

INDEX

ACCTS. See Agreement on Climate Change, Trade and Sustainability African Single Electricity Market, 132 African Union, 4, 132 Agenda 21, 27 Agreement on Agriculture, 137 Agreement on Climate Change, Trade and Sustainability (ACCTS), 4, 269 on eco-labelling, 163 on fossil fuel subsidies, 106 on tariff elimination for environmental goods, 240 Agreement on Fisheries Subsidies, 34, 119, 271 Agreement on the Application of Sanitary and Phytosanitary (SPS) Measures, 24, 86, 158, 171, 257 Agreement on Trade Facilitation, 44 Agreement on Trade in Civil Aircraft, Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), 138 on technology transfer, 257–258 Agreement on Trade-Related Investment Measures (TRIMs), 133, 139 Aid for Trade, 26, 76, 261 air pollution, 38, 94, 99, 147 Air Transport Association of America and Others, 70 ALOP. See appropriate level of SPS protection Antaris and Göde v. Czech Republic, Anti-Dumping Agreement, 113-114, 139 Antin v. Spain, 217 APEC. See Asia-Pacific Economic Cooperation appropriate level of SPS protection (ALOP), 87-88 Armenia, 174 Arrangement on Officially Supported Export Credits, OECD, 103 ASEAN. See Association of Southeast Asian Nations Asia-Pacific Economic Cooperation (APEC) on environmental and environmentrelated services, 251 on fossil fuel subsidies, 101 non-tariff measures on environmental goods in, 241 soft law in, 242 on trade liberalization for environmental goods, 236 Association of Southeast Asian Nations (ASEAN), 4, 132 Power Grid initiative of, 132 Australia, 147 Australia – Automotive Leather II (Article 21.5 – US), 217 Australia – Tobacco Plain Packaging, 171 Aven and others v. Costa Rica, 200 Bacchus, James, 42

BCA. See border carbon adjustment

BITs. See bilateral investment treaties

Bear Creek Mining v. Peru, 48 bilateral investment treaties (BITs), 21

biofuels, 125, 149, 151, 153, 164 biomass, 1, 54, 135, 159, 161



332

Blusun v. Italy, 192, 209 border carbon adjustment (BCA) on export side, 74 in the form of BTA, 65 planned, in non-EU jurisdictions, 63 under cap-and-trade system, California, 61 under CBAM, EU, 61-63 border tax adjustment (BTA), 65-67, 69, 74 Brazil, 71, 80, 198 Brazil - Taxation, 71, 80 BTA. See border tax adjustment building codes, 124, 183 Bulgaria, 42 Burlington v. Ecuador, 200

caesium, 86 Cambodia, 90 Canada, 28, 61, 126, 147, 226 Canada - FIRA, 215 Canada - Renewable Energy / Canada -Feed-in Tariff Program, 132, 134-135, 214 Canada-Guinea BIT, 263 carbon border adjustment mechanism (CBAM), 61-63carbon capture, utilization and storage, 54, 103, 248 carbon leakage, 58, 76 CBAM to prevent, 61 climate clubs against, 77 carbon pricing, 57-58 carbon tax, 23, 58 Carbon Trust Standard, 153 CBAM. See carbon border adjustment mechanism Central Product Classification (CPC), chapeau, WTO general exceptions, 37, 39 - 40

mechanism
Central Product Classification (CPC 243
chapeau, WTO general exceptions, 39–40
Charanne and Construction
Investments v. Spain, 192, 206
China, 94, 126, 147, 259
Fourteenth Five-Year Plan
(2021–2025) in, 3
Accession Protocol of, 92, 259

