



ORGANISATION
MONDIALE
DU COMMERCE

Le règlement des différends dans le cadre de l'OMC: un sommaire de différend par page

de 1995 à septembre 2006



ÉDITION 2006

Rglement Diffrends Dans Cadre Lomc

Christian G. Meyer



Règlement Différends Dans Cadre L'OMC:

La jurisprudence de l'OMC / The Case-Law of the WTO, 1996-1997 Brigitte Stern, Hélène Ruiz Fabri, 2004-04-01

WTO OMC these abbreviations are now well known throughout the world and the organization contained in these three letter acronyms has become a principal actor in international relations economic and other Everyone knows that a large part of its impact in the international society comes from a revolutionary mechanism of dispute settlement DSM that forms part of the World Trade Organization More than 250 claims have been deposited in seven years of which sixty led to a report of an ad hoc panel and the majority of those led to a report of the Appellate Body This bilingual volume is the first in a series which has the ambition to present the jurisprudence of this new mechanism in a simple coherent and systematic fashion It is the result of intense cooperation between the two editors and it is hoped to become a major reference work for all interested in the jurisprudence of the WTO and more general in the regulation of economic relations with respect to international commerce and all its multiple implications on daily matters OMC WTO ces sigles sont aujourd'hui mondialement connus et l'Organisation qu'ils désignent est devenue un acteur principal des relations internationales économiques et autres Chacun sait désormais qu'une grande partie de son impact dans la société internationale vient du mécanisme de règlement des différends MRD tout fait révolutionnaire qu'il incorpore l'Organisation mondiale du commerce Plus de 250 plaintes ont été déposées en sept ans et qu'un peu plus de 60 d'entre elles ont donné lieu à un rapport d'un Groupe spécial voire pour une majorité d'entre elles à un rapport de l'Organe d'appel Ce présent volume bilingue n'est que le premier d'une série d'ouvrages ayant pour ambition de présenter la jurisprudence de ce nouveau mécanisme de façon simple cohérente et systématique Il constitue le fruit d'efforts concertés que les deux éditeurs associent à cette entreprise collective de grande envergure espérant voir devenir une référence incontournable pour tous ceux qui s'intéresseront à la jurisprudence de l'OMC et plus largement à la régulation des relations économiques en matière de commerce international avec toutes ses implications multiformes sur la vie quotidienne de chacun d'entre nous

La jurisprudence de l'OMC / The Case-Law of the WTO, 1999-1 Brigitte Stern, Hélène Ruiz Fabri, 2007-08-31

WTO OMC these abbreviations are now well known throughout the world and the organization contained in these three letter acronyms has become a principal actor in international relations economic and other Everyone knows that a large part of its impact in international society comes from a revolutionary dispute settlement mechanism DSM that forms part of the World Trade Organization More than 330 claims have been deposited in ten years of which 115 led to reports of ad hoc panels and more than half of those led to a report of the Appellate Body This bilingual volume is only the fourth volume in a series which has the ambition to present the jurisprudence of this new mechanism in a simple coherent and systematic fashion It is the result of intense cooperation between the two editors and it is hoped to become a major reference work for all interested in the jurisprudence of the WTO and more generally in the regulation of economic relations with respect to international trade and all its multiple implications on the daily life of everyone OMC WTO ces sigles sont aujourd'hui mondialement connus et l'

Organisation qu'ils désignent est devenue un acteur principal des relations internationales économiques et autres. Chacun sait désormais qu'une grande partie de son impact dans la société internationale vient du mécanisme de règlement des différends MRD tout fait révolutionnaire qu'incorpore l'Organisation mondiale du commerce. Plus de 330 plaintes ont été déposées en dix ans dont 115 ont donné lieu des rapports d'un Groupe spécial et pour plus de la moitié d'entre eux un rapport de l'Organe d'appel. Ce présent volume bilingue n'est que le quatrième d'une série d'ouvrages ayant pour ambition de présenter la jurisprudence de ce nouveau mécanisme de façon simple, cohérente et systématique. Il constitue le fruit d'efforts concertés que les deux éditeurs associent à cette entreprise collective de grande envergure. Espérons voir devenir une référence incontournable pour tous ceux qui s'intéressent à la jurisprudence de l'OMC et plus largement à la régulation des relations économiques en matière de commerce international avec toutes ses implications multiformes sur la vie quotidienne de chacun d'entre nous.

