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A Reform Agenda of WTO Revisited: The Elements of Public Administration and International Organization

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Abstract

The paper was intended to make a tentative point about the organizational reform and types of organization, i.e., international, national and private. The author explores in the basics of public administration and contextualizes the variables often employed critically for the discipline of public policy and administration. They would include, for instance, the democratic principles, importance of communication and negotiation, the concept of policy network, diversity, technology and ethics, which are applied and argued over the transition from 1947 GATT to a WTO inauguration in 1995. The present study of organizations or their reform would massively be consulted for the national or private reform, which tends to shed a focus on the legal perspective, organizational efficiency and reform. The studies in variance with the types of organization or institutional agenda, as well as in the viewpoint of public policy and administration are generally lacking or insufficient, at least, less systemic or fragmented. While the WTO has made much accomplishment since its inception, it would equally be true that the criticism and new vision had been raised and will be likely ahead. As it is one of the most dynamic and active international organizations, the author likes to exemplify it to test a scope of policy variables as interactive with the last and extended renovation in 1987-1994, which continue to be relevant with the new agendas and vision for a better paradigm of WTO and as an international organization. The author also expects that the future research can develop a set of distinct elements in response with the types of organization and from the viewpoint of public administration.

Introduction

For the contemporary discourse of public administration and governance issue, I found that there is little or basically no literature to discuss the theme on how we approach or establish the basic ways of dealings for governance issues of international organization (March J.G., 1995). I mean that the lack of our posture would less concern the governance issues in comprehensive context. There are many case studies to address the issue of public administration or organizational reform while offering the keys to understand specifically. A research design and findings they produce are practically helpful, but we would still be thirsty for some kind of understandings in any structured and systemic uniformity or differences. We now face the globalized and mutually interdependent world community where the geographical compression brings us to be virtual and in some of akin relationships. This situates us to experience the public services, which are the consequence as the types of organization multiply. New types of business arose, and the traditional pattern diminishes in some sector. There are also rampant of new public sectors or NGOs, which organize their mission to redress the injustice of world community. WTO could be one illustration which ramified from the GATT, but could be empowered for the scope of international trade issues. Its organizational profile was fundamentally restructured to correspond to the trend of international politics and trade. Meanwhile, the Korean constitution in 1987 also reflects the ongoing development of constitutional culture and

democratic governance in the national government (March J.G., 1995). The pursuit for better laws now is a critical element that jurists across the jurisdiction envisage in the uniform private law initiatives. Then the uniform law movements ignite a form of governance from the national to international paradigm in some sense. Koreans also achieved the success, around the 1990's, concerning the revision of commercial code for the interest of minority shareholders. The reform agenda involved the economic democracy which influences a paradigm of corporate governance. It principally focuses on the intrinsic rights and role of minority shareholder in the corporate context (Wright, Q., 1954). There are also the civil power whose role undertakes the monitoring, suggesting, mobilizing of public consensus for more desired, democratically legitimate, socially advocated justice in the society (Santas, G., 2007). They are nationally centered, but internationally friendly as well as in many cases cooperative or associated to share the issues of concern in common cause. Their issues cover the gender equality, economic justice, consumerism and environmentalism (Post, R., 2006).

Under this backdrop, the students of public administration and governance would perhaps mediate on how we perceive any points of comparison among the three major dimensions of organizational reform. Over most cases, they are disposed to uphold the efficiency, democracy, proper process, ethics, leadership, comparative analysis, and practical variations in specific cases, which would be, in their guiding elements, to address their concern (Boin, A., & Christensen, T., 2008). Yet to be remained as less referenced, the rubrics of organization and its delicacies in terms of mindset and key variables or principles to argue on are less worked out so as to refer the researchers to consider or evaluate. Hence, We often are disappointedly narrowed to explore some of classification of organizations, and their variables and relationships we need to consider in the studies of public governance. This direction of thinking, however, is particularly necessary if the contemporary global community is rapidly growing, and the elements we traditionally received are changing or have changed. I already briefly made a point about the expanded or diversified forms of organization, which are objects for the governance scholars to work on. Two ways of meditation need to be embraced in evaluating the trends and dynamics. One concerns the technological development recently charted particularly in the interchange of information. The internet tools of communication seriously affected the pattern of subsistence or existence of global public, which in turn influenced the discourse of governance theory and its applications (Rich, W. C., 1998). The other would involve the democratic pathways to which the global public usually are trusted in approaching and resolving many intriguing issues. The international issues tend to increase in its scope due to globalization on one hand, and also due to the emerging way of public awareness. To say, the public can be more readily informed, and organized to protest for their cause as in the rampant NGOs or minority shareholder in Korea. This means that the new communicative tools, globalization, and global democratic powers are not the variables operating in separate dimension, but are united to impact on the traditional understanding of governance issues (March J.G., 1995).

In this project, I never say any complete review of WTO reform, nor exhaustive analysis among the types of organizations. That requires a heavy work to handle, so that my intent is to give a focus on the selective issues of WTO reform and its governance since 1987 through these days. As WTO is a major international organization and incorporated or will expand on a plethora of points on democracy and public governance involving the trade matters, it can work as a modality for the public governance of international organization. That would concern a prime topic of this project, and I would draw upon the needs of comparative insight for the researchers of organizational reform for various types. I hopefully expect that a more principled comparison or some proposition in a comprehensive ways should be a task for the future research dealing with the types of organization.

A Background for the Qualification and Competence

For the case and brief of comparison on our journey in this paper, I believe to be qualified to deal with the organizations since I have long years of the teaching and researching career about them. WTO is a prime concern in the international trade law, and that falls within my specialization. I have long studied GATT/WTO laws and its institutional reform. I was invited on several occasions to give a public talk on that issue. I have long devoted my times and energy to delve around difficult constitutional issues, and have been empowered regularly to work for the higher national exams of judiciary. My scope and role of national examiner concerns the subject of constitutional law, which exhorted me highly for the issue concerning the reform of national judicial system (The Library of Congress, 2010). A corporate governance is one branch of thoughts for the commercial and international trade law scholars. So the background about my competence and qualification goes largely same as mentioned. Particularly,

one colleague showed a high intention and enthusiasm to aid the work on this paper, and his views or advice was critically received to enrich this paper.

