

Description of ILA International Trade Law Committee

The world trading system has evolved not only into the most “legalized” area of international relations. It is also widely perceived as the most important legal and institutional framework for creating the welfare needed for poverty reduction, satisfaction of basic development needs and peaceful international cooperation based on respect for rule of law. The Doha Development Round negotiations in the WTO are likely to continue up to 2007 (provided the US fast-track legislation and trade promotion mandate will be renewed by the US Congress in 2005), and their successful conclusion and legal implementation may require far-reaching legal and institutional reforms of national and international rule-making, adjudication, trade and development policies. As the coming years will remain of crucial importance for the future of international economic law and peaceful international economic cooperation worldwide, the ITLC considers it important to continue its work program on international trade law and related problems of intellectual property law, human rights law, environmental, competition and social law. The effectiveness of any future Doha Development Round Agreements depends on their ratification and political support by domestic parliaments and citizens. Particular attention must therefore be devoted to the apparent problems in worldwide governance. For example, is the postwar paradigm of “embedded liberalism” still adequate, or does the increasing reality of multilevel governance by (sub)national, regional and worldwide institutions (e.g. monetary authorities, regulatory agencies, competition authorities, national and international courts and other law-enforcement institutions) require more democratic forms of multilevel constitutionalism?<P>

It is suggested that the ITLC prepare, for the ILA conference in 2006, a draft ILA Declaration on International Trade Law and Human Rights which should – with due regard to the existing WTO principles and to the limited scope of the WTO - also recommend any institutional and other WTO reforms that may be necessary for making respect for human rights, rule of law, poverty reduction, and for “sustainable development” in WTO member countries more effective. The increasing number and legal diversity of regional free trade agreements all over the world continue to deserve attention. As the most frequently used dispute settlement system among states, the WTO dispute settlement procedures, practices and reform negotiations will remain a priority subject of the ITLC. The Committee will closely collaborate with other ILA Committees (e.g. on the impact of biotechnology on international law).