INDEX

abuse of dominant position, 163
ADA (Anti-Dumping Agreement), 83–85, 229–30
ADDs (anti-dumping duties), 229, 230
agricultural goods, international trade in, 80–81, 270
alternative forms of energy trade, 63
AoA (Agreement on Agriculture), 80–81, 125
Aramco (Saudi Arabian Oil Company), 55, 175
Argentina – Financial Services, 94
Argentina – Hides and Leather, 180
ASCM. See SCM Agreement (Agreement on Subsidies and Countervailing Measures)
Asmelash, HB, 215, 237
Bagwell, K, 161, 165, 177
benefits
in SCM Agreement, 86
specificity of, 227
Bermann, G, 101
Beyerlin, U, 11
bilateral treaties, energy security in, 245
binding of tariffs, GATT/WTO regime on, 21, 40, 47
export duties, 61
on petrol, 40, 42
bindingness, of gentlemen’s agreements, 38
biofuels, 17, 63
biological diversity, 11
Brazil – Retreaded Tyres, 73, 78
Brundtland report, 31
Canada
energy security in FTAs of, 252
and USMCA, 146
Canada – Renewable Energy/FIT Program, 72, 82, 86–88, 231
Canuto, C, 232
carbon emissions. See CO₂ emissions
carbon taxes on fossil fuels, GATT/WTO regime on, 68
cartels, 169
doing exporting countries/OPEC, 44, 163, 169
of Seven Sisters oil companies, 36
Carter, Jimmy, 28
case law of GATT/WTO on energy security, 33, 240–41, 252–63
on energy trade, 42, 62–63
anti-dumping measures, 63, 84–85
coal, 42
dual pricing, 220–21
EU internal energy market, 195–209
exhaustible natural resources exception, 181–85
export restrictions, 178–80
FITs for renewable energy, 82–83, 86–88
goods/services distinction, 90–91
import restrictions, 75–76
like goods, 69–73
market access, 93
MFN treatment, 95–96
NT, 96
protection of animal, plant life or health, 78
tradable goods, 175
transit, 74
on natural resources, 27
on quantitative restrictions, 222
on raw materials, 14
on serious prejudice, 227–28
INDEX

Chianale, CF, 176
China, WTO Accession Protocol of Accession of, 53, 222
China – Rare Earths, 223
China – Raw Materials, 181–86, 222
China – Subsidies to Producers of Primary Aluminium, 227
classifications for energy commodities, 14
for energy sources/resources, 10, 21–22, 23
for oil and gas pipeline transport services, 95
for raw materials, 14
GATT/WTO regime, 67–69
clean air, as exhaustible natural resource, 78
clean energy, 17
and likeness analysis, 71–73
subsidies for, 86
climate change mitigation and dual-pricing practices, 214
international commitments to, 32, 216
need for, 2, 238
CO₂ emissions
of clean energy, 15
of nuclear energy, 16
reduction of, 220
coal trade, 42
collective action problems, of dual-pricing disputes, 221
Colombia – Ports of Entry, 74
commodity agreements, international, 176
competition absence of WTO rules on, 163–64
in energy sector, 28, 37
conflict rules, between ECT and WTO, 125–27
conservation, 185
of exhaustible natural resources, 182–85
consumers, subsidies for benefit of, 215, 227
Convention on Biological Diversity (UN, 1992), 11
coordination and cooperation, between ECT and WTO regimes, 134, 279–80
costs calculations of, 230
of production quotas, 171
Cottier, T, 92, 276–77
counter-notification, of subsidies, 228
countervailing duties, 228
countervailing measures, 226, 228
Crosby, D, 9
customs duties in FTAs of EU, 149
customs unions, 21
Czechoslovakia, GATT/WTO schedules of, 46
Dam-de Jong, D, 11
counter-notifications, of subsidies, 228
countervailing duties, 228
countervailing measures, 226, 228
cooperation
absence of WTO rules on, 218, 219
in energy sector, 28, 37
conflict rules, between ECT and WTO, 125–27
competition
abortion of WTO rules on, 163–64
in energy sector, 28, 37
conflict rules, between ECT and WTO, 125–27
case law of GATT/WTO
Appellate Body crisis, 273
distribution of natural resources, unevenness of, 12