A Demand from the Environment and the Nature of Reform

Around the 1970's and 1980s, what problems has the international community faced with in dealing with the governance issue of international trade? The circumstances provide a lynchpin of points for the reform issue of international trade regime. GATT was formulated in 1947 as a limited form to address the trade issues of each nation. It constituted one of three pillars for the foundation of international economy, which was a product of the Washington consensus at the end of World War II. It governed the trade regime during 40 years, but there emerged the growing needs to reform the organization with a scope of practical reasons. We, in this contemporaries, are required to approach the international organizations in some basic elements.

First, one point of consideration involves the high extent of globalization to tighten an interplay with the levels of that specific organization. We now live the world of condensed nature more than ever in other context of times. It can be made visionary and also in the context of plain level of our daily experiences. The technological development generally gives a powerful cause to share and interact on global scale. Particularly that of information or communication sectors contribute so much to expose us to a shared concept or intelligence to form the basis of common platform. So the policy workers of international organization could have much opportunities to shape their network or increase any of international cooperation (Miller, M. G., 1937). This point also influences the extensive reform of 1947 GATT, if indirectly or within the context of behind force, to create a huge form of WTO in 1987.

Second, the policy or reform issues in the international organization now, however, still operate in the context of "spider-web of governance," but in a steady pace toward a more organized and in some hard feature to approximate the paradigm of national governance (March J.G., 1995). If the policy makers concern, the aspect of primary focus needs to be distinguished from the absence of central government and also in view of a less scope of hard laws for the governance of international organizations. The tendency has grown, however, to address each context that a specific organization may face to be committed. In UN, for example, the General Assembly increased its involvement, but still advisory or consultative only that the Security Council has a decisive say about the compulsory measure. A Scope of declarations, codes of conduct as well as resolutions across the state sovereignty of national economy, ethics of multinational corporation were made into law, but not of hard nature, what we call a "soft law" (Rohr, J. A. (2007). There have the practices increasingly flourished in organizational practice and even within its charter to employ a majority principle other than the unanimity of resolutions. The majority system erodes a traditional concept of state sovereignty and principle of subsidiary in the international laws. The growth of more intensified nature, in the governance of international organization, ranges a scope of jurisdictions, in which the international criminal as well as maritime tribunal was created in 1990's. WTO, as described below, has refurbished extensively the form of 1947 GATT in a square of important issues entrenched during 40 years of the trade administration (Rosenbloom, D. H., Kravchuk, R. S., & Clerkin, R. M., 2009). In the regional context, Europe has reformed to consolidate the economic integration, and Euro became an official currency in which most of key countries fall within the Euro Zone. We also can witness a tendency of regional integration in Asia, and other blocks competing to protect their interests. The tool of international trade also popularizes an FTA method, for example, US with Korea, and high possibilities of US with EU (The Johns Hopkins Center for Civil Society Studies., 2003). The activities of NGOs are now growing remarkably, in which the present registration statistics of NGOs now multiplied in ten times since 1980's. All these changes, varying and being specified to the sphere of agenda, generally contributed to the growing similarities in its dynamics to the national context.

Therefore, we have some points of generalization within the (i) growing intensity of governance or control, (ii) extension of its roles, and (iii) interplay among another where the international organizations tend toward the national ways of systemic governance, but the international society basically has a spider form of integrity. To say, the scope of organizational issues tend to expand by creating a new international organization to correspond with. The traditional instruments, such as FTA, also may be rejuvenated with some of improved forms, and employed more frequently to redress the issues. We can also verify a high profile of organizational involvement in WTO, UN General Assembly or others which can compare to the positive role of modern administrative state. The mode of governance may have a progressive form transcending the traditional notion of state sovereignty as found in the majority rule (Lovett, F., 2006). NGOs vindicate the civic virtue, and its enhanced engagement can be assimilated to the interest groups of respective nation. A regional integration often be considered in a contrasting

highlight with the unitary rule of WTO or UN and other global scale of international organizations. Some could argue its positive contribution, while others perceive it conflicting with the commoner scheme of governance. This dualism may be considered to mirror with the federalism between the state role and federal government in analogy (Krane, D., & Koenig, H., 2005).

The Democratic Principles, and Communication toward the Enhanced Tools and Expanded Networks

Let me waive other points in general consideration to enter our topic concerning WTO. The policy issue of WTO reform in the context of our purpose has come forward under the backdrop of above presentation. Globalization brought the needs of change in the trade administration of GATT. It, in due course of evolution, generated a condition for increasing the international trade of goods, and the service sector of trade increased significantly. A new mode of industrialization focused on high technology, as well as new perspective on the cultural and intellectual capital brought the community with the necessities of creating the new regime of trade-related intellectual property (Machan, T., 2005). It also ignited the dormant issues of agricultural product and other chronicled points of debate concerning the trade administration. Globalization also played to raise the voice of major developing economies which were matched constructively with the major powers, US and EU, on new dealings of bilateralism in the trade affairs. The mode of governance came at forefront which promised to transform the weaker and limited engagement of 1947 GATT. 1947 GATT administered a limited scope of trade sectors, which concerned trade of goods. The GATT regime transformed gradually over the course of long years, established several MNTAs (Multinational Trade Agreements), and produced the GATT rules by panel decisions and practices. Its role, however, had institutionally shrunk in the limited context of lowering tariffs, and less efficient to ensure a more comprehensive and organized governance. This led major powers, in 1980's, to deviate the multilateralism of GATT in the pursuit to address their retreat from the market and trade as well as fiscal deficits. The measures on bilateral interaction could rise as a painful alternative to blur the potency of 1947 GATT. We usually refer to this context as "grey area" which is ambiguous of its legitimacy within the GATT administration (Rosenbloom, D. H., Kravchuk, R. S., & Clerkin, R. M., 2009). For example, the MFA regime was agreed to disintegrate from the GATT governance. OMA and VERs were raised up to reduce the allegedly prejudicial effect of free market system (Gilley, B., 2009). New protectionism, practiced by the pinch economies of advanced nations, particularly the US, had a surge and uproar urging the fair trade ideals which come in some perverted way against the same words-ideal upheld by the underdeveloped economies. While the latter often proposes the legitimate nature of favorable treatment to for the underdeveloped economies, the fair trade argued by the US and other advanced economies stress a level playing field on the equal opportunity and non-discrimination (Fisher, L & Harrieger K.J., 2011). In late 1980's, the international community aggressively took the reform issue in a most fundamental way, which eventually restored the GATT to an ITO (International Trade Organization) type as envisaged in 1947. The challenges to the policy makers were large in its scope and radical on the form of governance.

