

JOOST H.B. PAUWELYN

LIST OF PUBLICATIONS

November 2020

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Books & Monographs

1. RETHINKING PARTICIPATION IN GLOBAL GOVERNANCE: CHALLENGES AND REFORMS IN FINANCIAL AND HEALTH INSTITUTIONS (editor with Ayelet Berman, Tim Büthe & Martino Maggetti), Oxford University Press, 2020 (forthcoming)
2. BUILDING LEGAL CAPACITY FOR A MORE INCLUSIVE GLOBALIZATION: BARRIERS TO AND BEST PRACTICES FOR INTEGRATING DEVELOPING COUNTRIES INTO GLOBAL ECONOMIC REGULATION (editor with Mengyi Wang), CTEI, Graduate Institute, 2019, available at <https://tinyurl.com/y7s7trtu>
3. ASSESSING THE WORLD TRADE ORGANIZATION – FIT FOR PURPOSE? (editor with Manfred Elsig & Bernard Hoekman), Cambridge University Press, 2017
4. THE USE OF ECONOMICS IN INTERNATIONAL TRADE AND INVESTMENT DISPUTES (editor with Marion Jansen & Theresa Carpenter), Cambridge University Press, 2017
5. INTERNATIONAL TRADE LAW, Wolters Kluwer / Aspen Publishers (with Andrew Guzman), 1st edition, 2009; 2nd edition, 2012; 3rd edition, 2016 (with Jennifer Hillman as third co-author)
6. THE FOUNDATIONS OF INTERNATIONAL INVESTMENT LAW: BRIDGING THEORY INTO PRACTICE (editor with Z. Douglas & J. Vinuales), Oxford University Press, 2014
7. INFORMAL INTERNATIONAL LAWMAKING (ed. with R. Wessel & J. Wouters), Oxford University Press, 2012
8. INFORMAL INTERNATIONAL LAWMAKING: CASE STUDIES (editor with A. Berman, S. Duquet, R. Wessel & J. Wouters), TOAEP Academic Publisher, 2012, <http://tinyurl.com/hm5ggj8>
9. GLOBAL CHALLENGES AT THE INTERSECTION OF TRADE, ENERGY AND THE ENVIRONMENT (editor), CEPR, June 2010, available at <http://www.cepr.org/press/CTEI-CEPR.pdf>
10. THE LAW, ECONOMICS AND POLITICS OF RETALIATION IN WTO DISPUTE SETTLEMENT (editor with Chad Bown), Cambridge University Press, 2010
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14. CONFLICT OF NORMS IN PUBLIC INTERNATIONAL LAW - HOW WTO LAW RELATES TO OTHER RULES OF INTERNATIONAL LAW, Cambridge University Press, 2003 (paperback edition, 2008) and translated & published in Chinese, Law Press China, 2005 (winner of the 2005 Paul Guggenheim Prize)
15. THE NATURE OF WTO OBLIGATIONS, Jean Monnet Working Paper No. 1/02 (2002), NYU School of Law, Jean Monnet Centre, available at <http://www.jeanmonnetprogram.org/papers/02/020101.html>
16. TRADE IN ENERGY, WTO RULES APPLYING UNDER THE ENERGY CHARTER TREATY, Energy Charter Secretariat, Brussels, 2001

Articles

1. *Export Restrictions in Times of Pandemic: Options and Limits under International Trade Agreements*, 54:5 Journal of World Trade (2020) 727-741 <https://tinyurl.com/y8pvjd5o>
2. *Who Writes The Rulings of the World Trade Organization? A Critical Assessment of the Role of the Secretariat in WTO Dispute Settlement* (with K. Pelc), October 2019, <http://tinyurl.com/y4y8sj9x> (draft under review for publication)
3. *Structural Conditions for Novelty: The Introduction of New Environmental Clauses to the Trade Regime Complex* (with J. Hollway and J.F. Morin), 20 International Environmental Agreements: Politics, Law and Economics (2020) 61-83
4. *WTO Dispute Settlement Post 2019: What To Expect?*, 22 Journal of International Economic Law (2019) 297-321
5. *Baseball Arbitration To Resolve International Law Disputes: Hit Or Miss?*, Florida Tax Review, Vol. 22, Fall Issue, 2018, 40-76
6. *Exit from International Tribunals* (with R. Hamilton), 9 Journal of International Dispute Settlement (2018) 679-690
7. *Busier than Ever? A Data-Driven Assessment and Forecast of WTO Caseload* (with W. Zhang), 21 Journal of

