Preface

PREFACE FOR THE AJWH'S SPECIAL ISSUE ON PRESIDENT TRUMP'S TRADE POLICY – PROPER ASSESSMENT OF THE POSSIBLE DISRUPTION TO THE *STATUS QUO*

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Donald J. Trump was inaugurated as president of the United States on Jan. 20, 2017. His well-known campaign slogans of "Make America Great Again" and "America first" won him the election and have been turned into the policies of the United States after he assumed the office.

The message of the policies is to disrupt *status quo*. Their implementations have started causing impacts on the existing international rules and practices, particularly in the field of international trade and economic matters. Considering the importance and possible great impact of President Trump's policy on international trade, the Asia WTO Research Network (hereinafter "AWRN")[1] focused on discussing Trump's trade policy in its 2017 annual meeting. The AWRN members have considered that the impacts and implications arising from President Trump's withdrawal from the Trans-Pacific Partnership (hereinafter "TPP"), his renegotiations of the North American Free Trade Agreement (NAFTA) and the U.S.–Korea Free Trade Agreement, as well as his decision on imposing certain new border taxes have been obvious and important. There must be systemic and comprehensive clarifications of the issues and discussions on these impacts and implications. We are pleased and thankful to the AJWH for sharing the importance of the topic and for agreeing on publishing this

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[1] The official website of the AWRN is at http://www.awrn.asia/.

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special issue on Trump's trade policy so that there are systemic and overall assessments on his policy and on the implications.

Most of the papers in this special issue are authored by AWRN members. Some others are separately submitted to the journal. I am glad that the peer-reviewers considered that all these papers are of practical and academic value. The papers can be roughly divided into three categories.

The first category is on the broader implications of Trump's policy. In this category, Chang-fa Lo's paper on "*To Lead or not to Lead – Reverting President Trump's Retreat from United States' Traditional Leading Role in Promoting Human Rights Through Trade*" assesses the implications of Trump's "America first" trade policy for the United States' traditional leading role in promoting human rights through trade agreements. Deborah Elms and Bhargav Sriganesh's paper on "*Trump's Trade Policy: Discerning Between Rhetoric and Reality*" suggests that the assessment of Trump's policy not only should focus on "speaking tough" by him, but also whether he is actually "acting tough". Fernando Dias Simões' paper on "*Making Trade Policy Great Again: What Policymakers Should Learn from Trump's Election*" proposes to revitalize consensus on trade policy among political circles.

The second category is on the legal assessments of Trump's certain trade and economic approaches. In this category, Andrew D. Mitchel & Emma Gan's paper on "*Policy & Legal Issues Raised by the Proposed U.S. Border Adjustable Tax*" assesses WTO issues arising from various taxes that could be imposed by the Trump Administration to fund the "wall" between the United States and Mexico or to level the playing field between American products and imported products. Tsai-fang Chen's paper on "*To Judge the 'Self-Judging' Security Exception Under the GATT 1994 – A Systematic Approach*" analyzes the national security issues of the Trump Administration's 2017 investigation on the steel imports and proposes to adopt a standard of abuse of discretion for review under the WTO. Ching-Wen Hsueh's paper on "*Undeniable Obligations to Gaia: U.S. Remaining Investment Obligations After Its Withdrawal from the Paris Agreement*" turns to analyze the United States' withdrawal from the Paris Agreement and argues that even under Trump's "America first" approach, the United States still has obligations to prevent global warming based on certain other treaties, especially its investment agreements with other countries.

The last category is on the assessment of Trump's policy on FTAs. Tomohiko Kobayashi's paper on "*Revisiting the Legal Nature of 'Un-Signing' an Unratified Treaty: Broader Implications of U.S.' Withdrawal from the TPP*" clarifies the legal issues arising from treaty withdrawal after signing but before ratification and attempts to shed light on the meaning of "withdrawal" (or "un-signing"). Junji Nakagawa's paper

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on "*TPP-11 as a Means to Revive the TPP After U.S.' Withdrawal*" analyzes various possible means of reviving the TPP from its frustration as a result of the United States' withdrawal from the TPP. Jaemin Lee's paper on "*Skepticism, Unilateralism or Ultimatumism?: Trump Administration's Trade Policy and the Korea–U.S. FTA*" suggests that Trump Administration's trade policy, coupled with the prelude leading to the policy, arguably underscores the importance of maintaining and strengthening multilateralism for the global trading regime.

We hope that the special issue will contribute to the further discourse of a very important policy change of the United States in the field of international trade and economic affairs. Additionally, we hope that the special issue can serve as a preliminary basis for other countries and policy makers to correctly perceive Trump's policy and to formulate their policies, measures and approaches at national, regional and multilateral levels to address this critical change in the history of international trade.

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