First, they planned in a very schemed way to increase the role and effect of WTO governance by increasing the power of judicial role on trade disputes (The Library of Congress, 2010).

Second, they intended to expand the sectors and issues of international trade and its membership which can be similarly contextualized with the rise of administrative state. They have actually had made more laws and regulations in the form of MNTAs enabling them to feature as a comprehensive umpire of international trade. GATT was actually a form of bureaucrats to interconnect as a mediator for the small scope of developed and manufacturing economies.

Third, the reform issue was not entirely completed, but understood by the participating countries of Uruguay Round as an open and ongoing process toward the single market of world, which is as grounded on the principle of the liberalistic, free and fair economy (Gunn, C., 2000). Most notably, negotiations on the service trade had been disposed as an interim regime open to complete upon further talks and negotiations among each member state (Rich, W. C., 1998). Many provisions of time or period element also are seen to take account of the political nature of organization. WTO now has a well-organized institutional profile to ensure the predictability and stability on one hand, but also was let open to the policy pressure or reform demand posed by new challenges. Uruguay Round made its commission largely successful to reform GATT, and enabled to launch the new trade regime of WTO. That is not a final destination, however, and now it explores the emerging WTO agendas in several major issues. CR (Competition Round), BR(Blue Round), ER (Environmental Round), TR (Technology Round), and other few are the names in which WTO is involved as a new challenge. NGOs are increasing their concern in the context

of WTO governance, which also seriously interact with the WTO administration in the limited official context, but largely on the civil plane as a pressure group (March J.G., 1995). The role and responsibility of NGOs are now considered whether WTO reform should be made to incorporate them into one institutional element.

The Democratic Principles and Efficacy of the Judicial Function

One variable developed in the reform of WTO essentially was concerned of the efficiency of adjudicatory role. 1947 GATT was, in its very nature, a political organization, which was designed to serve the sovereignty of member state. This inherently led the GATT to improve by enhancing the predictability and legal stability for free trade ideals. The rule of law had featured far crippled which is usual in theory and practice over vast other organizations of international nature. GATT managed a panel system to adjudicate the trade dispute referred by the member states, and produced case laws actually. However, the extent of panel's role was not so invigorated, and worse is that their decision could never come into effect unless all member states agreed to sustain. One vote of dissent from the member states could effectively annul the panel's decision (Jenco, L., 2003). In WTO, it was drastically transformed that the decision of panel becomes official to effect unless all member states disagree. One favor from any member state now enables the panel decision to progress in restoring the justice as set forth in DSU. We, therefore, call it a "reversed consensus system" to make a decision effective and final in the title of DSB's resolution. This means that the judicial nature of organization overwhelms the political intent of each member state (The Library of Congress, 2010). This cogent system on judicial hierarchy enhanced a liberal justice of economy and fair trade ideal which the democratic governance long adhered with (March J.G., 1995). The profile of WTO judicial organ also was reformed to create an appellate body which is responsible to the appellate review of panel decision. This dual review on the appeal system serves to increase a uniform application of WTO laws, and ensures its coherent interpretation as well as the integrity of WTO laws. It, therefore, takes a reduced, but focused role exclusively on the interpretation of trade treaties. The fact finding is, henceforth, determinative of panel's responsibility, which binds the appellate body (Rosenbloom, D. H., Kravchuk, R. S., & Clerkin, R. M., 2009). This division of judicial labor largely dominates most of democratic nations in the contemporary context, which ensures a precision and prudence of justice. One of most troubles in the past institution concerning the dispute settlement system arose from the procrastinating practice of disputed parties. They normally were less motivated to respond to the panel process, particularly if militating against their case. GATT actually had no official norms which governed the procedural issue. That particularly aggravated a compliance of timely interaction and delayed the panel proceedings generally. WTO enacted an authoritative and comprehensive DSU, which is defined to apply to most of trade disputes with few exceptions of special proceeding. A speedy trial is one ideal necessary for democratic governance. The tool of hard laws as titled DSU (Understanding of Dispute Settlement) has a high feature to work out this dilemma exposed through the decades of GATT governance (Schneider, A., & Ingram, H., 1990).

The Democratic Principles and WTO Governance

In understanding a reform agenda of WTO, we have a same idea of commonality and diversity concerning the national constitutions (Beard, C. A., 1993). In the contract law, we know that the boiler plate clause serves the common role to flatten various extents, nature, or subject matter of constitution. To say, the default clause, choice of law and agreement of competent jurisdiction or arbitration proceedings generally constitute a common element often included in the contract. The social contract theory, in terms of democratic principle, largely contributed as founding the groundbreaking perspective against the divinity and absoluteness of monarchy. It incorporated the essence of constituents, and was a major thought corroborating with the enlightenment ages. That theory provided a morphology of modern democracy, and could be substantiated with those of other modern thinkers. Montesquieu separation of powers principle, and liberty concept developed by Mills, as coupled with practices and revolution, enabled the current form of governance (Brink, D., 2007). Mill's moral and political philosophy.. These planes, nonetheless, share the common forms in structure, and pose a typical pathway of investigating the organization or governance. The international organizations, however, require us to derive a special context including its scope of mission, ways of interaction, tools available, ethics and networks involved in the aspect of public policy or administration (Rohr, J. A., 2007). They are far less general nor comprehensive unlike the government of specific nation or state (Beard, C. A., 1993). Their goal may, in the extent of cases, be limited to a founding document of treaties, and their function or responsibilities are administrial in nature on some of horizontal dynamism. They lack power to govern the member states, and the consensus type of resolution should be adopted in principle, but with some exception, in any pretty compliance with the sovereignty concept of traditional international law. The

resources, which the organizations rely on for the enforcement of policy, are rather restrictive lacking three elements as a state, territory, population, and sovereign power.

