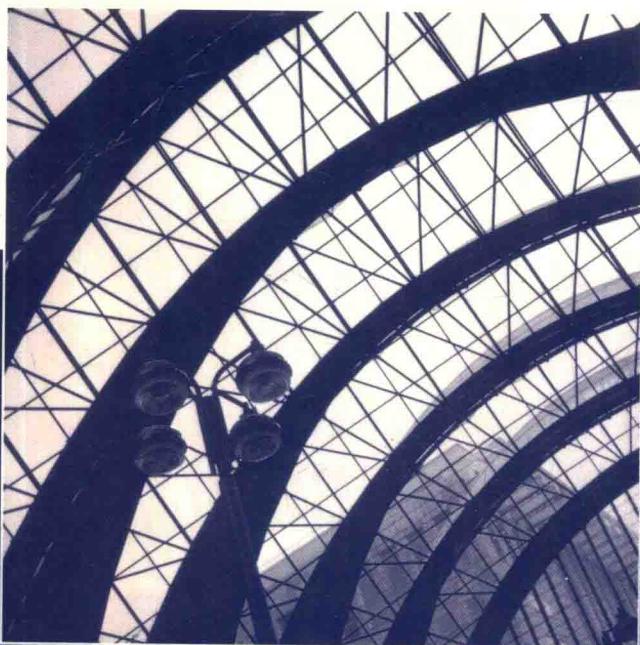


OXFORD

# INTERNATIONAL TRADE LAW *of the WTO*



M RAFIQUL ISLAM

# INTERNATIONAL TRADE LAW

## *of the WTO*

M RAFIQUL ISLAM

PHD, LLM (MONASH); LLB, MA ECON, BA HONS (RU)

PROFESSOR OF LAW

MACQUARIE UNIVERSITY

OXFORD  
UNIVERSITY PRESS

253 Normanby Road, South Melbourne, Victoria 3205, Australia  
Oxford University Press is a department of the University of Oxford.  
It furthers the University's objective of excellence in research, scholarship,  
and education by publishing worldwide in

Oxford New York

Auckland Cape Town Dar es Salaam Hong Kong Karachi  
Kuala Lumpur Madrid Melbourne Mexico City Nairobi  
New Delhi Shanghai Taipei Toronto

With offices in

Argentina Austria Brazil Chile Czech Republic France Greece  
Guatemala Hungary Italy Japan Poland Portugal Singapore  
South Korea Switzerland Thailand Turkey Ukraine Vietnam

OXFORD is a trade mark of Oxford University Press in the UK  
and in certain other countries

Copyright © Rafiqul Islam 2006

First published 2006

This book is copyright. Apart from any fair dealing for the purposes of  
private study, research, criticism or review as permitted under the  
Copyright Act, no part may be reproduced, stored in a retrieval system,  
or transmitted, in any form or by any means, electronic, mechanical,  
photocopying, recording or otherwise without prior written permission.  
Enquiries to be made to Oxford University Press.

#### **Copying for educational purposes**

Where copies of part or the whole of the book are made under Part VB  
of the Copyright Act, the law requires that prescribed procedures be  
followed. For information, contact the Copyright Agency Limited.

#### **National Library of Australia**

Cataloguing-in-Publication data:

Islam, Rafiqul.

International trade law of the WTO.

Bibliography.

ISBN 978 0 19 555 328 4.

ISBN 0 19 555328 4 (pbk).

1. World Trade Organization. 2. Foreign trade regulation

I. Title

Edited by Elaine Miller

Proofread by Andrew Wright

Typeset by Linda Hamley

Printed in Hong Kong by Sheck Wah Tong Printing Press Ltd

INTERNATIONAL  
TRADE LAW  
*of the WTO*

*Dedicated to*

*My wife, Urmy  
Daughter, Tamanna  
and  
Sons, Akif and Natiq*

*In recognition of their generous support  
and sympathetic understanding of  
my passionate academic pursuit*



## Table of Cases

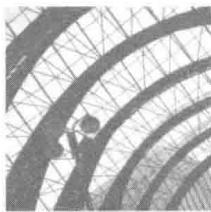
All WTO Panel, AB, and Arbitrator reports/awards are available by clicking *DS number* in the WTO website <[http://www.wto.org/english/tratop\\_e/dispu\\_e/dispu\\_status\\_e.htm](http://www.wto.org/english/tratop_e/dispu_e/dispu_status_e.htm)>; or the SICE Foreign Trade Information System website <<http://www.sice.oas.org/dispute/wtorepe.asp>>.