La Lex Sportiva Franck Latty, 2007. À partir de la notion de droit transnational, cet ouvrage analyse l'autorégulation du mouvement sportif et s'efforce d'en évaluer le degré d'autonomie vis-à-vis des ordres juridiques étatiques international et communautaire. Based on the notion of transnational law, this book offers an analysis of the self-regulation of the sports movement and evaluates the degree of autonomy of sports rules regarding national, international and European law.

The Case-Law of the WTO / La jurisprudence de l'OMC, 1999-2 Brigitte Stern, Hélène Ruiz Fabri, 2008-07-31. This unique series offers the reader a comprehensive bilingual analysis on a case-by-case basis of the jurisprudence of the WTO. Each case study contains a synopsis and details of the case in question and important bibliographical references; these are followed by a summary of the facts and procedure, claims of the parties, findings of the panel, issues raised in the appeal, conclusions of the appellate body and scholarly observations. Each case is analyzed by a different scholar in the field so as to ensure the involvement in the series of the widest range of English and French speaking scholars and practitioners. This approach to the case law gives the reader a complete and objective account of the reasoning of the dispute resolution mechanism, including numerous quotes in italics when they are extracted from the case in question for ease of reference, while at the same time offering a critical perspective which analyses the reasoning adopted and places it in a global perspective. The volumes are organized chronologically and the cases of a particular year are usually covered in two consecutive volumes. Cette série unique d'ouvrages en anglais et en français a pour ambition de présenter au lecteur la jurisprudence de l'OMC de façon simple, cohérente et systématique. Chaque article obéit à une grille de lecture et contient ainsi le synopsis et les détails de l'espace ainsi que de nombreuses références bibliographiques. Puis après un bref rappel des faits et de la procédure de la demande des parties, des conclusions du groupe spécial et de l'Organe d'appel, une rubrique Observations présente une approche critique de l'affaire. Les contributeurs sont aussi bien des universitaires que des praticiens des francophones que des anglophones avec la volonté d'offrir de tirer parti de tous les savoir-faire. Il y a aussi le souci d'aborder chaque affaire selon une double approche d'une part rendre compte fidèlement des raisonnements adoptés par les organes du mécanisme de règlement des différends.

rends avec de nombreuses citations en italiques lorsqu'elles sont extraites de l'affaire comment e d autre part examiner ces raisonnements de la fa on la plus compl te et la plus objective en les repla ant dans une perspective d volution globale

Chaque volume est ordonn de mani re chronologique et sauf exception les affaires de chaque ann e sont trait es en deux volumes cons cutifs

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Annuaire Canadien de Droit International D. M. McRae, 1996

The Canadian Yearbook of International Law is issued annually under the auspices of the Canadian Branch of the International Law Association Canadian Society of International Law and the Canadian Council on International Law The Yearbook contains articles of lasting significance in the field of international legal studies a notes and comments section a digest of international economic law a section on current Canadian practice in international law a digest of important Canadian cases in the fields of public international law private international law and conflict of laws a list of recent Canadian treaties and book reviews

Select Proceedings of the European Society of International Law, Volume 1 2006

Hélène Ruiz Fabri, Emmanuelle Jouannet, Vincent Tomkiewicz, 2008-05-29 This is the first volume of proceedings arising from

the biennial conference of the European Society of International Law Societe europeene de droit international edited by Emmanuelle Jouannet H l ne Ruiz Fabri and Vincent Tomkiewicz The volume presents the highlights of the Paris Conference 2006 and the papers are evenly divided between English and French language contributions It is envisaged that this will be the first volume of a series with future volumes following on from each major ESIL SEDI event **L'Organisation**