In the WTO reform, the diversity and democratic principles or governance took an extent of fare as a point of focus (Levine, D. P., 2003; Wulf A., 2012). As we see the ideals of GATT or WTO, the organization was envisaged in its basic disposition to administer the international trade fairly and within the libertarian concept. They set forth, as the ultimate goals, the multilateralism, liberal and fare trade, and non-discrimination principle (Post, R., 2006). The institution was created in 1947 upon the series of peace-purported conference by the prevailing nations of World War II. In one dimension, the major powers organized the UN in political terms and commission, which should not, however, be square or genuine in its power and competence as compared with the nation state. It now represented the most idealistic form of world politics, but the realist road legitimately carries their viewpoint about the genuine and historical nature of political theory. In another dimension, the world economy saw their framework of governance necessary to address the peace regime at global scale (March J.G., 1995). Washington conference concluded three pillars of the world economic regime, which encompassed the financial, foreign currency and exchange rate, and the trade issues. So we can see that key sectors were targeted in the conference to deal with, to say, the financial sector and real sector of world economy. The jurisdiction of GATT/WTO pertains to the latter. Initially in 1947, the major powers and conference members pursued a more comprehensive and powerful nature of organizations, what we call ITO. But the agreement was eventually vetoed by the US Senate, which failed its incorporation into the US laws. It offered a major cause that ITO was exhumed by the replacement of GATT, which is a limited form of organization. GATT could well be seen as a bureaucratic outlet led by the major political and economic powers, and performed its role for over 50 years thereafter. GATT adhered with the ideals in its fundament of organization, but practices were not sheer or complete to satisfy the democratic ideals. GATT's membership was limited to then industrialized nations covering as less as 23 original members. If we term one element of democratic governance as "inclusiveness and universal participation," the limited membership is bound to selective practices exclusively preserved for the developed nations. Of course, the rationale could be easily for our guess that the issue involved a trade and economy the rule of which could not be shared or applied in less an equal context (Fisher, L & Harrieger K.J., 2011). A most powerful and practical reason may be found that the most colonial states had not been liberated as a matter of legal viewpoint. Still the trusteeship, delegated rule, and other forms of interim arrangement in the form of governance were practiced for some incompetent tribes, aspiring nation-hopefuls, and sectors of political group. GATT membership, thereafter, had increasingly grown on the basis of their economic status and practical availability to interact with the organization. We can note through this progress that the public policy and democratic governance requires a precondition of the laws formalistically and economy or other many substantial elements enabling its tools, networks, and ideals to function as designed (March J.G., 1995). Secondly, GATT was rather limited to the sector of goods trade in the international market. They discarded any plan or policy considerations to deal with the agriculture or fishery, and trade of services. They stayed excluding the intellectual property issue, and a scope of issues derived from the trade of goods were gotten out of their sight and ambit. Their entire focus was surrounded by the tariff issue and a scope of non- tariff barriers remained unaddressed until late as 1970's Tokyo Round. This point of concern is conducive with our hypothesis that a number of international organizations took the nature of specialization. GATT and WTO have been devoted to the management of international trade as a regime grounded on the multinational trade agreements. Their task and responsibility was specially assigned to the trade issues, which made the general principle of democratic governance distinct from the nation or state government (March J.G., 1995). On one extreme of our spectrum, we can illustrate IMF whose political voice was weighed in terms of their share in IMF. Equal vote or participation was not fair in their specialization (Fisher, L & Harrieger K.J., 2011). UN is a most representative general form of international organizations. However, if we consider the UN as specialized to ensure an international security and peace, the veto power of permanent members, and selective security group of nations, on neither permanent status, could be understood also in the kind of deviating practices concerning the democratic governance (Gilley, B., 2009).

A Diversity Issue and Multilateralism

A multilateralism of GATT, from the view of diversity, was aggravated around 1970's and 1980s which exposed the frame of governance to deviate or be crippled by practicing partially the bilateralism of major economy (Selden, S. C., & Selden, F., 2001). Newly developed economies surged to push the developed nations into a measure of new protectionism. MFA is a typical case as unleashed from the GATT regime, and OMA (Orderly Market Arrangement) or VERs (Voluntary Export Restraints) were utilized to defend their market in the goal of restoring their fiscal and trade deficit for any sound indicators. A multilateralism, as grounded on the ideal of liberal

enterprise and non-discrimination, can be generally assessed to comply with the democratic principle (Post, R., 2006). The goals were distorted to address the special need of US and major economies, which would be inextricable in some sense, but undesirable with the ideals. As a policy student, we need to have an awareness that there exist a scope of soft laws in the area of international laws possessing less a binding power. In addition, the legal vacuum, ambiguities and gaps within the labyrinth of international and national laws allow the policy makers a leeway of strategic option to devise their wise policy. The class of trade policies, what we call a "grey area of measures," could be viewed in that context where they could not be condemned in any absolute violation of norms, but could be considered as contrary to the major directions or ideals. Other example about this looseness principle of international governance would perhaps be found in the notorious example of "extraterritorial applications of law." In this point, the concern matters with the dilemma that there could be overlapping jurisdictions, and that the territoriality principle strongly embedded in the international law theory bears on some conflicting dynamism. In one of notable cases, titled as "Uranium Cartel," the conflict aggravated into the enactment of several blocking statutes by the interested nation over the period of 14 years (1964-1978), and lengthy negotiations on the diplomatic channel and hardship of bitter compromise. While we have no central government, the international norms are produced by mutual agreements. So the bargaining power involves at higher extent, and the actors or networks in play are diverse and less clearly defined in various reasons (Jenco, L., 2003). So the lobbying elements in democratic governance would be more softened and could be extended given the loose nature of interaction. The policy makers specialized in diplomacy would be key players, but lawyers, domestic interest groups or administrators also are interested and interplay but in a less direct way. The nature of policy stance and interests also is diverse and in a major context, as tending to divulge the sharp conflict of interest among the developed and developing as well as least developed economies. They are a distinct force of dynamism, but their interaction was not patterned in discrete ways. They are, however, related with each other to create a consensus for the policy agenda of international organization.

