Research on the Implications of the Establishment of the International Organization for Mediation for the Reform of Dispute Settlement Mechanism of the World Trade Organization

Enshu Wang*
Academy of Advanced interdisciplinary Studies, Wuhan University, Wuhan 430072, China
*Corresponding email: wes1159079823@163.com

Abstract

As a specialized intergovernmental legal organization for resolving international disputes, the International Organization for Mediation (IOMed) is characterized by a treaty-based hard law nature. It adjudicates various types of disputes, incorporates flexible procedures embedded with Chinese harmony wisdom, and forges a distinctive dispute settlement model. The World Trade Organization (WTO) Dispute Settlement Mechanism (DSM) is currently confronted with multiple predicaments, including the suspension of the Appellate Body, excessive judicialization and inefficiency in adjudication procedures, dysfunctional alternative dispute resolution (ADR) mechanisms, and reform outcomes falling short of expectations. Certain distinctive arrangements in the DSM of the IOMed can provide insights for the optimization of the WTO DSM: (1) Through a confidential mediation mechanism, parties are provided with an opportunity to back down with dignity, and the panel is encouraged to guide the two sides to reach a consensus on the basis of ascertainment of facts. (2) Establish a "Mediation and ADR Center" within the WTO Secretariat, ensure the establishment of a strict information isolation system between this Center and the Legal Affairs Division serving the panels, and promulgate a detailed protocol on mediation procedures. (3) Stipulate a mandatory pre-mediation clause, and allow the panel to disclose its preliminary views on the core issues to both parties prior to issuing its report, so as to encourage them to reach a settlement. (4) When appointing panel members or arbitrators of Multi-Party Interim Appeal Arbitration Arrangement, greater consideration should be given to candidates' cross-cultural understanding capacity; it is recommended that parties to specific types of disputes utilize the platform of the IOMed, and promote the WTO-recognized right to trade retaliation to serve as a safeguard for the enforcement of mediation agreements.

Keywords

International Organization for Mediation, WTO reform, Dispute settlement mechanism, Diversified dispute resolution, Eastern wisdom

Introduction

In the Bretton Woods System established after World War II and the subsequent multilateral trading system, the rule-based Dispute Settlement Mechanism (DSM) has been regarded as the ballast stone for safeguarding the global economic order. However, with the advent of the third decade of the 21st century, this cornerstone is facing unprecedented geopolitical shocks and institutional erosion [1]. Since December 11, 2019, when the WTO Appellate Body fell into de facto paralysis due to the impasse in member selection. The legal binding force of the multilateral trading system has suffered a historic setback, and the shadow of unilateralism characterized by "Might makes right" has re-emerged [2]. While members

such as the European Union have launched the Multi-Party Interim Appeal Arbitration Arrangement (MPIA) as an expedient measure against the backdrop of intensifying great-power rivalry, the trend toward fragmentation and inefficiency in the global trade dispute settlement mechanism has become increasingly pronounced [3].

In this context, a dispute resolution paradigm originating from the East that emphasizes harmony and win-win outcomes is seeking institutional expression at the international law level. On May 30, 2025, after years of preparation and negotiations, the Convention on the Establishment of the International Organization for Mediation (hereinafter referred to as the "Convention") was formally signed in the Hong Kong Special Administrative Region of China. Thirty-three founding member states from Asia, Africa, Europe and Latin America jointly witnessed this historic moment, marking the official establishment of the International Organization for Mediation (IOMed) as the first intergovernmental international organization dedicated exclusively to resolving international disputes through mediation. The establishment of IOMed not only fills the gap in the international dispute settlement system where there is a lack of a specialized mediation body, but is also regarded as a reflection on and remedy for the existing adversarial settlement mechanisms dominated by litigation and arbitration [4].

Amid momentous changes unseen in a century, is the birth of IOMed merely the addition of a new international organization, or does it represent a paradigm shift in the concept of international dispute settlement? Can the traditional legal and cultural genes it embodies, such as "harmony is most precious" and "non-litigation", provide a new remedy for the deadlocked WTO reform? Especially at a time when the 13th WTO Ministerial Conference (MC13) has failed to achieve a substantive breakthrough on dispute settlement reform and all parties are engaged in intense negotiations over the "Molina Text", research on the institutional logic and practical value of IOMed has become particularly urgent.

