

# 7 Dispute settlement





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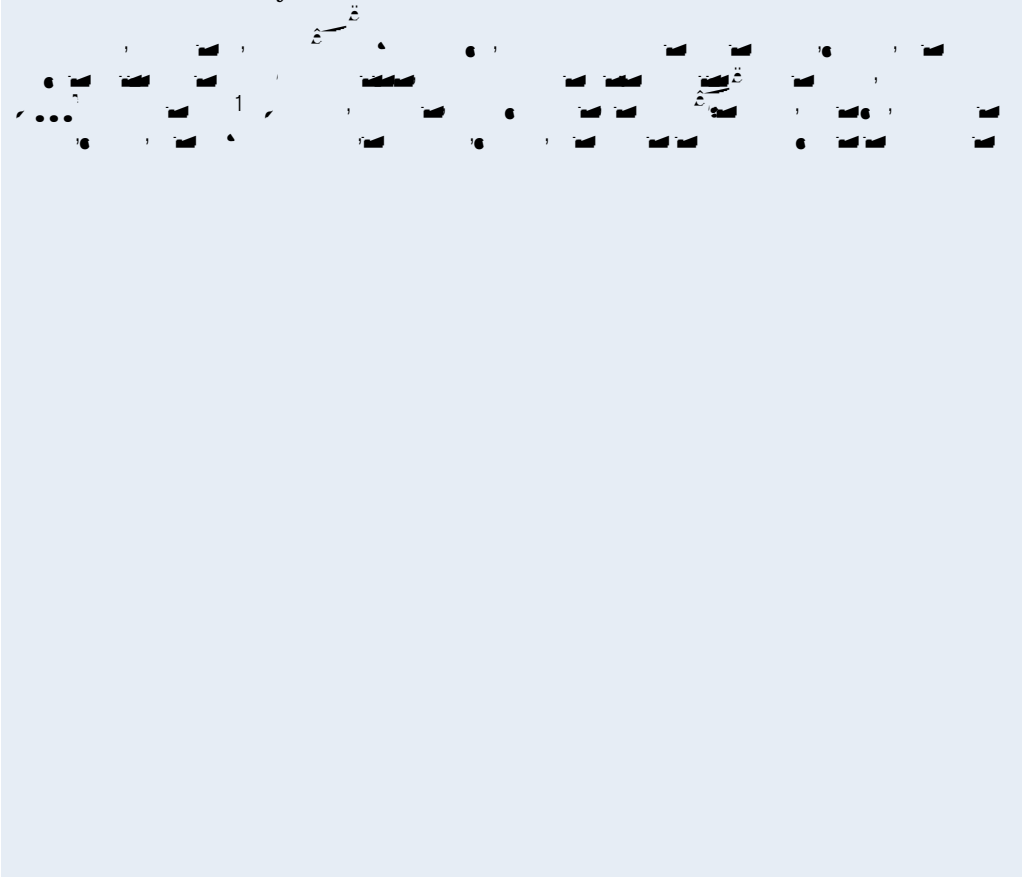