R&D subsidies in, 229

INDEX

China - Electronic Payment Services, 249 China - Publications and Audiovisual Products, 140 China - Rare Earths, 15, 94 China - Raw Materials, 15, 92, 94, 96, China Energy Conservation Certification, 152 circular economy, 3, 145 Clayton/Bilcon v. Canada, 28 clean air, 80 climate change, 1, 21, 26, 30, 44, 54, 100, 104, 195, 233, 270 climate club, 75–79 climate neutrality, 3 climate waiver, at WTO, 42 coal-fired power plant, 187-188 Coalition of Trade Ministers on Climate, 5 Colombia, 42, 144, 148-149 Commission v. Netherlands, 184 Committee on Trade and Environment, 20, 37, 40, 102, 157 common but differentiated responsibilities, 25-27 Convention on Biological Diversity, 24 corporate average fuel consumption, 146 corporate social responsibility (CSR), 196 Dutch Model BIT on, 200 international standards on, 197 Costa Rica, 102, 106 Council for Trade in Services, 250 COVID-19 pandemic, 270 CPC. See Central Product Classification CSR. See corporate social responsibility customary international law, 14, 21, 24, 50, 194, 213 Czech Republic, 203, 210

de minimis subsidies, 138 decarbonization, 4, 25, 44, 64, 77, 83, 136–137, 268 Declaration of the UN Conference on the Human Environment on environmental R&D, 253 on resource sovereignty, 14

DDA. See Doha Development Agenda



INDEX 333

Denmark, 102	emission permits (allowances), 23,
developing countries	58-59
assistance to, 25, 30, 79, 117, 164,	in countervailing duty investigations,
255, 257, 270	USDOC, 59
and carbon emission, 25	free, 59, 61, 73–74
and climate clubs, 77	emission trading system (ETS), 58, 60,
and common but differentiated	62, 71
responsibilities, 26	Enabling Clause, 76
impact of EU CBAM on, 75	Energy Charter Protocol on Energy
impact of private standards on, 158	Efficiency and Related
and international standards, 166	Environmental Aspects, 53, 262
and LCRs, 83	Energy Charter Treaty (ECT)
and liberalization of green	on environment and energy
trade, 233	efficiency, 52-53
negligible subsidy thresholds	on environmental impact
for, 138	assessment, 27
and non-actionable subsidies, 227	general characteristics of, 52
and S&D provisions, 164	modernization of, 54
and SDGs, 18-19	on polluter-pays principle, 23
and technology transfer, 253-256	preamble of, 49
in the WTO, 43–44	on resource sovereignty, 16
diesel vehicles, 147	energy cooperation, 4, 29, 33, 45, 53,
discrimination, arbitrary or	174, 261
unjustifiable, 39, 75, 80	energy efficiency, 3, 52, 80, 119, 137,
Doha Declaration, WTO, 30	144, 151, 163, 174, 223, 230, 257
Doha Development Agenda (DDA),	energy products, UN scope, 1
234, 241	energy security, 30-32
dual pricing, 110	ENERGY STAR, 152
under EU-Ukraine Association	energy subsidy, 99
Agreement, 119	energy technologies, 222
under WTO law, 111	energy-environment nexus
due diligence, by investor, 203	legal context for, 9
	policy domains for, 9
EC - Approval and Marketing of	energy-related services, 177
Biotech Products, 24	environmental goods, 234
EC – Asbestos, 72	ex-outs in tariff classification on, 239
EC - Hormones, 24	lists of, 235–236
EC - Seal Products, 155	non-tariff barriers on, 241
Eco Oro v. Colombia, 24–25, 48–49	trade liberalization initiatives on, 234
ECT. See Energy Charter Treaty	Environmental Goods Agreement
Ecuador, 146	(EGA), 234, 236
EGA. See Environmental Goods	environmental impact assessment,
Agreement	27–30
Egypt, 166	environmental labelling, 151, 157, 166
Eiser and Energía Solar v. Spain, 206	NPR-PPMs in, 154
EKO, 184	types of, 152
El Salvador, 166	Environmental Protection Agency
electric cars, 5, 82, 123, 223, 239	(EPA), United States, 148



