

Diritto Dellorganizzazione Mondiale Del Commercio

The European Union has the ambition to be one of the largest markets and one of the most influential trade actors in the globalized economy, but also the mission to spread the values and principles at the foundations of the European integration process: democracy, the rule of law, respect and protection of human rights and fundamental freedoms, environmental protection and sustainable development. This twofold mission is at the origin of the measures which are the object of this book. The focus of the research is the role of the Union in pursuing sustainable development and human rights in third countries through unilateral trade instruments and applying different methods of regulation. The study is conducted against the background of international law and of the WTO rules on multilateral trade. It addresses the tension between unilateralism and multilateralism in EU policies for sustainable development, with a focus on the problematic issue of the extraterritorial reach of EU measures.

Since the last edition of this pre-eminent work five years ago, the European framework in the international setting has substantially changed. Numerous critical developments have highlighted shortcomings in the European structure that seems incapable, in its present complexity, of resolving the apparently

intractable problems it confronts. This book's highly respected author is uncompromising: either we have the courage to establish profound, constitutional reforms aimed at renewing the European Union in the collective imagination or we risk contenting ourselves with merely an economic community with a far-from-ideal single market where even the four basic freedoms guaranteeing all actors, individuals and enterprises, are put under discussion. This revision follows the successful format of the previous editions. As before, the author's intensive discussion brilliantly disentangles the complex interrelations among a vast array of economic factors. As a general update, the new edition takes into account such major developments as the mass immigration phenomenon, effects of Brexit on EU laws and policies, and the OECD's project on base erosion and profit shifting (BEPS). Ongoing matters covered include the following: • issues surrounding the euro's sustainability, especially as revealed in ECJ case law; • lack of power of the ECB and other EU institutions in fixing the euro's exchange rate; • the potential EU contribution to reform of the IMF's organization and substantive rules; • ECJ case law on conflicts in the transfer of seat and cross-border mergers; • the role of the European Commission in the regulation of international trade; • limits to the advantages lawfully acquired by multinational enterprises; • transfer pricing in intragroup transactions; • EU supervision of

banking groups and international banking cooperation; • corporate social responsibility' and 'codes of conduct'; and • State aid between competition law and the non-discrimination principle. Emphasizing the complex legal regime affecting undertakings in Europe today, Professor Santa Maria presents a thoroughgoing legal analysis of the prominence of corporate and business enterprises in what many theorists see as the intrinsic 'internationality' of social activity in the current era. Previous editions have been applauded for their unremitting emphasis on rules introduced on the basis of multilateral agreements of an unprecedented reach, within which both States and undertakings are made to recognize and to deal with one another. In the new edition, this perspective, daunting in its scope and breadth, is maintained and expanded, providing a synthesizing and enlightening analysis that will be of immeasurable value to all parties with an interest — academic, juridical, or administrative — in this very important area of law.

Comparative law is a research methodology which has been increasingly fashionable in recent decades, as comparisons between common law and civil law have dominated the law studies landscape. There are many methods of comparative law in use, including comparison of legal rules, comparison of cases, and comparison of legal theories. Each of these methods has strong

proponents and opponents. Dogmatic comparisons of rules are criticized for not giving the whole picture of law in action, but praised for being the first and the only truly legal step in comparative research. Case-based comparisons are praised for enabling us to compare the true understanding of rules by courts, yet the critics of this method point out that only the higher courts' decisions are subject to comparison, and most cases do not reach this stage. Finally, comparisons of legal theories are praised for enabling us to know the spirit of the laws, yet opponents would argue that many countries sharing the same theory would draw opposite conclusions from it. This book is a result of the attempted (and successful) introduction of comparative law into the region of Eastern and Central Europe. The subject has induced interest beyond expectations. This volume opens with a chapter on the unification of law, both from the perspective of institutional unification by such supra-state organizations, spontaneous and institutionalized unifications between two or more legal systems, and the methods of choosing the right rules in the unification process. Chapters two and three follow the classical division of private and public law, as proposed by the brilliant Roman lawyer Ulpian. Overall, the chapters in this book offer an interesting and engaging commentary on the current topics discussed by academics in Eastern and Central Europe.

