Critical Analysis of the Trans Pacific Partnership (TPP)

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Room 723, 7/F Cheng Yu Tung Tower, The University of Hong Kong

Chair: Professor C. L. Lim, Faculty of Law, HKU

Commentator: Professor Bryan Mercurio, Professor and Vice Chancellor’s Outstanding Fellow of the Faculty of Law at CUHK

The Trans-Pacific Partnership (TPP) could be the most economically and politically significant free trade agreement (FTA) in the Asia-Pacific region. Conceived in 2006 by just four small countries, it now embraces 12 that account for 40 percent of global Gross Domestic Product (GDP). It looks to be a 21st century accord in terms of the breadth and depth of trade barriers it identifies and disciplines. But, with plenty of likely exceptions, TPP appears to fall short of a ‘free’ trade accord in the Neo-Classical Economic sense. It seems to manage trade in sensitive sectors. Worse yet, negotiated in an almost shamefully non-transparent manner, TPP may well advance an American corporate agenda, with insufficient regard to the most pressing matter in the Asia-Pacific region: poverty alleviation.

Raj Bhala is the Associate Dean for International and Comparative Law, and holds the Rice Distinguished Professorship, at the University of Kansas School of Law, where he teaches International Trade Law, Advanced International Trade Law, and Islamic Law (Shari’a). He also teaches Islamic Law to United States Special Operations Forces officers at the Command and General Staff College of Fort Leavenworth, Kansas. He held the Patricia Roberts Harris Research Professorship at The George Washington University School of Law in Washington, D.C., where he wrote and taught from 1998-2003. He began his teaching career in 1993 at William & Mary in Williamsburg, Virginia. Raj is the author of 5 books and over 3 dozen articles in International Trade Law, plus 5 books and 15 articles in International Banking Law. Roughly 100 law schools around the globe have used his textbook, International Trade Law, published by LexisNexis. Kansas has granted Raj the Kemper Award for teaching excellence, and the Woodyard Award for outstanding leadership in international education. The Law School has given him the Moreau Award for dedicated service in mentoring and advising students. Raj is a member of the Council on Foreign Relations, England’s Royal Society for Asian Affairs, Gateway House (the Indian Council on Global Relations), All-India Law Teacher’s Conference, American Law Institute, and Fellowship of Catholic Scholars. He was awarded Life Membership in the Indian Society of International Law. He consults with international organizations, foreign governments, and multinational corporations. Raj holds a law degree from Harvard (cum laude, 1989) and an undergraduate degree in Economics from Duke (summa cum laude, 1984). Awarded a Marshall Scholarship, he earned a Master’s degree in Management from Oxford (1986), and a Master’s degree in Economics from the London School of Economics (1985).

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