334 INDEX

environmental services, 242 environment-related services as compared to, 250 under New Zealand-Chinese Taipei **Economic Cooperation** Agreement, 252 in WTO classification system, 243 specific commitments in, 243 environmental sustainability, 7, 267 environmentally sound technologies, EPA. See Environmental Protection Agency Eskosol v. Italy, 192 ESPF and others v. Italy, 208 Ethiopia, 102 ETS. See emission trading system EU. See European Union EU - Energy Package, 31 EU - Palm Oil (Indonesia), 150, 164 EU and Certain Member States - Palm Oil (Malaysia), 150, 164 EU-Armenia Comprehensive and Enhanced Partnership Agreement, 33, 174 European Commission on EU exit from ECT, 55 on FTA sustainability impact assessments, 28 on recognition of voluntary schemes (private standards), 161 and State aid regime, EU, 216 European Green Deal, 3 European Union (EU), 28, 77, 126, 145, 148, 259 Eurus Energy v. Spain, 193 ex-outs for environmental goods, 239 export credits, 103 export restrictions, 88 expropriation, 13, 191 carve-out from, 48, 50, 194 creeping, 192 indirect, 48 lawful (or legitimate), 193 and non-compensable regulations, externalities, 57, 94-95, 101, 109, 125, 233

fair and equitable treatment (FET), 201-203 in disputes v. Czech Republic, 211 in disputes v. Italy, 208 in disputes v. Spain, 205 due process and, 213 FDI. See foreign direct investment feed-in tariff (FIT), 124, 132, 188, 205 FET. See fair and equitable treatment FFSR. See Fossil Fuel Subsidy Reform Fiji, 106 Finland, 102 fissionable materials, 43 FIT. See feed-in tariff force majeure, in investment law, 209-210 foreign direct investment (FDI), 42, 252 fossil fuel subsidies as consumption subsidies, 108 G20 on, 101 G7 on, 102 OECD inventory of, 100, 108 peer reviews of, 102 as production subsidies, 107 rationalizing and phasing-out of, 101 reform approaches to, 121 scope of, 100-101 SDG on, 100 transparency of, 120 Fossil Fuel Subsidy Reform (FFSR), 35, 103, 105, 119-120 Friends of, 102 fossil fuels, 1, 54-55, 108, 116, 190, 267 France, 55 G20. See Group of Twenty G7. See Group of Seven GATS. See General Agreement on Trade in Services GATT. See General Agreement on Tariffs and Trade General Agreement on Tariffs and Trade (GATT) on environmental exceptions, Article XX, 38, 80–81, 94–95 on government procurement, Article III:8(a), 41 on national treatment, Article III, 70,



INDEX 335

on price control, Article III:9, 111 on quantitative trade restrictions, Article XI, 91, 93, 95 on regulation-related BCAs, 70 - 74on State trading enterprises, Article XVII, 111 on tax-related BCAs, 66-67, 69 General Agreement on Trade in Services (GATS) built-in agenda under, 250 on domestic regulation, Article VI, environmental services under, 243 on general exceptions, Article XIV, 40 on market access, Article XVI, 264 general exceptions under Article XIV, GATS, 40 under Article XX, GATT, 31, 37 in energy-environment cases, WTO, 38 under IIAs, 47-49 lex specialis on, 139 under RTAs, 45 Germany, 55, 188, 190, 217 GHG emissions. See greenhouse gas (GHG) emissions Global Arrangement on Sustainable Steel and Aluminium, 77 global financial crisis of 2008, 204 global grid, 132 GLOBALG.A.P., 158 Government Procurement Agreement (GPA), 182 GPA. See Government Procurement Agreement green procurement, 182 in Commission v. Netherlands, 184 under GPA 2012, 183 green technologies examples of, 223 R&D on, 223 in trade liberalization and technology transfer, 138, 233 Green Technology R&D programme, Korea, 230 greenbashing, 153

