

World Trade Organization: The Dynamics of International Trade

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ABSTRACT

The World Trade Organization (WTO) provides the fundamental framework for conducting international trade and establishes the norms that govern it. The core idea behind the WTO is to promote free trade, allowing international trade to flow as freely as possible among member countries while mitigating the undesirable side effects of trade agreements. The primary objective of the WTO is to bring uniformity, certainty and transparency to the global trading system by preventing member states from implementing arbitrary and unilateral trade policy measures. Every member country must maintain a transparent trade policy in accordance with WTO rules. Various councils and committees within the WTO monitor member countries' trade policies and ensure the proper implementation of its rules and regulations. To facilitate the flow of international trade, the WTO also provides different forms of assistance to developing countries, helping them develop better skills and infrastructure essential for trade. Additionally, the WTO offers special provisions for developing countries, including measures to improve trade opportunities, dispute settlement mechanisms and financial and technical support to enhance trade capacity. The WTO creates opportunities for countries to grow and realize their export potential, provided they implement appropriate domestic policies.

Keywords: International, Trade, Member, Agreement, Policy, WTO, Country, Rules.

INTRODUCTION

One of the most significant events in the economic history of the 20th century was the creation of World Trade Organization (WTO) to unify global trade. It was established on January 1, 1995 that succeeded the General Agreement on Tariffs and Trade (GATT), which had been created in 1947 following World War II. The WTO was founded by an agreement signed by 125 participating nations on April 15, 1994 in Marrakesh, Morocco. The WTO was established to promote free trade by reducing barriers and encouraging trade, as well as to ensure predictability through openness, binding agreements and undistorted trade between nations. It operates on the principle of non-discrimination, which mandates equal treatment of all trading partners and parity between locally produced and foreign goods. With the creation of the WTO, critical areas such as agriculture, textiles, intellectual property rights (TRIPs), sanitary, phytosanitary (SPS) measures and anti-dumping policies were brought under its jurisdiction. The WTO manages multilateral global trade to ensure free and fair trade among member countries, now called to resolve trade disputes between them. Free trade involves reducing trade barriers, while predictability entails openness through binding trade agreements. The WTO also provides a forum for ongoing negotiations among member countries and is responsible for settling trade disputes based on its legal framework. Since its establishment, the WTO has profoundly transformed the global trade environment and redefined the structure of the international trade framework.

The World Trade Organization (WTO) is the highest authority responsible for establishing rules governing international trade. In addition to setting these rules, the WTO oversees their implementation by providing a forum for member states to resolve disputes through its automatic and expedited dispute settlement mechanism. Furthermore, the WTO conducts trade policy reviews of member states under the Trade Policy Review Mechanism. The primary objective of the WTO is to promote uniformity, certainty and transparency in the global trading system by preventing members from adopting arbitrary and unilateral trade policy measures. The organization was established on agreements signed by the majority of the world's trading nations. Its key function is to assist producers of goods and services, exporters and importers in protecting and managing their trade activities. The WTO agreements include specific provisions for developing countries, known as Special and Differential Treatment (S & DT), which provide increased market access for exports from developing countries and offer some protection for their domestic markets. Thus, the WTO aims to foster development through these two approaches.

The World Trade Organization (WTO) primarily bases its work on negotiations conducted by ministers during ministerial conferences. These negotiations may change depending on the decisions made by ministers at these conferences. The agreements established by the WTO cover all trade related to intellectual property, goods and services. The organization encourages its member countries to reduce customs tariffs, eliminate trade barriers and promote open markets. The smooth flow of international trade is directly linked to a country's economic growth.

Every member country is required to maintain a transparent trade policy that aligns with WTO regulations. Various councils and committees within the WTO monitor the trade policies of member countries to ensure compliance with its rules and regulations. The WTO Secretariat also plays a crucial role in implementing these laws by regularly reviewing and updating the trade policies of member countries.