Doha Round negotiations (2001–), 50
on dual pricing, 218
on energy services, 98
on environmental goods and services trade, 269
domestic quotas, GATT/WTO regime on, 176–77, 186
dominance
abuse of, 163
of energy suppliers, 206
of natural resources, 12
dual pricing in energy trade, 44–46
for electricity, 212
international trade law on, 216–20
EU-Ukraine DCFTA provision, 149, 234–35
GATT/WTO regime, 62, 221–39
TTIP draft provision, 232–34
negative environmental externalities of, 214–16
Russian policies, 59, 219
Saudi Arabian policies, 54–55, 219
dumping, 84, 229. See also ADDs (anti-dumping duties), ADA (Anti-Dumping Agreement)
proving injury caused by, 229

EC – Asbestos, 182, 187
EC – Bananas, 91
EC – Seals, 181, 182
economic activities in energy sector, 124
economics
of natural resources, 12
price elasticity in, 168
economies, natural resources
dominance in, 12
ECT (Energy Charter Treaty), 19–20, 61
dispute settlement mechanism of, 113, 123, 128–30, 273
energy resources classification of, 23
energy security in, 246
establishment of, 19
international trade law regime of
investment protection, 125
IP protection, 123–25
services, 124
transit, 124
and WTO/GATT regime, 110–55, 277–81
membership of, 114–21, 271
Russian withdrawal, 112, 115
and WTO membership, 141–55
modernization of, 125, 135

INDEX

objectives of, 122
Secretariat, 112, 122
Ecuador, WTO Accession Protocol of, 52
Ehring, L, 176
electricity
classifications of, 90
dual pricing for, 212
markets, 86
energy, 1, 7–10, 34, 121–22. See also
renewable energy, clean energy,
non-renewable energy
debates on, 279
holistic approaches to, 154
international trade law on. See
international trade law on energy
political sensitivity of, 274
transitions, 2
Energy Charter (European Energy Charter), 135, 246
energy commodities, 9–10, 24, See also
energy goods
primary and secondary, 14, 15
Energy Community Treaty, 247
energy companies
Seven Sisters, 36
state-owned, 28
and dual pricing, 225
GATT regime on, 76–77
vertical integration of, 89
energy efficiency, 122
energy goods, 89, 148. See also energy commodities
classifications of
of ECT, 23
of HS Convention, 22
of WTO, 21–22
electricity, 90
like energy goods, 69–73
transit of. See transit of energy
ergy governance, global, 280–81, 282–83
energy markets, 27. See also
decarbonization of energy markets, decentralization of energy markets
and ensuring energy security, 32–33, 34, 263–64
energy security ensuring of, 32–33, 34, 263–64
EU strategy on, 243
in international law, 244–49, 265
in international relations, 241–44
international trade law on
GATT/WTO regime on, 63, 240–41, 250, 252–63
PTAs, 250–52
public policy exception on, EU invocation of, 204–5
sustainable, 245
energy services, 23, 97–99
international trade law on, ECT regime, 124
GATS/WTO regime, 47, 88–99
environmental externalities
of dual pricing, 214–16
of nuclear energy, 16
environmental goods and services, 51
international trade law on, 51, 269, 270
environmental law, international, 134–35
environmental measures and trade measures, 269
EU – Anti-Dumping Measures on Certain Cold-Rolled Flat Steel Products from Russia, 230
EU – Cost Adjustment Methodologies and Certain Anti-Dumping Measures on Imports from Russia, 84, 230
and energy security, 33, 62, 240, 257–63
exemptions, 202
goods/services distinction, 90–91
likeness, 94
market access, 93
MFN/NT, 69–70, 95–97
unbundling obligations, 75–76, 198–201
EU-Mexico FTA, 251
energy trade regulation in, 152–53
EU-Singapore FTA, 251
energy trade regulation in, 146–48, 282
EU-Ukraine DCFTA (Deep and Comprehensive Free Trade Agreement), 234–35, 251
energy trade regulation in, 148–52
Eurasian Economic Union, 58