mondiale du commerce Christian Deblock,2002 **The Idea of Economic Constitution in Europe** ,2022-06-08 Behind the controversies that have marked the history of the idea of Economic Constitution emerges the highly political issue of the room for manoeuvre left to public authorities in the economic sphere The notion thus encapsulates a fundamental tension between democracy and rule of law which model of legal ordering of the economy should prevail From physiocrats to neo liberals from the Weimar Republic to European integration from national constitutions to Global Governance this collective book invites us to explore the genealogy of the controversial concept of Economic Constitution The result of this interdisciplinary dialogue is a comprehensive reflection on the legal and political issues at stake in the current constitutionalization of the market order in Europe Contributors are Philippe Steiner Guillaume Gr goire Hugues Rabault Peter C Caldwell Thomas Biebricher Werner Bonefeld Serge Audier Vincent Valentin Pieter van Cleynenbreugel Xavier Miny Fr d ric Marty Claire Mongouachon Hans Wolfgang Micklitz Francesco Martucci Michael Wilkinson Hjalte Lokdam Susanna Maria Cafaro Peter Lindseth Cristina Fasone Pierre Nihoul Fran ois Colly Peter Christian M ller Graff Tony Prosser Damien Piron Mahmoud Mohamed Salah Stephen Gill Thibault Biscarie Sebastien Adalid and Christian Joerges Derri re les controverses qui jalonnent l histoire de l id e de Constitution conomique merge la question minemment politique de la marge de man uvre laiss e aux autorit s publiques dans la sph re conomique La notion cristallise ainsi une tension fondamentale entre d mocratie et tat de droit quel doit tre mod le d organisation et d ordonnancement juridique de l conomie Des physiocrates aux n olib raux de la R publique de Weimar l int gration europ enne des constitutions nationales la Global Governance cet ouvrage collectif nous invite d s lors explorer la g nalogie du concept pol mique de Constitution conomique Les auteurs ouvrent alors travers un dialogue interdisciplinaire constant une r flexion globale autour des enjeux juridiques et politiques du processus actuel de constitutionnalisation de l ordre de march en Europe **Le commerce international** Emmanuel Nyahoho,Pierre-Paul Proulx,2006 Dans le contexte d int gration conomique mondiale d aujourd hui les questions commerciales occupent plus que jamais une place pr pond rante dans l actualit internationale en raison de leurs incidences conomiques sociales g ographiques et politiques consid rables Or le commerce international est un champ d tude vaste et complexe pouvant d router ceux qui ont la curiosit de l aborder Le pr sent ouvrage propose donc une approche adapt e de l analyse conomique qui tout en suivant une perspective historique tient compte des r alit s institutionnelles actuelles De plus la th orie est fermement ancr e dans la r alit par le biais d analyses sectorielles agriculture p trole services outsourcing automobile textiles et v tements etc et s attarde aux institutions internationales d terminantes OMC ALENA Espace

conomique europ en ainsi qu aux ensembles politiques Union europ enne Etats Unis Canada pays en voie de d veloppement nouveaux pays industrialis s etc Les auteurs souhaitent que ce livre contribue d velopper chez les lecteurs une capacit d analyse qui leur permettra d aborder de fa on ad quate tous les enjeux relatifs au commerce international

Rapport sur les marches des produits, 1996 97 , **Examens de l'OCDE de la réforme de la réglementation : La réforme de la réglementation en Irlande 2001** OECD,2002-09-20 La r forme de la r glementation a commenc en Irlande plus tard que dans de nombreux autres pays mais elle progresse maintenant sur un large front A la suite des performances conomiques remarquables que le pays a enregistr es durant les ann es *Les mesures commerciales dans les accords multilatéraux sur l'environnement* OECD,2000-02-09 Les conventions internationales qui visent combattre les probl mes d environnement mondiaux commun ment appel es Accords multilat raux sur l environnement AME ont souvent recours entre autres instruments des mesures commerciales En