The world's major trading nations negotiated and signed the WTO Agreement, establishing a legal framework for international commerce. This means that member countries must implement policies compatible with WTO standards. The organization is inter-governmental and focuses on how producers of goods and services as well as exporters and importers conduct their business.

Principles of World Trade Organization (WTO)

The World Trade Organization (WTO) operates based on a set of core principles designed to promote free, fair and transparent international trade. These principles ensure that global trade flows smoothly, predictably without discrimination among nations. The major principles are as follows:

1. Non-Discrimination

This is the cornerstone of the WTO framework and comprises two main components:

- **Most-Favoured-Nation (MFN) Treatment:** No member country should discriminate between its trading partners. Any advantage or privilege granted to one member must be extended to all other WTO members.
- **National Treatment:** Once goods have entered a market, they must be treated equally to domestic goods. Imported products should not be subject to internal taxes, regulations or standards that are less favourable than those applied to local products.

2. Reciprocity

This principle promotes mutual benefit through negotiated concessions. When one country lowers its trade barriers, others are expected to reciprocate with similar concessions. This approach fosters balanced and fair-trade relations among nations.

3. Binding and Enforceable Commitments

Member countries "bind" their tariff rates through negotiations, committing not to raise tariffs above the agreed levels. Any violation of these commitments may result in compensation claims or dispute settlement procedures, ensuring predictability in international trade policies.

4. Transparency

Transparency requires member nations to make their trade laws, regulations and procedures open and easily accessible. Members must notify the WTO and other countries of any changes to trade-related policies. This openness fosters trust and predictability in the global trading environment.

5. Fair Competition

The WTO aims to ensure fair and undistorted competition among its members. It prohibits unfair practices such as dumping (selling goods below market value) and export subsidies that distort trade. This principle helps maintain a level playing field for all traders.

6. Progressive Liberalization

The WTO encourages countries to gradually reduce trade barriers through successive rounds of negotiations. This approach ensures that trade liberalization occurs in a stable and manageable manner, providing developing countries with more time to adjust.

7. Special and Differential Treatment for Developing Countries

Recognizing the varying levels of economic development, the WTO offers special provisions for developing and least-developed countries. These provisions include extended periods for implementing agreements, technical assistance and greater flexibility in fulfilling obligations.

8. Protection of Health, Environment and Safety (Safeguard Measures)

Under certain conditions, countries are permitted to implement measures to protect public health, the environment and national security. However, such measures must not serve as disguised trade barriers or violate the principle of non-discrimination.

9. Promoting Inclusivity and Sustainable Development

In recent years, the World Trade Organization (WTO) has emphasized inclusive trade by promoting the participation of small businesses, women and developing economies in global trade. It also supports sustainability by encouraging environmentally responsible trade practices.

Features of the World Trade Organization (WTO)

The World Trade Organization (WTO) is an international body that watch over overall trade rules and facilitates negotiations among member countries. Its key features contain an inclusive legal framework for trade, a structured dispute settlement mechanism and principles of non-discrimination and transparency in international trade.

1. Settlement of Trade Disputes

One of the WTO's primary roles is to provide a forum for resolving trade disputes between member countries. The organization follows established rules and procedures to handle conflicts, ensuring that disputes are settled fairly and impartially. This system helps maintain the integrity of international trade agreements and ensures that member countries honour their commitments, thereby preventing trade wars and promoting smooth trade flows.

2. Promotion of Free Trade

The WTO works to reduce trade barriers by establishing a set of rules and guidelines for its member nations to follow. These barriers can take various forms, including tariffs, quotas and other restrictive measures that limit countries' ability to trade goods and services freely across borders. By promoting free trade, the WTO facilitates easier international commerce, ultimately aiming to foster greater growth and development in the global economy.

3. Ensuring Transparency in Trade Policies

The WTO promotes transparency by requiring its members to notify one another of their trade policies and regulations. Additionally, it conducts regular reviews of member countries' trade policies to ensure compliance with WTO rules. The transparency helps build trust among member nations and fosters a more predictable and stable trading environment.

