## **Contents**

Par	t 1 Law and Policy on Natural Resources in Selected Asian Countries	
1	Natural Resources and Energy Regulation in Australia: The Energy White Paper in Context	3
2	Legal System of Natural Resources Protection in China: GATT 20 and China's Export Limits on Resources	27
3	Law and Policy on Mineral Resources in Mongolia: Seeking Inescapable Stability	41
4	Natural Resources Regime in India: Impact on Trade and Investment	59
Par	rt II Export Restrictions and WTO Agreements	
5	A Note on the China Rare Earths Case	79
6	The World Trade Organization and Export Restrictions Gabrielle Marceau	99
7	Reforming WTO Discipline on Export Duties: Sovereignty Over Natural Resources, Economic Development and Environmental Protection	139

x Contents

Part	t III Free Trade Agreements and Natural Resources	
8	Free Trade Agreements and Natural Resources	185
9	Comment to Chapter "Free Trade Agreements and Natural Resources"	211
Part	t IV Competition Law Issues Relating to Exportation of Natural Resources	
10	The Iron Ore Production Joint Venture Between Rio Tinto and BHP Billiton: The European Angle of a Multinational Antitrust Review	221
11	Putting Limits on Extra-Territorial Coverage of Competition Laws in the Age of Global Supply Chains: Comparison of the US and Japan	245
Part V Special Agreements and Energy		
12	Special Agreements and Energy: Filling the Gaps Michael Hahn and Kateryna Holzer	259
13	<b>Energy Charter Treaty: Standing Out Beside the WTO</b> Noriko Yodogawa	279
14	Changes in Cycles and Risks of Circumvention? Comments to Chapter "Special Agreements and Energy: Filling the Gaps" Tomohiko Kobayashi	289
Part	t VI Subsidy Issues in Renewable Energy Trade	
15	The Climate-Trade Conundrum: A Critical Analysis of the WTO's Jurisprudence on Subsidies to Renewable Energy	297
16	Export Restraints of Natural Resources and the SCM Agreement	321
17	Subsidies Issues in Renewable Energy Trade	343

Contents xi

Part	t VII Energy Trade and Investment Treaties	
18	International Energy Trade and Investor-State Arbitration: What Role for Sustainable Development?	355
19	Comment to "International Energy Trade and Investor-State Arbitration"	377
Part	t VIII Environmental Issues: Climate Change and Trade/ Investment	
20	Climate Change, Trade, and Investment Law: What Difference Would a Real Responsibility to Protect Make? Krista Nadakavukaren Schefer	383
21	Comments to "Climate Change, Trade, and Investment Law. What Difference Would a Real Responsibility to Protect Make?"	399