This paper aims to comprehensively evaluate the implications of the establishment of IOMed for the reform of the WTO dispute settlement mechanism through legal text analysis and comparative research. First, the study conducts an in-depth deconstruction of IOMed's institutional design, jurisdictional scope, and core characteristics. Second, it analyzes the existing problems of the WTO mechanism, particularly the predicament of "judicialization" and divisions in reform proposals. Finally, from the dimensions of conceptual reshaping, institutional reference, and procedural integration, it proposes specific paths to effectively embed the mediation mechanism into the WTO system, with a view to providing theoretical support for building a more fair and reasonable global economic governance system.

Analysis of the dispute settlement mechanism of IMOed

IOMed is a product of the international community's profound reflection on the high costs, inefficiency and excessive adversarial nature of existing dispute settlement mechanisms. As an institutional innovation, IOMed exhibits distinct characteristics in terms of its legal nature, jurisdictional scope, procedural principles, and enforcement mechanism. These characteristics not only inherit traditional international law but also represent the creative transformation of Eastern legal wisdom.

Legal nature: Realizing the leap from "soft law" to "hard institution"

Unlike the model laws formulated by the United Nations Commission on International Trade Law (UNCITRAL) or the mediation rules of non-governmental organizations such as the International Chamber of Commerce (ICC), IOMed is an intergovernmental international organization established on the basis of the multilateral treaty, namely the Convention on the Establishment of the International Organization for Mediation. This means

that mediation, a resolution method traditionally regarded as a form of "soft law" or diplomatic tool, has for the first time obtained the support of a substantive institution with the international legal personality [5].

On the one hand, the location of IOMed's headquarters carries significant geopolitical and rule-of-law implications. IOMed is headquartered in Hong Kong, China, with its specific location in the historically significant Wanchai Old Police Station compound. This arrangement carries profound implications about the rule of law. As a special administrative region under the "One Country, Two Systems" principle, Hong Kong has a mature common legal system. It serves as a bridge connecting mainland China with the rest of the world, as well as the civil legal system with the socialist legal system. Locating the headquarters in Hong Kong not only leverages its advantages as an Asia-Pacific international legal and dispute resolution services hub but also symbolizes the integration of Eastern and Western approaches to the rule of law [6]. Furthermore, the establishment of IOMed is regarded as an important initiative by China to actively provide global public goods for the rule of law, aiming to enhance the voice of the "Global South" in the formulation of international rules [7].

On the other hand, IOMed has established a robust governance structure to ensure its independence and professionalism. The Governing Council, as the supreme decision-making body, is composed of one representative appointed by each Contracting State. Its functions include deliberating and adopting procedural rules, approving the budget, and electing the Secretary-General and so on. This mechanism ensures the organization's sovereign attributes and the contracting states' political control. The Secretariat, as the permanent executive body, is responsible for case management, logistical support, and capacity building. The substantive operation of the Secretariat transforms maneuver from ad hoc diplomatic mediation into a predictable and standardized legal service. The Convention establishes two independent Panels of Mediators: The Panel of Mediators for Inter-State Disputes and the General Panel of Mediators, with the latter responsible for mediating investor-state disputes and commercial disputes. Contracting states may nominate up to five and twenty mediators (thirty for founding member states) respectively, who possess high moral character and recognized professional competence in international law or international economic and trade matters. This classified roster system not only respects the sensitivity of national sovereignty but also accommodates the professional needs of commercial disputes.

Jurisdictional scope: Entertaining multiple types of disputes

Traditional international dispute settlement bodies are often sharply demarcated: The International Court of Justice (ICJ) handles only inter-state disputes, the International Center for Settlement of Investment Disputes (ICSID) focuses on investor-state disputes, and arbitration institutions like the ICC International Court of Arbitration mainly deal with international commercial disputes. IOMed has broken down this barrier by establishing a comprehensive jurisdiction.

Its scope covers inter-state disputes involving sovereign interests such as treaty interpretation, territorial delimitation, cross-border environmental pollution, and trade barriers. Amid the current tense geopolitical situation, such disputes are often highly politically sensitive. Traditional judicial rulings tend to escalate tensions, while the confidentiality and flexibility offered by mediation are more advantageous [8]. In response to the legitimacy crisis faced by the investor-state dispute mechanism in recent years, IOMed provides a non-adversarial alternative. Through mediation, host governments and foreign investors can explore solutions for compensation or continued cooperation without compromising regulatory rights [9]. This integrated jurisdictional design allows IOMed to adapt to the complex reality of intertwined public and private

entities, as well as entangled political and economic interests in modern international economic activities. For example, infrastructure projects along the Belt and Road often involve both inter-state sovereign guarantees and corporate franchise rights. IOMed's one-stop service can effectively avoid efficiency losses caused by procedural fragmentation.