Euratom Treaty, 248
European Court of Justice on electricity as good, 90
European Union ADDs of, 230
agricultural policy, 81
Common Commercial Policy, 110
dual pricing opposed by, 217
Energy Community Treaty of, 148
energy security strategy of, 243, 247
fossil fuel imports of, 251
internal energy market, 160, 188–95
PCIs (projects of common interest), 69, 94
Russian complaints against, 63, 195–209, 210, 257–63
Third Energy Package (TEP), 188
PTAs of
dual-pricing prohibition in, 234–35
energy security in, 250–51
energy trade regulation in, 142, 146–54
state aid policies of, 235
TTIP agreement with United States, 232–34
exceptions and derogations in GATT/GATS regime, 77–79, 144
essential goods/critical shortages exception, 175, 253–54, 262
EU invocation of, 208
exhaustible natural resources exception, 165–66, 180–85
for international commodity agreements, 176
government procurement derogation, 100, 253
health exception, 73
prevention of abuse of, 186–88
public policy exception, 259–61, 263
security exception, 79–80
exclusive or special privileges', 224
exhaustible natural resources, 12
GATT exception on, 78–79, 165, 180–85
case law on, 181–85
export duties
binding of, 61
on energy products, 22
in Russia, 58
permissibility of, 44–46
on raw materials
in China, 54, 222
export restrictions/quotas
NAFTA rules on, 144
WTO/GATT negotiations on, 44, 217, 250
WTO/GATT regime on, 75, 162, 178–80
export taxes, 166
in energy trade, 162
WTO/GATT regime on, 45, 223–24
externalities, negative
environmental
of dual pricing, 214–16
of nuclear energy, 16
of natural resources, 12
FFS (fossil fuel subsidies), 213–14
dual pricing as, 214–16, 237
elimination/curbing of, 215–16
notification duties for, 228
WTO regime on, 87, 235–38
Fienberg, TC, 232
FITs (feed-in tariffs), for renewable
energy, 86
disputes on, 82–83, 86–88
fixed infrastructures, 149
fossil fuels, 7, See also FFS (fossil fuel subsidies)
carbon taxes on, GATT regime
on, 68
EU imports of, 251
export taxes on, 224
market power of countries rich
in, 161
negative externalities of, 1
production quotas on, 222
in schedules of concessions, 46, 47–48
framework agreement on energy
(WTO), 275–77
France, tariffs on fossil fuels of, 40
free trade, 67
FTAs (free trade agreements). See PTAs
(preferential trade agreements)
G7, 215
G20, 215
game theory, 161
Gas Directive (EU),
exemptions in, 194, 202
LNG measure in, 201
public body measure in, 200
Russian complaints against, 75, 96, 195–209, 259
security of supply in, 193
tariff regulation in, 194
TPA obligations in, 193
transmission in, 192
TSO certification in, 195
unbundling obligation in, 190
VIUs in, 190
GATS (General Agreement on Trade in Services)
establishment of, 47
international energy trade regime of,
47, 88–99
coverage of, 97, 127
and ECT, 126–27
likeness, 69–73
QR prohibition, 164–66
transportation of energy, 74
public policy exception in,
259–61, 263
schedules of specific
commitments, 126
GATT (General Agreement on Tariffs and Trade), 18
accession protocols, energy clauses
in, 47
government procurement
derogation in, 100, 253
international energy trade regime of,
35–49, 64, 67, 160–63
and ECT rules, 122
dual pricing, 216–20, 221–25
exceptions. See exceptions and
derogations in GATT/GATS
regime
export restrictions, 75
export taxes, 45
import restrictions, 75–76, 160
likeness, 69–73
MFN, 68
non-discrimination principle, 254
QR prohibition, 177
state trading/STEs, 76–77, 175
transit, 73–75
necessity in, 254
objectives of, 67
schedules of members’ concessions,
21–22, 68
on energy services, 98
on fossil fuels, 47–48
Geneva schedules, 39–41
GATT-plus provisions, in EU
FTAs, 149
Gautier, P, 39
Gazelle pipeline, 202
Gazprom, 58, 168
