it is a winner,' Having the ability to deal with the case is important for being solid and steady. Specialized and legitimate skill is fundamental to being ready for what is frequently portrayed as an extraordinary interaction.

When the procedure is commenced, it moves according to the [DSU's] time intervals, which are short (though adequate). Therefore, there isn't enough time to comprehend it. As a result, having solid in-house technological and legal experience is critical to being able to face this kind of problem sufficiently. Capacity building is typically difficult, and resources are scarce, but without them, the odds of success are slim.

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Regardless of whether a nation believes that the DSU interaction is its final retreat and that it has a decidedly ready case, it should ensure it has the backing of key actors in government, industry, and other stakeholders. 'It is utterly vital to have strong funding from the government and at least a significant portion of the sector,' says Irene Arguedas. In our situation, the President's assistance was crucial. (World Trade Organization, 2005) Anabel Gonzales proposes creating solid associations with the homegrown and global press. Anabel Gonzales recommends building good partnerships with the domestic and foreign press, in addition to government and business stakeholders. The Costa Rican team arranged monthly press briefings to teach journalists about the challenges and keep them up to date on developments. Although developing relationships with the press would not always win a lawsuit, keeping the national media by your side will help you retain domestic support. In the end, forming a strong and dependable domestic alliance is just as critical as putting together a strong argument.

Chapter 2.3.2: Case study 2: Pakistan versus The United States.

The Pakistan republic got a Call Notice from the United States government calling for talks with respect to the foundation of quantitative limitations on Pakistani exports comprised of brushed cotton yarn (Category 301). (World Trade Organization, 2005) The premise of this was the claim with respect to the United States that the products of Pakistan harming the United States textile industry. The legitimate grounds utilized by the United States were the temporary protection measures endorsed under Article 6 of the Agreement on Textiles and Clothing (ATC) of the WTO. (This was the first run through in the trade history of Pakistan that a case went through every one of the phases of the WTO dispute resolution mechanism Pakistan had to take the matter to the Textile Monitoring Board (TMB) and then to the World Trade Organization's Dispute Settlement Board (DSB) after bilateral consultations did not yield fruit.

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Albeit the inevitable result was in support of Pakistan, the quest for a positive choice was a difficult task as showed by a variety of issues arising from cooperation and coordination between the general population and the private areas.

Chapter 2.3.2.1: Analysis of the situation.

Since 1995, there has been a growth in the global textile trade, owing to the phase-out of the Multi-Fiber Agreement (MFA) and the adoption of the World Trade Organization's Agreement on Textiles and Clothing (ATC). Previously, strong quota restraints on a developed country's garment and apparel exports were to be steadily reduced under the new system, bringing this sector into line with WTO laws. Pakistan's textile industry reacted favorably to the developing world's general reduction in the imposed quotas. Established factories invested in increasing their manufacturing capability as part of a growth plan. New factories joined the market at the same time, rising overall output and export value. As a result, Pakistan rose progressively to become the second-largest exporter of combed cotton yarn to the United States during that period, unwittingly prompting the US to use the ATC's transitional safeguard initiatives. (World Trade Organization, 2005)

The significance of the textile industry regularly alluded to as the foundation of the Pakistan economy, couldn't possibly be more instrumental. It is the country's biggest assembling area with an 8.5% offer in the country's GDP. The sector's creation of jobs stands at 38% and it produces a remarkable 60% of the complete export income of Pakistan.

Inside the cotton industry, those straightforwardly influenced by the quantity limitations were the exporters and producers of combed/brushed cotton yarn. (World Trade Organization, 2005) These limitations not only compromised their and the country's monetary prosperity but also increased the suspicion of domestic businesses and government towards the West's obligation to streamlined commerce. As this was the second time the United States had utilized momentary safeguard measures, the overall inclination among the key participants in business during the

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post-MFA period was that the US government was utilizing this as an alternative strategical instrument for safeguarding its textile producers, putting into question the feasibility of the Pakistan material industry. Furthermore, the sort of position played by the WTO's conflict resolution process was critical.

Even though Pakistan was able to prevent the United States from using safeguard measures during bilateral talks in 1996, (World Trade Organization, 2005) there was still skepticism about the WTO among local business participants. The main cause for this was a lack of knowledge in the private sector regarding the WTO's workings and aims, as well as a widely held belief that it was more reflective of Western trade interests. As a result, this was an opportunity to boost the organization's reputation in the community by dispelling widespread concerns regarding its ability to uphold the values of open and fair trade between unequal partners.

Aside from the direct economic gains of removing the quota restrictions, the significance of this case hinged on the legal precedent it might set. According to Akbar Sheikh, a local expert who has represented the Pakistani government at different stages of the case, the legal basis for the US quota limits had to be questioned because they may have set a precedent that would have caused long-term difficulties not only for Pakistan but for the rest of the developing world in subsequent conflict resolution procedures in this field. (World Trade Organization, 2005)

As a result, the involvement of local actors in successfully handling the case at different stages of the WTO's dispute resolution process was critical. The importance of a favorable result stemmed from the revival of local business interest in the current global trading system, as well as the ability to influence the potential economic policy of larger countries like the United States.

Chapter 2.3.2.2: Sector players involved

All Pakistan Textile Mills Association

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The All Pakistan Textile Mills Association acted on behalf of the business/industry players, both exporters, and producers (APTMA). This is a broad-based organization of affiliates representing all styles and groups of garment and apparel producers and traders. When the United States introduced quota restraints in 1998, the association came up with a standing committee on anti-dumping and WTO issues (World Trade Organization, 2005).

This committee aimed to work with the Ministry of Commerce to identify and hire suitable consultants and advocates to stand in for Pakistan in bilateral talks with the United States, as well as in the WTO's dispute resolution stages. Second, the commission, and hence APTMA, had to serve as a liaison between the government and the industry actors in order to promote the case's planning and prosecutions. (World Trade Organization, 2005) This was accomplished by supplying trade and business intelligence to the government's local and foreign advisors. In addition, the committee had to keep APTMA representatives up to date on the case's progress.