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8. *New Frontiers In Empirical Legal Research: Text-As-Data And Network Analysis Of International Economic Law*, Editor of Special Issue (with W. Alschner & S. Puig), 20 *Journal of International Economic Law* (2017:2, 217-426) with Introduction: *The Data-Driven Future of International Economic Law*, 217-231
9. *The Trade Regime as a Complex Adaptive System: Exploration and Exploitation of Environmental Norms in Trade Agreements* (with J.F. Morin & J. Hollway), 20 *Journal of International Economic Law* (2017:2), 365-390
10. *The WTO 20 Years on: "Global Governance by Judiciary" or, Rather, Member-Driven Settlement of (Some) Trade Disputes Between (Some) WTO Members?* 27 *European Journal of International Law* (2016:4)
11. *The Rule of Law Without the Rule of Lawyers? Why Investment Arbitrators Are from Mars, Trade Adjudicators Are from Venus*, 109 *American Journal of International Law* (2015, October Issue) 761-805.
12. *Rule-based Trade 2.0? The Rise of Informal Rules and International Standards and How They May Outcompete WTO Treaties*, 17 *Journal of International Economic Law* (2014) 739-751.
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24. *Emergency Action by the WTO Director-General: Global Administrative Law and the WTO's Initial Response to the 2008-09 Financial Crisis* (with A. Berman), 6 *International Organizations Law Review* (2009) 499-512
25. *Nothing dramatic (... regarding administration of customs law) – Comment*, 8 *World Trade Review* (2009) 45-48
26. *Forum Shopping Before International Tribunals: (Real) Concerns, (Im)possible Solutions*, 42 *CORNELL INTERNATIONAL LAW JOURNAL* (2009) 77-118 (with Eduardo Salles)
27. *Non-Discrimination in Trade and Investment Treaties : Worlds Apart or Two Sides of the Same Coin ?*, 102 *AMERICAN JOURNAL OF INTERNATIONAL LAW* (2008) 48 (with N. DiMascio) (winner of the 2009 Francis Deak Prize)
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34. *Bridging Fragmentation and Unity: International Law as a Universe of Inter-Connected Islands*, 25 *MICHIGAN JOURNAL OF INTERNATIONAL LAW* (2004) 903-927
35. *Going Global, Regional or Both? Dispute settlement in the Southern African Development Community (SADC) and Overlaps with the WTO and Other Jurisdictions*, 13 *MINNESOTA JOURNAL OF GLOBAL TRADE* (2004) 231-304
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 41. *WTO Compassion or Superiority Complex?: What to Make of the WTO Waiver for "Conflict Diamonds"*, 24 MICHIGAN JOURNAL OF INTERNATIONAL LAW (2003) 1177-1207
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 45. *Enforcement and Countermeasures in the WTO: Rules are Rules – Towards a More Collective Approach*, 94 AMERICAN JOURNAL OF INTERNATIONAL LAW (2000) 621-633
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12. *Forget About the WTO: The Network of Relations Between Preferential Trade Agreements (PTAs) and 'Double PTAs'* (with Wolfgang Alschner) in *Trade Cooperation: The Purpose, Design and Effects of Preferential Trade Agreements* (eds. Manfred Elsig and Andreas Dür), Cambridge University Press, 2015, 497-532
 13. *Rational Design or Accidental Evolution? The Emergence of International Investment Law* in *Foundations of International Investment Law* (eds. Douglas, Pauwelyn, Vinuales), OUP, 2014, 11-43
 14. *Informal International Law as Presumptive Law: Exploring New Modes of Law-making* (with R. Wessel and J. Wouters), in *International Law-making, Essays in Honour of Jan Klabbers, R. Liivoja and J. Petman* (eds.), Routledge, 2013
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Shorter Articles, Blog Posts & Book Reviews

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