- Al Abdullatif Industrial Group Co Ltd v Minister for Justice and Customs [2000] FCA 758 223
- Anheuser-Busch v US (1908) 207 US 556 266
- Argentina—Measures Affecting Imports of Footwear, Textiles, Apparel and other items DS56/R 143
- Argentina—Safeguard Measures on Imports of Footwear DS 121/AB/R 330, 333
- Atlas Air Australia Pty Ltd v ADA (1991) 99 ALR 29 227
- Australia—Anti-Dumping Measures on Coated Woodfree Paper Sheets DS119 460
- Australia—Certain Measures Affecting the Importation of Fresh Fruit and Vegetables DS270 101, 127, 460
- Australia—Certain Measures Affecting the Importation of Fresh Pineapple DS/271 101, 127, 460
- Australia—Measures Affecting Importation of Salmon DS18/R 125, 460, 461
- Australia—Measures Concerning the Importation of Salmonids DS21 460
- Australia—Quarantine Regime for Imports DS287 101, 128, 460
- Australia—Recourse to Article 21.5 of the DSU by Canada DS18/RW 461
- Australia—Recourse to Article 21.5 of the DSU by the US DS126/RW 461
- Australia—Subsidies Provided to Producers and Exporters of Automotive Leather DS126/R 151, 316, 460, 461
- Australia—Textile, Clothing and Footwear Import Credit Scheme DS57 460
- Brazil—Export Financing Programme for Aircraft DS46 461
- Brazil—Measures Affecting Desiccated Coconut DS22/AB/R 445, 568
- Brazil—Measures Affecting Payment Terms of Imports DS116 461
- Brazil—Measures on Minimum Import Prices DS197/1 238
- Canada—Administration of the FIRA—BISD30S/140 178
- Canada—Certain Measures Affecting the Automotive Industry DS139/R 184, 311
- Canada—Measures Affecting the Export of Civilian Aircraft DS70/R 310, 461
- Canada—Measures Affecting the Importation of Milk and the Exportation of Dairy Products DS113 86, 289, 461
- Canada—Measures Relating to Exports of Wheat and Treatment of Imported Grain DS276/6 101, 461

- Canada—Patent Protection for Pharmaceutical Products DS114 461
- Case concerning the Barcelona Traction, Light and Power Company Limited (Belgium v Spain) [1970] ICJ Rep 33 568, 570
- Case of Certain Norwegian Loans (France v Norway) [1957] ICJ Rep 48 568
- Chile—Price Band System and Safeguard Measure Relating to Certain Agricultural Products DS270/R 333
- Chorzow Factory Case (Germany v Poland) [1928] PCIJ Series A 215
- Competence of the GA for the Admission of a State to the UN [1948] ICJ Rep 84 568
- Dominican Republic—Measures Affecting the Implementation and Internal Sale of Cigarettes DS302/R 19, 452
- Eberle v Chief Executive Officer of Customs [2004] FCA 989 240
- EC—Anti-dumping Duties on Imports of Cotton-Type Bed Linen from India DS141/AB/RW 145, 212, 214
- EC—Customs Classification of Frozen Boneless Chicken Cuts DS269/R 44, 452
- EC—Export Subsidies on Sugar DS265/R 99, 100, 452, 460
- EC—Measures Affecting Asbestos and Asbestos-Containing Products DS135/AB/R 158
- EC—Measures Affecting the Approval and Marketing of Biotech Products DS291 96, 120, 169, 461, 572
- EC—Measures Affecting the Exportation of Processed Cheese DS104 461
- EC—Measures Concerning Meat and Meat Products (Hormones) DS26/R/USA 107, 111, 120, 448, 451, 453, 461, 571
- EC—Patent Protection for Pharmaceutical and Agricultural Chemical Products DS153 461
- EC—Protection of Trademarks and Geographical Indications for Agricultural Products and Foodstuffs DS290/R 99, 173, 425, 426, 460
- EC—Regime for the Importation, Sale and Distribution of Bananas (Banana dispute) DS27/R 14, 17, 62, 434, 449, 450, 453, 457
- EC—Selected Customs Matters DS315 461
- EC—Trade Description of Sardines DS231/AB/R 457
- EC/US—Measures Affecting Trade in Large Civil Aircraft DS316 461
- Enichem Anic SLR v ADA (1992) 30 FCR 458 225
- Feltex Reid Rubber v Minister for Industry and Commerce (1983) 67 FLR 32 226
- Fisheries Jurisdiction case 1974 334
- GATT Decision on Differential and More Favourable Treatment, Reciprocity and Fuller Participation of Developing Countries 1979 BISD 265/203–205 486
- Guatemala—Anti-Dumping Investigation Regarding Portland Cement from Mexico DS60/AB/R 217
- Hungary—Export Subsidies in Agricultural Products DS35 459
- Hyster Australia Pty Ltd v ADA (1993) 40 FCR 364 225
- ICI Australia Operations Pty Ltd v Fraser (1992) 106 ALR 257 226
- India—Import Restrictions DS149 461
- India—Measures Affecting Customs Duties DS150 461
- India—Measures Affecting the Automotive Sector DS146/R 185
- India—Patent Protection for Pharmaceutical and Agricultural Chemical Products DS79/R 404, 446
- India—Quantitative Restrictions on Imports of Agriculture, Textile, and Industrial Products DS90/R 51, 57, 143, 264, 459
- Indonesia—Certain Measures Affecting the Automobile Industry DS54/R 181, 457
- Interhandel Case (Switzerland v United States) [1959] ICJ Rep 56–59 568
- Interpretation of the Peace Treaties with Bulgaria, Hungary and Romania [1950] ICJ Rep 110–11 568
- Japan—Measures Affecting Agricultural Products (Fruit Varietals dispute) DS76/R 115
- Japan—Measures Affecting Consumer Photographic Film and Paper DS44/R 458, 536
- Japan—Measures Affecting the Importation of Apples DS245/AB/R 101, 120, 461
- Japan—Taxes on Alcoholic Beverages DS8/R 158, 568
- K F Hansen v Comptroller-General of Customs NSCNSW 060430/95 240
- Korea—Definitive Safeguard Measure on Imports of Certain Dairy Products DS98/R 333, 568
- Korea—Measures Affecting Government Procurement DS163/R 483