Finally, APTMA had to devise an appropriate mechanism for the settlement of the large legal fees involved in the lawsuit, in coordination with its representatives and the Pakistani Commerce Ministry.

The Ministry of Commerce

As the appropriate ministerial arm of the Pakistan government, the Ministry of Commerce was closely involved in all stages of the event, including bilateral talks with the US, TMB investigation, and finally the DSB. In order to cover the legal expenses accrued during the litigation, the ministry's Export Promotion Bureau (EPB) had to coordinate with APTMA. (World Trade Organization, 2005)

Back then, the Ministry of Commerce lacked an appropriate administrative structure for dealing with WTO-related dispute resolution situations (World Trade Organization, 2005). The ministry was forced to hire a local contractor, Akbar Sheikh,

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due to a shortage of internal experience. Along with Nasim Qureshi, Joint Secretary at the Ministry of Commerce, he represented the government at the WTO.

Akbar Sheikh was chosen because of his previous involvement in bilateral relations and his in-depth awareness of Pakistan's textile industry. His job was to work with foreign experts and lawyers to develop Pakistan's defense case and address it successfully at both the TMB and DSB stages. He had to collaborate closely with both the Commerce Ministry (Nasim Qureshi) and APTMA for this.

International lawyers and consultants

In previous conflict resolution cases, Pakistan had to employ foreign experts and attorneys due to a shortage of local experience in global trade law and WTO-related matters. International Development Systems (IDS), a Washington-based consulting company, was employed by APTMA and the Pakistan government in the 1996 brushed cotton yarn situation. During the negotiations with the US, IDS successfully defended Pakistan's position. As a result, when the US released the call notice for the second time in 1998, APTMA, in coordination with the government, contacted IDS once more. Brenda Jacobs, an IDS expert, was present at both the bilateral talks with the US and the TMB study. Sandler, Travis, and Rosenberg, a Washington-based law firm, was also hired for the TMB analysis alongside IDS (World Trade Organization, 2005).

As the matter reached the final stage of the DSB, the Ministry dealing with Commerce agreed to hire attorneys based in Geneva, where the WTO's conflict resolution hearings are located.

Chapter 2.3.2.3: Outcome of the dispute settlement process.

Following the collapse of bilateral talks between Pakistan and the United States, the United States informed the Textile Monitoring Body (TMB) on March 5, 1999, that it had agreed to implement quota restraints for three years under Article 6 of the ATC. This measure took effect on March 17, 1999. The issue was discussed at the TMB's 54th

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meeting in April 1999. Akbar Sheikh, Brenda Jacobs of IDS, and Travis, Sandler, and Rosenberg stood in for Pakistan. (World Trade Organization, 2005)

This was one of the TMB's longest events, lasting six days. As previously said, this was Pakistan's first trip to the TMB review, so there was some trepidation about the essence and outcome of the proceedings to come.

According to Akbar Sheikh, the US team seemed to be very intimidating at first due to their size. During the study, US government officials, textile experts, trade attorneys, and consultants were present. Furthermore, the emphasis the US placed on this case was shown by the presence of Ambassador Don Johnson, the US chief textile negotiator, who is usually not expected to attend such meetings, except during the lengthy sessions. All parties were vehemently opposed to the lawsuit, which was seen as setting a precedent.

Pakistan considered the questions and debates to be difficult, but according to Akbar Sheikh, they were able to refute most of the points put forward by the US side. Pakistan's case is based on the US's concept of domestic industry, and hence on the validity of the data used to draw a suspected causality between Pakistani textile imports and a drop in US textile output. The term of domestic business used by the United States was a legal precedent in this case.

The domestic industry in the United States was classified as producers of yarn meant for sale in the merchant market, excluding vertically aligned producers who produced yarn as an intermediate good from the results. Pakistan argued that this concept violated Article 6.2 of the ATC because it prevented the US from considering its entire domestic industry.

After six days of consultations, submissions, and counter-claims, the Pakistani team's efforts paid off, and the TMB, acknowledging Pakistan's key arguments, issued a decision in Pakistan's favor and recommended that the quota limits be lifted immediately.

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Pakistan achieved a huge milestone with the decisive decision at the first-ever TMB study. The government's, APTMA's, and business players' joint efforts were successful, though since the TMB guidelines are non-binding on countries, the US did not revoke the quota restrictions and appealed the decision. The appeal was denied, and the TMB panel affirmed its decision to lift the quota restrictions. Meanwhile, behind the scenes, the breakdown of bilateral talks had made it clear to the Pakistani government and the APTMA that this was a crucial case for the US government, as it could result in the establishment of a legal precedent that could be used against Pakistan for the duration of the ATC. Furthermore, Pakistan's response to the US action had to be resolute and forceful in order to send a message that using contingent measures like anti-dumping duty in the post-ATC period (after 2005) would not be tolerated. APTMA was effective in conveying these key aspects to the local market players concerned, exporters and producers, to some degree, as shown by their ability to undertake a proactive responsibility during the TMB review period.

The provision of appropriate export and production statistics by brushed cotton yarn manufacturers and exporters was the first instance of market players working together with APTMA and the government. This aided the building up of Pakistan's defense case during the TMB review and subsequent DSB stage. However, due to APTMA's lack of relevant expertise and the Commerce Ministry's lack of an appropriate administrative framework for managing dispute resolution issues, there was no fixed guideline when it came to paying the large legal fees paid by foreign lawyers and consultants. As a result, APTMA was faced with the difficult challenge of devising an appropriate cost-sharing formula. After some dialogue and haggling with the Commerce Ministry, it was agreed in a meeting with the Export Promotion Bureau (EPB) that APTMA would cover half of the costs and the EPB would cover the other half.