greenhouse gas (GHG) emissions, 1, 137, 183 from energy use, 1 linked to carbon pricing, 57 saving criteria, EU, 161 Greenhouse Gas Pollution Pricing Act (2018), Canada, 70 GreenPower, 152 Greentech and NovEnergia v. Italy, 209 greenwashing, 153 Group of Seven (G7) on climate club, 77 commitment to eliminate fossil fuel subsidies, 102 Group of Twenty (G20) commitment on clean technologies and energy efficiency, 3 on rationalizing fossil fuel subsidies, 101 Guidelines for Multinational Enterprises, OECD, 196 Guiding Principles Concerning the International Economic Aspects of Environmental Policies, OECD, 22 Guiding Principles on Business and Human Rights, United Nations, Harmonized System (HS), 174, 239, HS. See Harmonized System Hungary, 32 hydrogen, 54, 125, 146, 223, 239 Iceland, 106 IDP. See Informal Dialogue on Plastics Pollution and Sustainable Plastics Trade IEA. See International Energy Agency IEC. See International Electrotechnical Commission IIAs. See international investment agreements IMF. See International Monetary Fund India, 31, 68, 84, 126, 226, 230, 264

India – Export Related Measures, 68 India – Solar Cells, 31, 84, 135

Indonesia, 164-165, 253

© in this web service Cambridge University Press & Assessment



336 INDEX

Indonesia - Autos, 253 Indo-Pacific Economic Framework for Prosperity, 5 Inflation Reduction Act (2022), United States, 82 Informal Dialogue on Plastics Pollution and Sustainable Plastics Trade (IDP), 35, 235 Information Technology Agreement, 240 INOVAR-Auto programme, Brazil, 80 input cost adjustment, in antidumping, 113 International Atomic Energy Agency, International Court of Justice, 27 International Electrotechnical Commission (IEC), 148 International Energy Agency (IEA), 30 on clean energy technologies, database, 222 on energy subsidy, definition, 99 on fossil fuel subsidies, database, 100 on smart grid, 248 international investment agreements (IIAs), 47 new-generation, 47, 50, 54, 269 old-generation, 46, 56 International Laboratory Accreditation Cooperation, 147 International Labour Organization, 54, 197 International Monetary Fund (IMF), 100 International Organization for Standardization (ISO), 147 energy-environment standards, 166, 169, 182 international standards, 169 definition of, 169 on energy-environment nexus, examples, 169 harmonization with, 169 WTO principles on, 169 intra-EU investor-State cases, 204 ISEAL Alliance, 161

Japan, 86, 132, 144, 190 Japan – Alcoholic Beverages I, 67 Japan – Film, 161 Jawaharlal Nehru National Solar Mission, India, 31 joint ventures, 263 judicial economy, 126 jus cogens, 14

Kazakhstan, 92, 198 Keystone XL Pipeline, 187 Korea, 86, 144, 148 Korea – Radionuclides, 86–88 Korea – Various Measures on Beef, 71 Kuwait, 264 Kyoto Protocol, 104

LCRs. See local content requirements

Lamy, Pascal, 119

LDCs. See least-developed countries least-developed countries (LDCs), 5, 76, 97, 257 legitimate expectations, under FET, 201 from legal framework of host State, regulatory stability and, 210 Lieberman-Warner Bill (2007), United States, 73 local content requirements (LCRs), 83-86 under EU FTA provisions on renewable energy, 215 as government procurement, 214 under NAFTA, 214 in services, 251 in WTO disputes on renewable

Malaysia, 164
market failures, 125
Masdar v. Spain, 203, 206
MAX HAVELAAR, 184
Mesa Power v. Canada, 214
Metalclad v. Mexico, 191
meta-regulation, 161
Mexico, 61, 148, 165
Mexico – Taxes on Soft Drinks, 67

