

- the relaxed manner in which the Appellate Body has tended to interpret Article XX grounds for exceptions,²² coupled with the Doha Declaration's affirmation of the right to regulate which strengthens the hand of the Appellate Body in upholding domestic regulation in politically sensitive cases; and
- the fact that retreat from commitments requires negotiations only with principal suppliers, not with the entire WTO membership.

With the trade in services regime still very young and having undergone little development, it remains difficult to foresee how serious the potential problems will turn out to be. Nonetheless, there are sufficient grounds to suspect that movement on services liberalization will be cautious (not least because well-developed sector-specific base cases such as provided by the Telecoms Reference Paper for that sector are lacking in other sectors) and that services disputes will be difficult for the WTO to manage.

Agriculture

Although there is widespread agreement that agriculture is the area in which trade liberalization stands to yield the greatest commercial or economic gains,²³ agriculture also remains probably the most difficult subject for trade policy. Little progress was made between the official launch of renewed multilateral negotiations in 2000 (as had been pre-committed in the conclusion of the Uruguay Round) and the Doha meetings, notwithstanding the fact that over 120 proposals had been put

²² Article XX of the GATT, entitled *General Exceptions*, provides that the Agreement shall not be construed to prevent the adoption or enforcement of measures related to a specific list of grounds, including for example protection of public morals, national cultural treasures or human, animal or plant health or life.

²³ For a review of the literature on this point, see Chapter 3 in this volume, John M. Curtis and Dan Ciuriak, "The Nuanced Case for the Doha Round".