

VOLUME 17 | NUMBER 1 | JANUARY 2018

WORLD TRADE REVIEW

Economics

Law

International Institutions



WORLD TRADE
ORGANIZATION

CAMBRIDGE
UNIVERSITY PRESS

WORLD TRADE REVIEW

Editor

L. ALAN WINTERS
Department of Economics
University of Sussex
Falmer, Brighton BN1 9SL, UK

L.Alan.Winters@gmail.com

Editorial Assistant

MILES LAMBERT

worldtradereview@yahoo.co.uk

Editorial Board

KYLE BAGWELL
Stanford University

EMILY BLANCHARD
Dartmouth College, Hanover

JAN BOHANES (Book Review Editor
and WTO Case Summary Editor)
Advisory Centre on WTO Law

CHAD P. BOWN
*Peterson Institute for International
Economics, Washington, DC*

STEVE CHARNOVITZ
*The George Washington University Law
School*

JOSEPH FRANÇOIS
World Trade Institute

JUDITH GOLDSTEIN
Stanford University

DOUGLAS A. IRWIN
Dartmouth College, Hanover

MERIT E. JANOW
Columbia University

ROBERT KOOPMAN
(ex officio) World Trade Organisation

PATRICK LOW
Asia Global Institute

PETROS C. MAVROIDIS
Columbia University

HELEN MILNER
Princeton University

ALAN SYKES
Stanford University

HYLKE VANDENBUSSCHE
Katholieke Universiteit Leuven

JANET WHITTAKER (Investment Case
Summary Editor)
Clifford Chance

ROBERT WOLFE
Queens University

MARK WU
Harvard University

Statement of Aims

The World Trade Review (WTR) has been established at the initiative of the Secretariat of the World Trade Organization (WTO) in close cooperation with Cambridge University Press. The WTR is an independent, multi-disciplinary journal that aims to deepen understanding of issues facing the international trading system through critical analysis and constructive debate.

The journal welcomes manuscripts written from economic, legal and inter-disciplinary perspectives on issues of relevance to the multilateral trading system. A rigorous peer review process assures that material accepted for publication meets high standards in terms of theoretical and methodological rigour. Papers written in a manner that makes them accessible to the wider public and to government officials engaged in policy discourse and decision-making are particularly welcome. To further stimulate debate, the journal encourages the submission of short articles or notes commenting on published papers. These pieces are also subject to peer review in order to ensure their quality.

The policy of the journal is determined by the Editor and the members of the Editorial Board, in conjunction with Cambridge University Press. The content of each issue is determined by the Editor, subject to broad oversight by the Board.

Opinions and other material contained in the WTR are not attributable to Members of the WTO, to the WTO Secretariat, to members of the Editorial Board or to the Editor, nor should they be taken as reflecting the views of any of the aforementioned groups or individuals.

Submission of articles

The World Trade Review invites authors to submit original manuscripts on all aspects of issues related to the multilateral trading system. Short articles or notes commenting on previously published articles are also welcome. It is assumed that the submission of a manuscript to the WTR signals that it has not been, and will not be, submitted elsewhere at the same time. Papers scheduled for future publication in book form will be considered, *provided* they would appear first in the WTR.

Full guidelines for contributors regarding the length, organization and reference format of submissions are available on the journal's homepage at the Cambridge University Press website <cambridge.org/wtr>.

Letters to the Editor

The World Trade Review welcomes letters containing substantive comments on published material. Letters should be submitted via the website above. Letters selected for publication are subject to editing.

Books for review

Books for review in the journal should be mailed to:
Jan Bohanes, Counsel, Advisory Centre on WTO Law, Avenue Giuseppe
Motta 31-33, 1211 Geneva.
Email: jan.bohanes@acwl.ch

CONTENTS

- 1 **Firms' Integration into Value Chains and Compliance with Adverse WTO Panel Rulings**
AYDIN B. YILDIRIM
- 33 **Consolidating International Investment Law: The Mega-Regionals as a Pathway towards Multilateral Rules**
TANIA VOON
- 65 **Amicus Curiae Briefs in the WTO DSM: Good or Bad News for Non-State Actor Involvement?**
THERESA SQUATRITO
- 91 **Diversified FRAND Enforcement and TRIPS Integrity**
WENWEI GUAN
- 121 **Exclusionary Rules of Origin of Mega-RTAs under WTO Law: Mega-RTA 'Fracturing' Its Overlapping RTA**
JONG BUM KIM
- 145 **The WTO–TRIPS Flexibilities on Public Health: A Critical Appraisal of the East African Community Regional Framework**
OLUFEMI SOYEJU AND JOSHUA WABWIRE
- Case Summaries: WTO Disputes*
- 169 ***United States – Conditional Tax Incentives for Large Civil Aircraft (US–Tax Incentives), DS487***
- 172 ***European Union – Anti-Dumping Measures on Imports of Certain Fatty Alcohols from Indonesia (US–Fatty Alcohols), DS442***

Case Summaries: International Investment Law

175 ***Urbaser S.A. and Consorcio de Aguas Bilbao Bizkaia, Bilbao Biskaia Ur Partzuergoa v. The Argentine Republic***

179 ***Teinver SA and Others v. Argentine Republic***

Book Review

183 ***Research Handbook on Climate Change and Trade Law*** edited by Panagiotis Delimatsis

KATERYNA HOLZER

Errata

189 ***Eli Lilly and Company v. The Government of Canada, Case No. UNCT/14/2***
VERONICA CLAMENS

190 ***Ansung Housing Co., Ltd v. People's Republic of China***
DEEPALOK CHATTERJEE