When I came to the European University Institute in Florence in 2004 to write my PhD thesis, I was not conversant with issues of international economic law and the World Trade Organization (WTO). It was Professor Petersmann who introduced me to this hermetic world. He also kindly agreed to supervise my thesis on the Agreement on the Application of Sanitary and Phytosanitary Measures. From the current perspective I can see that my stay at the EUI was not only enjoyable, but also an invaluable professional experience.

When the idea of preparing a Festschrift honouring Professor Petersmann emerged, I decided that the topic of my contribution had to be connected to that specific period in my life. Choosing to focus on WTO law was easy. The problem was finding a specific and relevant topic that could be discussed in the context of international trade rules. And then another memory surfaced. I recalled sitting on the terrace at the Villa Schifanoia, where the Law Department is located. Some students, including myself, tended to gather there in the afternoons, watching the skyline of Florence and talking over a cup of espresso and a cigarette. This is a very vivid and pleasant image (despite all the bad health consequences connected with smoking) that will always remain one of my EUI memories. And so, almost of its own accord, my topic for this contribution was borne. Why not analyse the treatment of tobacco products under different WTO rules? The problem of tobacco and its regulation is at the forefront of the discussion on the role of international trade rules in multilateral governance and the interrelationship between trade liberalization and non-trade concerns, such as the protection of human life and health.

This chapter is structured as follows: the first section briefly introduces the current regulatory practice in tobacco control. The second section turns to WTO rules and analyses their impact on domestic measures addressing the problem of tobacco use. This discussion refers to the General Agreement on Tariffs and Trade 1994 (GATT 1994), the Agreement on Technical Barriers to Trade (TBT Agreement), and the Agreement on Trade-Related Aspects of Intellectual Property Rights.
Due to the space limitations, this chapter does not discuss tobacco control measures that fall under the General Agreement on Trade in Services, such as restrictions on cigarette advertising or licensing requirements for tobacco retailers.