Procedural principles: Integrating modern dispute resolution concepts and eastern traditional wisdom

The procedural rules of IOMed are deeply influenced by traditional Chinese "harmony and unity" culture and Confucian legal thought, while also absorbing the prevailing rules of modern Alternative Dispute Resolution (ADR), forming a unique procedural system.

The first is the principle of party autonomy and voluntariness. Unlike the Compulsory Jurisdiction of the WTO dispute settlement mechanism, IOMed strictly adheres to the principle of voluntariness. The submission of disputes, appointment of mediators, advancement of mediation proceedings, and acceptance of the final settlement plan are all based on the consensus of the parties [10]. This principle greatly reduces the political risks for sovereign states to participate in dispute settlement and eliminates the concern of "refusing to respond to lawsuits for fear of losing". The second is the principle of confidentiality. The Convention sets extremely stringent provisions on confidentiality. All statements, concessions, proposals, and drafts made during the mediation process enjoy the "Without Prejudice" privilege and shall not be cited as adverse evidence in subsequent arbitration or litigation proceedings. This "firewall" mechanism encourages parties to let go of their defensive attitudes, exchange bottom-line information openly, and thus increase the possibility of reaching a compromise. The third is the duality of the mediator's role. IOMed's rules allow mediators to flexibly assume different roles based on the authorization of the parties. One is Facilitative Mediation, in which the mediator is mainly responsible for managing the process, easing emotions, clarifying facts, and assisting the parties in reaching an agreement independently, without expressing opinions on the merits of the dispute [11]. The other is Evaluative Mediation, in which, if requested by the parties, the mediator may, based on professional knowledge, assess the legal risks of the case and even put forward non-binding settlement recommendations. This model, which combines legal evaluation and interest coordination, helps parties establish reasonable psychological expectations. The fourth is the unique cultural connotation of "harmony and unity". The mediation advocated by IOMed is not merely the division of interests but also includes the restoration of relationships. This stems from the Confucian ideas of "non-litigation" and "harmony is most precious" [12]. From a Confucian perspective, litigation undermines social harmony, while mediation is a process of restoring the natural order through moral persuasion and mutual understanding and accommodation. IOMed has translated this concept into modern international law language, emphasizing that dispute settlement should pursue a win-win outcome rather than a zero-sum game. This value system has unparalleled advantages in handling long-term economic and trade cooperation relationships, such as long-term natural gas supply contracts and cross-border industrial park cooperation.

Enforcement mechanism: Strengthening the enforcement of mediation agreements

For a long time, the lack of binding enforceability of mediation agreements, unlike that of arbitral awards under the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (hereinafter referred to as the New York Convention), has been a bottleneck restricting the development of international mediation. IOMed has introduced institutional innovations to address this issue.

First, through alignment with the United Nations Convention on International Settlement Agreements Resulting from Mediation (hereinafter referred to as the "Singapore Convention on Mediation"). Settlement agreements resulting from IOMed can be

directly applied under the Singapore Convention on Mediation, obtaining recognition and enforcement in the courts of contracting states. The second is the reservation of an enforcement protocol. Article 41 of the Convention stipulates that contracting states shall negotiate to formulate a special protocol defining the conditions for the enforcement of settlement agreements. This leaves an institutional interface for the future establishment of a supervision and enforcement mechanism akin to that of the WTO [13]. The third is the guarantee of state credit. For inter-state disputes, although there is no supranational binding force, IOMed emphasizes the principle of pacta sunt servanda (Latin for "treaties must be observed"). Moreover, since settlement plans are voluntarily reached by the parties, the probability of their voluntary performance is generally higher than that of imposed judgments [14].

Existing problems of the WTO dispute settlement mechanism

Since its establishment in 1995, the WTO dispute settlement mechanism has been hailed as the "crown jewel" of the multilateral trading system, thanks to its unique "reverse consensus" principle and efficient enforcement capacity. However, with changes in the balance of power in the global trade landscape and the lag of the rule system, the mechanism has exposed serious structural flaws.