As the ideal of trade liberalization empowers the basic plane of global market, the fairness conception comes in a complicated force. Basically, there are tendencies to perceive differently from the major two groups. The western developed economy often views the fair trade in apprehension of level playing field (Mill, J. S., 1909). They stress to ensure a fair condition that each player can pursue their trade interest in equal opportunity. In contrast, the underdeveloped economies pull out their point of focus in terms of substantial justice (Santas, G., 2007). They propose the theme "equal treated equal, different treated different" where some of positive liberty concept might be constructively applied to the international trade issue. So the trade states in this contemporary governance ranged in an extended diversity which requires the WTO administrators or policy makers to respond in the concept of democratic ideals (Levine, D. P., 2003). Over vast of MTAs, there are principles and tools to pursue this point of policy considerations (Sandfort, J., Selden, S. C., & Sowa, J. E., 2008). A number of MNTAs have adopted the class of member state in three groups, i.e., developed, underdeveloped and least developed countries. They termed in command of substantial justice, and legitimatized a favored treatment for the deprived countries. In other words, MFNT (Most Favored Nation Treatment), NT (National Treatment), and Article 11 of GATT, which are major clauses to lead the organization may be exempted at the extent of proper form to favor the two latter groups. Other tools to ensure the substantive justice as well as to address the diversity context of organization spread within a scope of agreements while immunizing for a statutory period from the strict duties or obligations, or offering a special proceedings for their trade dispute (Santas, G., 2007). The TRIPs (Trade Related Intellectual Properties) Agreement, for example, defers its effect of complying with the treaty terms to the advantage of underdeveloped and least developed countries. ASCM (Agreement on the Subsidies and Countervailing Measure) also includes special provisions to treat differently and in favored conditions to ensure the substantive justice. The diversity issue, in WTO, can be seen as one lynchpin of WTO commissions, which is, in view of the democratic ideal, politically sensitive, interactive, negotiable and less hard to be idealistic (Levine, D. P., 2003). A network to ensure it is also intriguing in some aspect, where the political measure may be applied to complement with the legal nature of treaty. The waiver system represents, as a notable exception, to invigorate WTO dynamism. Upon the extraordinary conditions, the resolution of WTO by weightier majority exempts the duty of member states. This clause, therefore, is a breathing space allowing a political sway from the myriad of WTO provisions. The GSP (Generalized System of Preferences) institution, pursued by UNCTAD, to benefit the underdeveloped countries was made available by networking their efforts with the waiver system in WTO. GSP actually was designed to violate the WTO principles, but the political consensus enabled their mission. WTO, then, is the kind of incandescent bulb as a supreme body of trade regime in the global market, which is most unique, if compared to other organizations, in its organizational density, depth of engagement, and practical vitality.

The Policy Tools and Networks Toward the Hard Nature

In reforming and managing the trade regime in the international context, the analytical tools should not be the same, even if it could be close to domestic governance as of its nature of administration (Rosenbloom, D. H., Kravchuk, R. S., & Clerkin, R. M., 2009). Paradoxically, the international organization may be more amenable to the concept of administration provided that the politics or compulsory nature of governance comes in subtlety, delicacy and diplomatic or negotiable ways. We can find a softened context, which thus offers a more space for wisdom or competition of policy ideas. Other views, however, pointed out some more rigid inflexibilities on the WTO laws since the revision of MNTAs actually is more challenging and thus less possibilities. However, it is true that the laws and governance in WTO are squarely based on the negotiation and dynamism of diverse influences (Miller, M. G., 1937). The laws also are from a less rigid case law in comparison of domestic reality, and the MTAs allow an ample gap or vacuum to enable many ways of different rulings. Due to the decades of WTO governance, we are available of a considerable number of case laws nowadays which are nonetheless less exploited than domestic laws (Ritchie, A. C., 1936). That nature still is true although 1947 GATT had produced many case laws and developed its institutional practices during the past half century. If we perceive WTO as one of most competitive and well-organized international organizations, the nature of other international organizations is actually poorer in its density and rigidity on the mode of governance. This implies that the public policy can tenor the organizations more than law so as not to be keen on any hard understanding of democratic principles or concept.

WTO Leadership and Interplay in the Network and Resources

The leadership in GATT or WTO is also flexible which can flatten on the equal and negotiable basis (Boin, A., & Christensen, T., 2008; Waldron, J., 2004). Even if we experience 6th Kennedy Round in 1960's, we hardly illustrate any great person to symbolize the context of progress nor remarkable success of nation or organization. We do not have the names like Lincoln, Churchill, Ronald Reagan, neither Thatcher or Clemenceau. The UN secretary general also is not the direct figure in addressing the WTO leadership if WTO exclusively goes with the trade or economic issues. Therefore, in a leadership point, we may posit the differences in that the leaders are formally each minister from the member state and that they collaborate or compete, and negotiate to lead WTO and the formulation of its basic policy (Boin, A., & Christensen, T., 2008; Waldron, J., 2004). So the leadership was exercised in collegial fashion, which is similar to the domestic congress. The difference, however, is that they make the laws, but also that they are subject to their laws. In other words, they are norm givers on one hand, but on the other, the states they represent have to obey the laws. They are the kind of contracting party who do not rule in any hierarchical structure unlike the domestic congress (Lovett, F., 2006). Then the source of leadership rises more powerfully from the negotiation and as immensely interested parties. It critically lacks the objective, nor a neutral and distanced mode of involvement by the congressmen, but the policy or law making process is an essential part of their interests. A lobbying, coalition, and ex parte contact and hidden interchange could more easily practice in chances, but not necessarily so if the jurisdiction is particularized and limited. There are other reasons that the languages are different, and that the density of practices or common basis of sharing comes weaker. It often is due to its primly idealistic, but practically uncondensed or less network to combine them like within the more commonality or generality of nation. The leadership in GATT and WTO also has a point that the expert groups are a prime source to produce the leaders (Boin, A., & Christensen, T., 2008). They are not democratically elected, but largely encompassed a class of experts in the trade issue. The ministerial conference is a supreme body which convenes in the interval of several years. They discuss and determine the foundational issues and WTO agendas, whose pool principally is viewed a top rank diplomat in each member state. They would be staffed with the network of trade diplomats in his home bureaucracy, and influence or orienteer collectively the competence and responsibility of organization (Rosenbloom, D. H., Kravchuk, R. S., & Clerkin, R. M. , 2009). The bureaucrats of WTO had been managed by the trade or public administration experts, and administer the institutional actions or programs in his or her responsibility. The bureaucrats in GATT had been a prime niche if GATT was limited and less competent. While it was reformed in new WTO, the bureaucrats could increase their scope of responsibility on one hand, but became less significant for the refined advancement of WTO (Rosenbloom, D. H., Kravchuk, R. S., & Clerkin, R. M., 2009). The bureaucrats perform their duty under the direction and command of the General Council which is the second highest rank in institutional hierarchy. The General Council was also comprised of high ranked diplomats in rich career on the trade issues.