Protection de la santé et sécurité alimentaire en droit international Nathalie Ferraud-Ciandet,2009-04-21 Ce livre offre une perspective nouvelle des questions de sant qui malgr l int r t qu elles suscitent sont trop souvent d tach es de leur contexte juridique Ceci le rend d autant plus attrayant qu ce jour il s agit du premier ouvrage disponible en langue fran aise Le sujet se justifie largement pour plusieurs raisons Tout d abord en vertu de l actualit des th mes abord s lutte contre le tabac acc s aux soins et aux m dicaments virus HIV OGM amiante vache folle principe de pr caution mesures sanitaires et phytosanitaires grippe aviaire bioterrorisme L action de l OMS a elle m me pris une importance consid rable avec l adoption de son premier trait pour la lutte contre le tabagisme Naturellement cet ouvrage de synth se d passe le catalogue des questions de sant pour proposer une vision globale de la sant en droit international ce qui implique une approche transversale L OMS prise comme point de d part sera vite d pass e par l impact des activit s d autres organisations internationales sur la sant publique notamment la lib ralisation des changes commerciaux internationaux OMC les droits de propri t intellectuelle OMPI les conditions de travail OIT l environnement PNUE Commission du Codex Alimentarius les conflits internationaux CICR AIEA l thique UNESCO L analyse des d cisions des juridictions mondiales met en vidence les sanctions de toute violation des r gles du droit international de la sant organe de r glement des diff rends de l OMC Cour internationale de justice juridictions p nales

Politique commerciale de l'Union européenne Philippe Musquar,2021-02-02 Ce manuel offre un panorama complet de la Politique commerciale de l Union europ enne dont il rappelle les fondements le contexte et les m canismes essentiels avant d en aborder successivement toutes les dimensions le cadre multilat ral de l OMC les accords de libre change et autres r gimes pr f rentiels l antidumping et autres instruments de d fense commerciale ainsi que les interactions de la PCC avec les questions li es au d veloppement l environnement et aux normes sociales Il est le fruit d un enseignement de l auteur Sciences Po Lille et de son exp rience professionnelle la Commission europ enne et au Parlement europ en Il constitue un outil didactique fournissant les rappels historiques et concepts juridiques indispensables pour bien comprendre cette mati re Il se destine toute entit publique ou

privé confronté aux questions relatives à l'intégration économique et à l'action extérieure de l'Union européenne et plus spécialement encore aux étudiants spécialisés en affaires européennes et aux candidats aux concours de la fonction publique européenne ou nationale. Parachevé au moment de l'entrée en fonction de la nouvelle Commission von der Leyen dans un contexte de crise systémique et de rivalités commerciales aiguës entre les grandes puissances, il se conclut en détaillant les nouveaux défis auxquels devra faire face l'Union européenne au cours des cinq prochaines années.

Rencontres australiennes Pierre Lagayette, 2008. Depuis les temps de la découverte l'Australie a alimenté curiosité et fantasmes chez les Européens puis une convoitise liée à son extraordinaire immensité, ses richesses minérales et sa diversité naturelle. Aujourd'hui la plupart de ses mystères ont été dissipés mais l'Australie fascine pourtant les Européens comme si elle n'avait pas livré encore tous ses secrets. Peu de Français connaissent l'histoire de ce continent du bas qui de l'autre côté de la terre a dû conjuguer les traditions millénaires des peuples autochtones, la présence de bagnards et les exigences impériales de l'Angleterre. Devenue libre et moderne l'Australie n'en demeure pas moins une nation hantée par un passé qui obscurcit la non reconnaissance de l'Autre aborigène. Hantée par l'illusion de la Terra nullius cet espace vierge originel doit nécessairement s'exercer les prérogatives de l'envahisseur européen. L'Australie cherche des moyens politiques, sociaux, culturels d'accomplir une réconciliation dont dépend en grande partie le sentiment d'une appartenance et d'une identité nationales. Depuis que les Jeux olympiques de Sydney ont soudain attiré l'attention sur elle l'Australie cherche à offrir son propre peuple et au reste du monde un visage apaisé d' mythifié d' barrassé des fantasmes qu'avait projetés sur elle l'Europe depuis la découverte. À cet égard ce volume propose des regards avisés et originaux sur l'Australie contemporaine rassemblés autour d'un thème qui explore la conscience de soi des Australiens confrontés à la nécessité de rompre l'isolement, à les a contraindre la géographie et à les a précipiter l'histoire du peuplement continental. Des signes d'espoir sont néanmoins visibles. L'Australie en devenir est une terre vouée à unifier plutôt qu'à exclure, à accueillir plutôt qu'à rejeter tout en préservant ses chances de construire une identité sociale et culturelle durable.