- Korea—Measures Affecting Imports of Fresh, Chilled and Frozen Beef SD161/AB/R 99, 158, 459
- Korea—Restrictions Affecting Imports of Fresh, Chilled and Frozen Beef DS 161/AB/R 65
- Lego Australia Pty Ltd v Phillip Paraggio, David Rooney and Others (1993) 44 FCR 151 240
- Liechtenstein v Guatemala (Nottebohm case) [1955] ICJ Rep 4 458
- Marine Power Australia Pty Ltd v Comptroller General of Customs (1989) 89 ALR 561 226
- McDowell & Partners Pty Ltd v Button (1993) 79 FLR 166 226
- Mexico—Certain Pricing Measures for Customs Valuation and Other Purposes DS298/1 238
- Mexico—Customs Valuation of Imports DS53/3 238
- Mexico—Definitive Anti-Dumping Measures on Beef and Rice DS295/R 452
- Mexico—Measures Affecting Telecommunications Services DS204 461
- Ministerial Decision on Measures Concerning the Possible Negative Effects of the Reform Program of Least-Developed and Net Food-Importing Developing Countries 1993 LT/UR/D-1/2 88, 119
- Ministerial Decision on Measures in Favour of LDCs 1994 LT/UR/D-1-3 89
- Pilkington (Australia) Ltd v Minister of State for Justice and Customs [2002] FCAFC 423 223
- Powerlift (Nissan) Pty Ltd v Minister of State for Small Business, Construction and Customs (1993) 113 ALR 339 225
- Re Midland Metals Overseas Ltd v Collector of Customs (1991) 13 AAR 389 241
- Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide [1951] ICJ Rep 10 568
- Right of Passage over Indian Territory (Portugal v India) [1960] ICJ Rep 32-33 568
- Rights of US Nationals in Morocco (United States v France) [1952] ICJ Rep 176 11
- Romania—Measures on Minimum Import Prices DS198/1 238
- Swan Portland Cement Ltd v Minister for Science, Customs and Small Business (1989) 88 ALR 196
- Thailand—Anti-Dumping Duties on Angles, Shapes and Sections of Iron or Non-Alloy Steel and H-Beams from Poland DS122/R 216
- Thailand—Restrictions on Importation of and Internal Taxes on Cigarettes DS10/R-375/200 158, 518
- Turkey—Restrictions on Imports of Textile and Clothing Products DS34/R 54, 55, 56, 57, 145
- US—Antidumping Duties on Gray Portland Cement and Cement Clinker from Mexico ADP/82 203
- US—Anti-Dumping Duties on Seamless Pipes from Italy—Requests for Consultations by the EC DS225/R 215
- US—Anti-Dumping on Dynamic Random Access Memory Semiconductors of One Megabit or above from Korea DS99/R 214
- US—Anti-Dumping Measures on Certain Hot-Rolled Steel Products from Japan DS184/R 214, 215
- US—Anti-Dumping Measures on Stainless Steel Plate in Coils and Stainless Steel Sheet and Strip DS179/R 215
- US—Continued Dumping and Subsidy Offset Act of 2000 DS217/R 208, 459, 460
- US—Customs User Fee, BISD, 35S/245 43
- US—Definitive Safeguard Measures on Imports of Certain Steel Products DS248/R 451
- US—Definitive Safeguard Measures on Imports of Circular Welded Quality Line Pipe from Korea DS202/R 330, 461
- US—Definitive Safeguard Measures on Imports of Wheat Gluten from the EC DS166 461
- US—FSC dispute 85, 451, 452
- US—Import Prohibition of certain Shrimp and Shrimp Products DS58/R 169, 448, 459, 461, 519, 522, 527, 568, 570, 571
- US—Imposition of Antidumping Duties on Imports of Fresh and Chilled Atlantic Salmon from Norway ADP/87 203
- US—Imposition of Antidumping Duties on Imports of Seamless Stainless Steel Hollow Products from Sweden ADP/47 203, 218
- US—Imposition of Countervailing Duties on Certain Hot-Rolled Lead and Bismuth Carbon Steel Products Originating in the UK DS138/AB/R 310
- US—Imposition of Import Duties on Automobiles from Japan DS6 461

