

THE AGREEMENT ON TRADE FACILITATION AND ITS IMPLICATIONS: AN INTERPRETATIVE PERSPECTIVE

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ABSTRACT

As a highly compromising and flexible agreement, the Agreement on Trade Facilitation (hereinafter “TFA” or “the agreement”) may shed light on the future direction of the world trade regime. Going beyond the tariffs and border, the agreement is featured with good governance requirements. Its delicate relationship with free trade agreements (hereinafter “FTAs”), the domestic law, and existing World Trade Organization (hereinafter “WTO”) agreements deserves attention and carries important implications. What is the relationship between of the TFA and non-WTO rules? How do existing WTO agreements apply to the TFA explicitly or implicitly? What is the interpretative challenge? In addressing these issues, the holistic approach is needed. It remains to be seen how the TFA fits to the world trade regime in the future.

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