The 2007-2010 global financial crisis re-opened the debate on the reform of the international monetary and financial system. This well-argued book demonstrates the strategic role of international economic law (IEL) in ensuring international monetary stability and global financial stability. After discussing the current allocation of powers among IEL institutions, Annamaria Viterbo focuses on monetary measures: exchange restrictions, capital controls and exchange rate manipulations. These three fundamental topics are then examined through the lens of a multi-layered methodology, adopting perspectives from international monetary law, trade law and investment law. The author evaluates how the horizontal sectors in which IEL is traditionally divided interact and how conflicts between norms are avoided or solved. Particular attention is also devoted to the outcomes of trade and investment disputes that deal with monetary measures. *International Economic Law and Monetary Measures* will appeal to international trade law and international financial law scholars as well as law and business students. Legal practitioners and officials working in the field of international economic law will find it a useful reference, as will legal counsel in banks and financial institutions, international investors and multinational corporations. This book is essential reading for academics of international investment law and related matters, with useful research material for both practitioners and policy-

makers. Moreover, the innovative approach of this book makes it appropriate for adoption i

Il Manuale è un contributo all'inquadramento e all'applicazione del diritto doganale, delle accise e dei tributi ambientali e rappresenta un punto di riferimento sia per chi opera nel settore in qualità di esperto sia per chi ha la necessità di approcciarsi per fini imprenditoriali e professionali. Un volume unico per impostazione e sistematicità con cui vengono trattati gli elementi che caratterizzano i principi fondamentali e operativi di questa disciplina, senza tralasciare l'analisi degli aspetti sanzionatori e del contenzioso, sia nella fase cautelare che istruttoria. Il testo tiene conto delle disposizioni del Regolamento UE n. 952/2013 del 9 ottobre 2013, che istituisce il codice doganale dell'Unione.

STRUTTURA Parte Prima - I principi fondamentali del diritto doganale e delle accise Parte Seconda - Diritto doganale: struttura e applicazione Parte Terza - Diritto delle accise: struttura e applicazione Parte Quarta - Abuso del diritto ed affidamento Parte Quinta - I tributi ambientali Parte Sesta - Il sistema sanzionatorio Parte Settima - Il contenzioso in materia doganale e di accise

This volume examines the legal dimension of the ILO's action in the field of Child Labour. The authors investigate the implementation of the relevant legal instruments and assess the effectiveness of the ILO supervisory system. All relevant instruments

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are considered while particular attention is given to Convention 182 on the elimination of the worst forms of child labour. *Child Labour in a Globalized World* describes the ILO's activities concerning the eradication of child labour whilst assessing and evaluating the effectiveness of the relevant legal framework and functioning of the supervisory system. This book contextualizes the issue of the eradication of the worst forms of child labour in the recent doctrinal debate on the nature of labour standards and the transformation of the ILO. This important work will be a valuable resource for academics, researchers and policy-makers with an interest in labour law, international law, and children's rights.

Trade in Food surveys and explores the evolution of the European Community's regulation of food within the broader framework set out by the WTO Agreements. Its main purpose is to provide readers keen to deepen their knowledge of the field with easy access to the EC and WTO food laws accompanied by a critical explanation and commentary. The book is suitable for legal practitioners, judges, policy-makers, officials of international organizations as well as post graduate students of international trade law and policy, international and European economic law, global administrative law and risk regulation.

World Trade Organisation (WTO) trade remedies (antidumping, anti-subsidy and safeguard agreements) are instruments used by WTO members to counter the economic injury caused by dumping, subsidies and the sudden and unforeseen

increased imports. They are exceptions to the WTO principle of free trade and to the prohibition for States to react unilaterally to protect their own rights and interests, and as a result they have been accused by some as being the new tools of protectionism. This book analyses of the role and principles of WTO trade remedies in international law. In particular, it focuses on their aims, their structure, and their position within the WTO and more in general, the international legal system. The book considers trade remedies in light of fragmentation theories of international law and addresses the question how, and to what extent WTO law reflects and influences public international law.

