

<<WTO法律规则>>

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## 前言

世界贸易组织（World Trade Organization，WTO）是当今世界最重要的政府间国际经济组织之一，与国际货币基金组织（IMF）和世界银行集团（World Bank Group）一起，构成了当代协调世界经济的三大支柱。

相比而言，由于WTO在国际经济关系上协调的范围更广、影响力更大，而且具有不断向新领域拓展的职能，因而被誉为“世界经济领域的联合国”。

中国作为WTO的正式成员，既要享受应有权利，充分利用半个多世纪以来以GATT / WTO为核心形成的多边贸易体制和贸易自由化的优秀成果，参与世界市场经济全球化的发展进程；又要承担相应义务，切实履行我国政府在人世谈判中的对外承诺，恪守WTO的基本规则和各项协定。

因此，研究WTO有关规则、学习WTO专业知识、掌握WTO基本理念、培养WTO专业人才，成为摆在我们面前的一个长期的重要任务。

正是在这样的背景下，近年来，世界贸易组织（WTO）及其法律规则成为我国高等院校若干专业竞相开设的课程，而且，在国际法学、国际经济与贸易、商务英语等专业中，WTO及其法律规则的课程往往作为双语课程开设，纷纷进行双语课程建设。

这就迫切需要一本有关WTO及其法律规则的双语教材，但要编写出一本好的教材是一项艰巨的任务。几年之前，在我国刚刚人世之际，笔者曾主编出版过作为国内第一部WTO英文读物的《WTO英文选读》（与刘光溪博士合作），一度被不少院校选作教材，而事实上该书并不是一本教材，也难以满足各方对教材的需要。

曾拟改版为教材，但始终未能动笔。

上海作为我国的经济中心城市，正在根据国家战略致力于国际经济、金融、贸易、航运等四个中心建设；上海市非常重视国际经济贸易专业高级人才的培养，把外贸经济本科教育列为上海市十大教育高地之一进行建设，而《WTO规则与运作》即是这一高地建设中的标志性教材之一，遂有今日之本书，名《WTO法律规则（英文版）》（Legal Rules of the World Trade Organization）。

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### 内容概要

中国作为WTO的正式成员，既要享受应有权利，充分利用半个多世纪以来以来WTO为核心形成的多边贸易体制和贸易自由化的优秀成果，参与世界市场经济全球化的发展进程；又要承担相应义务，切实履行我国政府在人世谈判中的对外承诺，恪守WTO的基本规则和各项协定。因此，研究WTO有关规则、学习WTO专业知识、掌握WTO基本理念、培养WTO专业人才，成为摆在我们面前的一个长期的重要任务。

正是在这样的背景下，编者编写了此书。

《WTO法律规则》既考虑了世界贸易组织（WTO）概论课程的特点，又努力满足WTO法律规则与实务课程的需要，试图找到介绍WTO概况与探讨其法律制度的某种平衡，因此是一个探讨和尝试。

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9.2.5 Conclusions The motivation for this policy brief has been to consider whether international labor standards should be incorporated into the WTO and other trade agreements. The empirical literature summarized above suggests that mandating unsustainably high labor standards will not improve average wages and working conditions in poor countries. In fact, such mandates can both reduce the number of workers with better pay and working conditions and increase the number in poorer conditions, hence creating further inequality. The literature also shows that low labor standards do not provide developing countries with an unfair advantage in their export trade nor do they drive FDI. Hence, raising labor standards in poor countries will not protect jobs of workers in industrialized countries. What then should be done on the global level?

If one looks at the economic development of the United States, Western Europe, Japan and other advanced industrialized countries over the past century, it is evident that the real incomes of workers have increased dramatically and that the conditions of work have improved concomitantly. In recent decades, there have been similar improvements in a substantial number of developing countries, especially in East and Southeast Asia as well as in Latin America. What the historical record suggests therefore is that it is not through the external enforcement of labor standards that improvements have been realized, but through internal economic and social development and growth in a country's GNP. This means that governments in poor countries must implement solid growth strategies and target policies to eradicate poverty. Governments in rich countries can also help increase demand for poor countries output by reducing the barriers to imports from these countries. Finally, conscientious consumers in rich countries can also play a small role in increasing demand for products that are not produced by children or sweatshops, while MNCs can ensure their affiliates also follow better labor practices.

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### 编辑推荐

《WTO法律规则（英文版）》主要是根据高等院校国际经济与贸易专业《WTO法律规则》（英文版）双语课程教学的要求而编写，兼顾了法学专业、商务英语、国际金融等专业相关课程教学的需要，同时也可以作为社会各界，特别是与WTO业务相关或对WTO业务感兴趣的专业人士，训练使用英语研究WTO有关法律文件，阅读WTO英文原著文章，用英文处理WTO实际问题的精读材料；可以作为WTO各类专业人才系列培训、研讨活动的教材或参考资料，以及WTO法律英语爱好者的自学教材。

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