- US—Measures Affecting Government Procurement DS88 483
- US—Measures Affecting Imports of Woven Wool Shirts and Blouses from India DS33/R 143, 445
- US—Measures Affecting the Cross-Border Supply of Gambling and Betting Services DS268/R 358, 361, 456
- US—Measures Treating Export Restraints as Subsidies DS194 461
- US—Prohibition of Certain Shrimp and Shrimp Products DS58/R 101
- US—Restrictions on Imports of Cotton and Man-Made Fibre Underwear DS24/R 143
- US—Restrictions on Imports of Tuna BISD39S/155 169, 515, 517, 518, 522, 527
- US—Rules of Origin for Textiles and Apparel Products DS243/R 265
- US—Safeguard Measures on Imports of Fresh, Chilled or Frozen Lamb Meat from New Zealand and Australia DS177/R 81, 99, 329, 330, 333, 334, 337, 454, 459, 462
- US—Safeguard Measures on Imports of Wheat Gluten from the EC DS166/R 330
- US—Section 110(5) of the US Copyright Act DS160 461
- US—Softwood Lumber IV 257/AB/RW 452
- US—Standards for Reformulation and Conventional Gasoline DS2/AB/R 449, 518, 521, 567, 568
- US—Subsidies on Upland Cotton DS267/7 84, 92, 101, 452, 461
- US—Sunset Review of Anti-Dumping Duties on Corrosion-Resistant Carbon Steel Flat Products DS244/R 215
- US—Taxes on Petroleum and Certain Imported Substances BISD 34S/136 570
- US—Tax Treatment for 'Foreign Sales Corporations' DS108/R 87, 292, 314, 461
- US—Transitional Safeguard on Combed Cotton Yarn from Pakistan DS192/AB/R 145
- US—US-Japan Steel dispute—Request for Modification of the Reasonable Period of Time DS184/18 214
- US/Canada—Continued Suspension of Obligations in the EC Hormones Disputes DS320 452, 461



# Table of Statutes/ International Instruments

## Australia

ACIS Administration Act 1999	189
Administrative Decisions (Judicial Review) Act 1977	225
s 33	225
Anti-Dumping Authority Act 1988	222
s 10(b)	227
Australia-Japan Treaty of Basic Friendship and Cooperation 1977	68
Australia-New Zealand Closer Economic Relations Trade Agreement 1983	67
Australian Quarantine Proclamation {QP86A} 125	86A
Australian Wine and Brandy Corporation Act 1980	423
Australia United States Free Trade Agreement	
Art 5	272
Arts 6(1)–(2)	509
Art 6(5)	509
Ch 6	509
Ch 9	339
Canada–Australia Trade Agreement	68
Circuit Layout Act 1989	423
Commerce (Imports) Regulation 1940	171
Commerce (Trade Descriptions) Act 1905	171
Copyright Amendment (Computer Programs) Act 1999	423, 474
Copyright (WTO Amendments) Act 1994	423
Customs Act 1901	222, 239, 317
Div 1B	271
Div 1C	271
Div 1D	271
Pt VIII	240
Pt VIII, Div 1A	270
Pt VIII, Div 2	240
Pt XVB	222, 227
s 4	270
ss 153A–T	270
	s 153A
	271
	s 153D
	271
	ss 153E–G
	270
	s 153K
	271
	s 153P(4)
	272
	ss 154–161L
	240
	s 154(1)
	240, 241
	s 161(1)
	240
	s 269TAB
	225
	s 269TAC(4)
	223
	s 269TAE
	226
	s 269TE
	227
	s 269TJ
	318
	s 269TN(2)–(4)
	226
	Customs Regulations 1926
	Reg 107A–B
	270
	Customs Tariff Act 1995
	Sch 1
	270
	Customs Tariff Amendment (Textile, Clothing and Footwear Post 2005 Arrangements) Bill 2004
	149, 152
	Customs Tariff (Anti-Dumping) Act 1975
	222
	Customs Tariff (Anti-Dumping) (WTO Amendments) Act 1994
	222
	Export Market Development Grants Act 1997
	189
	Financial Management and Accountability Act 1997
	s 44
	509
	Foreign Acquisitions and Takeovers Regulations 1989
	190
	Foreign Takeovers Act 1975
	190
	Free Trade Agreement 1965
	67
	Art 8(7)
	173
	Gene Technology Act 2000
	171
	Imported Food Control Act 1992
	171
	Industries Preservation Act 1906
	222
	Patents Act 1990
	423

