Bibliography

ARTICLES/BOOKS/REPORTS


Aronson, Mark, ‘Unreasonableness and Error of Law’ (2001) 26 University of New South Wales Law Journal 1


Australian Department of Foreign Affairs and Trade (ed), Ten Years of WTO Dispute Settlement: Australian Perspectives (Commonwealth of Australia, 2006)


Bermann, George A. and Petros C. Mavroidis (eds), Trade and Human Health and Safety (Cambridge University Press, 2006)


Broude, Tomer, ‘Principles of Normative Integration and the Allocation of
Brown, Chester, A Common Law of International Adjudication (Oxford University Press, 2007)
Brown, L. Neville and Tom Kennedy, The Court of Justice of the European Communities (Sweet & Maxwell, 4th ed, 1994)
Brownlie, Ian, Principles of Public International Law (Oxford University Press, 7th ed, 2008)
Burca, Grainne De and Joanne Scott (eds), The EU and the WTO Legal and Constitutional Issues (Hart Publishing, 2001)
Butterworths Australian Legal Dictionary (Butterworths, 1997)
Cane, Peter and Leighton McDonald, Principles of Administrative Law: Legal Regulation of Governance (Oxford University Press, 2008)
Chapus, Rene, Droit du Contentieux Administratif (Montchrestien, 12th ed, 2006)


Cottier, Thomas and Petros Mavroidis (eds), The Role of the Judge in International Trade Regulation – Experience and Lessons for the WTO (University of Michigan Press, 2003)


Cunningham, Richard, ‘Part II: Review of Key Substantive Agreements: Panel II E: Antidumping Agreement (AD) and Agreement on Subsidies and Countervailing Measures (SCM): Commentary on the First Five Years of the WTO Antidumping Agreement and Agreement on Subsidies and Countervailing Measures’ (2000) 31 Law and Policy in International Business 897


Davey, William J. and John H. Jackson (eds), The Future of International Economic Law (Oxford University Press, 2008)

David, Rene, French Law: Its Structure, Sources and Methodology (Louisiana State University Press, 1972)


Dordi, Claudio, ‘Comment: Mexico Anti-Dumping Measures on Rice’ (2008) 7 World Trade Review 325


Du, Michael M., ‘Standard of Review under the SPS Agreement after EC-Hormones II’ (2010) 59(2) *International and Comparative Law Quarterly* 441

Durling, James, ‘Deference But Only When Due: WTO Review of Anti-Dumping Measures’ (2003) 6(1) *Journal of International Economic Law* 125


Enright, Christopher, *Federal Administrative Law* (Federation Press, 2001)


Frier, Pierre Laurent and Jacques Petit, *Précis de Droit Administratif Mis a Jour, Précis Domat* (Montcrestien, 5th ed, 2008)


Goh, Gavin and Trudy Witbreuk, ‘An Introduction to the WTO Dispute Settlement System’ (2001) 30(1) *University of Western Australia Law Review* 51


Horlick, Gary and Peggy Clarke, ‘Standards for Panels Reviewing Antidumping Determinations under the GATT and WTO’ in Ernst-Ulrich Petersmann (ed), International Trade Law and the GATT and WTO Dispute Settlement System (Kluwer Law International, 1997)
Howse, Robert and Kalypso Nicolaidis, ‘Enhancing WTO Legitimacy: Constitutionization or Global Subsidiarity’ (2003) 16(1) Governance 73
Hudec, Robert E, ‘Broadening the Scope of Remedies in WTO Dispute Settlement’ in Freidl Weiss and Jochem Weirs (eds), Improving WTO Dispute Settlement Procedures (Cameron May, 2000) 345
Hudec, Robert E., Enforcing International Trade Law – the Evolution of the Modern GATT Legal System (Butterworths, 1993)
Hudec, Robert E., ‘Broadening the Scope of Remedies in WTO Dispute Settlement’ in Freidl Weiss and Jochem Weirs (eds), Improving WTO Dispute Settlement Procedures (Cameron May, 2000)
Jackson, John H., The World Trade Organization Constitution and Jurisprudence, Chatham House Papers (The Royal Institute of International Affairs, 1998)
Kaikobad, Kaiyan, The International Court of Justice and Judicial Review: A study of the Court’s powers with respect to judgments of the ILO and UN administrative tribunals (Kluwer Law International, 2000)
Lane, W.B. and Simon Young, Administrative Law in Australia (Law Book Company, 2007)
Li, Catherine, ‘In Quest of the Proper Standard of Review in WTO Trade Remedy Cases’ in Mitsuo Matsushita, Dukgeun Ahn and Tain-Jy Chen (eds), The WTO Trade Remedy System: East Asian Perspectives (Cameroon May, 2006)
Loeb, Hamilton and Michael Owen (eds), North American Free Trade Agreement: Summary and Analysis (Matthew Bender, 1993)
Mavroidis, Petros C., Trade in Goods: The GATT and the Other Agreements Regulating Trade in Goods (Oxford University Press, 2007)
Mitchell, Andrew D. (ed), Challenges and Prospects for the WTO (Cameroon May, 2005)