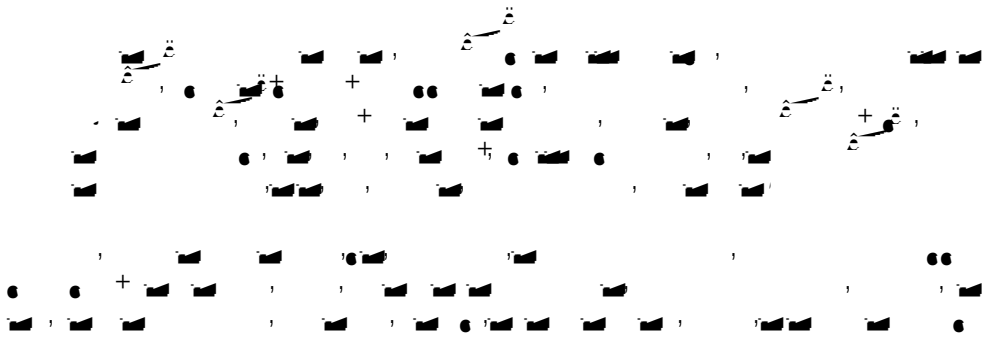


**Box 7.1. The Advisory Centre on WTO Law**



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United States – Sections 301-310 of the Trade Act 1974  
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The first part of the report discusses the current state of the world economy and the challenges facing the World Trade Organization (WTO). It highlights the need for a more inclusive and sustainable global trading system. The second part of the report outlines the WTO's mandate and its role in promoting international trade. It discusses the organization's efforts to resolve trade disputes and its work on trade policy reviews. The third part of the report focuses on the WTO's work on trade policy reviews. It discusses the organization's efforts to monitor and assess the trade policies of its members. The fourth part of the report discusses the WTO's work on trade policy reviews. It discusses the organization's efforts to monitor and assess the trade policies of its members. The fifth part of the report discusses the WTO's work on trade policy reviews. It discusses the organization's efforts to monitor and assess the trade policies of its members. The sixth part of the report discusses the WTO's work on trade policy reviews. It discusses the organization's efforts to monitor and assess the trade policies of its members. The seventh part of the report discusses the WTO's work on trade policy reviews. It discusses the organization's efforts to monitor and assess the trade policies of its members. The eighth part of the report discusses the WTO's work on trade policy reviews. It discusses the organization's efforts to monitor and assess the trade policies of its members. The ninth part of the report discusses the WTO's work on trade policy reviews. It discusses the organization's efforts to monitor and assess the trade policies of its members. The tenth part of the report discusses the WTO's work on trade policy reviews. It discusses the organization's efforts to monitor and assess the trade policies of its members.

# Trade Policy Reviews



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*The Appellate Body*

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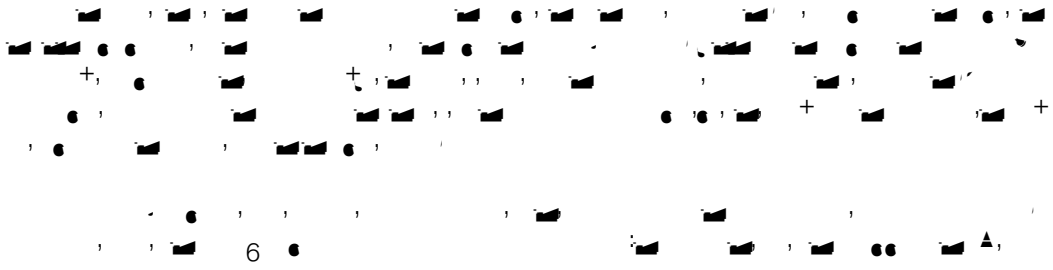
... stare decisis+ ...  
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*Prohibition of Certain Shrimp and Shrimp Products*<sup>4</sup>