activities on EU internal gas
market, 205
GECF (Gas Exporting Countries
Forum), 168
gentlemen’s agreements, 38, 39
GHG (greenhouse gas) emission
reductions, 214
Gibbs, M, 36
global energy governance, 280–81,
282–83
globalization, 274
gold, non-monetary, 13
goods, tradable, 27, 175. See also energy
goods
natural resources as, 178
Gorky, Maxim, xxiii
government procurement, 100
international trade rules on, 100–1
plurilateral WTO agreement on
(GPA), 53, 100–1
Great Britain, tariffs on petroleum, 41
green goods, trade negotiations on, 270
green subsidies, permissibility of,
51, 235
Havel, Václav, xxiii
health exception in GATT regime, 73
history of international energy trade
law, 35
Hoekman, B, 163
Holzer, V, 11
HS Convention (Harmonized
Commodity Description and
Coding System), 7, 22, 89
IAEA (International Atomic Energy
Agency), 248
IEA (International Energy
Agency), 247
classifications of, 10
on energy security, 135
on phasing out FFS, 214
import quotas, in China, 54
import restrictions, GATT regime on,
75–76, 160
import tariffs
GATT/WTO regime on, 18, 21
on energy products, 68
on petrol, 39, 47
imports of fossil fuels, of EU, 251
India, US complaint against measures
on solar cells and solar modules
by, 253–57
India – Autos, 179
India – Quantitative Restrictions, 180
India – Solar Cells, 33, 63, 83, 240,
253–57, 263
International Covenant on Civil and
Political Rights, 25
international law. See also international
trade law on energy
environmental, 134–35
on energy security, 244–49
self-contained regimes in, 113
international relations, energy security
concept in, 33, 241–44
international trade, disguised
restrictions in, 187
international trade law on energy, 2–4, 8, 17–23, 34, 109
Agreement on Agriculture, 81
Anti-Dumping Agreement, 83–85
application of, 23–27
challenges to, 34, 265, 274
ECT regime, 110–54
and WTO/GATT regime, 154–55, 281
GATS regime, 47, 88–99
and ECT, 126–27
likeness, 69–73
transit, 74
GATT regime. See GATT (General Agreement on Tariffs and Trade), international energy trade regime of
Government Procurement Agreement, 100–1
history of, 35
PTAs, 141, 155, 282
dual pricing, 234–35
energy security, 250–52
SCM Agreement, 85–88
TRIPs Agreement, 99–100, 232–34
TTIP, 232–35
WTO regime. See WTO (World Trade Organization), international energy trade regime of
international trade law on energy, environmental goods and services, 51, 269, 270
interpretation of treaties, 255
investments in energy. See also TRIMs (Trade-Related Investment Measures)
ECT and WTO conflict rules on, 125–27
settlement of disputes on, 132–34
IOs (intergovernmental organizations), and WTO, 171
IP (intellectual property) rights protection
ECT regime on, 124
WTO regime on, 99
Irwin, DA, 162, 176
Ise-Shima Leaders’ Declaration (G7, 2016), 215
Italy, withdrawal from ECT by, 115
ITO (International Trade Organization), 163
Japan – Semiconductors, 178–79
Jawaharlal Nehru National Solar Mission (JNNSM), 253–57
Kazakhstan, WTO Accession Protocol of, 60–61
Kennedy Round (1964–67, trade negotiations), 44
Korea – Commercial Vessels, 227
Kostecki, M, 163
Lamy, Pascal, 50, 65
Lauterpacht, E, 38
Lehrman, RL, 9
lex petrolea, 249
liberalization, 30
of energy markets, 29–30
in EU, 190
in Oman, 53
of services, 88
licensing requirements, in Russian energy sector, 58
likeness
GATS regime on, 93–96
GATT/WTO regime on, 69–73
of LNG and natural gas, 201
LNG (liquefied natural gas) like products/services, 71, 94, 201
Saudi Arabia’s reserves of, 55
terminals, EU rules for, 201
market access
ECT regime on, 127
GATS regime on, 93–94
GATT regime on, 38
Russian complaints against EU on, 200
market power, 162
of countries rich in fossil fuels, 161
