

ABSTRACT

Jerome Kurnia (NIM: 05120120065)

COMPARATIVE STUDY BETWEEN THE INTERNATIONAL TRADE DISPUTE SETTLEMENT MECHANISM OF THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN) AND THE NORTH-AMERICAN FREE TRADE AGREEMENT

(xvi + 115 pages)

International trade has been carried out since the first men migrated out of Africa. Trading between nations is considered to be advantageous for parties who conduct it and also accelerated human development. Apart from all the benefits obtained, surely through thousands of kilometers and differences in cultures, languages and currencies, miscommunications can occur, which results in disputes. Throughout the history people had their own way on resolving disputes. Luckily today, people have made regulations on how to resolve dispute more fairly. The WTO dispute settlement mechanism has been considered to be the guideline for present dispute settlement approach, which has influenced other dispute settlement mechanisms such as the Association of Southeast Asian Nations's (ASEAN) protocol on enhanced dispute settlement mechanism and the dispute settlement mechanism under the North-American Free Trade Agreement (NAFTA). For the purpose of future development, this paper will compare the trade dispute settlement mechanism under ASEAN and NAFTA by analyzing both mechanisms step by step. This paper will focus more on the panel phase, which has been considered to be the most crucial phase in any dispute settlement mechanism.

References: 58 (1967-2015)