energy subsidies, 126

Lone Pine v. Canada, 188

ISO. See International Organization for

Standardization

Isolux v. Spain, 192, 206

Italy, 203, 208



INDEX 337

OECD. See Organization for Economic

Micula v. Romania (I), 218 Ministerial Decision on Trade and Environment, WTO, 20 Ministerial Decision on Trade in Services and the Environment, WTO, 40 Model BIT, the Netherlands, 200 multilateral trading system, 34 National Environmental Policy Act (1969), United States, 27 natural resources, 13, 57 exhaustible, under GATT Article XX (g), 39exhaustible, under IIAs, 47 negligible imports, in countervailing duty investigations, 138 net metering/billing, for renewable electricity, 124 Netherlands, 55, 102 net-zero targets, 3 New International Economic Order, 253 New Zealand, 102, 106 non-compensable regulations, 194 non-discrimination less favourable treatment, 73 like circumstances, in investment law, 50, 189 like product criteria, 72 MFN principle on, 50, 93, 97, 189, national treatment principle on, 41, 50, 80, 189, 213, 249 non-proliferation of nuclear materials, 90, 223 Norway, 102, 106, 250 nuclear accident, 32-33, 87 at Chernobyl, 32 at Fukushima, 32, 86, 190 nuclear energy, 2, 33, 42, 51, 223 nuclear power plant, 190 Fukushima Dai-ichi Nuclear Power Plant, Japan, 32, 86 in Medzamor, Armenia, 33 nuclear safety, 32-33

Co-operation and Development oil crisis, 110 Organization for Economic Co-operation and Development (OECD) on BTA, 65 on CSR, 196 on environmental labelling, 152 on polluter-pays principle, 21 palm oil, 150, 161 Paris Agreement on common but differentiated responsibilities, 25 on nationally determined contributions, 2, 64, 105 on technology cooperation, 255 Perenco v. Ecuador, 199 Philippines, 265 Pigouvian tax, 101 plutonium, 86 police powers doctrine, 193 policy space, 34, 135 general exceptions in investment, 47 - 49general exceptions in trade, 37-41, 45 policy flexibilities in investment, 49 - 52policy flexibilities in trade, 41-45 for renewable energy subsidies, 135 S&D treatment, 43 waivers, 41 polluter-pays principle, 21-23 PPMs. See processes and production methods precautionary principle, 23-25 Principles of Corporate Governance, OECD, 197 private standards, 157 Hydropower Sustainability Standard as, 159 meta-regulation of, 160 under RTAs, 162 SPS Committee on, 158 Sustainable Biomass Program as, 159 under TBT Agreement, 158

Nykomb v. Latvia, 192



338

INDEX

processes and production methods
(PPMs), 154, 156
non-product-related, NPR-PPMs,
71, 154
protection of human, animal or plant
life or health, 37, 40, 55
public health, 1, 37, 50, 54, 99, 147, 194
public morals, 54, 260
The PV Investors v. Spain, 207

Qatar, 264 quantitative trade restrictions, 91

R&D. See research and development R&D subsidies in countervailing duty cases on green technologies, 229 as non-actionable, 226-227 technology effects of, 228 race to the bottom, 21, 51 radiation, 32, 86 radionuclides, 86-87 Recommendation on the Implementation of the Polluter-Pays Principle, OECD, 22 Reference Paper telecoms, 160 on Services Domestic Regulation, 177 regional trade agreements (RTAs), 45 Canada-Colombia FTA, 24, 48 Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), 117, 162, EU-Canada CETA, 171, 174, 194 EU-Colombia-Peru Trade Agreement, 26 EU-New Zealand FTA, 105

EU-Singapore FTA, 105, 173, 215 EU-UK FTA, 58 EU-Viet Nam FTA, 215, 241 Iceland-Liechtenstein-Norway-UK FTA, 105 Korea-China FTA, 262 Korea-EU FTA, 20, 172

New Zealand–Chinese Taipei Economic Cooperation Agreement, 252 New Zealand–UK FTA, 45, 58, 105 North American Free Trade Agreement (NAFTA), 6, 28, 188, 191, 214, 224, 263