of OPEC, 171
markets. See also energy markets
electricity, 86
renewable energy, 86
Marrakesh Agreement, 66
preamble, 66, 268
Matz, N, 134
Mavroidis, PC, 77, 101, 113, 162, 176, 187
measuring, of FFS, 215
membership
of ECT, 114–21
of WTO, 114, 270, 280
changes in, 115–21, 275
energy producing countries, 114
OPEC countries, 173–74
methodologies, for calculation of
normal value of products, 229
Mexico
GATT Accession Protocol of
country, 47
FTA with EU of, 251
energy trade regulation in, 152–53
and NAFTA energy chapter, 143, 144, 145
and USMCA energy chapter, 146
MFN (most-favoured nation)
treatment, 67
GATS regime on, 95–96
GATT regime on, 162
modernization, of ECT, 125, 135
monopolies, 164
in energy sector, 28, 77, 93
GATS regime on, 97
multilateral treaties, energy security in,
245, 246–49
Nabucco pipeline, 202
NAFTA (North American Free Trade
Agreement), 252
energy trade regulations in, 110, 142–45, 153
Nash equilibrium, 161
national treatment (NT), 67
GATS regime on, 96
nationalization of natural resources,
right to, 25
natural gas. See also LNG (liquefied
natural gas)
present era of, 1
Saudi Arabia’s reserves of, 55
suppliers to EU, 207
natural resources, 24
exhaustible, 12
GATT exception on, 78–79, 165, 180–85
nationalization of, 25
of China, 53
sovereignty over, 23–27, 37
international principle of, 174
and WTO obligations, 183
trade in
GATT/WTO regime applicable
to, 175
restrictive practices in, 170
NDCs (nationally determined
contributions to climate change
mitigation), 32
negative externalities
of fossil fuels, 1
of natural resources, 12
Negotiating Group on Natural
Resource-Based Products
energy regulation efforts by, 49
establishment of, 48–49, 217
non-discrimination principle, 67
and EU unbundling obligations,
198–99
and like energy goods, 69–73
GATT regime on, 254
in government procurement, 101
non-renewable energy, 15
non-renewable resources, 12
non-tariff barriers, EU FTAs on, 147
normal value calculations, 230
norms, conflicts between those of ECT
and WTO, 132
notifications duties, for subsidies, 228
nuclear energy
as clean energy, 16
security of, 248
trade in, 92
OECD, on natural resources, 11
oil. See petroleum/petrol
oil crises of 1970s, 44–46, 302
Oman, Accession Protocol to WTO
of, 52
OPAL pipeline, 75
 Russian complaints against EU capacity caps on, 196, 205–6
OPEC (Organization of Oil Exporting Countries), 26
 Agreement, 176
 bargaining power of, 44
 as cartel, 163
 control of oil prices by, 164
 and decentralization of energy markets, 160
 dual-pricing policies by members of, 212
 on energy security, 248–49
 establishment of, 44
 membership of, 36
 of Ecuador, 52
 objectives of, 166–70
 production quotas of, 168, 223
 and GATT/WTO regime, 174–88, 209
 and WTO, 171–76
 ownership unbundling (OU), of EU gas and electricity sectors, 30, 191, 258
 Russian complaint against, 96
 parallel applicability of WTO and ECT regime, 131–35
 Paris Agreement (2015), 32
 on energy security, 245
 preamble, 2
 ‘pass-through’ test, 226
 Pauwelyn, J, 113, 132
 PCIs (projects of common interest) of EU internal energy market, 69
 Russian complaint against, 94
 PDO (Petroleum Development Oman), 53
 PED (price elasticity of demand), 168
 PEEREA (Protocol on Energy Efficiency and Related Environmental Aspects, ECT), 281
 Pemex oil corporation (Mexico), 143, 144
 petroleum/petrol, 1, 22
 prices, 169
 OPEC control of, 164, 167
 production. See also production quotas, of OPEC global, 12, 169
 OPEC quotas, 168, 174–88, 209, 223
 as tradable good, 178
 trade in, 17
 dual pricing, 44–46, 54–55
 export duties, 58
 GATT/WTO regime on, 35–39, 48
 import quotas, 54
 import tariffs, 39, 47
 Pindyck, RS, 171