4. Establish a Framework for Trade Negotiations

The WTO serves as a platform for its member countries to negotiate and reach agreements on various trade-related issues, such as reducing tariffs and eliminating other trade barriers. These negotiations cover a broad range of areas, including agriculture, services, intellectual property and trade facilitation with the goal of promoting mutually beneficial trade relations.

5. Promoting Economic Development

The WTO recognizes the vital role of trade as a catalyst for economic growth and development. It encourages its members, especially developing countries to integrate into the global trading system and provides technical assistance and special provisions to enhance their trade capabilities.

6. Encouraging Fair Competition

The WTO strives to create a level playing field for all countries by enforcing rules against unfair trade practices, such as subsidies, dumping and violations of intellectual property rights. It also provides a platform for resolving trade disputes through its dispute settlement mechanism.

Functions of the WTO

1. Trade Negotiation

One of the most recognized functions of the WTO is facilitating trade negotiations. It provides a platform for member countries to discuss trade agreements, typically focusing on reducing tariffs, subsidies and other barriers that hinder free trade. The objective is to streamline international trade and minimize costs by lowering the challenges companies face when trading globally. Prominent negotiations include the "Rounds" of trade talks, such as the Uruguay Round and the Doha Development Round.

2. Dispute Settlement

Another essential function of the WTO is resolving trade disputes. Conflicts between nations over trade regulations are inevitable. To prevent these conflicts from escalating into trade wars, the WTO has established an organized dispute resolution system. When nations encounter trade-related disputes, they can present their issues to the WTO, where a panel of specialists examines the matter and issues a ruling. This process ensures that trade conflicts are resolved according to established rules rather than through unilateral actions.

3. Monitoring Trade Policies

Besides facilitating negotiations and resolving disputes, the WTO monitors the trade policies of its members to ensure compliance with WTO agreements. This oversight helps guarantee that countries follow the agreed-upon rules and

regulations. Through the Trade Policy Review Mechanism (TPRM), the WTO regularly analyzes members' trade policies and practices. This process promotes transparency and supports adherence to global trade regulations.

4. Technical Assistance and Capacity Building

For many developing countries, understanding and implementing international trade rules can be challenging. The WTO supports these nations by providing technical assistance and training to developing and least-developed countries. These initiatives aim to help these countries improve their trade infrastructure, build institutional capacity and comply with global trade regulations. The goal is to enable them to benefit from trade agreements and participate more effectively in the global economy.

5. Administering Trade Agreements

The WTO manages a wide array of agreements including the General Agreement on Tariffs and Trade (GATT), the General Agreement on Trade in Services (GATS) and the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). These agreements establish rules for trade in goods, services and intellectual property, ensuring that member countries adhere to principles such as non-discrimination, transparency and fair competition.

6. Supporting Developing Economies

The WTO supports developing and least-developed nations through technical assistance, capacity-building initiatives and specific measures such as extended implementation timelines for trade obligations. This support helps integrate these countries into the global trading system.

7. Promoting Trade Liberalization

The WTO promotes trade liberalization by serving as a forum for negotiating the reduction of trade barriers like tariffs and quotas, establishing and enforcing global trade rules and monitoring members' trade policies. It also works to build trade capacity among developing countries, provides a system for resolving disputes, which creates a more open, predictable and stable international trading environment.

8. Cooperation with Other International Organizations

To promote international economic cooperation and development, the WTO collaborates with organizations such as the International Monetary Fund (IMF) and the World Bank to ensure a cohesive approach to global economic policy making.