L'accord sur les ADPIC Daniel Gervais, 2010-02-03. La société de l'information et l'économie du savoir et de l'innovation qui la sous-tend reposent sur le droit de la propriété intellectuelle qui a pour mission de protéger les actifs intangibles produits de la créativité et de l'ingéniosité humaines. Les études les plus récentes montrent que près de 80% des actifs des entreprises des pays les plus industrialisés sont composés de ces intangibles : logiciels, marques et brevets, know-how, secret de fabrication et informations confidentielles. Depuis 1995 un accord de l'Organisation mondiale du commerce (OMC) connu comme l'Accord sur les ADPIC contient des normes précises et strictes qui régissent tous les aspects de la protection et de la mise en œuvre des droits de propriété intellectuelle dans les 150 pays membres de l'OMC. Cet Accord encadre les lois nationales et les directives européennes en matière de propriété intellectuelle et est régulièrement utilisé par les tribunaux nationaux dont la Cour de cassation en France et la Cour européenne de justice afin d'interpréter les dispositions européennes ou nationales d'une manière compatible avec les règles internationales. Tout étudiant ou praticien de la propriété intellectuelle doit connaître cet important

Accord qui fait dorénavant partie intégrante du droit de la propriété intellectuelle Dans la première partie de cet ouvrage rédigé par un des rares experts avoir travaillé de l'intérieur la rédaction et la négociation de l'Accord sur les ADPIC l'histoire et le contexte de l'Accord sont expliqués en détails ainsi que les plus récents développements du cycle de Doha notamment en matière de protection des indications géographiques et les amendements adoptés en matière de santé publique Dans la seconde chacun des 71 articles de l'Accord est analysé en profondeur afin d'offrir au lecteur toutes les clés pour comprendre l'Accord Chaque décision de groupe spécial ou de l'Organe d'appel de l'OMC rendue entre 1995 et 2007 est également expliquée et mise en contexte Enfin les annexes contiennent les dispositions d'autres accords intégrés à l'Accord sur les ADPIC

Examens de l'OCDE de la réforme de la réglementation : La réforme de la réglementation en Espagne 2000 OECD,2001-11-19 La réforme de la réglementation a joué un rôle déterminant dans la forte croissance économique que connaît l'Espagne depuis quelques années L'Espagne a mis en œuvre une libéralisation de grande envergure des changes et de l'investissement elle a

Promouvoir l'accès aux technologies médicales et l'innovation ,2021-08-11 La coopération internationale en matière de santé publique est par essence multidimensionnelle l'accent tant mis sur la mise en place de systèmes de santé efficace Dans cet objectif l'Organisation mondiale de la santé OMS l'Organisation mondiale de la propriété intellectuelle OMPI et l'Organisation mondiale du commerce OMC œuvrent ensemble conjointement avec d'autres partenaires internationaux depuis presque deux décennies pour soutenir les initiatives mondiales visant à améliorer la situation sanitaire Dans le cadre de leurs efforts pour aider les pays à développer leur capacité à faire face aux défis multidimensionnels qui se posent dans le secteur de la santé publique les trois organisations ont lancé la deuxième édition de l'étude trilatérale intitulée Promouvoir l'accès aux technologies médicales et l'innovation

Annuaire Canadien de Droit International John H. Currie,Ren Provost,2014-03-01 This is the fiftieth volume of The Canadian Yearbook of International Law The contents of this special anniversary edition reflect the diversity of Canadian and international thought opinion and practice on current problems of international law Included are a retrospective examination of Canadian approaches and contributions to international law during the Yearbook's first fifty years as well as cutting edge analyses and commentary on a wide range of issues such as the use of battlefield biometrics the cultural dimensions of sustainable development Omar Khadr's combatancy and child soldier status and immunities for gross violations of international human rights

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