Regional Comprehensive Economic Partnership Agreement, 262 United States–Mexico–Canada Agreement (USMCA), 162, 174, 185, 263

regulatory changes, in investment promotion, 201, 204, 213 regulatory convergence, 167, 175, 270 regulatory takings, 191, 193 renewable energy ISDS cases on, 201

types of, 1 Renewable Energy Directive, EU, 149

renewable energy subsidies
applicability of Article XX to, 139
countervailing measures on, 126
defining market for, 133
schemes of, 124–125
WTO disputes on, 126

renewable portfolio standards, 124 renewable purchase obligations, 124 renewables obligations, 124 research and development (R&D)

in *Brazil – Taxation*, 224 in countervailing duty investigations, 232

in Mobil and Murphy v. Canada (I), 224

performance requirement for, 223 subsidies, 225

in US – Large Civil Aircraft (2nd complaint), 228

right to regulate, 41, 45, 50 Rio Declaration, 15

on common but differentiated responsibilities, 25

in Eco Oro v. Colombia, 24 on environmental impact

assessment, 27 on polluter-pays principle, 23

on precautionary principle, 23 RTAs. *See* regional trade agreements Russia, 92, 111, 113–114



INDEX 339

S&D treatment. See special and	
differential (S&D) treatment	
Saluka v. Czech Republic, 194	
Santa Elena v. Costa Rica, 193	
Saudi Arabia, 111, 144, 166	
schedules, WTO	
for environmental services, 249	
on export duties, 92	
for goods, 65	
for services, 42, 247	
on technology transfer, services, 264	
SCM Agreement. See Subsidies and	
Countervailing Measures (SCM)	
Agreement	
SCM Committee, 102, 120	
security exceptions, 43, 45, 140	
service standards, 176	
under GATS, 178	
in ISO, 182	
under Reference Paper, 177	
Sharm el-Sheikh Implementation Plan	
(2022), 104	
smart grid, 223, 248	
SOEs. See State-owned enterprises	
solar energy, 1, 85, 134, 180, 212, 223	
solar panels, 136, 148, 174, 177	
sole effects doctrine, 191	
South Africa, 166	
sovereignty over natural resources,	
13–17	
Spain, 55, 192, 203, 205	
special and differential (S&D)	
treatment	
under Agreement on Trade	
Facilitation, 44	
in fossil fuel subsidy reform, 122	
general characteristics and problems	
of, 43	
under SCM Agreement, 138	
under TBT Agreement, 164	
specific trade concerns (STCs), 143	
on emission control, 147	
on energy efficiency, 145	
on renewable energy, 148	
SPS Agreement. See Agreement on the	
Application of Sanitary and	
Phytosanitary (SPS) Measures	
SPS Committee, 158	

Sri Lanka, 264 stabilization clauses, in investment law, standardizing body, 160 State-owned enterprises (SOEs), 114 competitive neutrality and, 114 under CPTPP, 117 as part of WTO reform, 117 as public body, 115 as State trading enterprises, 111 STCs. See specific trade concerns strontium, 86 Subsidies and Countervailing Measures (SCM) Agreement on BTA, 66-67 due restraint for renewable energy subsidies under, 137 greening of, 135 and implicit/regulatory subsidies, 109 non-actionable subsidies under, 136, public body under, 115 serious prejudice under, 229 subsidy definition under, 106 technology transfer exemption under, 138 subsidy notification, 116 SunReserve v. Italy, 202 sustainable development, 17-21, 95, 138, 198, 267 goals (SDGs), 17-20 Sustainable Energy Trade and Investment Agreement, 271 Sweden, 102, 217 Sweden-Romania BIT, 218 Switzerland, 102, 106, 147 Tajikistan, 111 Tax Deduction for Research and Manpower Development programme, Korea, 232 taxes border adjustment of, 65 destination principle and origin principle for, 65 direct, 66 indirect, 66