Agreements and Provisions of the WTO

The WTO oversees approximately 60 different agreements, each recognized as an international legal document. Member countries are required to sign and ratify all WTO agreements upon accession. A brief overview of some of the key agreements and their salient features is summarized below:

1. Agreement on Agriculture (AoA)

The objective of the Agreement on Agriculture (AoA) is to establish a fair and equitable, market-oriented agricultural trading system. The reform programs under the agreement aim to eliminate distorting subsidies over a specified period. The main features of the agreement include Market Access, Domestic Support Measures and the Reduction of Direct Export Subsidies. Members are required to convert their non-tariff barriers, such as quotas into equivalent tariff measures. The resulting tariffs along with other tariffs on agricultural products must be reduced on average by 36 percent for developed countries and 24 percent for developing countries. These reductions are to be implemented over six years for developed countries and ten years for developing countries. Least developed countries are not obligated to make any commitments regarding tariff reductions on agricultural products.

2. Agreement on Technical Barriers to Trade (TBT)

The Agreement on Technical Barriers to Trade (TBT) of the WTO is a vital multilateral agreement designed to ensure that technical regulations, standards and conformity assessment procedures do not create unnecessary obstacles to international trade, while still allowing for legitimate policy objectives such as environmental protection or consumer safety. Key principles include non-discrimination, transparency in the development and application of regulations and the encouragement of using international standards whenever possible to facilitate trade. The TBT Agreement promotes predictability by requiring members to notify each other of new or amended regulations. Its provisions primarily apply to product standards and do not cover processing and production methods, except when the production process or method affects product quality.

3. General Agreement on Trade in Services (GATS)

The growing importance of international services and their implications are acknowledged in the General Agreement on Trade in Services (GATS). GATS provide a multilateral framework of principles and rules for trade in services, aiming to expand such trade under conditions of transparency and progressive liberalization. It serves as a means to promote the economic growth of all trading partners and the development of emerging countries. The agreement seeks to stimulate trade and development by creating a predictable policy environment in which member countries voluntarily

commit to binding their policy regimes related to trade in services. GATS covers all globally traded services with two exceptions: services provided to the public in the exercise of governmental authority and services in the air transport sector including traffic rights and all services directly linked to the application of traffic rights. It grants flexibility to each member country to decide which service sectors it will undertake and schedule commitments. Additionally, it allows member countries to specify measures that will remain in place for those sectors, which act as limits to market access and national treatment.

4. Agreement on Textiles and Clothing (ATC)

The Agreement on Textiles and Clothing (ATC) was a landmark WTO agreement that facilitated the transition of global trade in textiles and apparel from a highly restrictive, quota-based system to one governed by the standard rules and disciplines of the General Agreement on Tariffs and Trade (GATT). The ATC aimed to eliminate restrictions, primarily quotas, imposed on textile and clothing imports by developed countries. Since 1974, the Multi-Fibre Arrangement (MFA) had provided the framework for international trade in textiles and clothing, allowing major importers to establish quotas and protect their domestic industries through bilateral agreements against more competitive, low-cost goods from developing countries. MFA restrictions in place as of December 31, 1994 were incorporated into the new agreement and were to be phased out through integration into GATT under which they would be subject to the same rules as other industrial products. WTO members were permitted to maintain MFA restrictions, negotiated within this framework for 10 years.

5. The Trade-Related Investment Measures Agreement (TRIMS)

The Agreement is based on two primary objectives: promoting the progressive liberalization of international trade and accelerating the pace of investment globally. Developed countries were given a two-year period to eliminate all trade-distorting measures; developing countries were granted five years and least-developed countries were allowed seven years. The WTO has established a comprehensive set of rules governing foreign direct investment including provisions prohibiting technology transfer requirements and minimum export requirements. The Agreement on TRIMs has a limited scope because it applies only to measure that affects trade in goods. It prohibits two investment-related practices that restrict trade. The first is the domestic content requirement, which mandates that a specified share of production occur within the host country, thereby limiting companies' ability to use imported components. The second is the trade balance or foreign exchange balance requirement, which obliges companies to export goods in proportion to the amount they import.