Patent (WTO Amendments) Act 1994 423  
 Productivity Commission Act 1998  
 Pt 3 336  
 s 8(1)(b) 336  
 s 8(1)(j) 336

Singapore Australia Free Trade Agreement  
 Ch 4 509  
 Art 3 272  
 Art 9 339

Textile, Clothing and Footwear Strategic  
 Investment Program Amendment (Post 2005  
 Scheme) Bill 2004 149

Thailand Australia Free Trade Agreement  
 Ch 5 339  
 Art 4 272  
 Art 304 509  
 Art 508 339  
 Annexure 5 339

Trade Marks Act 1955 422

Trade Practices Act 1974 223, 226, 423, 510  
 Pt IV 423

## Canada

Canada–Australia Trade Agreement 68  
 Canadian Foreign Investment Review Act 177

## European Community

EC Directives on the Legal Protection of  
 Computer Software 423

EC Treaty  
 Art 182(a) 447

Protection of Geographical Indications and  
 Designations of Origin for Agricultural  
 Products and Foodstuffs (Regulation No  
 2081/92) 1992 425

Regulation No 1223/2002 44  
 Art 12(2) 173

Statute of the European Court of Justice  
 Art 51 447

## Japan

Australia–Japan Treaty of Basic Friendship and  
 Cooperation 1977 68

## International

African Charter of Human and Peoples' Rights  
 1981  
 Art 16 538

Agreement on Agriculture 1993

Pt I 78  
 Pt II 79  
 Pt III 79  
 Pt IV 79, 82  
 Pt V, Art 8 86

Pt VI 88  
 Pt VII 88  
 Pt IX 88  
 Pt X 88  
 Pt XI 89  
 Pt XII 89

Art 1 78, 293  
 Art 1(b) 78  
 Art 1(f) 72  
 Art 2 78  
 Art 3 292  
 Art 3(3) 85, 100, 290, 292, 293  
 Art 4 83

Art 4(1) 79  
 Art 4(2) 65, 80, 81  
 Art 5 80, 321  
 Art 5(4) 80  
 Art 5(5) 80  
 Art 5(7) 80  
 Art 5(8) 80  
 Art 6 83

Art 6(1) 82  
 Art 6(2) 75, 82, 88  
 Art 6(2)(b) 88  
 Art 6(3) 83  
 Art 6(4) 83  
 Art 6(5) 76, 83, 88  
 Art 7 83  
 Art 8 85, 100, 290, 292, 293  
 Art 9 100, 292  
 Art 9(1) 86, 87

Art 9(1)(a) 85  
 Art 9(1)(c) 100  
 Art 9(2)(b) 85, 87  
 Art 9(2)(b)(iv) 86, 87  
 Art 9(4) 87, 553  
 Art 10 292  
 Art 10(1) 87, 292, 293  
 Art 10(2) 87, 89  
 Arts 10(1)–(2) 85  
 Art 10(3) 87

