

# AMERICAN JOURNAL OF INTERNATIONAL LAW

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#### Traveling Judges

*Alyssa S. King and Pamela K. Bookman*

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Around the world, domestic courts focused on commercial disputes hire foreign judges. The practice seems to resemble arbitration, but is also rooted in colonialism. These traveling judges are predominantly retired English judges hired by small, market-dominant jurisdictions, like Hong Kong or Dubai. The judges' identities reveal efforts to harness business preferences for English common law into domestic court systems. While judges aspire to spread the rule of law, local politics may dictate these courts' futures. This Article maps the practice of traveling judges and explores its implications.

#### Who Guards the “Guardians of the System”? The Role of the Secretariat in WTO Dispute Settlement

*Joost Pauwelyn and Krzysztof Pelc*

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For all the attention paid to the panelists and Appellate Body of the World Trade Organization (WTO), the Secretariat plays an overlooked and increasingly important role in the dispute settlement mechanism (DSM), including in selecting panelists, writing “issue papers” for adjudicators, providing economic expert advice, participating in internal deliberations, and drafting actual rulings. This Article argues that, given these functions, the DSM is better understood to be a *sui generis* administrative review process than it is a “World Trade Court.”

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