The ability to share the financial cost at this point represented, to some degree, APTMA members' recognition of the importance of the case and its benefits in the long run. The following quotation from a letter written by one of the major producers

Undergraduate design (thesis) of Beijing University of Technology and exporters of brushed cotton yarn demonstrates their ability to work with APTMA: “The Textile sector is sincerely grateful to you and your TEAM for taking such a firm stance against the enforcement of QUOTA, and the actions were taken by APTMA are greatly appreciated. We wholeheartedly endorse your efforts and moves toward quota waiver, and we further extend our availability for any aid and assistance that APTMA can need in order to take up this problem with the TMB.”

Although the majority of the affected exporters or producers of brushed cotton yarn eventually contributed their fair share, the EPB only paid 31% of their required share of the costs, failing to live up to their original promise to pay 50%. The deficit led to a five-month delay in settlement of cash dues to Sandler, Travis, and Rosenberg, who paid a 1.5 percent monthly penalty for the delay. (World Trade Organization, 2005)

Ultimately, Akbar Sheikh's connections with both Nasim Qureshi and Pakistan's diplomat to Switzerland, Munir Akram, aided the partnership between APTMA and the Ministry of Trade. The partnership strategy employed by these two government officials was a major reason for the TMB review's success. Thus, in the lieu of any institutionalized collaborative efforts between the government and industry, it was interpersonal connections that were essential in achieving a positive outcome.

Chapter 2.3.2.3.1: The DSB stage

Delay in bringing the case to the DSB

Since the US refused to implement the TMB review's advice, even though their appeal was dismissed in June 1999, Pakistan's only option was to take the matter to the WTO's Dispute Resolution Board (DSB). This was the last and most critical stage of the litigation, since, unlike the TMB investigation, the panel's ruling at the DSB is binding on the countries concerned. Nevertheless, it took the government nearly a year to order the formation of a board at the DSB.

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Following the success of the TMB study, such a delay at this crucial point came at a high cost to combed cotton yarn exporters and producers. As the preference for combed cotton yarn increased in the global market, quota restrictions hampered Pakistan's future exports and foreign exchange income generation even further. (World Trade Organization, 2005)

Right away after the TMB analysis, the APTMA committee on anti-dumping and WTO affairs met to get an update on the proceedings at the TMB. According to the convenor, 'if the US action is not revoked within fifteen days, the Pakistan government must appeal to the Dispute Resolution Body.' The United States reiterated its commitment to keep the quota limits in a letter to TMB in August 1999, leaving the TMB review unfinished. (World Trade Organization, 2005)

Following the collapse of the TMB study, Nasim Qureshi emphasized in correspondence to the APTMA chairman in September that both the APTMA and the Pakistan government 'may begin preparations instantly for activating the dispute resolution process.' The letter also reported that the ministry had agreed to utilize the services of a Geneva-based company after consulting with the Pakistan contingent in Geneva. The estimated overall expense of planning, filing, and disputing the case was cited as \$125,000, which was far less than \$200,000 estimated by our law firm, according to the state.

According to Akbar Sheikh, the justification for engaging Geneva-based lawyers was to mitigate the high various costs (travel, board, etc.) associated with hiring Washington-based legal consultants. As a result, the rationale for changing lawyers at the last leg of the case seemed to be solely commercial. About the fact that the lawyers were supposed to be hired immediately, APTMA and the Pakistan government did not sign a contract with the Geneva-based legal representative, Frieder Roessler, until March 1, 2000.

Another factor that may have contributed to the delay was bilateral discussions between the US and Pakistan in November 1999 and January 2000. The Pakistan

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government could have waited for the results of bilateral agreements in the hope of seeing the quota restrictions lifted. According to Akbar Sheikh, there had been some reports from the US side that the quota restrictions could be relaxed, so it was deemed unacceptable to open a lawsuit with the DSB so close to the planned talks.

Due to the failure of the bilateral discussion, Akbar Sheikh suspected that it was a stall tactic used by the US. The quota restrictions had been in place for three years, and the US was planning to buy as much time as possible over that time. (15th) Finally, in April 2000, the Pakistan government petitioned the DSB, which convened a Panel at its invitation.

Fundraising to appeal the case at the DSB

Since this was Pakistan's first time disputing a case at the DSB level, there was no administrative set-up or rules for the payment of the related costs. APTMA and the Commerce Ministry, like the TMB point, had to reach an agreement. The Commerce Ministry formally approved APTMA's plan for a cost-sharing formula in February 2000. It was determined that APTMA would pay the first \$50,000 of the projected overall cost of \$125,000, with the remainder to be provided by the EPB using revenue raised by the Export Development Fund (EDF).

The next step for APTMA was to solicit contributions from interested manufacturers in order to increase the agreed-upon initial sum of \$50,000. With exception of at the TMB level, APTMA had difficulty convincing the relevant industry actors to pay a second time for legal bills at the DSB stage. (World Trade Organization, 2005)

Most major manufacturers/exporters of the textile industry saw beyond their immediate financial interests and recognized the importance of persevering with the case at this final and crucial point. These players were able to do whatever was asked of them. Around the same time, there were those who had volunteered at the TMB

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level but saw no need to participate further because of a lack of knowledge of the WTO's conflict resolution process and dissatisfaction due to US non-compliance.

It is fair to assume that these participants underestimated the importance of the situation in regards to the long-term advantages of pursuing a favorable judgment to the end. The following excerpts demonstrate the degree of disagreement among APTMA participants.

It is worth noting that Pakistan already had the most quota shareholders in this group. It is not in our best interests to see this quota lifted because it poses an obstacle to entry for others. These financial issues were ultimately overcome, and APTMA was able to fulfill its promise to fund the first \$50,000 of the DSB costs. On the question of funding at the DSB, Akbar Sheikh said, "Such differences within the organization are very normal and thus were expected." The main point was that, in the end, the industry actors, APTMA, and the government worked together to effectively appeal the case at the DSB.' (World Trade Organization, 2005)

What happened next?