Art 10(4)	87	Art 6(10)	207
Art 12	88	Art 6(11)	204
Art 12(2)	99	Art 7	206
Art 13	84, 88, 294	Art 8	206, 212
Art 13(b)(i)	88	Art 9	207, 212
Art 13(c)(i)	88	Art 10	210
Art 14	123	Art 11	210
Art 15	88	Art 12	211
Art 16	89	Art 13	212
Art 17	89	Art 14	212
Art 18	89	Art 14(4)	212
Art 19	89	Art 15	212, 213
Art 20	89	Art 16	213
Art 21	88	Art 17	214, 218
Art 21(2)	79	Art 18(1)	227
Annexure 2	76, 83, 88, 522	Annexure I	199, 205
Annexure 2, Art 12	522	Annexure II	205
Annexure 2:1	83	Agreement on Customs Valuation	
Annexure 2:6	83, 84	Arts 1–6	233
Annexure 2:2–13	83	Arts 1–7	237
Annexure 3	82, 99	Art 1	234, 241
Annexure 4	82	Art 2	233
Annexure 5	80	Art 3	233
Annexure 5:5	80	Arts 4–6	236
Annexure 5:6	80	Art 4	233
Annexure 5(B)	80	Art 5	232, 233, 237
Agreement on Anti-Dumping Measures	444, 501	Art 6	232, 233, 237
Art 1	197	Art 7	234
Art 2	198, 199	Art 8	231, 232, 234
Art 2(2)(1)	198, 199	Arts 8–15	237
Art 2(2)(2)	198	Art 9	235
Art 2(3)	207	Art 10	235
Arts 2(3)–(4)	200	Art 11	235
Arts 2(3)–(5)	198	Art 12	235
Art 2(6)	198	Art 13	235
Art 3	200, 202	Art 14	235
Arts 3(1)–(2)	200	Art 15	235
Art 3(2)	202	Art 16	235
Arts 3(4)–(5)	201	Art 17	235
Art 3(4)	202	Art 18	235
Art 3(6)	201	Art 18(2)	236
Art 3(7)	201, 202	Art 19	236
Art 4(1)	202	Art 20	236
Art 4(1)(ii)	227	Art 20(3)	239
Art 4(2)	202	Art 21	236
Art 4(2)–(3)	202	Art 22	239
Art 5	197, 202, 204	Arts 22–24	236
Art 5(2)	204	Annexure I	237
Art 6	204, 206, 210	Annexure III	236
Art 6(5)(1)–(2)	205	Agreement on Government Procurement	
Art 6(6)–(7)	205	Art I	483
Art 6(8)	205, 208	Art I(1)	483
		Art II	484

Art III	484	Art 3	260
Art IV	484	Art 3(b)	266
Art V	486	Art 3(e)	268, 272
Art VI	486	Art 4	261
Art VII	486	Art 5	261
Art VIII	487	Art 5(2)	268
Art IX	488	Art 6	261
Art X	489	Arts 7–8	262
Art XI	489	Art 9(1)	262
Art XII	489	Art 9(2)	263
Art XXII(2)	484	Art 9(2)(a)	258
Annexure 1	483	Arts 9(3)–(4)	263
Annexure 2	483	Art 9.1(b)	266
Annexure 3	483	Annexure I	261
Annexure 4	483	Agreement on Safeguards	
Annexure 5	483	Art 1	323
Appendix 1	483	Art 2	324, 330, 335, 338
Agreement on Import Licensing Procedures		Art 2(2)	331
Art 1(4)	279, 280	Art 3	324, 338
Art 2	278	Art 4	325, 330, 334, 338
Art 2(1)	278	Art 4(2)	330
Art 4	280	Art 5	325, 338
Art 5	280	Art 5(1)	331
Art 6	280	Art 5(2)	332
Art 7	280	Art 5(2)(b)	332
Art 9	281	Art 6	326, 332
Agreement on Preshipment Inspection		Art 7	326, 327, 339
Art 1	244	Art 7(3)	331
Art 2	244, 245	Art 8	326, 327
Art 2(1)	244	Art 8(3)	331
Art 2(2)	245	Art 9	327
Art 2(4)	245	Art 10	327
Arts 2(5)–(8)	246	Art 11	328, 335, 338
Arts 2(9)–(13)	246	Art 11(1)	328
Art 2(14)	246, 252	Art 11(3)	5001
Arts 2(15)–(19)	247	Art 12	326, 328, 338
Art 2(20)	247	Art 12(3)	328
Art 2(21)	248, 250	Art 13	329
Art 2(22)	248	Art 14	329
Art 3	248	Art 22	339
Art 4	249, 250, 251	Agreement on Subsidies and Countervailing	
Art 5	249	Measures	
Art 6	249	Pt I	289
Arts 7–8	249	Pt II	308
Art 9	250	Pt VI	305
Agreement on Rules of Origin		Art 1	288, 310, 316
Art 1	258	Art 2	289, 311
Art 2	260, 264, 267	Art 3	289, 291, 308, 317
Art 2(a)(ii)	268	Art 3(1)	316
Art 2(b)	267	Art 3(1)(a)	292, 307, 316
Art 2(c)	265	Arts 3(1)(a)–(b)	292
Art 2(d)	265	Art 3(1)(b)	307
Art 2(g)	268	Art 3(2)	292