In the concern about leadership, democratic principles, resources and networks, we are compelled to brief on the reform agenda of WTO adjudicatory system. GATT has the panel procedure which is judicial on one hand, and advisory in its expertise to GATT (The Library of Congress, 2010). One of fundamental flaws in GATT was alleged on its political or diplomatic nature of system. As the democratic concept or principle requires an independent judiciary, the judicial system enables the predictability and legal stability which is, however, less available in the international context. GATT was also no exception that the decision of panel could not be made a law if even one member state raises an objection. It is considered to comply with the principles of international law since the state sovereignty is absolute and preeminent. That is a fundamental point in terms of democratic governance between the domestic and national planes that the central court is lacking (March J.G., 1995). Although we have an ICJ in the restrictive jurisdiction both in subjects and procedure, we have no central civil courts. The new adjudicatory system is a sea change which was successful, and shifted the paradigm of understanding in its policy concept, resource and network. Three points need to be cast which cover enhancing the retaliatory measure, instituting an appellate body, and introducing a "reverse consensus system." These points serve to increase the judicial nature of WTO, and accomplishments through the decades plainly prove the success of WTO reform. To say, now the international control of WTO was intensified in fairly efficient ways, and we may well attribute WTO, an "economic constitutionalism of trade governance." It increased resources and tools to administer their commitment more effectively by allowing the diverse ways of retaliation in order of applicability (Sandfort, J., Selden, S. C., & Sowa, J. E., 2008). If the losing party dishonors or reneges on the decision of dispute settlement body, there is no way to respond the point of which is dissimilar to the domestic jurisdiction. Only way to ensure the effect of trade agreement is to remedy through the retaliation of prevailing party under the endorsement of WTO. The GATT ambit of retaliatory measure was limited, but the context of WTO was highly renovated to ensure the effective adherence of panel or appellate body's decision. GATT also was unavailable upon the appellate review, but WTO in 1994 sponsored a double review by instituting a standing appellate body. It was comprised of seven judges whose power and competence are exclusively committed to the legal issues other than the fact finding. Their role and responsibility are same to the higher court in domestic jurisdiction that the interpretive issues of MNTAs should be finally resolved by AB (Appellate Body) and that they are bound by the facts found in the panel process. As WTO increased its profile as a judicial organ, the resources and tools of WTO primly shifted its emphasis on both organs (Sandfort, J., Selden, S. C., & Sowa, J. E., 2008). It also means a leadership now in WTO responsible to the trade administration of global market and domestic regulation can be more properly highlighted in the context of AB judges (Boin, A., & Christensen, T., 2008). The network of WTO institution also should be viewed in a different light that the political and judicial interaction can be properly posited in comport with the nature of organization and "workable professionalism." Formalistically, the panel and appellate body possess the character as a subsystem or subgovernment in the analysis of policy network. However, in the substantial nature of competence or policy making power, the panel and AB should be considered as producing the case laws in significant force. In the institutional frame, the dispute settlement body, which is both political and diplomatic in nature, takes a prime responsibility to resolve the trade dispute and the decision was issued in the name of DSB (Dispute Settlement Body) (Rosenbloom, D. H., Kravchuk, R. S., & Clerkin, R. M., 2009). The appellate body is unable to contradict the interpretation of member states on the MNTA provisions. Except for this basic arrangement in formality, AB actually is placed at the center of policy making in the international trade administration. Particularly, the reverse consensus system now working in the fundamentally perverted way to enable the panel and appellate body execute their duty like the domestic court. Now their decision only can be annulled where all the member states object to it. In view of policy making process and network, WTO has the dualism exposing a superiority of political or diplomatic branch in formality, but some primacy of panel or AB in reality. That is, in my view, one of distinct points in comparison with the domestic government. We generally see the three branches in equal weight for shaping a public policy, and also check and balance may ensure the tripartite government poised in the formality and reality (Fisher, L & Harrieger K.J., 2011). If a scholar theoretically classes the supreme court as a highest body in the nation, it generally is concerned of its role as a final arbiter of constitution. In any way, WTO jurisdiction can expand on the extended spectrum since there is no definite demarcation line between the public issues and trade. The TRIPs agreement typically vindicates this point. Now WTO explores new dimension of dealings what we popularly call a new agenda, to say, BR, CR, GR, and TR, all representing new areas of concern that WTO considers to address. In the course of new dealings, WTO interacts with a plethora of public organs in the kind of policy network or community. OECD, UNCTAD, UNCITRAL, ILO, NGOs, and others would be a subsystem for WTO to legislate or enforce the trade agreements.

The Ethics Between the National and International Organizations

In the GATT/WTO reform, a challenge was posed against the traditional concept of state sovereignty. Several institutions and actions upstaged the sovereignty of each member state which can be understood in two ways. One group, vastly the countries of EU, has relatively a strong profile and historical ethics to defer to the hierarchy of treaties or international custom (Rohr, J. A., 2007). That is weaker in case for most British jurists and international lawyers of US. Korean constitution also provides an equal rank between the congressional act and treaties within the ladder of various nature of norms. This context of separate views basically entails a delicacy and subtlety in the cognizable grasp, and cliché of analysis about the practice of GATT and WTO. For example, US scholars argue that the "later-in-time rule" also should apply to the WTO laws. This implies that the US congress may enact a new statute contradicting the WTO laws which is not permissible in the first viewpoint. This question raises a serious issue concerning the nature of WTO organization given that WTO scholars ascribe a semi-constitutional nature to it. WTO laws encompass a scope of international treaties, what we call MNTAs and several of PTAs (Plurilateral Trade Agreements). If the role and responsibility increased by the reform, this means that WTO may reshape partially the prevailing paradigm of sovereignty concept (Rosenbloom, D. H., Kravchuk, R. S., & Clerkin, R. M., 2009). There are tendencies also about several actions which are challenging, but safely instituted within the regime. They constituted basic elements in the creation of 1947 GATT, remains virtually pristine through the 1995 WTO. The majority or weighted system of majority in the decision making process had been introduced other than the unanimous or consensus mode of agreement. The waiver system, rule of revision, and other agendas are effected based on the vote, which does not require the unanimity. In the adaptive point to state sovereignty, the resolution of revision may not take an effect on the dissenting members. Toward a more independent organ transcending the mere aggregate of member states, the institution has seen much achievement for the uniform control and institutional integrity. They have invented a refined system of

TPRM (Trade Policy Review Mechanism) which enables to make a prior review of trade policy by each member state. The system, as combined with the dispute settlement mechanism, approximated the institutional network of national government. Though limited to the international trade issues, we can see some form of executive, imperfect though, with the TPRM, which can play an initiating control. TPRM apparently is a fine match as undertaking a police role, with the dispute settlement body, which is judicial and provides a post remedial service. DSU also heavily reformed to make it the appearance of domestic code concerning the civil or criminal procedure. A detailed provision was spelled out to set forth a specific time requirement, an extended application of retaliatory measure, and aforementioned reverse consensus system as well as the appellate review. The action of reform is challenging, but most nations participated in the Uruguay Round agreed on the enhancement of WTO governance (Ritchie, A. C., 1936). This context also led to a distinctive preserve of WTO ethics, which cannot easily be defined in any one version of organizational ethics (Rohr, J. A., 2007). The actors and players, particularly trade experts and diplomats, both have to be nationalists to defend the trade interest of their nations, but also some unique mindset or attitudes, as well as ways of interaction for some of internationalism or idealism.

