

# THE WTO AS A “FACILITATOR” IN THE HARMONISATION OF DOMESTIC TRADE LAWS

*Asif H. Qureshi\* & Nohyoung Park\*\**

## ABSTRACT

*Obstacles and distortions to international trade can be embedded in differences in national trade and related legislation. In the same vein regulatory fragmentation is also a challenge posited by the phenomenon of regional integration agreements. Regulatory level playing fields can facilitate international trade. However, in the framework of the WTO the objective of harmonisation of domestic trade and trade related legislation has been tied up with multilateral trade negotiations underpinned by reciprocity and the call and need for national policy space. Nevertheless, the eschewing of its unbridled pursuit is not necessarily reflected in the resulting consequences of membership, the actual modus operandi of governance within the WTO and indeed the imprint of some of its agreements. Against this background in this article the following questions in particular are considered. What is the “harmonisation” mandate of the WTO, if any? What are the set parameters within the WTO that inform this function, if it exists? What processes within the WTO facilitate harmonisation?*

---

\* Asif H. Qureshi, Law School, University of Korea, Korea. I am grateful to the reviewer of a previous draft of this article from the WTO and to the anonymous referee of this article for their constructive observations. The views and errors remain mine. I am grateful to Taehee Ahn for his assistance in proof reading this article. The author can be reached at [asif@korea.ac.kr].

\*\* Dean, Law School, Korea University, Seoul, Korea. The author can be reached at [wtopark@korea.ac.kr].

**KEYWORDS:** *Harmonisation, Dispute Settlement, Trade Policy Review, Technical Assistance*