Art 4	291, 295, 307, 308	Art 26	306
Art 4(10)	292	Art 27	307, 312
Art 4(12)	316	Art 28	308, 310
Art 5	294	Art 29	308
Art 6	294	Art 31	309
Art 6(1)	307, 309	Annexure I	291, 309, 310
Art 6(2)	295	Annexure II	309
Art 6(3)	294, 295	Annexure III	309
Arts 6(3)–(8)	307	Annexure IV	309
Art 6(4)	294	Annexure V	309
Arts 6(5)–(6)	295	Annexure VI	299, 309
Art 6(7)	295	Annexure VII	307, 309
Art 6(8)	295	Footnote 59	293
Art 6, footnotes 15–16	295	Agreement on Technical Barriers to Trade (TBT)	
Art 7	295	1979	104–105, 155
Art 8	295, 309, 310	Art 1	156, 173
Art 8(1)–(2)	296	Art 1(5)	522
Art 8(2)	296	Art 2	157, 161, 173
Art 8(2)(b)	289	Art 2(1)	157, 173
Art 8(2)(c)(ii)	522	Art 2(2)	158, 521
Art 8(3)	296	Art 2(3)	159, 522
Art 8(4)	296	Art 2(4)	160
Art 8(5)	296	Art 2(5)	157, 159, 521
Art 9	297, 309, 310	Art 2(6)	160, 161
Art 10	297	Art 2(7)	160
Art 11(2)	298	Art 2(8)	159
Art 11(4)	298	Art 2(9)	161
Art 11(9)	298	Art 2(10)	161
Art 12	298, 304	Art 2(11)–(12)	161
Art 12(3)	298	Art 3	157
Art 12(4)	299	Art 4	162
Art 12(6)	299	Arts 5(1)–5(2)(4)	163
Art 13(1)	299	Arts 5(5)–(6)	522
Art 14	300	Art 5(6)	161
Art 14(b)	522	Art 5(7)	161
Art 15	300	Art 5(8)–(9)	161
Art 15(3)	308	Art 9	163
Art 17	302	Art 10	162
Art 18	304	Art 11	163
Art 18(2)	302	Art 12	164
Art 18(4)	302	Art 13	166
Art 19(1)	303	Art 14	166
Art 19(3)	303	Art 15	167
Art 20	303, 305	Annexure 1	156
Art 20(6)	304	Annexure 1:3	157
Art 21	305	Annexure 2	166
Art 21(2)	304	Annexure 3	157, 162, 167
Art 21(4)	304	Annexure 3:L	161
Art 22(2)	304	Agreement on Textiles and Clothing	
Art 22(4)	305	Art 1	136
Art 23	305	Art 2	137, 143
Art 24	291, 305	Art 2(1)	138
Art 25	306	Art 2(2)	139

Art 2(3)	139	Art 4	111
Art 2(4)	138, 139	Art 4(1)	111, 128
Art 2(5)	139	Art 4(2)	111, 112
Art 2(6)	137	Art 5	108, 110, 112
Art 2(7)	139	Art 5(1)–(2)	112, 122, 126
Art 2(10)	139	Art 5(1)	128
Art 2(11)	139	Art 5(3)	112
Art 2(13)–(14)	138	Art 5(4)	113
Art 2(15)	139	Art 5(5)	113, 126, 127
Art 2(17)	139	Art 5(6)	113, 115, 128
Art 2(18)	136, 139	Art 5(7)	113, 122
Art 2(21)	139	Art 5(8)	113, 118, 119
Art 3	139	Art 6	114
Art 3(1)	139	Art 6(1)	114
Art 3(2)	139	Art 6(2)	114
Art 3(3)	139	Art 6(3)	114
Art 3(4)	139	Art 7	115, 116, 119
Art 3(5)	139	Art 8	116, 117, 122
Art 4(1)	139	Art 9	117
Art 4(2)	139	Art 10	117
Art 4(3)	139	Art 11	118
Art 5	139	Art 13	118
Art 5(1)	140	Art 14	88, 119
Art 5(2)	140	Annexure A	106, 114
Art 5(3)	140	Annexure A(1)(a)	110
Art 5(4)–(6)	140	Annexure A(2)	110
Art 6	141, 143	Annexure A:4	112
Art 6(1)	138, 141	Annexure A(7)	114
Art 6(2)–(4)	141	Annexure B	115
Art 6(4)	143	Annexure B(11)(b)	114
Art 6(6)	136, 142, 143	Annexure C	116, 117
Art 6(7)–(11)	142	Annexure C(1a)	122
Art 6(12)	142	Agreement on Trade In Civil Aircraft	
Art 6(13)	142	1980	491
Art 6(14)	143	Art 1	479
Art 6(15)	143	Art 2	480
Art 6(16)	143	Art 3	480
Art 7	144	Art 4	480
Art 8	137, 138, 145	Art 5	480
Art 8(2)	145	Art 6	481
Art 8(9)	145	Art 7	481
Art 8(11)	145	Art 8	481
Art 9	136, 150	Art 9	482
Agreement on the Application of Sanitary and Phytosanitary Measures	105, 501	Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)	
Art 1	106	Pt I	385
Art 1(a)–(d)	106	Pt II	388
Art 2	106	Pt III	397
Art 2(2)	108, 109, 110, 115, 126, 128	Pt V	403
Art 2(3)	109, 126, 127	Art 1	385
Art 2(4)	109	Art 2	385
Art 3	110	Art 3	385
Art 3(3)	107	Art 4	386