 pipelines for oil and gas. See also OPAL pipeline
 EU rules on, 192
 TPA, 189
 transport services classification of, 95
 through Ukraine, 56–57
 plurilateral agreements of WTO, 275
 Pogoretskyy, V, 214, 216
 Pollitt, M, 30
 Poreti, P, 144
 Poseidon pipeline, 202
 PPMs (process and production methods), in likeness analysis, 71
 prices. See also dual pricing in energy trade control of in China, 53
 in Russia, 59
 in Saudi Arabia, 55
 of natural resources volatility of, 13
 of oil, 169
 OPEC control of, 164, 167
 primary energy commodities, 14, 15
 GATT/WTO regime on, 22
 privatization, 30
 producers, subsidies for, 227
 production quotas, 165–66, 222
 of OPEC, 167, 168
 and GATT/WTO regime, 174–88
 protection of animal, plant life or health exception (GATT), 78
INDEX

PSNR (permanent sovereignty over natural resources), 24–27
PTAs (preferential trade agreements), 20
energy security in, 245, 250–52
energy trade regulation in, 110, 141, 155, 282
proliferation of, 274
public policy exception (GATS/GATT), 97
and energy security, 259–61, 263
EU invocation of, 204–5
purchasing power, 225
QR (quantitative import and export restrictions) prohibition,
67, 162
and dual pricing, 221–24
in EU FTAs, 149
in GATT/WTO rules, 164–66
and OPEC production quotas, 174–76
quotas, 67
 domestic quotas, 176–77, 186
 export quotas, 165–66
 import quotas, 54
 production quotas, 165–66, 222
 of OPEC, 167, 168, 174–88, 209
raw materials, 13–14
 Chinese export duties/restrictions on, 54, 182, 222
Reagan, Ronald, 28
renewable energy, 15, 24
interest in, 8
market, 86
search for, 31
subsidies for, 82–83
trade in
 ADDs by EU on, 230
 disputes on, 63
 EU FTAs on, 146–48, 153
reversed input dumping, 229
Rio Declaration on Environment and Development (1992), 31
Rios Herrán, R, 144
Rubinfeld, DL, 171
Rusnák, U, 141
Russia
complaints against EU
 on anti-dumping duties, 84
dual-pricing policies of, 212
withdrawal from ECT by, 112, 115
WTO membership of, 74, 121
Accession Protocol, 57–60, 162
dual-pricing commitments, 219
Russia – Traffic in Transit, 80
SABIC (Saudi Arabian Basic Industries Corporation), 55
Saudi Arabia
WTO Accession Protocol of, 54–56
dual pricing commitments in, 219
FFS in, 215
oil production policies of, 168
scarcity, of energy, 38
schedules of concessions (WTO/GATT), 21–22, 68
on energy services, 98
on fossil fuels, 46, 47–48
Geneva schedules, 39–41
schedules of specific commitments (GATS), 126
Schrijver, N, 26
SCM Agreement (Agreement on Subsidies and Countervailing Measures), 45
application of, 27, 85–88
benefits in, 86
and dual pricing, 225–28, 231–35
and green subsidies, 51
on specificity, 217
SDGs (Sustainable Development Goals, UN), 32, 244
Second Energy Package of EU, 30
secondary energy commodities, 15
security
 GATT exceptions on, 79–80, 145
of nuclear energy, 248
self-contained regimes, in international law, 113
Selivanova, Y, 64, 72, 224
'serious prejudice', 227
INDEX

services, 89. See also energy services environmental, 51
WTO database on, 97
Seven Sisters oil companies, 36
shale gas, in United States, 44
Singapore, FTA with EU of, 251
energy trade regulation in, 146–48
SITC (Standard International Trade Classification, UN), 13
solar energy, in India, 253–57
solar-panel trade wars, 84
sovereignty, over natural resources, 37
international principle of, 174, 177
rules in EU FTAs on, 151
and WTO obligations, 183
specificity, of benefits, 227
Staiger, RW, 161, 165, 177
standards, international, 148
state trading
by China, 54
by Russia, 58
by Saudi Arabia, 55
by Ukraine, 57
WTO/GATT regime on, 175
STEs (state-trading enterprises), 28
GATT regime on
and dual pricing, 224–25
and energy companies, 76–77
of Russia, 58
of Saudi Arabia, 55