The complaint was heard for the first time in Geneva on November 16 and 17, 2000, and again on December 13 and 14, 2000. The trials were held in front of a three-member commission appointed by the World Trade Organization's Dispute Settlement Body. (18th) Pakistan was served by a three-member team comprised of Akbar Sheikh, S. I. M. Nayyar (counselor, Pakistan Permanent Mission in Geneva), and Frieder Roessler. The US government was embodied by a ten-person team. The DSB trials, according to Akbar Sheikh, were very distinct from those at the TMB investigation.

Although there was a lot of debate and arguing at the TMB, there was more paperwork involved at the DSB, with concerns at the hearings focusing on the evidence presented by the US and Pakistan.

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Pakistan effectively appealed the case, and on May 31, 2001, the Panel issued a report recommending that the United States immediately abolish the quota limits.

The United States filed a petition against the ruling on 9 July, and the hearing was held on 16 August, at which the Panel affirmed its earlier decision and ordered that the quota restraints be lifted immediately.

Eventually, in November 2001, the US government revoked the quota ban on Pakistani imports, much to the satisfaction of Pakistani producers and exporters, in accordance with the advice of the DSB and the WTO Appellate Body. From the day the quota restrictions were placed until the day they were lifted, the whole procedure lasted almost two years and nine months, almost the whole three-year interim protection measure-quota restriction used by the United States.

At the end of the day, both sides won: Pakistan since it received a favorable verdict, and the US since it was able to sustain the quota restrictions for nearly the entire three-year term due to the length of the event.

In the above two cases, the two countries succeeded in their appeals since they had a collaborative effort. From the state elements down to the cooperatives and even businessmen, the level of cooperation vested in the dispute resolution process was key to their victory. The support of the Costa Rican and Pakistani governments towards their representatives in the whole process played an important role in the securing of the two countries' victories.

Chapter 2.3.2.4: Key takings from the case.

The public authority

The government should take a lot more constructive approach in trade negotiations in the future than it has in the past. In this situation, the primary reason for the comparatively high level of collaborative efforts between the Ministry of Trade and APTMA (business players) was Akbar Sheikh's personal friendship with two

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significant government functionaries — the Joint Secretary, Ministry of Trade, and the Pakistan diplomat to Switzerland. There was no institutionalized collaboration between the state and APTMA in relation to certain trade disputes and WTO matters.

According to Akbar Sheikh, the state should provide a properly working and functional cell within the Ministry of Trade to promote institutional-level collaboration in WTO-related conflict resolution situations. The government seemed to have learned the lesson right before the outset of the DSB trials in Geneva, when a WTO cell was formed at the guaranteed mission office in Geneva in October 2000, just before the proceedings. The cell was established to 'protect Pakistan's export and other interests in foreign trade by transmitting reforms in the framework and rules to Pakistan's related authorities.' While the Pakistani government's actions are a move in the right direction, Akbar Sheikh believes there is still space for progress in building an appropriate institutional structure to contest prospective conflict resolution proceedings. He stated that the WTO cell should include adequate guidance to the players concerned on both trade-related and dispute-resolution matters. Around the same time, the cell can keep a record of previous cases and decisions. (World Trade Organization, 2005) According to Akbar Sheikh, this will be extremely beneficial to both the private and public sectors in developing the best method for litigating potential lawsuits.

The procurement of expensive overseas contractors and attorneys was one of the main issues in this cotton yarn conflict situation. (World Trade Organization, 2005) According to Akbar Sheikh, the form of results made by some of these companies could have easily resulted from local research if there had been some specific degree of legal knowledge related to foreign trade and the WTO. As a result, he recommended that the government invest in the recruitment of attorneys and experts who could manage dispute disputes in the future without the state having to hire expensive overseas companies.

APTMA

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During the period of this case, APTMA already had a board on anti-dumping and WTO concerns which was meant to serve as a conduit between the industry players and the state. However, as stated before, it had been the personal relations that Akbar Sheikh had mostly with the state and APTMA which largely promoted the collaboration and cooperation between the two. To address the lack of an appropriate institutional framework, APTMA recently formed a WTO cell, which, as per APTMA secretary Anis-ul-Haq, is still in its early stages. (World Trade Organization, 2005) The cell has recently retained a law firm to represent APTMA representatives on WTO matters.

According to Anis-ul-Haq, the main objective of the cell should be to cooperate with the parallel WTO cell at the Ministry of Trade to ensure that future conflict disputes are conducted smoothly. This cell can also counsel APTMA members on the current trading situation and foreign trade legislation in order to foresee any global action taken against local market players. (World Trade Organization, 2005)

The procurement of funds to cover the bills incurred in the cotton legal dispute was a big issue. Anis-ul-Haq and Akbar Sheikh both agreed that, rather than the current ad hoc case-by-case solution, the state and APTMA should define certain fixed parameters (World Trade Organization, 2005). This will greatly reduce the costs in terms of time saved in determining an optimal allocation of the financial load.

In addition, APTMA as an organization should have a portion of cash set aside expressly to cover the costs of potential conflict resolution situations. (World Trade Organization, 2005) This shared capital pool may be created if APTMA continues to establish and promote the idea of mutual insurance between its participants, who are often unable to participate due to competing interests.

The players in the market

The constructive and successful role of the WTO's conflict resolution process in settling this trade conflict between two incompatible parties aided in reinvigorating local market players' interest in the global trading climate. According to Akbar Sheikh, it also contributed to promoting the WTO's image at both the corporate and government levels, as well as its validity as an institution promoting free and fair trade.

The point remains, nonetheless, that the limit was canceled just three months before the three-year term of the safeguard initiatives expired. Thus, the loss to local market actors was not only the cost of contesting the event but also the missed income as a result of the amount of time the constraints were in effect. The fact that many industry players originally declined to engage in funding the case at the DSB level reflects widespread dissatisfaction with the length of the conflict resolution procedure. It goes without saying that an able legal team is of essence if a party is to win a ruling in their favor.