The Aspect of Technology Issues

The technology issue in WTO has not been seriously concerned in the provision of administration or institutional competence. It otherwise mattered with the environment where WTO was exposed to address their responsibility (Rosenbloom, D. H., Kravchuk, R. S., & Clerkin, R. M., 2009). Two distinctive regimes were created to regulate the arbitrariness of member state or in other sense, untouched area of international trade. The trade of service turned attentive as a new agenda for which 1947 GATT had not a jurisdictional authority. The technological development increased the share of service trade in comparison with the trade of goods, which necessitated a regulatory framework for an open access to the domestic market and concerning the non-discrimination policy (Post, R., 2006). The political antipathy or policy differences, however, were present between the developed and developing group of nations in pursuing the global governance of service trade. We can instantly know the context since the service industry is a prime source of national income for the developed countries. A competitiveness in the service market also grossly advantages them who advocated the free competition and less regulations. Given an intense disagreement and nature of issue, the GATS failed to complete all the expected preparations, but could be incorporated as the transitory nature of agreement. The service market is not the same as that of goods, which should be individualized and involved a difficult element, such as presence of laborers or commercial unit, international mobility and immigration, and others. These factors pushed them to hurry on the incomplete nature of GATS (General Agreement of Trade of Services) which merely includes the basic commitments in principle, but deferred the specific dealings, on the basis of "request and offer," for a further negotiation among between the individual member states. (Miller, M. G., 1937). This implies that the service trade involves a more delicate technical issue in

the legal aspect, and concession would be making up for the agreement that should be individualized to suit each national law and particularities of domestic service market. However, specific dealings have not yet been achieved until the Doha Agenda 2005, the time which was expected to complete the service trade regime. The technical issues, paradoxically, were raised how to sketch the institutional structure of GATs. The draft work of GATS heavily borrowed the idea from the structure and ways of dealings from the 1994 GATT. The service of trade involves humans and corporations as an actor, not a subject matter of international trade of goods. However, economic eyes focused on the same nature among the goods and humans, which eventually took a similar framework between the two norms. The trade lawyers and diplomats shared the same tools or technology, in legal analogy, so as to produce the GATS. The chapters of basic commitment, general exceptions and other provisions are committed for the liberalization of trade and non-discrimination policy (Brink, D., 2007; The United Nations, 1948). Other treaty, what we call TRIPs, concerned an environmental change where the international trade has been practiced. This area also involved a controversy and was pursued as surrounded by the antagonistic group of nations. The developed countries highly supported an enhanced protection of intellectual property while the developing countries stressed the nature of common heritage. So the property concept and the communal concept of utility in contrary force intervened as two competing ideas adhered by two groups (Machan, T., 2005). The issue also involves an ethics issue where the trade firms, actually remote players, and policy makers have to honor for managing a desirable global market. The practice of piracy and goods manufactured on the fake trademark had raised a concern for the fair trade ideal. Now the technology developed into a quasi-property nature deserves the legal protection that many countries have the patent laws, copyright acts, and provisions of the tariff act against the illegal goods in violation of the intellectual property and other (Machan, T., 2005). The tariff act 337 of US is one example. It is a product of great acumen exercised by WTO policy makers, who are generally diplomats and lawyers of the developed countries. I spoke of its novelty to connect the technology issue with the trade agenda. It is just simple in the legal terms that the nation individually and uniquely addresses the protection of intellectual property in civil laws. Furthermore, WIPO (World Intellectual Property Organization) had already been instituted in the international scale to administer the issue of intellectual property right. The policy makers assessed the issue more seriously to make it into a "unitary contact and one stop solution" in promotion of trade interest and enhanced level of civil protection (Waldron, J., 2004). WIPO is considered as vulnerable that the membership is open, but optional and incomprehensive on the treaty-by-treaty basis. That is not the case in WTO where almost over 150 member states now interact. The members have no option to exclude the jurisdiction of MNTAs unless otherwise specifically permitted, which is so seldom. Thus, they are practically mandatory to impose the duties and obligations on all member states in the uniform fashion. Therefore, the policy tools and network are more efficient if availing of WTO institution (Sandfort, J., Selden, S. C., & Sowa, J. E., 2008). For this reason, less law abiding member states, which do not comply with the TRIPs agreement, may be sanctioned more efficiently by the WTO dispute settlement mechanism. Also is an interesting point as the technical issue of laws that the TRIPs waived not to provide a set of substantive rules required to protect the intellectual property. WIPO already established the treaties which lent the standard of protection, so that TRIPs just cites them to facile adapt.

Some Insights About the Nature of Reform: The Types of Organization

Then I am driven to make a comment for the ways of approach about the governance issue of organizational reform, which purports to tip about its varying nature among the types of organization. I like to suggest three classifications covering the national, international, and for-profit organizations. I believe that these classes ensure the basic differences of organizational reform issue, which more effectively makes the contemporary governance students to infer any insights in their research work. Most arrangement for reform would be made to fit within those three basic planes, which would properly dispose our track of perspective (Rohr, J. A., 2007). The international organizations would cover in its scope GOs and NGOs, and WTO, the organization we reviewed, is one of GOs which limits this research in that context. The private enterprises are generally a for-profit organization, which narrows the pertinence of this classification in ways of excluding the non-profit organization of private nature. That is because the latter form may have many points of similarities with the public organization. Particularly, the public organization other than national government could be viewed similar to the latter over most of its functionaries, but it could well be specific in terms of their missions and ways of governance. Therefore, the constitutional court achieved in 1987 with the reformed constitution in Korea would not address all the issues of public organization, but should be properly constrained. The case of corporate governance, however, would be comprehensive to illuminate the democratic governance of corporations in Korea, and thus could be applied in more inclusive way to endeavor on the governance and democracy for private sectors (Deleon, L., & Deleon, P., 2002). Despite the limits, the rationale I chose WTO would turn clearer to expose the key elements of governance for the