of Ukraine, 57
subsidies. See also FFS (fossil fuel subsidies)
adverse effects of, 227
dual pricing qualifying as, 226–28
negative cross-border effects of, 225
WTO regime on, 27
application to energy trade, 85–88
need for reform of, 231
notification duties, 228
suppliers of energy
EU measures against dominance of, 206, 207
supplies of energy
foreign, US dependency on, 145
GATS modes of, 99, 126

GATT exception on shortages of, 79, 262
security of, 193
sustainability of, 244
sustainable development, 31. See also SDGs (Sustainable Development Goals, UN)
and energy security, 244, 245
Sykes, AO, 162, 165, 176, 177
TAP pipeline, 202
tariffs, 67. See also export duties, import tariffs
EU regime on, 194
GATT/WTO regime on, 18, 165
bindings, 21, 40
negotiations on tariff reductions, 43–49
petrol/petroleum, 39, 48
tariff classifications, 67–69
taxes
carbon taxes on fossil fuels, 68
on export, 166
dual pricing through, 223–24
permissibility of, 223
Technical Barriers to Trade (TBT) Agreement, 82
technology, development and access to, 100
TEN-E Regulation (Trans-European Networks for Energy, EU), Russian complaint against, 69–72, 91, 94, 206–8, 261–63
terms of trade theory, 161–63
TFEU (Treaty on the Functioning of the European Union), 29
Third Energy Package (TEP) of EU, Russian complaint against, 258–59
third-country certification measures (EU), Russian complaint against, 259–60
Tokyo Round (1973–79, trade negotiations)
dual-pricing debates, 217
tokyo security negotiations, 250
export restriction negotiations, 44, 217, 250
US – Renewable Energy, 83
US – Section 301 Trade Act, 128
US – Shrimp, 181, 185
US – Softwood Lumber IV, 27, 175
USMCA (US-Mexico-Canada Agreement), 145–46, 251
Van den Bossche, P, 274
Venezuela, accession to GATT by, 49
vertical integration, of energy sector, 28–29
Vienna Convention on the Law of Treaties (VCLT), 255
VIUs (vertically integrated undertakings), 190–92
volatility of prices, of natural resources, 13
Wälde, T, 278
WCO (World Customs Organization), 22
Wingas, 205
Wintershall, 205
Wolfrum, R, 134
wood, as fuel, 8
World Trade Report (WTO)
on natural resources, 11–13
on oil prices, 169
on raw materials, 13
WTO (World Trade Organization)
accession to/accession protocols, 61–62, 114
China, 53, 222
and ECT, 111–12
Ecuador, 52
Kazakhstan, 60–61
Oman, 52
Russia, 57–60, 74, 121, 162, 219
Saudi Arabia, 54–56, 219
Ukraine, 56–57
agreements. See also Marrakesh Agreement, ADA (Anti-Dumping Agreement), AoA (Agreement on Agriculture), SCM Agreement (Agreement on Subsidies and Countervailing Measures), Technical Barriers to Trade (TBT) Agreement, TRIPs (Trade-Related Aspects of Intellectual Property Rights) Agreement plurilateral, 275–77
classification of energy resources of, 21–22
climate change mitigation commitments of, 216
dispute settlement. See dispute settlement mechanisms, of WTO; case law of GATT/WTO establishment of, 47, 50 functions of, 271
international energy trade regime of, 18, 50–63, 64, 283
application of, 26–27, 175, 266–67
competition rules, 163–64
on dual pricing, 218–21, 225–39
and ECT, 110–55, 277–81
on energy security, 250
and EU decentralization of internal energy market, 202, 208–9, 210
on FFS, 235–38
on investment protection, 126
and OPEC production quotas, 174–76, 209
proactivity in, 273–75
specific/separate agreements, 80–88
on subsidies, 231
mandate of, 268–70
membership of, 114, 270, 280
changes in, 115–21, 275
energy producing countries, 114
of OPEC countries, 173–74
on natural resources, 11–13
objectives of, 18, 267–68
observer status at, 171
of OPEC/OPEC members, 171–73
on raw materials, 13
Trade Policy Review Mechanism, 237, 271
Wu, M, 101
Yergin, D, 42, 241
Zdouc, W, 274