Chapter 2.4: Failed negotiations at the WTO.

Chapter 2.4.1: Case study one: Doha round of talks

The Doha round of trade negotiations, which lasted from 2001 to 2006, was an effort to reach a multilateral trade deal. They were intended to involve all World Trade Organization participants (WTO). It was initiated in November 2001 at the World Trade Organization conference in Doha, Qatar, with a target of completion by January 2005, but the timeline was moved back to 2006. ¹ The talks were eventually called off in June 2006 since the US and the EU failed to cut farm subsidies.

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The Doha Round of talks was optimistic. First, all WTO participants (nearly every country on the planet) took part. Second, at the trade negotiations, agreements had to be made by consensus—every nation had to sign off. Third, no fragmented sub-concessions were to be made. There was a complete consensus or no agreement at all. In other terms, there will be no contract until either nation agrees to the whole agreement. (World Trade Organization, 2005)

Chapter 2.4.1.1: The Goal of the Doha Round

The agreement aimed to improve developed countries' productivity expansion. It focused on reducing farming subsidies in developed countries, encouraging them to export food to emerging economies (developing nations). In exchange, emerging economies will open their markets to developed-country services, especially banking. This would have opened up new opportunities for developed-country service sectors while further modernizing established emerging markets.

Although the arrangement was made up of a range of factors, it can be summarized into some of the categories below (World Trade Organization, 2005):

Agriculture

Subsidies for emerging economies are proposed to be reduced to 2.5 percent of the volume of output (would only be 6.7 percent for developing economies)

Tariff reductions on food imports are being discussed.

Export discounts should be phased out, according to a proposal.

Business access for non-agricultural products

Tariff reductions on non-food imports are being considered.

The provision of services

Laws and legislation on foreign-provided facilities have been clarified.

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Developed nations desired to export banking, telecommunications, oil, express delivery, and distribution systems.

Tourism, Medicare, and professional services were all sought after by developing nations.

Countries had to choose which programs to allow.

Countries were debating whether to accept foreign investment.

Antidumping laws were tightened to prohibit governments from reducing export rates to harm industries in the countries to which it exports.

Increased bans on introducing subsidies in retaliation for another nation's subsidies.

Commercial shipping, local aircraft, big civilian aircraft, and cotton are the primary targets.

Fishery subsidies have been reduced in order to minimize overfishing.

intellectual property rights

Created a registry to regulate country-of-origin for wine and spirits Protected brand names, such as Champagne, Tequila, or Roquefort, which are only authentic if they originate in that area

Inventors were asked to show the place of origin for any genetic items used in their goods.

Trade and climate

Aimed to align trading laws with other commitments to safeguard natural resources in developed countries

Facilitation of trade

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Customs fees, paperwork, and rules have been clarified and changed.

Customs protocols have been tightened in an effort to minimize bureaucracy and graft.

Disparity and special treatment

Special consideration was given to developed countries.

Longer timeframes for executing deals were included.

All WTO members are required to protect developed countries' trade interests.

Financial assistance was given to developed countries to assist in the construction of facilities required to resolve conflicts and enforce technical standards.

Dispute resolution

Installed guidelines for better resolution of trade disputes

Electronic commerce

Customs duty or fees on internet goods or utilities are opposed.

The Doha talks were envisioned to increase the economic vitality of developed countries had they been successful (World Trade Organization, 2005). It would have decreased government spending on subsidies in developing countries while increasing the value of financial institutions.

Regrettably, agribusiness lobbyists in the United States and the European Union exerted political pressure on their respective governments, effectively ending the Doha round of talks. As a result of their ease of negotiating terms, reciprocal trade negotiations have expanded.

Due to the collapse of Doha talks, prospective intergovernmental trade deals would need to be more appealing to countries with economic advantages. If the talks

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were to continue, other issues had to be settled as well. The American Government, Japan, and China had to recognize that their currency tussles were spreading inflation to other nations like Brazil and India.

Chapter 2.4.2: Case study 2; The failed Ministerial talks at Cancun, Mexico in 2003.

The failure to agree about whether to begin discussing new Treaty obligations on the issues Singapore head brought to the chambers: investment, competitiveness, acquisition, and trade facilitation, since they were first proposed at the first WTO Ministerial Conference in Singapore in 1996, is purported to be the immediate cause of the breakdown at the Cancun talks.

The EU and Japan had pushed for the talks, but more than 70 developed countries staunchly opposed the proposition. One of the main agendas of Cancun was to demystify the developed countries' reluctance to extreme challenges, which may have been a significant explanation for the talks' failure.

On Sunday morning, the Conference moderator, Mexican Foreign Secretary Luis Ernesto Derbez, called an exclusive "Green Room" meeting of about 30 Ministers to address unresolved issues. He began with the Singapore Issues, which were now the key cause of discord in the house.

Many developed countries echoed their opposition to extending the WTO's mandate to include the four new topics at the conference. According to reports, EC Trade Commissioner Pascal Lamy decided to drop investment and competition but preferred to go on with talks on the other two issues following a lunch break during which Ministers conferred with their regional parties.

There still was no consensus. Derbez then said a resolution was not necessary on the entire bundle of problems and agreed to draw the curtains on the conference.

The lack of agreement on the Singapore concerns was the direct cause of the meeting's demise, but it had wider and deeper origins. The first three days of the

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convention were dominated by the contentious agriculture problem, with the EU and US on each side and the Alliance of 21 developed countries headed by Brazil and India on the other, as well as a coalition of 32 other developing countries battling for stronger mechanisms to shield small farmers from an influx of cheap imports. (World Trade Organization, 2005) An updated draft of the summit Declaration, released at lunch break on Saturday, had the consequence of escalating rather than decreasing the Conference's discord. The developed countries were dissatisfied because the agriculture text did not address their concerns. (World Trade Organization, 2005) They were angered by the parts on Singapore topics, because 70 of their views and formal recommendations; not to commence negotiations, had been ignored. They were also outraged by the draft's handling of the African plan to end cotton subsidies, which one Minister called an offense to African people and undeserving of the WTO.

