

Dear Readers,

As Vietnam continues to integrate into the global economy, a key part of understanding the international trade law and its ongoing evolution is to understand trade disputes and trade dispute rulings. The precedent set by each international trade dispute is a vitally important to the international trade law practice. Cases involve a wide range of countries – large and small – and regardless of the level of development or scale of the economy, as Vietnam has seen.

This being so, if you are a Vietnamese law student who wants to develop understanding about international trade law, you may ask yourself what role does an international trade dispute play, how do they arise, and how are they argued and settled in an international forum? You will find in this book some answers to these questions as we examine some particular cases.

This book could not provide readers with a comprehensive study on substantive and procedural issues of the vast number of international trade disputes. Rather, it is intended to provide the readers with a few select summaries of a number of typical international trade disputes that have been brought to the WTO Dispute Settlement Body (DSB) over the past 12 years.

The summary of each dispute is based on the reports of the Panel and the Appellate Body that are available in the WTO's website (www.wto.org). With each dispute, you will find the facts of that dispute such as the matters in dispute, the date on which the dispute is submitted to the DSB and the dates of the Panel's and the Appellate's reports, the claimant, the respondent and the relevant parties to the dispute, and the arguments of the parties to the dispute, the arguments, findings and rulings of the Panel and the Appellate Body, and the preliminary lessons and observations on each dispute. As such, the book will help the readers to identify how an international trade dispute arises and how to submit it to the DSB. They will also find how the Panel and the Appellate body interpret the various WTO and other multilateral international agreements to decide the merit and eventually the ruling of the disputes.

This book uses a method similar to the case study method – a method increasingly important for the comprehensive study of international trade law. We hope it will help lawyers and students of law to incorporate case law review into their studies.

We would like to send our sincere thanks to the GE Foundation for sponsoring this project. And our deep appreciation for the ace technical team of lawyers who worked long and hard to research and write these cases summary and to assist each other in their review. Our special thanks to Ho Chi Minh City Law University for their partnership in this project and being a great partners for so many years.

Sincerely,

Virginia B. Foote
President, U.S.-Vietnam Trade Council Education Forum