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(International Trade Organization (ITO) 1994 15
(2 . (World Trade organization
General (1947-) () “WTO”
Agreement on Tariffs and Trade (GATT)

(Innominate or Sub-
Organization) _____
.2006/7/26 2005/9/9 *

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. () : . : . : . : . : . :

Globalization (1)

: (2) (3)

... (1994)

(4)

1994

(1993-1986)

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(-1) : (Common Institutional Framework)
(5)

15

(2) : 1994

(3) : 16 (Convention of WTO)
102

(plurilateral trade

(4) : (-1) :
) (Multilateral trade agreements)
(agreements)

1994

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General Agreement on Tarrifs and Trade (1994)
(GATT, 1994)

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(-1) :

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(WTO)

(Functional)

(Multilateral)

1947
(1947)

1994

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(*) (Soft law)

(Hard law)

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(International

.Claims)

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1949

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1949

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(Similar Analogues)

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(Notasuper-State)

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" (Globalization)

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Implied Powers

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(Erga Omnes)

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(Consensus)

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(General Council)

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(31)

(Ministerial Conference)

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General Agreement (GATS)
on Trade on Services

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(TRIPs)

Agreement on Trade Related Aspects of Intellectual
Property Rights

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Dispute Settlement Body :

(DSB)

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Dispute Settlement Understanding (DSU)

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(Sanctions)

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Table

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1992

(NAFTA)

: **Compliance** :

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1994

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: ⁽⁶¹⁾ **Compensation** :

(22)

(Soft Law)

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Suspension of

:(

) **Concessions**

(58)

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(59)«

United States-Standards of Reformulated

and Conventional Gasoline.

Countermeasures

Appellate Body Panel : :

1996 / 20

(63)

(67)

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2000

/ 14

1997

(64) «

« »

1994 2/3

1996 / 5 - 4

(68)

United States - Restriction On Imports of Cotton and
Manmade Fibre underwear (Textiles cases)

1994/10/4

1996 / 8

1994/6/5

«India

Mail - Box»

(65) 1996/9/6

(69) 1997 / 10

2005

United States Measures

- %80 -

effecting imports of woven wool shirts and blouse from

)

India

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1997 / 6

%70

.%20

(70) 1997 / 25

%30

EC Measures Concerning ()

(66)

Meat and Meat products (Hormones case) Complaint by

	Periodicals		the United States
)	-
		1/5 1/3	(
14		1997 / 18	
	1997 / 30		
	1997/10/1	1998 / 13	
United ()		(71)1998 / 16	
States - Definitive Safeguard Measures on Imports of		Dumping	
Wheat Gluten From the European Communities		» :1994 (6) (1)	
()		«	
	2000 31		
2/4 1/2			
	Safeguards		
		1997	
(19 1) GATT-1994 (1994)			
	()		
(75) 2000 / 22			
Kodak-Fuji			
	(76)2000		
2000/10/12		(72)Code Anti-Dumping	
)	
1994		The Banana Case	(
	10/4	1994	
Agreement on Subsidies and Countervailing Measures			
(SCM Agreement)		1997 / 9	
(77)		(73)1997 / 15	
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	/	Canada-Certain Measures Concerning	

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(GATT) (6) (5) (4)

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(Soft law)

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1972				(Soft law)	
	.1992		((Hard law))	

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	.1987		(24)	.142-138 (
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	.1994		(31)	
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		(10)	(35)	G. scelle, precise de droit des gens, Paris, 1932, P. 56.
		(12) (2)	(36)	1/8 (13)
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Institutional Aspects - in Creative Accord - of World Trade Organization (Analysis Study on Legal System of WTO)

*Rasheed M. Al-Rabei**

ABSTRACT

The subject-matter of this research is the analysis of the Constitutional - Institutional aspect of the W T O under W T O treaty, namely, the scope and status of the W T O, the personal and organic structure, and the rights and obligations, in accordance with creative Convention (W T O Treaty).

We Concluded that the W T O Treaty:

1. Does not expressly State the «international» legal Personality of the W T O, but it stated the legal Personality, namely, in the domestic Field ;
2. Is the essential legal document of the nominate specialized international organization called W T O, after the Innominate international organization in framework of GATT (1947) for the liberation of international Commerce;
3. Is adual nature: Conventional - Constitutional ;
4. Created the general organs (bodies), specialized councils and the Dispute Settlement Body (DSB);
5. Does not Create, The Comission on Trade and environment, and it does not adopt the associate membership.

also, We Concluded that:

1. The role of Dispute Settlement Body (DSB), is notable.
2. From The International Organizations, the European Communities, is alone original member in WTO.
3. The Soft law aspects, in several articles of the W T O treaty (i.e., withdrawal, exceptions and Concessions, exclusion of specific sanction - expulsion -, more than system of vote, Voluntary settlement of Trade disputes in good faith, observance of special circumstances... etc).
4. The most articles of the creative treaty - in the final analysis - are the rights and obligations of the member states, with the exception of the reservation is forbidden.

Keywords: Institutional Aspects, World Trade Organization, Creative Accord.

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