The mood was still tense when the developed countries took the stage one by one at a prolonged Saturday night session to denounce the draft Declaration. The concern of the WTO's coercive decision-making method, especially in text drafting, was then at the forefront.

The lack of transparency has been a feature of WTO Ministerial meetings since their inception. Most Leaders were excluded from the talks in Singapore (1996) because only 30 countries were welcomed to exclusive discussions which went by the term Green Room sessions at the Summit.

However, in Seattle (1999), the Green Room sessions, of which only a handful was admitted, were reinstated from the beginning to the end of the conference. Ministers from the ACP and Africa parties were so angered that they released a statement declaring that they'd never support the consensus on any Resolution. The negotiations broke down.

In the end, it was the WTO's secretive and non-participatory ruling mechanism (such as the green room) that brought the Cancun talks to a halt.

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The above two cases of failed talks have a common factor; disharmony between the members. In Cancun, a disharmony arose as a result of the WTO employing a seclusive strategy in trying to resolve the Singapore-related issue (World Trade Organization, 2005). The disunity also came by as a result of economically developing nations feeling like their issues were not being taken seriously.

This increased the tension between the economically able countries and those with lesser industrial capability thereby leading to the failure of talks. This demonstrates that without unity among the members of WTO, any kind of discussion or agreement to be brokered will hit a wall.

At this point, it is worth noting that the existing information resources and research material mostly cover the failed Cancun talks and their implications to the world economy since then. Few to almost none delve into the achievements of the WTO; evaluating the successful instances of negotiations and analyzing them critically. This paper will add to the existing research by having a balanced outlook of the WTO; not just that of the failed Cancun consultations. The extensive analysis of the successful dispute resolution instances will build upon the existing sources and information regarding the WTO. I believe this paper portrays it in a well-balanced manner compared to the rest which is more inclined to criticize it.

Chapter 3: Research Methodology

After an in-depth literature review, I researched to find out further about situations when the WTO has failed to deliver according to its mandate and the times it has been successful in the same endeavor. The research was mainly purposed to churn out information relevant to the paper's study topic. Given the vast amount of information available, I had to be extremely critical to find the exact needed data and recordings.

My research was largely quantitative. I made use of case study research design in order to gain more insight into the WTO so as to be able to come up with substantive conclusions.

My first stop was the WTO website which has several archives and articulate recordings of the ministerial conferences and their outcome since its formation. This was the most reliable source of all and is, therefore, formed a huge chunk of the data and information collected.

in addition to the data and information acquired from the WTO website and publications, I perused through academic articles, journals, and publications originating from the year 2004 to date regarding the WTO. I then carefully selected those of more relevance to my research by sampling the resources purposively. An information resource had to be concerned with the successes and failures of the WTO for me to consider it for this paper. I personally did the information gathering during the period of February to April 2021.

I employed textual and content analysis in order to maximize the amount, of information I was going to get from the said sources.

However, I came across various obstacles in the course of my data collection exercise. To start with, there was a large number of published materials regarding the topic thereby causing the process of sampling and selection to be time-consuming.

It was hard coming across a material that was breaking down more than two topics relevant to my study; thereby prompting me to utilize a range of textual materials in

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order to gain insight into the subject that I sought. Some of the resources were withheld by the respective authors or organizations and I thereby had to request for them or in some cases purchase them. This delayed the whole data collection process and made it more costly.

Despite the challenges faced, my approach proved useful as I was able to gather a vast collection of information on the WTO that was key to the writing of this paper. The archives with detailed recording of the events that took place in the past with regard to the WTO were extremely useful in the building up of my case and conclusion in this paper. It is worth noting that the research method cut down on the projected costs by a large amount compared to the costs that were to be incurred had if they needed to utilize transport and accommodation facilities.

Conventional methods of research seemed more appropriate as they would result in the gathering of the required data in the long run. This was also essential in making sure this paper does not get on the wrong side of the law .Therefore, the legal and moral credibility of this paper is guaranteed.

Chapter 4: Results

After keen and critical analysis of the gathered information, the following emerged:

WTO negotiations and trade talks failed due to disharmony between the member countries.

Disputes brought to the DSB had to have a strong backing and support from the home country and respective home government for the appeal to be successful, as the dispute resolution process is rigorous and requires a lot of funding.

The WTO has failed twice attempts to initiate revolutionary global trade agreements and terms such as the Doha development agenda (DDA).

The WTO has managed to solve 350 disputes out of the 600 brought to its attention since it was established in 1995.

The WTO lacks transparency in some of its dealings. (Mcrae, 2005)

Chapter 5: Discussion.

From the above analysis, it is evident that there are two sides to the WTO case study; It has succeeded and failed in the same measure. (Moore 2005). As seen above, the WTO has managed to resolve 350 cases out of 600 filed disputes. The rest of the cases are in various stages of resolution and verdicts may be delivered soon. This shows that the WTO in a way has succeeded in its mission.

The data gathered met my expectations since it has stricken a balance of both the achievements and failures of WTO.

The dispute between Costa Rica gave other developing countries a motivation and fighting spirit that they too could stand up for their trade rights; courtesy of WTO. The Pakistani verdict saved thousands who depended on the cotton industry from possible layoffs or retrenchments or worse still, salary cuts.

However, in the same manner, the WTO has failed to a certain measure. It has failed to give an equal playing ground for its members to air out their issues but rather

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insists on working with select members of the “green committee”. This committee is mostly made of delegates from the economic giants thereby undermining the opinions perspectives of the economically developing countries.

This was evident in The Cancun talks when they came to an immature halt without an agreement on the intended policies due to its exclusion of a large number of members in critical decision-making despite calls for the abolition of the practice.

