

## James R. Holbein

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James R. Holbein is a specialist on NAFTA and international trade law. He is President of Global Trade Consulting, LLC working on diverse issues from investing abroad to cyber security and bio processing. He has been an adjunct professor at American University Washington College of Law since 1993. He teaches seminars on NAFTA, Regional Integration, Negotiation and Dispute Settlement. He has been appointed as a panelist for several binational panels since 2004 under NAFTA Chapter 19 to resolve several antidumping (AD), countervailing duty (CVD) and material injury disputes. Since 1992, he has served as editor of an eight volume looseleaf series on NAFTA published by Oxford University Press. He also edits looseleaf series on NAFTA Chapter 11 Investment issues and is a frequent contributor to the Oxford Press looseleaf series on the World Trade Organization.

Mr. Holbein was a government official for nearly 20 years. He was the U.S. Secretary of the NAFTA Secretariat from its inception in 1989 under the US-Canada Free Trade Agreement, until 1999. In that role, he managed five member panels of experts who issued binding legal decisions in over 100 AD/CVD disputes affecting over \$25 billion in regional trade. He managed the Mexico desk at the U.S. Department of Commerce in 1988 and was a trade negotiator for the U.S. Department of State in 1986-87. Mr. Holbein was a Foreign Service Officer from 1980 to 1987 and received a Meritorious Honor Award and USTR Special Certificate of Appreciation in 1986 for his participation in the U.S. - Canada free trade negotiations. He also served in the U.S. embassies in Norway and South Korea.

He began his career in government with the U.S. Small Business Administration as an attorney for a disaster loan program in south Texas. Subsequent to his government career, Mr. Holbein was Of Counsel to a law firm specializing in international trade matters for three years. He also worked as a manager in three start-up firms in the electric motor, bio-processing and cyber security industries.

### Currently Teaching

- LAW-951-001 Negotiating Regional Trade Agreements
- LAW-954-001 Dispute Resolution under Regional Agreements

### Area of Specialization

- NAFTA and Regional Trade Agreements
- International trade laws and negotiations
- Dispute settlement

### Degrees & Universities

- J.D., University of Arkansas at Fayetteville, 1979.
- B.A., University of California at Santa Barbara, 1975

## Publications – Books and Looseleaf Series

- ***North American Free Trade Agreements***, Editor with Donald J. Musch, published by Oxford University Press. The most comprehensive legal series on NAFTA in the world with over \$2 million in sales. Updated 4-6 times annually since 1994.
- ***9/11 Commission, Proceedings and Analysis***, four volume treatise compiling and analyzing materials from the 9/11 Commission, Oceana Publications, Inc., 2005.
- ***The EU-Mexico Free Trade Agreement***, complete text with commentaries, Transnational Juris Publications, Spring 2002.
- ***North American Free Trade Agreement***, Edited, complete NAFTA text containing hundreds of technical rectifications, supplemental agreements and text on diskette, 1994.

## Publications – Articles and Papers

- *Balancing Investors' Rights with Public Policy in the NAFTA Context*, by Nick Ranieri and James R. Holbein, *North American Free Trade Agreements*, edited by Donald J. Musch and James R. Holbein, Oxford University Press, September 2006.
- *Analysis of Antidumping and Countervailing Duty Matters Decided by the WTO and the GATT*, by James R. Holbein, P. Ross Weber and Filip Reich, *Law and Practice of the World Trade Organization*, edited by Joseph Dennin, Oxford University Press, September 2007.
- *Is the WTO Dispute Resolution System Serving the Developing World's Interests?*, Chapter 5 of, *Latin America, Its Future in the Global Economy*, Patricia Gray Rich, ed., published by Palgrave., 2002.
- *An Analysis of Agricultural Disputes under NAFTA*” 3 *Ohio Northern University Law Review* 639, Twenty-Fifth Annual Law Review Symposium, Fall 2002.
- American Bar Association, Year-in Review, Editor and Contributor, Mexican Law Committee Submissions, *International Lawyer* 1999 – 2001.
- *The Mexico-European Community and Member States Economic Partnership, Political Coordination and Cooperation Agreement*, with Juan Francisco Torres Landa and Omar Guerrero R., 35 *International Lawyer* Vol. 2, Summer 2001.
- *Federal Government Careers in International Law*, *American Society of International Law Guide to Careers in International Law*, Fall 1999.
- *NAFTA Chapter 19, the U.S. Secretariat's Perspective*, *The Commerce Department Speaks on Trade and Investment*, Practising Law Institute, 1998.
- *Convergence of National Intellectual Property Norms in International Trading Agreements*, with L. Hicks, 12 *Am. Univ. Journal of Int'l Law and Policy* 769, 1997.
- *The Administration of Chapter 19 Binational Proceedings Under NAFTA*, 5 *United States-Mexico Law Journal* 57, Fifth Annual Conference of the U.S.-Mexico Law Institute, Inc., 1997.
- *NAFTA Code of Conduct Provides International Guidelines for Ethical Behavior*, with Alicia Greenidge, 1 *NAFTA: Law & Business Review of the Americas* 50, Spring 1995.
- *NAFTA Organizations and Dispute Settlement*, prepared for Georgetown University Law Center conference, ‘Resolving International Trade Disputes,’ November 1995.
- *NAFTA Code of Conduct to Ensure Integrity of Dispute Settlement*, Office of Government Ethics NEWSGRAM, Summer 1994.
- *Trade Agreements and Dispute Settlement Mechanisms in the Western Hemisphere*, with G. Carpentier and E. Grebasch, 25 *Case Western Reserve Journal of Int'l Law* 531, Summer 1993.

- *An Analysis of Dispute Settlement under the U.S.-Canada Free Trade Agreement and the North American Free Trade Agreement*, prepared for American Society of International Law, International Economic Law Forum, March 1993.
- *The Case for Free Trade*, Symposium on Free Trade and the Environment in Latin America, 15 Loyola of Los Angeles International and Comparative Law Journal 19, December 1992.
- *Comparative Analysis of Specific Elements in U.S. and Canadian Unfair Trade Law*, with Nick Ranieri, 26 International Lawyer 873, Winter 1992.