scholars of public administration. WTO was formed in 1995, which saw an extensive revision of 1947 GATT in its ways of governance and organizational mechanism of function. The period around 1970's and 1980's posed a serious challenge among the trade states in the world. The developed economies and rise of the developing countries had agreed on new mode of governance which compelled them to recourse a very idealistic form of ITO envisaged long since 1947. Many challenging issues including new protectionism, shift of the international trade on sectors, protection of the intellectual property, unilateralism, less competence of organization, and others provoked to revolutionize for new WTO governance. It is now assessed as the most enhanced form of international organization. Let me illustrate one example about the reform of constitutional court. The constitutional court in Korea would be a gift to meditate on the democratic governance since it recreated a traditional dynamics of civilian hegemony in the contemporary times. It saves us by showing a compressed path of evolution with the institutionalization of civic virtue system. As the rule of law and protection of minority from the potential evils of majority tyranny require, the judicial role, in any civilized form, is largely demanding to public policy making and administration (Bingham T., 2011). A 1987's shift of prevailing powers in Korea enabled to prosper the constitutional culture and the rule of scientific case laws on the constitution. That implies so significantly for the republic of Korea which brought a momentum on such lesson, as in Marbury v. Madison, and the paradigm of democratic governance (March J.G., 1995). We notice an important point in memoire about this transformation where Korea had upgraded from the swerving of state-led developmental paradigm. They began to accommodate the system of democratic governance and civic virtue. We, therefore, would be distinctive if Korea could has the system of rule of law about as-later-as one or two centuries after its settlement in the US and Europe (Bingham T., 2011). It is generally common for the new independent nations emancipated from the imperial rule. They chose to import the western form of democracy and governance, and the ways of capital accumulation and institutional development are, at some level, artificial or in the shortcut ways by interaction with the grant or international capital (Gunn, C., 2000). This led us to experience a déjà vu of civil narratives, but in some particularized context. Provided if few cases were raised as a constitutional issue in the actual court proceedings over 40 years from the Korean independence, the context of 1987 constitution court was revolutionary in nature as producing a tack of case laws in just two decades. The rule of law on constitutional review sharply advanced (Bingham T., 2011**;** The United Nations, 1948). Hence, it can be a unique case we can learn much about the reform of public governance in the national context. However, the context or nature of organizational reform has aspects of differences while sharing, of course, some. First, the reform often is pursued in the tide of democratic progress in the contemporary undertaking, which guides it in dominant fashion. That could be similar to share notwithstanding the types of organization. The constitutional court in Korea was pursued in the 1980's turn of national politics in Korea, and GATT/WTO reform also reflected the new promise on a democratic spirit of multilateralism. Second, both reform triggered the intensification of judicial role to administer the public agenda, which ensured a predictability and stability in public administration. This implies that the judicial tools apparently provide effectiveness in the context of democratic governance over the types of organization. For example, various types of disciplinary board tend to be extensive although the extent or intensity of judicial body within the organization may differ significantly. Third, the organizational reform in the national context is a product of interchange from the group of countries, but the international organization is generally situated in solitude. If the organization responds at the global extent of governance, this distinction more starkly increases. Then, the US and EU lessons would not be pertinent in the case of WTO reform while the interplay comes in dominant way for that of the constitutional court in Korea. Fourth, there could we find a scope of differences about the reform element varying with the types of organization, which encompasses the actors or players, the extent of rigidities about the laws and rules, ethics, the nature of leadership to transform and govern, policy resources and networks. I have not made a point in principled ways, rather delivered my focus on the WTO reform itself. That would be left for further research in the future. But the point of emphasis is that there are a number of works on the organizational reform issue, but their dealings largely neglect the types of organization nor entailed any insights or comparison about the factors intrinsic in the types of organizations.

As above described, my intention on this paper involves a large scale, but typical case which enable the public policy makers and leaders to share the essentials of governance for WTO, one of most efficient international organizations (Rohr, J. A., 2007). The typology can be allowed given its distinctive and dimensional differences among the types, which could be comprehensive in principle and basic tenets, but with minor variations with the same type of organization. For example, IMF or the organization of international maritime tribunal should differ in the scope of practical governance issues, but I suppose that they can share some essentials if they commonly are international organizations. This logic and viewpoints could also apply to the national context of organizations between the Japanese supreme court and Korean constitutional court. For the corporate governance, there are a scope of various organizations, but the private and for-profit nature of issue could increase deriving the common

elements concerning the policy issues, variations, and their relationships. Their context or nature of organizational reform, as expected, should be predominantly distinctive from the former two forms.

The case I discussed has the same policy issues involving the reform of their organization to the demand of environment. As they differ in terms of the organizational intrinsic, we need to require a distinct set of variables epitomized in practices and theory, which correspond to the circumstances, players and their interaction or network, the organizational history, the field of specialization and so. Through the course of argument, we also find there is some extent of coherent relationship among the variables. Finally, I intend to elucidate insights for the policy makers and students to have basic ideas for the desired form of governance as sharing or varying with the typology of organizations.

A Concluding Remark : the Policy Reform of Ongoing Character

WTO can well be considered as primate, efficient, most active and impacting among any other standing international organization. Its current form of management is surely a product of shrewd handlings and institutional design whose reform was pursued in two aspects of basic concern: public administration and democratic governance (March J.G., 1995). The organization now faces with an increasing aspect of reform and institutional adaptation to new needs or demands. We often call them a new WTO agenda which cover a sensitive global economic issue, such as GR, BR, CR, TR. So we can see its ongoing character in terms of its public role and responsibility whose aspect often tends to profile from the national context (Rosenbloom, D. H., Kravchuk, R. S., & Clerkin, R. M., 2009). That is principally due to the creative nature of international dimension, which should be "cross-over form of governance" and as progressively engrossing into our public lives. In the context of progress, OECD and NGOs are a principal factor which offers the policy network to interact in shaping their agenda or institutional reform. OECD may offer a commitment of basic policy orientation which can be realized in the practical consequence by WTO. It is likely the presidency or sovereign, in analogy, but practically, of that nature to guide, and often delegates, not formally at best, its administration to WTO. However, that is never straightforward if OECD is not led by one president, but merely a consultative convention of over 30 developed countries. NGOs are also distinctive if WTO needs to be reformed to create an official power for NGOs. If that became a reality, NGOs are no longer a pressure group which should be distinct from the national governance (March J.G., 1995). It can become a powerful policy tool to voice the interest of global public.

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