These results practically imply that for the WTO to fully achieve its mandate, it has to ensure that its more transparent in its dealings and involves all the members(McCrae, 2005); otherwise, the whole organization will not be living out its purpose. As the name suggests, it's a world trading organization, meant to ensure fairness for all its members participating in international trade. A closer look at the information revealed some of the factors affecting the WTO:

Chapter 5.1: Factors affecting the smooth running of the WTO

The WTO has not fully achieved its mandate due to some challenges arising as a result of dealing with a large number of countries with individual interests. As seen above, the WTO has had two rounds of failed talks which could have been of great benefit had they gone through. A brief look at the issues ailing the organization reveals factors such as flaws in the overall organizational structure, Economic imbalance between a number of countries, Formation of alliances between member countries in the organization, Lack of existing rules but dependence on the outcome of ongoing disputes to formulate necessary rules, under the equipment of underdeveloped countries to effectively participate in WTO activities.

Chapter 5.1.1: Flaws in organizational structure

Much of the strife in Cancun was caused by the way the World Trade Organization was designed(Narlikar et al, 2014). Unlike most of its multilateral counterparts, the WTO's systemic features were not planned upon from scratch. Rather, they evolved

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from its predecessor organization, the General Agreement on Tariffs and Trade commerce (GATT). Given that the GATT was the primary trading bloc and the main means of regulating the global trade in the post-war era and the this may have been unavoidable.

It was therefore the model arrangement that served as the foundation for the WTO's establishment.

It, therefore, inherited the systemic flaws of GATT such as :

The practice of making rules without enough consultation.

The introduction and of a one-member-one-vote system in the documentation but end up practicing

general agreement decision-making when a vote is required.

Assigning a negligible role to the Secretariat, thereby transforming the WTO into a member-driven institution, and the having of unofficial diplomacy in reaching consensus.

Given the far-reaching context and disruptive nature of its laws, while in Cancun, its developing nation members, which accounted for 118 of its 148-member membership, were longer willing to stay on the sidelines while decisions were made in the exclusive only meetings. The costs of unofficial diplomacy, joint deals in hallways, and selective consultations are extremely high, particularly when the mutually agreed outcomes impact the global WTO membership and the underprivileged populations of the majority of its member countries(Narlikar et al, 2014). Developing countries can find themselves even more vulnerable to arm-twisting in bilateral meetings, and risk complete marginalization from the process if they are unable to keep track of the selective meetings to which they are not invited(Narlikar et al, 2014). The importance of having an institutionalized set of rules governing inter-state negotiations in the WTO has become patently visible to all(Mcrae, 2005). Unfortunately, this is precisely

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where the WTO is lacking. The entire purpose of having ties to an organization like the WTO is to provide participants with a reliable set of regulations under which to operate (Mcrae, 2005). What is the point of setting time constraints that the majority of members expect to be overlooked based on the past trend, whereas others take them seriously? Similarly, the Organization assigns a Chair to oversee ministerial hearings but does not define the Chair's obligation or interactions with other members (Narlikar et al, 2014).

The shortcomings cited above suggest that in the absence of a firm set of guidelines, coupled with the pressure exerted by overly ambitious deadlines, the kind of institutional improvisation that will emerge during the course of a meeting is aimed more squarely towards securing an outcome at all costs rather than pursuing a more widely accepted, common agreement (Narlikar et al, 2014). However, it lacks validity and is to blame for the tough negotiation strategy and missteps seen in Seattle and Cancun. Furthermore, the availability of proper guidelines guarantees that there are few safeguards in place to prevent improper uses of political clout (Narlikar et al, 2014).

Chapter 5.1.2: Economic imbalances

While the WTO appears to be falling short of the vast majority of its members in terms of laws it offers, the massive development of its commercial remit and the resulting relative economic benefits has also created issues. Furthermore, the foundation upon which this expansion has occurred has been highly uneven and raises questions.

The foundation upon which the growth of WTO has been highly uneven. The method for this expansion is institutional framework design, which allows the powerful to sneak in their initiative while providing few benefits to developing nations. As a consequence, developing nations are in an even weaker negotiating position, further biasing the power landscape within the WTO (Narlikar et al, 2014). The

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new issues that have come under the purview of the WTO go far beyond the conventional sanctions of the GATT. (World Trade Organization,2005)

To some extent, this development has been welcomed, as evidenced by the inclusion of traditionally underrepresented sectors including agriculture, textiles, and clothing. (Narlikar et al , 2014) However, this growth has also included services, market intellectual property rights, and market investment measures, as well as technical trade restrictions, hygienic and phytosanitary measures, and customs negotiations, among other things (Narlikar et al , 2014) .Given the highly technical nature of these issues, under-resourced developing countries are ill-equipped to engage fully in such agreements, not to consider bemused by their significance.

When viewed individually, the Cancun consultations appeared to be more of a "power tussle" between, on the one side, advanced manufacturing states seeking to advance the trade agenda by beginning discussions on the Singapore concerns, and, on another, emerging members valiantly pursuing financial inclusion into the infamously secured agricultural niches of the North(Mcrae, 2005).

Chapter 5.1.3: Formation of alliances between member countries

In the run-up to Cancun, numerous strong factions of developing nations banded together in the face of a crisis, both systemically and substantively. At the ministerial, these alliances played a critical role in the rebellion. The G-22 (originally the G-20), led by Brazil, China, and India, earned the most attention at the time, but there were many others in an activity that demonstrated to be just as essential in the long game.

The G-22 was a specific reply to yet another bid by the United States and the European Union to reach an agreement without considering the interests of the community (Narlikar et al, 2014). The first thorough response to the United Kingdom draft was written by India and Brazil, and it was supported by more than 20 countries. The coalition attracted some unexpected allies. The G-22's most striking difference was how it blended Cairns Group nations like Brazil and Argentina with countries such as India that had a combative desire to participate in agriculture.

