



The Standard of Review in WTO Dispute Settlement: Critique and Development

Ross Becroft

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'Applying the proper standard of review has been a vexing issue for WTO panels and Members alike. As in national systems, the degree to which the reviewing body (here the panel) defers to the investigating authority is frequently controversial. Dr. Becroft has provided a thorough analysis of the WTO jurisprudence to date, identified the shortcomings of the present approach and offered a thoughtful series of recommendations for formulating a new and better standard of review.'

- David A. Gantz, The University of Arizona

This detailed book critiques how the World Trade Organization scrutinizes domestic measures to determine compliance with the WTO Agreements. This scrutiny, known as the standard of review, is particularly relevant when WTO panels are examining measures involving controversial domestic policy issues. The author argues that the current WTO standard of review is inadequate and a flexible standard based on the responsibilities that WTO members have retained for themselves under the WTO Agreements is preferable. This new standard of review would better reflect the autonomy contemplated for members under the WTO rules and reduce scope for the contention that the WTO overreaching its mandate.

This work provides a foundation for mediating relations between states and the WTO, and similar international organizations. It will be of great interest to scholars and practitioners in the fields of law and international relations with an interest in international economic law, the WTO or international organizations in general.

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