Prolonged shutdown of the Appellate Body

The most pressing issue facing the WTO at present is the shutdown of its Appellate Body. This crisis is not an abrupt occurrence but a culmination of long-standing accumulated conflicts [15]. Since 2017, the United States has accused the Appellate Body of "judicial overreach", criticizing it for exceeding the 90-day review deadline and making law, and has since systematically obstructed the appointment of new members. By December 2019, with the expiration of the term of the only remaining judge, the Appellate Body became unable to accept new cases due to having fewer than three members. As of 2025, despite widespread calls for its reconstruction, the deadlock remains unresolved because the United States insists on linking the reform of the Appellate Body to adjustments to the WTO's overall functions, including the status of developing members and subsidy rules.

The shutdown of the Appellate Body has led to an absurd legal consequence: The losing party may file an appeal against the panel report in accordance with Article 16.4 of The Dispute Settlement Understanding of the rules and procedures (DSU). With no Appellate Body to hear the appeal, it can neither be adjudicated nor dismissed, resulting in a legal deadlock where the panel report cannot take effect through the "reverse consensus" of the Dispute Settlement Body (DSB) [16]. Such "appeals into the void" have rendered the WTO's compulsory and binding dispute settlement a dead letter, effectively reverting to the GATT era when "any party could veto a ruling" [17]. Statistical data shows that, as a result, members' confidence in the WTO dispute settlement mechanism has dropped significantly. The number of cases filed with the WTO between 2020 and 2025 plummeted by approximately two-thirds compared to the pre-crisis period. Many trade frictions have been diverted to bilateral negotiations or unilateral sanctions for resolution, and the credibility of multilateral rules has suffered a severe blow.

Excessive judicialization and inefficiency of procedures

Even during the normal operation of the Appellate Body, the WTO dispute settlement mechanism has been widely criticized for increasingly deviating from its original design intent. First is excessive judicialization. The DSU was originally designed as a legal mechanism with a certain degree of diplomatic flexibility. But in practice, it has rapidly evolved into a highly technical and cumbersome quasi-judicial system. Legal submissions filed by both parties often run to thousands of pages, citing extensive case law, leading the focus of proceedings to shift from resolving trade disputes to scholastic debates over

legal provisions. Furthermore, since the Appellate Body reviews only legal issues, factual errors by panels cannot be corrected on appeal. At times, the Appellate Body has been accused of stretching legal interpretations to address factual deficiencies, further fueling accusations of "judicial law-making" [18].

Second, proceedings suffer from serious delays. The DSU stipulates that panel proceedings should generally be completed within 6-9 months, and appellate proceedings should not exceed 90 days. However, the Report on the Appellate Body of the World Trade Organization issued by the United States in 2020 shows that the average trial cycle for cases in recent years has exceeded 15 months, and some complex cases, such as the Airbus-Boeing subsidy dispute, have even dragged on for several years. For time-sensitive trade sectors such as semiconductors and agricultural products, such delated rulings often have no practical remedial significance.

Alternative Dispute Resolution (ADR) mechanism only institutionalized in name

Article 5 of the DSU explicitly stipulates procedures for Good Offices, Conciliation and Mediation, aimed at providing members with flexible alternatives to litigation. However, this provision has barely functioned beyond a symbolic role in the WTO's three-decade history. Statistics indicate that since 1995, cases formally initiated under Article 5 have been exceedingly rare. For example, the 2002 dispute between the EU, Thailand, and the Philippines over canned tuna was resolved through mediation [19].

The vast majority of disputing parties prefer to proceed directly to Article 4 consultations; if consultations fail, they will directly apply for the establishment of a panel [20]. Additionally, the WTO Secretariat has not set up a specialized mediation center. Mediation is usually conducted by the Director-General in his personal capacity, lacking institutionalized administrative support and a team of professional mediators. Article 5 of the DSU contains only a few provisions, failing to specify initiation time limits, confidentiality rules, cost-sharing arrangements, or mediator selection criteria for mediation. This has left members reluctant to attempt it due to "uncertainties". Moreover, in the Western-dominated legal culture, resorting to mediation is often misconstrued as a sign of weakness or a lack of legal merit, leading members to prefer to pursue litigation to its conclusion.