Oesch, Matthias, ‘Standards of Review in WTO Dispute Resolution’ (2003) 6(3) *Journal of International Economic Law* 635


Qureshi, Asif H., Interpreting WTO Agreements: Problems and Perspectives (Cambridge University Press, 2006)


Sands, Philippe (ed), Manual on International Courts and Tribunals (Butterworths, 1999)

Sapir, Andre and Petros C. Mavroidis, ‘Mexico – Anti-Dumping Measures on Rice: “Don’t ask me no questions and I won’t tell you no lies”’ (2008) 7 World Trade Review 305

Schaffer, Ellen G. and Randall J. Snyder (eds), Contemporary Practice of Public International Law (Oceania Publications, 1997)


Schott, Jeffrey J. (ed), Completing the Uruguay Round: A results orientated approach to the GATT trade negotiations (Institute for International Economics, 1990)


Scott, Joanne, The WTO Agreement on Sanitary and Phytosanitary Measures (Oxford University Press, 2007)

Shaffer, Gregory, ‘A Structural Theory of WTO Dispute Settlement: Why...’
Institutional Choice Lies at the Centre of the GMO Case’ (2008) 41 New York University Journal of International Law and Politics 1
Shany, Yuval, Regulating Jurisdictional Relations between National and International Courts (Oxford University Press, 2007)
Slaughter, Anne-Marie, Alec Sweet and Joseph Weiler (eds), The European Court and National Courts – Doctrine and Jurisprudence: Legal Change in its Social Context (Oxford University Press, 1998)
Steger, Debra, Peace Through Trade: Building the World Trade Organization (Cameron May, 2004)
The Macquarie Dictionary (Macquarie, 5th ed, 2009)


Van Damme, Isabella, Treaty Interpretation by the WTO Appellate Body (Oxford University Press, 2009)


Wade, Sir William and Christopher Forsyth, Administrative Law (Oxford University Press, 10th ed, 2009)


Waincymer, Jeff, WTO Litigation: Procedural Aspects of Formal Dispute Settlement (Cameron May, 2002)

Weber, Max, Economy and Society (University of California Press, 1968)

Weiler, Joseph (ed), The EU, the WTO and the NAFTA: towards a common law of international trade (Oxford University Press, 2000)

Wiss, Friedl, Improving WTO Dispute Settlement Procedures: Issues and Lessons from the Practice of Other International Courts and Tribunals (Cameron May, 2000)


Woodley, Mick, Osborn’s Concise Law Dictionary (Sweet & Maxwell, 11th ed, 2009)


Yanovich, Alan and Tania Voon, ‘What is the Measure at Issue?’ in Andrew D. Mitchell (ed), Challenges and Prospects for the WTO (Cameron May, 2005) 115
Yardley, D.C.M., Principles of Administrative Law (Butterworths, 1986)

CASE LAW

Arizona v Thomas 824 F 2d 745, 748 (9th Cir, 1987)
Associated Provincial Picture Houses Ltd v Wednesbury Corpn [1948] 1 KB 223
Citizens to Preserve Overton Park Inc v Volpe 401 US 402 (1971)
Commission v Tetra Laval (C-39/03) [2005] ECR I-987
Consolidated Edison Co. v NLRB, 305 US 197 (1938)
Deldcourt v Belgium (1970) 11 Eur Court HR (ser A)
Drake v Minister for Immigration and Ethnic Affairs (1979) 2 ALD 60
Industrial Union Department, AFL-CIO v American Petroleum Institute 448 US 607, 100 (1980)
Italy v Council (C-166/78) [1979] ECR 2575
La Grange, Conseil d’Etat 15 February 1961
NLRB v Columbian Enameling and Stamping Co., 306 US 292 (1939)
Pacific Coast Federation of Fishermen’s Associations v National Maritime Fisheries Service 265 F 3d 1028 (9th Cir, 2001)
Rougemont Conseil d’Etat 7 July 1967
SA Roquette Freres v Council (C-179/80) [1980] ECR 3333
The standard of review in WTO dispute settlement

