

TABLE OF CONTENTS

COVER PAGE.....	i
APPROVAL PAGE	ii
ACKNOWLEDGEMENT PAGE.....	iii
STATEMENT OF AUTHENTICITY	iv
PREFACE	v
TABLE OF CONTENTS.....	vii
ABSTRACT.....	xi
<i>INTISARI</i>	xii
CHAPTER I: INTRODUCTION.....	1
A. Background	1
1. ASEAN and its economic impact.....	1
2. The role of FTAs in international trade.....	3
B. Research Problems.....	6
C. Statement of Authenticity	7
D. Benefits of the Study.....	9
CHAPTER II: LITERATURE REVIEW.....	10
A. The Relationship of States pertaining to International Economic Law	10
1. Defining international economic law	10
2. The emergence of a global economy.....	12
3. Sovereignty and international trade.....	14
B. The World Trade Organization.....	15
1. Overview	15

2.	Objectives – special consideration for developing countries	18
3.	Organizational Structure.....	21
a.	General Structure	21
b.	The Committee on Trade and Development as well as the Committee on Regional Trade Agreements.....	24
c.	Member-driven approach.....	25
4.	Legal Instruments	26
a.	Concessions	26
b.	WTO Agreements.....	29
c.	Other legal sources.....	31
i.	Acts of WTO bodies.....	31
ii.	WTO Dispute Settlement	32
iii.	Sources of law ‘external’ to the WTO	33
5.	Principles.....	34
a.	Transparency.....	34
b.	Non-discrimination	36
i.	Most-Favorite Nation	36
ii.	National Treatment.....	38
c.	Progressive Trade Liberalization	40
i.	Prohibition of Quantitative Restrictions.....	40
ii.	Tariff reduction	40
d.	Special and Differential Treatment.....	41
6.	Trade in Goods	45

C. ASEAN	46
1. Overview	46
2. Economic cooperation in ASEAN.....	48
a. Prior to AFTA.....	48
b. AFTA and beyond	49
CHAPTER III: RESEARCH METHOD	52
A. Type of Research.....	52
B. Research Method.....	52
C. Data Analysis	54
1. VCLT Data Interpretation	55
2. Scholarly Means of Interpretation	56
CHAPTER IV: RESEARCH RESULTS AND ANALYSIS	61
A. How Regional Trade Agreements Contribute or Hamper Trade Liberalization in Light of the Multilateral System	61
1. The rationale for a multilateral approach for trade liberalization under the WTO	61
2. How protectionism affects the success of the multilateral approach	63
a. General relationship between protectionism and trade liberalization.	63
b. Developing and least developing countries: protectionism and the lack of success of the WTO	68
3. Regionalism: its emergence, reasons and current standing	71
4. Criticism and disadvantages of regional trade agreements	72
5. Benefits of regional trade agreements	75

B. Whether and to What Extent ASEAN’s External and Internal FTAs Share a Common Level of Protection	77
1. Intra-ASEAN FTA	77
a. The structure of the internal FTA	77
b. Trade protection under the ATIGA	78
2. ASEAN External FTAs	82
a. The framework and structure of ASEAN’s external FTAs	82
b. Protection afforded under the ASEAN FTAs	84
C. Whether ASEAN’s FTAs are consistent with the WTO system.....	87
1. Compliance with FTA requirements under GATT	89
a. Whether the ASEAN FTAs fall under the definition of FTAs under Article XXIV:8(b).....	89
b. Trade not being more trade-restrictive under Article XXIV:5(b).....	92
c. Notification Requirement under Article XXIV:7	93
2. Compliance with the Enabling Clause	94
a. Developing/least-developed country requirement.....	95
b. Notification requirement.....	97
c. Extending preferences to similarly situated beneficiaries	98
CHAPTER V: CLOSING	100
A. Conclusion.....	100
B. Recommendations.....	102
BIBLIOGRAPHY	104