This book moves from the circumstance whereby currently the obligation to provide fair and equitable treatment (FET) to foreign investments is included in the majority of international investment agreements and has proved to be the most invoked standard in investor-State arbitration. Hence, it is no overstatement to describe this standard as the basic norm of international investment law. Yet both its meaning and normative basis continue to be shrouded in ambiguity and, as a consequence, to inspire a considerable number of interpretations by legal writers. The book's precise aim is to unravel such ambiguity, arguing from the idea that FET has become part of the fabric of general international law, but has done so by means of a source somewhat neglected in legal doctrine. This being

the category of general principles peculiar to a certain field of international law, i.e. those principles having their own foundations in the international legal order itself, but which, through the mediation of the judge, end up being shaped according to the features typical of a specific normative field. The book, as well as having a solid theoretical backdrop as its basis, offers a careful and critical analysis of pertinent case law, and will prove useful to both scholars and practitioners. Fulvio Maria Palombino is Professor of International Law at the Law Department of the University of Naples Federico II and a member of the Executive Board of the European Society of International Law.

An in-depth analysis of the core legal concepts characterising the two most prominent efforts in the regulation of international trade.

As with any rapid technological development, the biotechnology revolution is putting great strains on the ability of law to adapt to new challenges and threats.

Although there is general agreement on the need to regulate biotechnology in many different fields of human activity (agriculture, life sciences, forensic science) domestic law remains deeply divided over the best approach to take.

This book is the first attempt at covering the most pressing legal issues raised by the impact of biotechnologies on different categories of international norms.

Through the contribution of a selected group of international scholars and experts

from international organizations, the book addresses 1) the international status of genetic resources, both in areas of national jurisdiction and in common spaces such as the international sea bed area and Antarctica; 2) the relevance of environmental principles in the governance of modern biotechnologies; 3) the impact of biotechnologies on trade rules, including intellectual property law; 4) the human rights implications, especially in the field of human genetics; and 5) the intersection between general international law and regional systems, especially those developed in Europe and Latin America. The overall objective of the book is to provide an up-to-date picture of international law as it stands today and to stimulate critical reflection and further research on the solutions that will be required in years to come.

Diritto dell'organizzazione mondiale del commercioL'accordo antidumping nel diritto dell'organizzazione mondiale del commercioDiritto dell'organizzazione mondiale del commercioGli accordi di integrazione economica regionale e il diritto dell'Organizzazione Mondiale del CommercioIl centro consultivo sul diritto dell'organizzazione mondiale del commercioL'incidenza del diritto dell'organizzazione mondiale del commercio sul diritto dell'Unione europeacorso di dottorato di ricerca in diritto agrario alimentare e ambientale nazionale e comunitario, ciclo 22. : tesi di dottoratoIstituzioni e attività economicheDiritto nazionale, diritto dell'Unione europea e organizzazione mondiale del commercio : tesi di dottoratoIl rapporto tra l'Organizzazione mondiale del commercio e la Comunità europea nella

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prospettiva teorica dell'ordo ordinanstesi di dottorato in diritto dell'economia e del mercatoL'onere della prova nell'organizzazione mondiale del commercio e valori del sistemaMaggioli EditoreDiritto doganale, delle accise e dei tributi ambientaliilPSOA "The Italian Yearbook of International Law" aims at making accessible to the English speaking public the Italian contribution to the practice and literature of international law. Volume XIV (2004) is organised in three main sections. The first contains doctrinal contributions including articles on the UN Charter reform; corporations as international actors; human genetics and reproductive technology; and on the ICJ Advisory Opinion on the construction of a wall in the Occupied Palestinian Territory. This section includes also notes on the seminal judgment of the Italian Supreme Court in the "Ferrini" case, setting aside immunity of a foreign State in respect of reparation claims by victims of gross violations of human rights, and on the decision of the Special Court of Sierra Leone in the "Charles Taylor" case, as well as surveys on the activity of selected international institutions and tribunals (World Trade Organization, Law of the Sea Tribunal, and European Court of Human Rights). The second section covers the Italian practice in the areas of 1) judicial decisions; 2) diplomatic and parliamentary practice; 3) treaty practice; and 4) national legislation. The third section contains a systematic bibliographical index of Italian literature in the field of international law and reviews of recent books. The volume ends with an analytical index for ready consultation that includes the main judicial cases and legal instruments cited throughout the "Yearbook,"

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