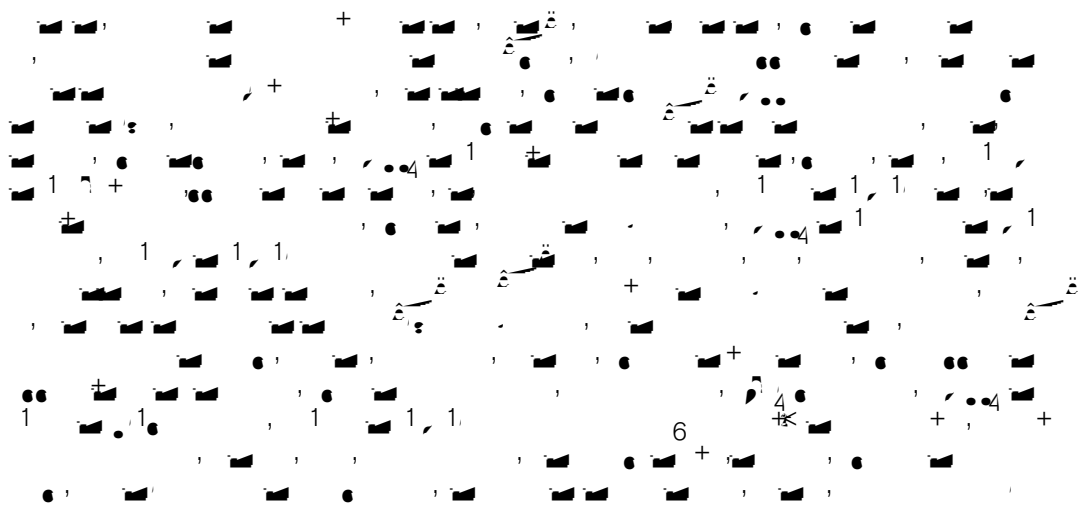


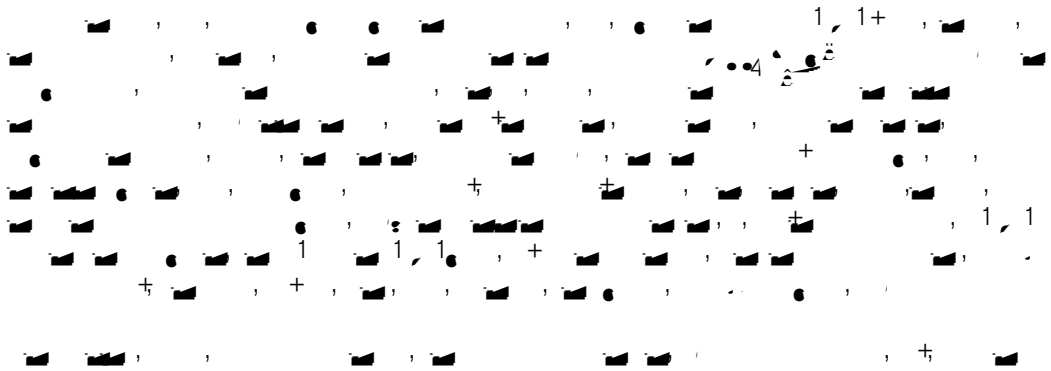






### *The declining pace of complaints*









**Table 7.3. WTO dispute settlement cases by subject matter and respondent, 1995-2012**

	1995-2000	2001-2006	2007-2012	Total
<b>Trade-remedy and related</b>	57 (26.0%)	69 (50.3%)	31 (31.6%)	157 (34.6%)
<b>Non-agricultural goods</b>	64 (29.2%)	29 (21.2%)	29 (39.6%)	122 (26.9%)
<b>Agricultural goods</b>	58 (26.5%)	37 (27.0%)	26 (26.5%)	121 (26.7%)
<b>Intellectual property rights</b>	20 (9.1%)	1 (0.7%)	7 (7.1%)	28 (6.2%)

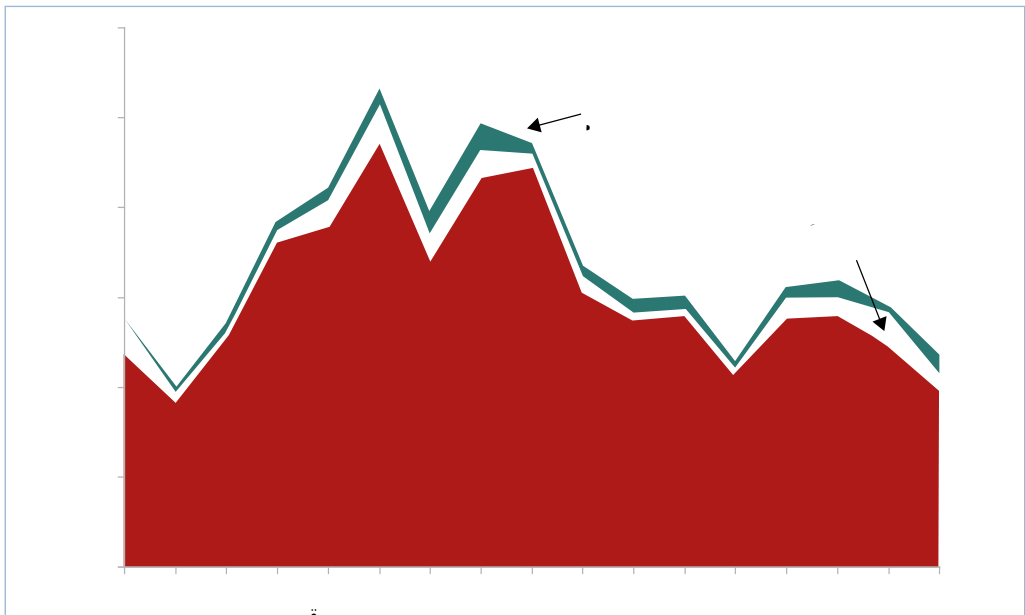
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**Figure 7.2.** Measures taken by WTO members under the trade-remedy laws, 1995-2011