TBT. See technical barriers to trade



340

TBT Agreement

Code of Good Practice under, 159 on PPMs, 154 on right to regulate, 41 on S&D treatment, 164-166 TBT Committee, 143, 157 STC process in, 143, 151 technical barriers to trade (TBT) equivalence in, 172 harmonization in, 169, 174 international cooperation on, 175 mutual recognition in, 173 technological divide, 266 technological neutrality, principle, 249 technology transfer, 138 under Agenda 21, 254 in China - Certain Measures on the Transfer of Technology, 259 under Draft International Code of Conduct on the Transfer of Technology, 254 under ECT, 262 under GATS schedules, 264 in Indonesia - Autos, 253 under investment law, 262 and public morals, in US - Tariff Measures (China), 260 stages of international, 252 technical training as part of, 265 under UNFCCC Technology Mechanism, 255 under WTO rules, 256 TESSD. See Trade and Environmental Sustainability Structured Discussions Thailand, 265 thorium, 223 Trade and Environmental Sustainability Structured Discussions (TESSD), 35, 119-120, 234 trade and sustainable development, EU FTA chapter, 20, 29, 162 Trade Policy Review Body, 102, 120 trade-investment law tension, 217, 268 in ISDS enforcement, 217 policy coherence to avoid, 220 in subsidy treatment, 216

INDEX transboundary environmental damage, TRIMs Agreement. See Agreement on Trade-Related Investment Measures Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy, International Labour Organization, 197 TRIPS Agreement. See Agreement on Trade-Related Aspects of Intellectual Property Rights Tunisia, 264 UAE. See United Arab Emirates UK - CfD Local Content (EU), 84 Ukraine, 92, 113, 173 war in, 30, 190 Ukraine - Ammonium Nitrate, 113 UNCTAD. See United Nations Conference on Trade and Development UNFCCC. See United Nations Framework Convention on Climate Change United Arab Emirates (UAE), 198 United Nations Conference on Environment and Development (1992), Rio de Janeiro, 17, 27 United Nations Conference on the Human Environment (1972), Stockholm, 14, 27 United Nations Conference on Trade and Development (UNCTAD), 75, United Nations Framework Convention on Climate Change (UNFCCC), 25, 54, 79, 104, 255 on climate funding to developing countries, 79 United Nations General Assembly Resolution on Permanent Sovereignty over Natural Resources, 13

United Nations Global Compact, 197,



> INDEX 341

United States, 5, 22, 28, 61, 77, 80, 126, 148, 165 uranium, 223 Urbaser and CABB v. Argentina, 200 Uruguay, 102 Uruguay Round, 17, 40, 154 US - Anti-Dumping and Countervailing Duties (China), 115 US - Clove Cigarettes, 165 US - COOL, 165 US Department of Commerce (USDOC), 59, 134, 230-231 USDOC. See US Department of Commerce

US - Countervailing Measures (China), 113

US - Countervailing Measures (China) (Article 21.5- China), 115

US - Export Restraints, 112

US - Gambling, 249

US - Gasoline, 80

US - Large Civil Aircraft (2nd complaint), 228

US - Shrimp, 26, 75

US - Softwood Lumber VII, 134

US - Superfund, 22, 67, 74

US - Tariff Measures (China), 259

US - Tuna (Mexico), 71

US - Tuna II (Mexico), 156, 169

US - Washing Machines, 232

Vattenfall v. Germany (I), 187 Vattenfall v. Germany (II), 190 VCLT. See Vienna Convention on the Law of Treaties

Venezuela, 166 Vienna Convention on the Law of Treaties (VCLT), 12

W/120 services classification, 243 Western Interconnection, 61 wind power, 31, 134, 188, 265 wind turbines, 136, 177, 188, 222, 265 WindMade, 152 Windstream Energy v. Canada (I), Work Programme on Sustainable Procurement, WTO, 182 Working Group on Trade and Transfer of Technology, WTO, 261 Working Party on BTAs, GATT, 65 World Bank, 234 World Trade Organization (WTO) Appellate Body crisis in, 135 Doha Round of, 44 environmental initiatives of, 34 as a global trade regulator, 34 Ministerial Conference of, 34, 41, 103, 109 monitoring and deliberative function of, 120 problems of, 34 trade policy reviews by, 90, 117 World War II, 13 WTO. See World Trade Organization WTO Agreement on decision-making,

Article IX, 41

preamble of, 17