Despite predictions to the opposite and several joint pressures that appeared to be used to split the coalition, the G-22 remained intact. The disenchantment of many developing nations with the EU–US agricultural text, as well as a memory of similar conspiracy by the established countries in the past, was crucial in the formation of the group. This same disenchantment enabled them to reach compromises between themselves and thus develop a stable unified framework.

The Alliance on Strategic Goods and Specific Safeguard Framework was another alliance that arose with an original concept in reaction to the DDA's and the Doha system's insufficient stipulations of Preferential Tariff Treatment. Reports of 16 countries allying to this proposition date back to at least late July 2003. 27 The alliance had 23 participants at the start of the convention, which includes Barbados, Dominican Republic, Ecuador, Honduras, Indonesia, Jamaica, Kenya, Mongolia, and 456 others (Narlikar et al, 2014).

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Nicaragua, Nigeria, Pakistan, Panama, Peru, Philippines, Tanzania, Trinidad & Tobago, Turkey, Uganda, Venezuela, Zambia, and Zimbabwe are among the countries that represented the latter alliance. Its membership had expanded to 33 countries in Cancun.

The alliance suggested that developing nations be allowed to decide voluntarily what their special item was and be given preferential treatment for it. This was a unique and proactive stance. Some of the group's members admitted to being aware of possible attempts to buy them off. They did, however, express a willingness to join forces around the concept of recognizing the tactical product, rather than succumbing to the carrot of tariff quotas or other similar alternatives.

Both alliances G-22 and the Partnership on Strategic Goods and Special Protection Framework had a membership commonality, and both groups suggested that they would be able to stick together if other developing nations did the same. This time, an opposite chain reaction appeared to be working in the coalitions' favor.

The team of four West and Central African nations (Mali, Benin, Chad, and Burkina Faso) proposed a closing process of cotton incentives and monetary benefit for LDCs until the incentives were wiped out in the run-up to during the Cancun Conference(Narlikar et al , 2014).

Those factions that had been effective in the WTO since the preceding Ministerial included the G-22, the Coalition on Strategic Goods and Special Protection Mechanism, and the Wool Group. Many of these alliances were still carrying the weight of the demands they had made in Doha, which, notwithstanding the DDA's promises, risked being overlooked. The LDC groups, the African–Caribbean–Pacific Discussions were held by the ACP, LDC, African Group, Strategic Products Group, and G-22. Sympathetic alliances formed. (World Trade Organization,2005).

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As a result, although many participants of the Africa Group, ACP, and LDCs were particularly bothered regarding their inclinations stripping away in the face of economic liberalization, they backed the G-22's position. The Africa Group had the moral support of developing nation alliances across the board when it declined to sell in with the Singapore matters on September 14th(World Trade Organization,2005).

The referred coalition as G-90 was formed by combining these alliances. The fact that they were able to hold their roles in the finale shows that developing nations had put their foot down after years of negotiating deals that they didn't comprehend and that were negotiated by hazy negotiating procedures.

Chapter 5.1.4 : Financial incapability to participate in WTO activities.

Another issue is that not all nations are well-equipped to engage in WTO systems as easily as they would want – some LDCs and small countries can't even afford to have offices in Geneva. The legal structure of the World Trade Organization continues to grow in scale, depth, and importance. Most of the debate over implementing Uruguay Round promises arose from developed countries' human and capital limitations in adjusting laws to current obligations and constructing the facilities needed to carry them out(Moore,2005). As a result, support services and infrastructure development are becoming an increasingly essential feature of the WTO, assisting transitioning, emerging, and least-developed nations in integrating into the multilateral trade mechanism and completely participating in negotiations(World Trade Organization,2005).

One of the main goals is to allow officials to properly understand their negotiation goals and analyze the many offers that would be made by other stakeholders(Moore,2005).

Many of these efforts are carried out in collaboration with other international organizations in order to achieve a more inclusive approach to international economic reform and management.

Chapter 5.1.5: Dependency on Crises to formulate new legislation or explain existing ones.

One issue is that the mechanism tends to focus on big new negotiation rounds and trade agreements to create new laws or expound on those that already exist(Moore,2005). This means that procedure reforms happen in infrequent spurts. Between the end of the Tokyo Round and the start of the Uruguay Round, seven years passed, and eight years passed between the Uruguay Round's conclusion and the unveiling of the Doha Development Agenda in November 2001(World Trade Organization,2005). The Uruguay Round took eight years to complete from start to finish.

Chapter 5.1.6 Limitations of the collected data

However, these results do not provide meaningful information regarding the cases whose dispute resolution processes are ongoing. Similarly, it does not shed light on the rest of the cases that were dismissed due to lack of merit. This data would have been key in determining the credibility of the body with respect to the criteria applied in the dismissal of cases or actions of the sort.

The data gathered also suffered from limited generalizability since it applies to only those countries which have brought disputes and cases to the WTO and not all the members in the WTO fraternity.

Chapter 6: Conclusion

To sum up, the WTO has succeeded in its mandate to some extent and failed to some extent.

The approach of analyzing written and published records from credible sources such as WTO itself was effective as it provided critical data needed in order to arrive at a substantive informed conclusion

Chapter 6.1: Potential solutions to the problems facing WTO

The research raised an unexpected question on the transparency and credibility of WTO given the information that it has a select committee that holds private sessions which their outcome affects the rest of the countries directly or indirectly.

As this has been seen to cause disharmony among the members, it would be more preferable if WTO adopted a principle of equality and all-inclusivity. This will increase the chances of future proposals and negotiations succeeding

Building the capability of economically emerging countries – assisting transitional, emerging, and least-developed nations in completely integrating into the multilateral trade mechanism and participating in negotiations.

One of the main goals is to allow officials to properly understand their negotiation goals and analyze the many offers that would be made by other stakeholders. Many of these efforts are carried out in collaboration with other international bodies in order to achieve a more coordinated approach to international economic reform and management.

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