Sources

WTO, *Trade Remedies Statistics*, 2012. The data is based on the number of trade remedy measures taken by WTO members under the trade-remedy laws, 1995-2011. The data is presented in the following table:

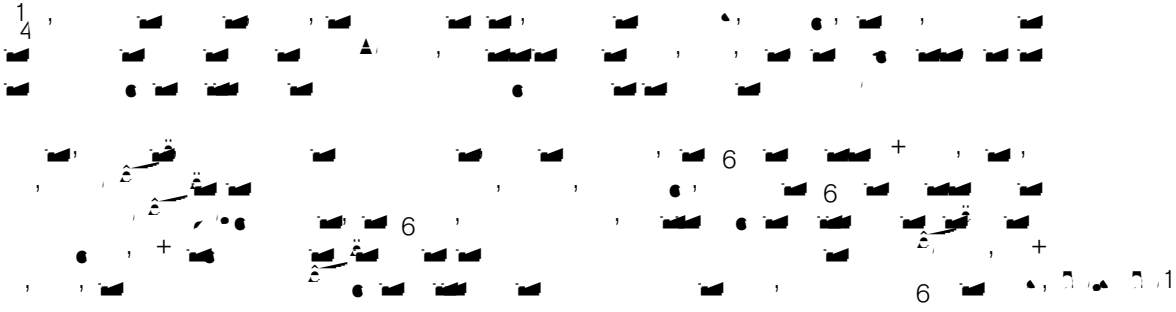
Year	Measures taken
1995	10
1996	12
1997	15
1998	20
1999	25
2000	35
2001	30
2002	25
2003	20
2004	18
2005	15
2006	12
2007	10
2008	15
2009	12
2010	10
2011	8

The data is based on the number of trade remedy measures taken by WTO members under the trade-remedy laws, 1995-2011. The data is presented in the following table:

### *Anti-dumping and countervailing duty laws*

The number of anti-dumping and countervailing duty laws has increased significantly over the period 1995-2011. The number of laws has increased from 4 in 1995 to 11 in 2011. The number of laws has increased from 4 in 1995 to 11 in 2011.

... ..



**Table 7.5.** Use of countervailing duties by selected members and related dispute-settlement cases in WTO, 1995-2011

	Cases initiated	Orders imposed	Leading to orders (%)	Challenged in WTO	Orders challenged (%)
Canada	1	1	100	1	100
China	1	1	100	1	100
India	1	1	100	1	100
Japan	1	1	100	1	100
United States	4	4	100	1	25
Other	200	125	62.5	23	11.5
<b>Total</b>	<b>237</b>	<b>130</b>	<b>54.9</b>	<b>26</b>	<b>20.0</b>
<b>Rate per year</b>	<b>14.8</b>	<b>8.1</b>		<b>1.6</b>	