Art 4(d)	386	Art 50	399
Art 5	387	Art 51	399
Art 6	387	Art 52	399
Art 7	387, 410	Art 53	400
Art 8	387, 411	Art 54	400
Art 8(2)	411, 501	Art 55	400
Art 9	389	Art 56	400
Art 10	389	Art 57	400
Art 11	389	Art 58	400
Art 12	389	Art 59	401
Art 13	389	Art 60	401
Art 14	389	Art 61	401
Art 15	390	Art 62	401
Art 16	391, 426	Art 63	403
Art 17	391, 426	Art 63(2)	409
Art 18	391	Art 64	403
Art 19	391	Arts 65–66	405
Art 20	391	Art 66	406
Art 21	391	Art 66(1)	405
Art 22	391	Art 66(2)	411, 412, 424
Art 23	392	Art 67	406, 424
Art 23(4)	393	Art 68	406
Art 24	392	Art 69	406
Art 24(2)	392	Art 70	407
Art 25	393	Art 70(8)	407
Art 26	393	Art 70(9)	407
Art 27	394, 395, 407, 413, 419, 522	Art 71	407
Art 27(1)	393	Art 72	407
Art 27(3)(b)	408, 419	Art 73	407
Art 28	294	Agreement on Trade-Related Investment Measures (TRIMs)	1993
Art 29	394, 411, 538	Art 1	179, 180
Art 30	394, 413, 417	Art 2	180, 181, 183, 185
Art 31	395, 396, 398, 413, 414, 417, 423	Art 3	182
Art 31(f)	413, 415, 416	Art 4	182
Art 32	395	Art 5	183
Art 33	395	Art 5(3)	183
Art 34	395	Art 6	184
Art 35	396	Art 6(3)	184
Art 36	396	Art 7	184
Art 37	396	Art 8	184
Art 38	396	Art 9	185, 501
Art 39	396, 424	Alma-Ata Declaration of the Health of All	
Art 39(2)	424	1978	539
Art 40	397	Arrangements Regarding International Trade	
Art 41	397, 401	in Textiles (Multi-Fibre Agreement)	
Art 42	398	1973	133
Art 43	398	Brasilia Protocol of the Mercado Comun del Sur	
Art 44	398	Art 26	458
Art 45	398	Cartagena Protocol on Biosafety to the Convention	
Art 46	398	on Biological Diversity	2000
Art 47	398	122	
Art 48	398		
Art 49	398		

Convention on International Trade in Endangered Species of Wild Fauna and Flora 1973	520	Art 22(3)	435	
Convention on the Rights of the Child 1989	Art 24	538, 539	Art 22(6)	435
Convention on the Valuation of Goods for Customs Purposes 1950	230		Art 22(7)	435
Dispute Settlement Understanding			Art 22(8)	449
Art 1	433		Art 23	443
Art 2	433		Art 24	443, 455
Art 3	434		Art 25	444
Art 3(2)	446, 449		Art 26	444
Art 3(3)	434		Art 27	445
Art 3(7)	434, 448, 449		Appendix 2	432
Art 3(12)	455		Appendix 3	438
Art 4	434		Appendix 4	435, 439
Art 4(10)	455			
Art 5	435, 436			
Art 6	435, 436			
Arts 6–16	436			
Art 7	435, 436			
Art 8	435, 437			
Art 8(10)	455			
Art 9	437			
Art 10	435, 437			
Art 11	438			
Art 12	435, 439			
Art 12(8)	435			
Art 12(9)	435			
Arts 12(10)–(11)	455			
Art 13	435, 459			
Arts 13–14	439			
Art 15(1)	435			
Art 15(2)	435			
Arts 15–16	440			
Art 16(1)	435			
Art 16(4)	435			
Art 17	435, 440			
Art 17(14)	435			
Art 18	441			
Art 19	441			
Art 19(1)	449			
Art 19(2)	316			
art 20	435, 441			
Art 21	127, 441, 442, 453			
Art 21(1)	449			
Art 21(2)	455			
Art 21(3)	435			
Art 21(5)	292, 293, 314, 317, 435, 452, 461, 462			
Art 22	127, 290, 365, 435, 443, 451, 462			
Art 22(2)	435			
			Art VI	195, 196, 197, 200, 285, 297