

News Release

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CANADIANS NAMED TO ROSTER FOR WTO DISPUTE SETTLEMENT PANELS

The Honourable Roy MacLaren, Minister for International Trade, today announced that 12 Canadians have been named to the roster of panelists for the new, strengthened dispute settlement system under the World Trade Organization (WTO).

The Canadian nominees to the roster – called the Indicative List of Panelists – have been approved by member countries of the WTO Dispute Settlement Body.

"As a Canadian, I'm proud that these prominent Canadian trade experts will have an opportunity to serve on WTO panels," Mr. MacLaren said. "I have great confidence in the WTO dispute settlement process. The new WTO Dispute Settlement Body will strengthen the global trading system by helping to create a fairer and more predictable and transparent environment in which trading nations can operate.

"An effective multilateral dispute settlement process is especially important to smaller, trade-dependent countries such as Canada."

The Canadian appointees include: Yvan Bernier, professor of law, Sainte Foy, Quebec; Peter Clark, trade consultant, Ottawa, Ontario; Armand De Mestral, professor of law, Montreal, Quebec; Percy T. Eastham, trade consultant, Ottawa, Ontario; Randolph Gherson, trade and foreign policy adviser, Ottawa, Ontario; Anthony L. Halliday, trade consultant, Ottawa, Ontario; W. Roy Hines, trade consultant, Ottawa, Ontario; Donald McRae, professor of law, Ottawa, Ontario; Sylvia Ostry, Chair, Centre For International Studies, Toronto, Ontario; Christopher Thomas, lawyer, Vancouver, British Columbia; Jack H. Warren, Q.C., trade policy adviser, Chelsea, Quebec; and Gilbert R. Winham, professor of government and political science, Halifax, Nova Scotia.

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A brief backgrounder on the WTO dispute settlement process is attached.

For further information, media representatives may contact:

Media Relations Office
Department of Foreign Affairs and International Trade
(613) 995-1874



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Backgrounder

WORLD TRADE ORGANIZATION DISPUTE SETTLEMENT BODY

- The Dispute Settlement Body has been set up to administer the Dispute Settlement Understanding under the WTO Agreement. The rules and procedures of this Understanding apply to disputes arising under any of the multilateral trade agreements covered by the WTO Agreement.
- All WTO members may sit on the Dispute Settlement Body.
- Among other things, the Dispute Settlement Body considers requests for panel hearings on disputes between member countries. Panel approvals are virtually automatic.
- The WTO Secretariat proposes panel members from an indicative list of panelists. Those on the list must be knowledgeable, well-qualified individuals from governmental or non-governmental organizations. The list can be updated from time to time.
- The panel rules have been set up to ensure that cases are reviewed thoroughly but without undue delay. They also ensure that all WTO members with an interest in a dispute are heard and that outside experts may be consulted.
- A panel ruling can be appealed to the WTO's Appellate Body. An appeal must be based on legal issues only. The Appellate Body's report is automatically adopted by the Dispute Settlement Body unless, by consensus, it decides not to adopt it.
- If a ruling is made against a member country it must comply with panel findings within a set time period. If it does not, the complaining party can then seek authority from the Dispute Settlement Body to retaliate.
- The new WTO dispute settlement rules have streamlined, strengthened and broadened the process that had existed under the General Agreement on Tariffs and Trade, the predecessor to the global trade body.