

## China's WTO accession: 15 years on Taking, shaking or shaping WTO rules?

### SUMMARY

11 December 2016 marks the 15th anniversary of China's accession to the World Trade Organization (WTO). In 2001, after arduous negotiations with key WTO members, China agreed not only to extensive market access commitments but also to substantial non-reciprocal rules obligations. This was unprecedented in WTO history. Most WTO disputes involving China, notably in the field of trade remedies, have been linked to these tailor-made rules for China. China has exhibited timely and qualitatively sound compliance with WTO rulings. But its narrow letter of the law compliance has at times been found not to reflect the spirit of the legal provisions at issue, with WTO-inconsistent regulations having remained in place or re-emerged.

In the Doha Development Round of WTO multilateral negotiations China has so far taken a backseat rather than a leadership role. Domestic resistance to reform in sensitive areas on economic and ideological grounds has been a crucial factor in China's absence from the WTO Agreement on Government Procurement. Past US opposition has been key for its non-participation in the Trade in Services Agreement. Uncertainties about ratification by the US Congress of the US-led Trans-Pacific Partnership and future US trade policy under President Donald Trump may reverse the past trend of China's marginalisation from shaping global rules outside the WTO. At the same time this may lower China's ambition to shift gradually from rather shallow to EU-style 'deep and comprehensive' free trade agreements (FTAs) and may induce it to promote its own rules more assertively by leveraging its economic weight in predominantly bilateral relations under its One Belt, One Road (OBOR) initiative.



### In this briefing:

- China's WTO membership
- China's unique WTO accession commitments
- China's involvement in WTO disputes: from rules-taker to rules-shaker?
- China's role in WTO multilateralism: from rules-taker to rules-shaper?
- China's limited role in WTO plurilateralism
- Outlook

# Ec Trade Law Following Chinas Accebion To The Wto

**James V. Feinerman, B. Thomas Peele**

## **Ec Trade Law Following Chinas Accession To The Wto:**

EC Trade Law Following China's Accession to the WTO Jan Hoogmartens, 2004-01-01 The World Trade Organisation cannot be deemed truly international without the full participation of China a massive market with an increasing number of highly sophisticated sectors Yet although China did accede to the WTO in 2001 after fifteen years of negotiations WTO members persist in classifying China as a non market economy with all the trade restrictions such labelling entails The EC in particular continues to curtail the flow of Chinese European trade despite some recent liberalisation in EC import and antidumping regulations In this important book Dr Hoogmartens clearly points the way to an equitable resolution of the complex problems raised by the friction between China's planned economy and EC trade policy instruments The economic interface he constructs takes account of such crucial elements as the following China's unfinished legal and economic reforms the danger that the EC may develop an abusive protectionist stance the challenge to the EC of increased Chinese competition the persistence of Chinese state owned enterprises the absence of a satisfactory methodology to deal with the Chinese variant of a non market economy the possible adjustment of EC antidumping regulations vis vis China emergency safeguards the role of the rule of law in trade regulation and the translatability of Western social and political institutions Addressing as it does a highly salient present and future aspect of the global economy EC Trade Law Following China's WTO Accession will be of enormous value to policymakers in international economic law at all national and supranational levels The author's reasoned and cautious analysis builds a sound platform for the ongoing development of peaceful and mutually beneficial commercial relations between Europe and China

EU Dumping Determinations and WTO Law Henrik Andersen, 2009-01-26 The application of the antidumping instrument by WTO members is often controversial because of the protectionist character of these measures where inefficient industries are protected from foreign competition The legal framework within the WTO has loopholes that leave wide discretion to the investigating authorities to determine that a product is dumped thereby emphasizing the protectionist nature of antidumping The use of antidumping becomes even more controversial when WTO members use the antidumping tool beyond the legal scope of WTO law The questions raised in this book concern the EU dumping determinations and their conformity with WTO law This thought provoking work examines whether European Union legislation on dumping the practices adopted by the European Commission and the Council as well as the decisions by the EC courts are in conformity with WTO law The author's findings are particularly relevant given the frequent use of antidumping measures by EU authorities especially as relates to Asian countries and he carefully documents areas where the EU infringes WTO law

San Diego International Law Journal, 2005 □□□□, 2007 **International Legal Materials**, **Accession of the People's Republic of China to the World Trade Organization**, 2002 This book reviews the broad range of commitments and obligations assumed by China as part of its accession to the WTO including such areas as tariff reductions agriculture subsidies intellectual property services state owned and state invested enterprises

trading rights transparency and judicial review      Economic Development Through World Trade Yong-Shik Lee,2008 Part I  
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Duty Free and Quota Free Market Access The Case of Uganda Francis Mangeni      *Journal of World Trade Law* ,2010-08

The European Union and China, 1949-2008 Francis Snyder,2009-03-24 This book is a comprehensive reference book and  
commentary on basic documents about relations between the EU and the People s Republic of China from 1949 to the  
present It contains all significant official and unofficial documents in English and Chinese about EU China relations since the  
founding of the PRC in 1949 Since the opening up of China in 1979 and especially after the establishment of the EU in 1992  
relations between the EU and China have developed apace Today the EU and China are strategic partners with a very broad  
based relationship extending far beyond trade to encompass a growing number of important economic political social and  
cultural domains The relationship is certain to gain in importance with increasing globalisation EU expansion Chinese  
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reading for students teachers researchers policy makers legal practitioners and government officials in the EU China the  
United States and elsewhere      **Current Publications in Legal and Related Fields** ,2007      *China After the WTO* James  
V. Feinerman,B. Thomas Peele,2001      *International Bibliography of Book Reviews of Scholarly Literature Chiefly in the  
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cumulation     **The EU, the WTO and China** Francis Snyder,2010-09-02 Snyder s book consists of a series of integrated studies of sites of governance global legal pluralism and the regulation of international trade     *Inside U.S. Trade* ,2003  
       **Index to Legal Periodicals & Books** ,2006     *International Trade Reporter* ,2002     **Summary of World Broadcasts** ,2000     **Business Periodicals Index** ,2000     **Keesing's Record of World Events** ,2001

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