Sources

Notes

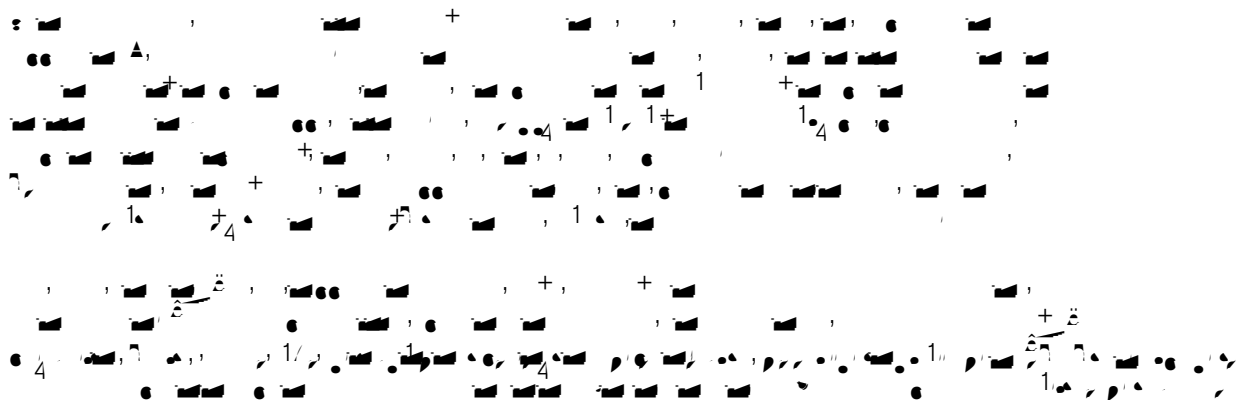
**Safeguards**

Canada	1	1	100	1	100
China	1	1	100	1	100
India	1	1	100	1	100
Japan	1	1	100	1	100
United States	4	4	100	1	25
Other	200	125	62.5	23	11.5
<b>Total</b>	<b>237</b>	<b>130</b>	<b>54.9</b>	<b>26</b>	<b>20.0</b>
<b>Rate per year</b>	<b>14.8</b>	<b>8.1</b>		<b>1.6</b>	

**Table 7.6.** Use of global safeguard laws by selected members and related dispute settlement cases in the WTO, 1995-2012

	Cases initiated	Safeguards imposed	Leading to safeguards (%)	Challenged in WTO	Safeguards challenged (%)
<b>Quad</b>	<b>21</b>	<b>9</b>	<b>42.9</b>	<b>8</b>	<b>88.9</b>
6	1	1	16.7	4	100
< 6	4	1	25	1	25
	1	0	0	0	0
<b>All other</b>	<b>219</b>	<b>105</b>	<b>47.9</b>	<b>12</b>	<b>11.4</b>
1	1	1	100	0	0
1	1	1	100	0	0
1	1	1	100	0	0
1	1	1	100	0	0
4	4	4	100	4	100
1	1	4	400	0	0
1	1	0	0	0	0
1	1	0	0	0	0
1	1	0	0	0	0
1	1	0	0	0	0