6. Trade-Related Aspects of Intellectual Property Rights (TRIPS)

The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) was established as part of the World Trade Organization (WTO). TRIPS acknowledges that widely varying standards in the protection and enforcement of intellectual property rights along with the absence of multilateral disciplines addressing international trade in counterfeit goods have increasingly caused tension in global economic relations. The TRIPS Agreement aims to ensure that nationals of member states receive equally favorable treatment regarding the protection of intellectual property and that adequate standards of intellectual property protection are maintained in all WTO member countries. Under TRIPS provisions, individuals, institutions and transnational firms must comply with stringent protection standards for all forms of intellectual property over relatively long periods, regardless of whether the products are imported or produced domestically.

7. Agreement on the Application of Sanitary and Phytosanitary Measures

The WTO has specified some sanitary and phytosanitary measures that need to be followed to ensure international trade of food products. The SPS Agreement under the WTO seeks to set minimum sanitary and phytosanitary standards that member countries must achieve. The goal is to ensure the safety of human, animal, or plant life or health from pests and diseases that may be introduced through imported agricultural products. With an increase in the levels of health-safety awareness among the citizens of both developing and developed countries, this practice becomes imperative for the suppliers of these products. Recognizing the importance of the issue, each country has specified certain norms of processing, packaging & testing and certain standards of quality that must be maintained. At the international level, the WTO has specified some sanitary and phytosanitary measures that need to be followed for international trade of food products. The WTO's SPS agreement aims to establish minimum sanitary and phytosanitary standards that member countries must meet.

8. Safeguards: Emergency Protection Against Imports

The agreement permits a member to implement safeguard measures on a temporary and non-discriminatory basis to protect a specific domestic industry from an unforeseen surge in imports of any product that is causing, or is likely to cause, serious injury to that industry. One of the primary objectives of the agreement was to ensure that restrictive measures, such as voluntary export restraints (VERs) or similar discriminatory practices, comply with the GATT principles of non-discrimination. It is estimated that in 1995, when the WTO was established, there were approximately 200 VERs arrangements under which exporting countries with increasing exports were required by importing countries to limit their exports to agreed quotas, often through bilateral or trilateral agreements. Because these restraints applied only to imports from certain countries, they violated the fundamental GATT principle of non-discrimination.

9. Agreement on Rules of Origin

The agreement aims to achieve long-term harmonization of rules of origin related to the granting of tariff preferences and to ensure that these rules do not create unnecessary obstacles to trade. It specifically states that its substantive provisions do not apply to imports made under preferential arrangements. Since developing harmonized rules requires time, the agreement provides two sets of provisions: one applicable during the transition period and another after the transition period. During the transition period, countries may apply different standards depending on the purpose or objective for which the rules are applied. Currently, within many countries rules often vary according to the purpose, such as administering quantitative restrictions, collecting preferential duties or labelling to indicate origin. WTO member countries are encouraged to use the system developed by the World Customs Organization for collecting trade statistics and imposing customs duties.

10. Agreement on Subsidies and Countervailing Measures

This agreement serves two primary purposes: it restricts the use of subsidies and regulates the measures countries can take to counteract their effects. It stipulates that a country may use the WTO's dispute settlement process to request the removal of a subsidy or to eliminate its adverse impact. Alternatively, a country can conduct its own investigation and if warranted, impose an additional duty—known as a “countervailing duty subsidized imports that harm domestic producers”. The agreement defines a subsidy and introduces the concept of a “specific” subsidy, which refers to a subsidy available only to an individual enterprise, industry, group of enterprises or industry within the country providing the subsidy. The rules established by the agreement apply exclusively to specific subsidies, which may be either domestic or export subsidies.

11. Agreement on Import Licensing Procedures

The agreement establishes rules for adopting and implementing national procedures for issuing import licenses, as these procedures can adversely affect the flow of imports—particularly if there are unnecessary delays in issuing licenses or if the procedures lack transparency. According to the agreement, automatic licenses (where authorities do not exercise discretion and licenses are granted in all cases) must be issued within a maximum of 10 working days after receipt of the application. Non-automatic licenses (where the government administers quotas or restrictions and exercises discretionary powers to limit a good) must be granted within a maximum of 60 days from receipt of the application with licenses issued on a first-come, first-served basis. The agreement also requires member countries to publish all information regarding import-licensing procedures. Its purpose is to protect the interests of both foreign suppliers seeking to export products subject to licensing and firms interested in importing such products.

