

# ASIA PACIFIC DISPUTE RESOLUTION ANNUAL UPDATE

## Research and Results: The Seventh Year of APDR Project

From April 2015 to March 2016, the APDR project was active in finalizing the papers for the upcoming edited volumes. The descriptions of each volume are as follows:

– Trade and Development – “The Right to Development: Making it Work in India”, edited by Ashok Kotwal, Bharat Ramaswami and Moshe Hirsch.

This volume focuses on the development of legal rights in India in areas such as food security, primary education and employment. It investigates to what extent it is possible to bring about development by making it a legal right, and it also probes whether there is a genuine clash between India’s right to development and India’s commitment to international agreements or whether it is a political excuse to get out of its international commitments.

– Trade and Government Accountability: – “Taking Care of Business: Good Governance Reforms”, edited by Ljiljana Biukovic and Sarah Biddulph.

This volume seeks to explore and explain proliferation of international rules on good governance and the impact of that proliferation on national decision-making in the circumstances of the 21st century globalization and connectedness of societies and economies. The book is divided into two sections. Section one – International Principles and Components of Good Governance – explores the evolution of the concepts of good governance in both international and domestic institutions. Section two – Case Studies from China – explores actual local responses to the challenges of good governance at local level.

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## MAJOR 2015 / 2016 WORKSHOPS & CONFERENCES

- **Thematic Volumes Workshop**  
Nita Lake Lodge, Whistler, BC, July 9–11, 2015
- **International Advisory Board Meeting**  
Peter A. Allard School of Law, The University of British Columbia, September 17, 2015
- **Thematic Volume workshop – Government Accountability**  
Shanghai Academy of Social Sciences, China, November 2, 2015
- **2015 Annual Meeting Law and Society Association**  
Westin, Seattle, USA, May 28–31, 2015
- **2016 Annual Conference Association for Asian Studies**  
Seattle, WA, March 31–April 3, 2016, “India: Institutional Weakness and Human Rights Based Approach to Economic Development”
- **Conference and Public Forum Canada and Europe: Converging or Diverging Responses to International and Domestic Challenges?**  
Carleton University, Ottawa, ON, March 10–11, 2016, “Between a Rock and a Hard Place: Canada’s Trade and Investment Policy Choices from NAFTA to CETA” by Dr. Ljiljana Biukovic.

Mariela Maidana-Eletti was appointed as Postdoctoral Research Fellow from January 1 to June 30, 2016. Her principle fields of research include international and comparative trade law with focus on food, health and agricultural law.

– Trade and Labour: – “Grey Zones of Global Governance and International Economic Law: Emerging Issues in Labour Rights, Food Security, and Green Energy”, edited by Daniel Drache and Lesley Jacobs.

This book offers multi-perspectives on the elusive quest for consensus in international economic law and global governance. Four issues that prevail today in relations between countries and provide opportunities for innovation in global governance are climate change, food security, labour rights, and foreign investor protection. These realms are spaces where the foreign policies or external affairs of different countries intersect. The chapters in the book argue that in many of these realms, the appearance of global governance providing uniformity and consistency is an illusion. Instead, these realms constitute grey zones where there is an immense amount of flexibility, non-conformity, and diversity, much of it shaped by the dynamic between the countries involved in the dispute or negotiation. Rather than seeing global governance as providing black and white parameters on these pertinent grey zones, it is much more accurate to view them as grey ones where little is initially settled and even less can be taken for granted.

– Trade and Poverty /Inequality: – “Trade, Poverty and Income Distribution: The Indonesian Experience”, edited by Richard Barichello and Richard Schwindt.

This volume contributes to the understanding of the links between globalization, poverty and income distribution by providing new evidence based on the Indonesian experience. It identifies the linkages between trade, poverty and inequality, and illustrates these linkages with empirical examples such as urban property rights, coffee farmers’ welfare, and children’s wellbeing. It also provides insights regarding appropriate policies to achieve positive effects on poverty levels and income equality through

### MAJOR 2015/2016 PUBLICATIONS

- Biddulph, Sarah, *The Stability Imperative: Human Rights and Law in China* (Canada: UBC Press, 2015).
- Wada, Yoshitaka (translate) *Talking with Patients and Families about Medical Error* by Robert Truog et al.
- Lesley Jacobs, David Kryszajtys & Matthew McManus, *Paths to Justice and the Resolution of Consumer Problems* (Toronto, ON: Canadian Forum on Civil Justice, 2016).
- Kotwal, Ashok, et al, “Clientelism in Indian Villages” (2015) 105:6 *American Economic Review* 1780–1816.
- Yang, Peng Fei, “New Approaches: The trade union work mission in our free trade pilot zones” (2015) 1 *Trade Union Theory and Practice*.
- Kotwal, Ashok & Arka Roy Chaudhuri, “Why is Poverty Declining So Slowly in India?” in S. Mahendra Dev, P. G. Babu, eds, *Development in India: Micro and Macro Perspectives* (New Delhi: Springer, 2015).

global exchange, particularly trade. All chapters deal with the policy implications of the empirical findings and the policy options facing governments seeking to modify or mitigate any negative effects of increased trade, or choosing trade options that have positive effects on poverty or inequality.

– Trade and Public Health: – “Health and Safety in Asia in A Global Setting”, edited by Yoshitaka Wada, Ilan Vertinsky and Lesley Jacobs.

This volume is divided into two parts: a) Access to Health: and b) Health and Safety Policy in Global Settings. Papers in first part especially focus on variety of obstacles with which each country is facing from crisis of universal healthcare to more fundamental conditions to be overcome. In Health and Safety Policy in Global Settings section, papers focus on problems and obstacles to promotion of health and safety with broader perspective. Although the topic is wider from medicine policy to tobacco and alcohol control, the focus is on promotion of safety among people.