## The composition of dispute settlement panels and the Appellate Body



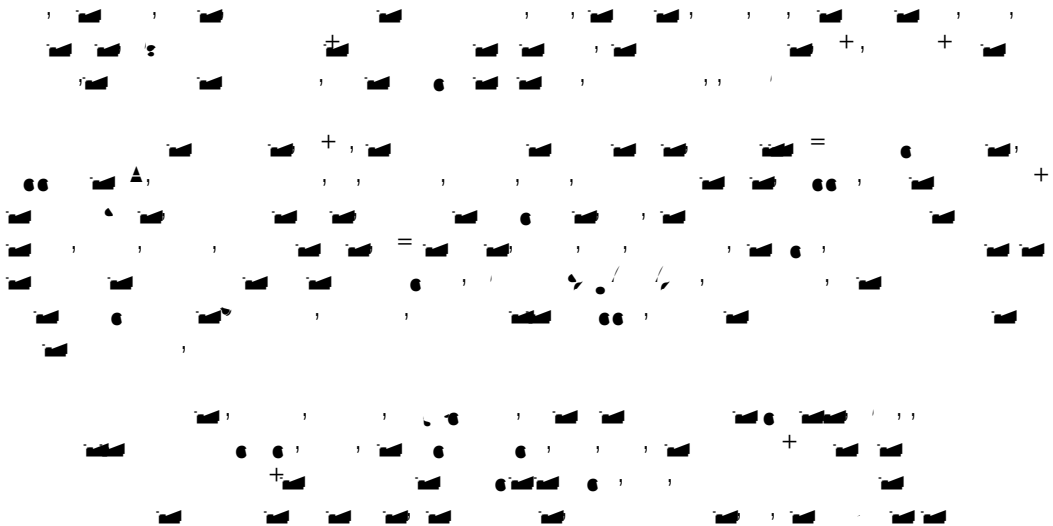


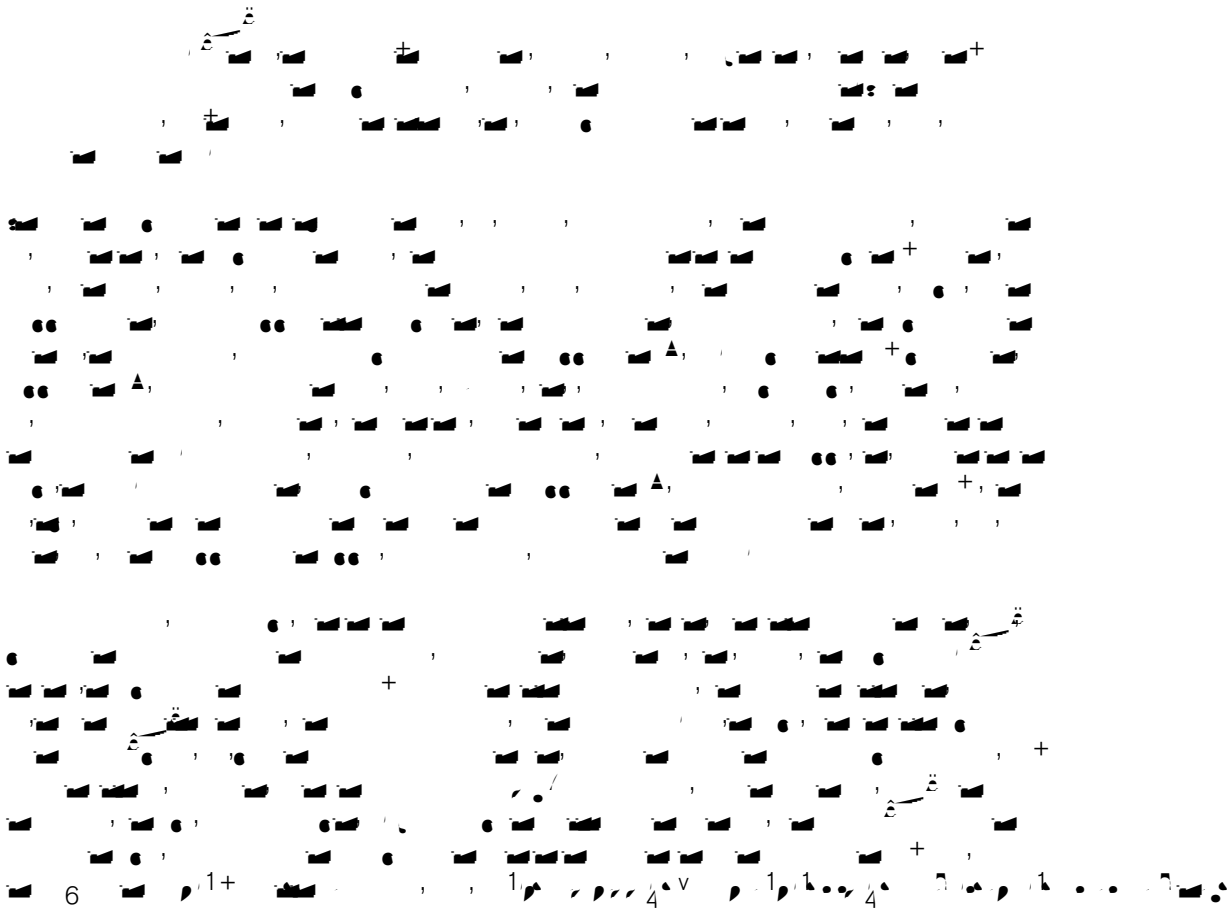




**Table 7.8.** Nationality of Appellate Body members, 1995-2012

	Number	Share (%)
Citizens of countries with common law legal systems	12	30.8
6   	4	10.0
	1	2.5
	1	2.5
Citizens of countries with pluralist legal systems	5	12.8
	1	2.5
	1	2.5
Citizens of countries with civil law legal systems	22	56.4
	4	10.0
<   	1	2.5
	1	2.5
	1	2.5





DgDgD

The image shows a page of musical notation with lyrics. The lyrics are "never" and "some". The notation includes various musical symbols such as notes, rests, and bar lines. The page is numbered "1" at the top left and "11" on the left side. There are also some small symbols like a plus sign and a less-than sign scattered throughout the notation.



### Appendix 7.2. WTO members' participation in dispute settlement cases, 1995-2012

	Complainant	Respondent	Third party	Total
<b>Have been both complainants and respondents</b>				
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		1		1
	0	4	0	4
<i>France</i>	0	4	0	4
<i>Belgium</i>	0	3	0	3
<i>Ireland</i>	0	3	0	3
<i>Netherlands</i>	0	3	0	3
<i>United Kingdom</i>	0	3	0	3
<i>Germany</i>	0	2	0	2
<i>Greece</i>	0	2	0	2
<i>Spain</i>	0	2	0	2
<i>Denmark</i>	0	1	0	1
<i>Portugal</i>	0	1	0	1
<i>Sweden</i>	0	1	0	1
		4		4