Minimal effectiveness of reform efforts

To break the deadlock, WTO members conducted intensive informal consultations before and after MC13. The reform draft led by Marco Molina (representative of Guatemala), known as the "Molina Text", represents the most concrete outcome of these efforts [21]. Spanning 36 pages, the text proposes a series of significant measures aimed at improving efficiency and restoring functionality: First, it imposes strict limits on the length and duration of proceedings, proposing caps of 30,000 words for first panel submissions, 24,000 for second submissions, and 60 minutes for oral statements. Second, it enforces mandatory timelines, requiring panels to issue reports within 9 months (or 12 months for complex cases). Third, it strengthens mediation. The text extensively cites ADR mechanisms such as mediation and good offices, attempting to place them in a pre-positioned or parallel position.

However, this reform proposal has failed to gain consensus. On one hand, developing country members including India, South Africa, and Bangladesh have explicitly opposed word count limits and the overemphasis on mediation [22]. They fear that simplified procedures will undermine developing countries' ability to fully present complex cases, while the emphasis on mediation may force vulnerable countries to accept unfair compromises under political pressure. On the other hand, the United States insists on fundamentally altering the functions of the Appellate Body, even hinting at a desire to return to a "single-tier" or "selective appeal" model, a stance diametrically opposed to other members' demand for restoring the two-instance final adjudication system. Furthermore, while members

such as China and the European Union have established the MPIA, and three cases have been ruled through this mechanism, namely the Turkey Pharmaceuticals Case (DS583, 2022), the Colombia Frozen French Fries Case (DS591, 2022) and the China Intellectual Property Enforcement Case (DS611, 2025), this mechanism is merely a provisional arrangement of a club-like nature. The absence of major economies such as the United States and India dooms it to being unable to replace a global, mandatory WTO dispute settlement mechanism.

Optimization paths for the WTO dispute settlement mechanism

The establishment of IOMed has not only added new public goods to international law but also provides a pertinent model for WTO reform at this crossroads. IOMed's principles of de-judicialization, institutionalized mediation, and procedural flexibility offer pragmatic avenues for resolving the efficiency and legitimacy crises currently facing the WTO.

Enlightenment at the conceptual level: Promoting a swing back from "rule-oriented" to "relationship-oriented"

The crisis of the WTO dispute settlement mechanism is essentially the result of excessive faith in the "rule-oriented" approach while completely rejecting the "power-oriented" or "diplomacy-oriented" model. The establishment of IOMed demonstrates that in economic and trade frictions involving countries' core and vital interests, purely legal rulings are often ineffective and may even exacerbate conflicts. On one hand, IOMed's experience enlightens the WTO to reintroduce diplomatic flexibility into dispute settlement. Particularly when handling highly sensitive cases involving national security and subsidized industrial policies, rigid rulings on violations often lead to losing parties, especially major powers, directly ignoring the rules. By introducing a confidential mediation mechanism to provide parties with a dignified way to back down, it may be more conducive to safeguarding the stability of the multilateral trading system than an unenforceable judgment. On the other hand, the WTO should draw on the Eastern wisdom embodied by IOMed and take "restoring trade relations" as its supreme goal, rather than merely "punishing violations". This means that in the reform process, panels should be encouraged to exercise more "power of recommendation" rather than "power of adjudication" on the basis of establishing facts, guiding both parties to reach a Mutually Agreed Solution (MAS).

Enlightenment at the institutional level: Promoting the materialization and institutionalization of Article 5 of the DSU

The most direct enlightenment from IOMed lies in the fact that mediation cannot merely remain a paper principle but must be supported by substantive institutions and detailed rules [23]. The WTO should refer to IOMed's framework and carry out drastic reforms to Article 5 of the DSU. First, establishing a "WTO Mediation and ADR Center". Currently, WTO mediation is conducted by the Director-General on a part-time basis, lacking institutional guarantees. It is proposed that the WTO establish an independent Mediation and ADR Center within the Secretariat, with functions including: (1) Providing administrative and professional support for mediation cases, akin to the IOMed Secretariat. (2) Maintaining a mediator roster and establishing a specialized roster (distinct from the panel list) composed of senior diplomats, industry experts, and commercial mediators. (3) Establishing strict confidentiality firewalls between the Centre and the Legal Affairs Division serving panels, thereby eliminating concerns about information leakage. Second, formulating the "WTO Protocol on Mediation Procedures". Drawing on IOMed's experience in rule-making, the WTO should issue a detailed Protocol on Mediation Procedures, clarifying the following points: (1) Stipulating that parties may request suspending the proceedings and switch to mediation at any stage of the panel proceedings or even the appellate proceedings. (2) In

consideration of IOMed's emphasis on low costs, the WTO may stipulate fee reductions or exemptions for cases choosing mediation or utilize the fund of Advisory Centre on WTO Law (ACWL) to cover the mediation costs of least developed countries. (3) Clarifying that mutually agreed solutions (MAS) reached through mediation, after being recorded by the DSB, shall have the same enforcement effect as panel reports and be subject to the jurisdiction of Article 21 of the DSU (Implementation Supervision).