SAM Schiffahrt GmbH and Heinz Stapf v Bundesrepublik Deutschland (C-248/95) [1997] ECR I-4475
Société Anonyme Librairie Francois Maspero, Conseil d’Etat 2 November 1973
Société dé Lotissement de la Plage de Pampelonne, Conseil d’Etat 29 March 1968
UK v Commission (C-180/96) [1998] ECR I-2265
Universal Camera Corp. v National Labor Relations Board, 340 US 474 (1951)

LEGISLATION

Administrative Appeals Act 1975 (Cth)
Administrative Appeals Tribunal Act 1975 (Cth)
Administrative Decisions (Judicial Review) Act 1977 (Cth)
Administrative Procedure Act 5 USC § 559 (1946)
Tariff Act 19 USC § 1654 (1930)
Trade Act 1974 19 USC Ch 12

TREATIES

Final Act Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations 15 April 1994 33 ILM 1140 (1994)
General Agreement on Tariffs and Trade, opened for signature 30 October 1947, 55 UNTS 187 (entered into force 29 July 1948)
Marrakesh Agreement Establishing the World Trade Organization, opened for signature 15 April 1994, 1867 UNTS 3 (entered into force 1 January 1995) and Annexes 1 to 4
OTHER SOURCES

Accession of the People’s Republic of China, WTO Doc WT/L/432 (2001)
Agreement on Implementation of Article VI of the General Agreement on
Tariffs and Trade BISD 26S/171
Agreement on Interpretation and Application of Articles VI, XVI and XXIII of
the General Agreement on Tariffs and Trade BISD 26S/56

Australia-Measures affecting the importation of apples from New Zealand
(WT/DS367), First Written Submissions of Australia, available at

Australia-Measures affecting the importation of apples from New Zealand
(WT/DS367), Executive Summary of the Second Written Submission of
New Zealand, available at www.mfat.gov.nz/Treaties-and-International-
Law/02-Trade-law-and-free-trade-agreements/index.php, last accessed 31
March 2012

Australia-Measures Affecting the Importation of Apples from New Zealand
(WT/DS367) Third Party Submission of the United States of America (1
August 2008), available at www.usit.gov/trade-topics/enforcement/dispute-settlement-proceedings/wto-dispute-settlement/Australia-apples,
last accessed 31 March 2012

Charter for an International Trade Organization, UN Doc. E/Conf. 2/78 (24
March 1948)

New Draft Consolidated Chair Texts of the AD and SCM Agreements, World
Trade Organization, Negotiating Group on Rules, WTO doc TN/RL/W/236
(19 December 2008)

Shaffer, Greg, ‘Administrative Law Tools and the “Mood” of the Appellate
Body decision in the United States – Continued Suspension of Obligations in
the EC-Hormones Dispute’ (6 November 2008), available at www.world
tradelaw.typepad.com/postblog/2008/11/page/2, last accessed 31 March 2012

Statement of Administrative Action for the Uruguay Round Agreements Act,

Statute of the International Court of Justice

Understanding Regarding Notification, Consultation, Dispute Settlement and
Surveillance, L/4907, adopted 28 November 1979, BISD 26S/210

United States-Measures Affecting the Importation of Certain Passenger Motor
Vehicle and Light Vehicle Tyres, WTO Doc WT/DS299/1 (2009) (Request
for Consultations)

US-Continued Suspension (WT/D8320), Appellee Submission of the United
States of America (26 June 2008), available at www.usit.gov/trade
topics/enforcement/dispute-settlement-proceedings/wto-dispute-settlement/
continued-suspension-, last accessed 31 March 2012


Waincymer, Jeff, ‘An Australia United States Free Trade Agreement – Implications for anti-dumping and countervailing’ (Paper presented at the An Australia United States Free Trade Agreement Opportunities and Challenges, Hyatt Hotel, Canberra, 21 June 2001)


World Trade Organization, Dispute Settlement Body, Minutes of Meeting held on 19 February 2009, WTO Doc WT/DSB/M/265 (29 April 2009), available at www.wto.org, last accessed 31 March 2012

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