12. Agreement on Pre-Shipment Inspection (PSI)

Pre-shipment inspection involves hiring specialized private companies to verify shipment details—specifically, the price, quantity and quality of goods ordered from overseas. Typically, these inspections are conducted before shipment and at the time of export. However, several developing countries' governments use pre-shipment inspection (PSI) services for multiple purposes: first, to physically inspect goods to ensure they comply with contract terms; second, to verify their prices; and third, to confirm that exporters classify the goods under the correct tariff codes of the importing country. The primary objective is to control or prevent the over-invoicing of imported goods. The fundamental aim of the agreement governing PSI is to establish a set of principles and rules that both countries using PSI services and exporting countries must follow to ensure these activities do not create trade barriers.

13. Agreement on Anti-Dumping Measures (ADM)

Agreement on Anti-Dumping Measures establishes the rules for how WTO members can investigate and impose duties on products dumped in their markets at unfairly low prices, ensuring that such measures are applied fairly and transparently. The ADM aims to protect domestic industries from injury caused by imports sold below their normal value (dumped goods). It provides criteria for investigating dumping, calculating duties and taking corrective action only when material injury—such as lost sales, profits or jobs are proven to result from dumped imports. The agreement requires WTO members to align their domestic anti-dumping laws and procedures with its rules and national authorities must report measures and legislation to the WTO. It is important to note that anti-dumping or countervailing investigations can be initiated only based on a complaint (or in exceptional circumstances by the government) made by or on behalf of the domestic industry.

14. Agreement on Customs Valuation

The Agreement on Customs Valuation (Article VIII of GATT 1994) requires customs authorities to determine the dutiable value of goods based on the price paid or payable (invoice price) by the importer in the transaction being valued. When customs duties are levied on an ad valorem basis, the actual incidence of duty depends on how customs determine the duty value. The purpose of the agreement is to protect the interests of honest traders. It acknowledges that prices paid by different importers may vary for the same product. Such differences cannot be used as grounds for rejecting the declared value. A value can only be rejected if there is reason to doubt its accuracy or truthfulness. If customs do not accept the justification provided by importers, they are obliged to provide written reasons for rejecting the declared value. In such cases, the agreement specifies five methods for establishing value to be applied sequentially:

the transaction value of identical goods, the transaction value of similar goods, deductive value, computed value and the fallback method.

CONCLUSION

By establishing common rules and providing a platform for negotiation and dispute resolution, the WTO ensures stability and transparency in global trade relations, serving as a critical pillar for fostering the expansion of global trade and investment without discrimination. Its dispute settlement mechanism and trade policy reviews reinforce member compliance, minimize trade-related conflicts and enhance cooperation between countries to improve economic outcomes. The collective impact of WTO agreements strengthens a rules-based, transparent and open global trading system that benefits all member nations by ensuring equal treatment eliminating trade discrimination and shifting the attitudes of developed economies toward developing and least-developed economies. Continued reform and adaptation are essential to ensure the WTO remains effective, inclusive and relevant in the rapidly evolving global trade landscape. Overall, the WTO stands as a cornerstone of the global trading system and an essential institution for fostering economic growth and international collaboration. By supporting developing nations through capacity-building, technical assistance and special provisions, the WTO contributes to inclusive economic growth and helps bridge the development gap among member countries. Despite facing contemporary challenges such as digital trade, protectionism and global economic volatility, the WTO continues to serve as the foundation of multilateral trade governance. Its enduring relevance lies in its ability to adapt and reform to meet the evolving needs of the global economy, promoting prosperity, equity and sustainable development worldwide.

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