Enlightenment at the operational level: Exploring mandatory pre-mediation and hierarchical resolution

Faced with case backlogs and inefficiency, the flexible jurisdiction and case diversion mechanism of IOMed are worthy of reference. First, introducing "mandatory pre-mediation" for specific types of disputes. Although relevant proposals in the "Molina Text" encountered partial resistance, IOMed's practice demonstrates the necessity of appropriate procedural guidance. The WTO may consider incorporating the "mandatory pre-mediation" procedure for two categories of cases: (1) Fact-intensive cases, such as Sanitary and Phytosanitary disputes and Technical Barriers to Trade disputes, which often involve complex scientific facts rather than legal interpretation. These cases are more suitable for mediation by technical experts than adjudication by judges. (2) Small-value trade disputes: Drawing on IOMed's efficient procedures, for disputes with a trade volume below a certain threshold, it shall be mandatory to first conduct a 60-day mediation process, and the panel proceedings may only be initiated if the mediation fails. Second, construct a hybrid model integrating mediation and arbitration. IOMed allows mediators to conduct "Evaluative Mediation". The WTO could empower panels to proactively convene a "Without Prejudice Evaluation Meeting" with both parties before issuing an interim report, disclosing the panel's preliminary views on core issues. This serves as a lever to urge the parties to reach a settlement at the final stage.

Enlightenment at the global governance level: Integrating eastern and western wisdom in dispute resolution

The establishment of IOMed has broken the Western institutional monopoly in the field of international law and demonstrated the capacity of the "Global South" to participate in rule-making [24]. The WTO reform should keep pace with this trend and enhance the institutional voice of developing member states. On one hand, promote the diversification of dispute resolution cultures. For a long time, the WTO DSM has been dominated by the adversarial mindset of the common legal system. IOMed's successful practice shows that Asia's negotiation culture also possesses universal value. When appointing panel members or arbitrators of the appeal arbitration body, more consideration should be given to candidates' ability to understand diverse legal cultures, rather than merely their skills in handling case law. On the other hand, the WTO should not regard IOMed as a competitor but establish a cooperative partnership with it. For cross-cutting trade and investment disputes involving countries along the Belt and Road, the WTO may advise parties to utilize the IOMed platform for resolution. IOMed should also take the initiative to cooperate with the WTO. For example, it could explore the possibility of using the trade retaliation rights recognized by the WTO as a safeguard for enforcing IOMed mediation agreements in the future.

Conclusion

The establishment of IOMed is not merely the launch of a new institution, but a profound experiment in how humanity can peacefully resolve disputes. It has proven to the world that beyond confrontational litigation and arbitration, there exists a more moderate, inclusive, and efficient Eastern approach. For the WTO dispute settlement mechanism, which is currently in its darkest hour, IOMed is undoubtedly a clear mirror. It reflects the WTO's misconception of

over-relying on the "omnipotence of judicialization" over the past three decades, and also points out that the future reform should return to the essence of resolving disputes.

As a founding state of IOMed and a key member of WTO, China must not only build and utilize IOMed well, making it a public good for global rule of law, but also convey the "harmony and unity" wisdom embodied by IOMed to the negotiating tables in Geneva, promoting the WTO to establish a more balanced and diverse dispute settlement mechanism. This is not only a tactical necessity to address current trade protectionism, but also a strategic expression of building a community with a shared future for mankind in the field of international economic rule of law. By absorbing IOMed's experience and activating the dormant Article 5 of the DSU, the WTO is expected to continue to safeguard the prosperity and stability of global trade in the future.

Funding

This paper is a phased research achievement of: (1) the Fundamental Research Funds for the Central Universities & the Scientific Research Cultivation Project of the Collaborative Innovation Center for National Territorial Sovereignty and Maritime Rights and Interests (No. 413000070); (2) the Key Research Project of the Youth Research Center of Wuhan University (No. 202439) entitled "Research on the Cultivation of Foreign-related Arbitration Talents in Chinese Universities under the construction of an education power".

