

# Book Review

## ON THE “FAILURE” AND “POSSIBLE REFORM” OF IEL IN PROTECTING HUMAN RIGHTS: A BOOK REVIEW OF “INTERNATIONAL ECONOMIC LAW IN THE 21<sup>ST</sup> CENTURY” BY ERNST-ULRICH PETERSMANN

*Chang-fa Lo\**

### ABSTRACT

*This short note is to review a very substantial book “International Economic Law in the 21st Century – Constitutional Pluralism and Multilevel Governance of Interdependent Public Goods” authored by Professor Ernst-Ulrich Petersmann. The book has very strong arguments on that there is a “crisis” of IEL due to disagreement on justice and human rights and that IEL should operate in a way so as to more appropriately address and protect public goods, especially human rights. The reviewer is of the opinion that the book deserves very high recognition for its identification of various critical problems with IEL and its forceful legal and philosophical arguments. The reviewer also suggests in this note that it might not be enough to rely on treaty interpretation so as to take into account the human right protection and that it might be necessary to engage in reforms in IEL, for instance by means of a legal instrument of general nature for each IEL treaty system to prioritize human right protection and to guide the interpretation and operation of the treaties.*

---

\* Constitutional Court Justice of the ROC (Taiwan); Adjunct Professor of National Taiwan University College of Law. The author can be reached at lohuang@ntu.edu.tw.

**KEYWORDS:** *International economic law (IEL), World Trade Organization (WTO), market failure, governance failure, human right, public good*