Acknowledgements

The author would like to show sincere thanks to those techniques who have contributed to this research.

Conflicts of Interest

The author declares no conflict of interest.

References

[1] Kim, M. S. (2025) CHIP security: Reconciling industrial subsidies with WTO rules and national security exception. *Harv. Nat'l Sec. J.*, 16, 74.

[2] Hopewell, K. (2025) Unravelling of the trade legal order: enforcement, defection and the crisis of the WTO dispute settlement system. *International Affairs*, 101(3), 1103-1117.

[3] Du, M. (2024) International economic law in the era of great power rivalry. *Vand. J. Transnat'l L.*, 57, 723.

[4] Alexander, N. (2019) Ten trends in international mediation. *Singapore Academy of Law Journal*, 31, 405-447.

[5] Sauvant, K. P., Nolan, M. D. (2015) China's outward foreign direct investment and international investment law. *Journal of International Economic Law*, 18(4), 893-934.

[6] Erie, M. S. (2019) The new legal hubs: the emergent landscape of international commercial dispute resolution. *Va. J. Int'l L.*, 60, 225.

[7] Chaudhry, M. I. (2025) China as a shaper of global governance in a multipolar world: ambitions, initiatives, and prospects. *China Quarterly of International Strategic Studies*, 11(03), 311-344.

[8] De Andrade, M. (2019) Procedural innovations in the MPIA: a way to strengthen the WTO dispute settlement mechanism. *Questions of International Law, Zoom-out*, 63, 121-149.

[9] Chen, M. (2023) Commercial mediation in mainland China: pitfalls & opportunities. *Pepp. Disp. Resol. LJ*, 23, 167.

[10] Melenko, O. (2020) Mediation as an alternative form of dispute resolution: comparative-legal analysis. *European Journal of Law and Public Administration*, 7(2), 46-63.

[11] Aminuddin, F. A., Teng, L. W. (2024) Mediation as in construction: an empirical investigation on the evaluative and facilitative mediation. *International Journal of Research and Innovation in Social Science*, 8(4), 1997-2016.

[12] Tang, Y. (2018) Internationalization with backward international law: the dispute resolution mechanism for sovereign panda

bonds. *Peking University Law Journal*, 6(2), 305-321.

[13] Bi, Y. (2024) Experimentation at the WTO lab: towards a better 'Interface' to accommodate State-owned enterprises. *Journal of International Dispute Settlement*, 15(3), 404-423.

[14] Artyom, B. (2020) Legal nature and enforcement of settlement agreements: comparative review. *Russian Law Journal*, 8(3), 116-140.

[15] Hameed, M., Sutrisno, N., Duffy, F. A. (2025) The Appellate Body crisis: challenges and reforms to the World Trade Organization dispute settlement mechanism. *Prophetic Law Review*, 1-24.

[16] Adinolfi, G. (2019) Procedural rules in WTO dispute settlement in the face of the crisis of the Appellate Body. *Questions of International Law*, 61, 39-58.

[17] Pauwelyn, J. (2019) WTO dispute settlement post 2019: what to expect?. *Journal of International Economic Law*, 22(3), 297-321.

[18] Lemos, M. H. (2016) Democratic enforcement: accountability and independence for the litigation state. *Cornell L. Rev.*, 102, 929.

[19] Azurin, L. C. R. (2023) Deep dive with New Haven: comprehensive analysis of the south China sea arbitration and its progeny of legal literature. *APLPJ*, 25, 61.

[20] Trakman, L. (2016) Enhancing standing panels in investor-State arbitration: the way forward. *Geo. J. Int'l L.*, 48, 1145.

[21] Lamp, N. (2025) Arrested norm development: the failure of legislative-judicial dialogue in the WTO. *Leiden Journal of International Law*, 1-27.

[22] Allee, T., Elsig, M. (2019) Are the contents of international treaties copied and pasted? Evidence from preferential trade agreements. *International Studies Quarterly*, 63(3), 603-613

[23] Hoekman, B. M., Mavroidis, P. C. (2015) WTO 'à la carte'or 'menu du jour'? Assessing the case for more plurilateral agreements. *European Journal of International Law*, 26(2), 319-343.

[24] Wei, Z. (2024) China's innovative dispute resolution under the "Belt and Road" initiative. *Public Health Policy and Laws Journal*, 10(1), 153-168.