

Bibliography

Primary sources

Legislation, treaties

Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Anti-Dumping Agreement)

Commission Regulation (EU) No 446/2011 of 10 May 2011 imposing a provisional anti-dumping duty on imports of certain fatty alcohols and their blends originating in India, Indonesia, and Malaysia, OJ L 122, 11.5.2011

Council Implementing Regulation (EU) No 1138/2011 of 8 November 2011 imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of certain fatty alcohols and their blends originating in India, Indonesia and Malaysia, OJ L 293, 11.11.2011

Elucidation on Law of the Republic of Indonesia No. 7 of 1994 concerning ratification on agreement establishing the world trade organisation, annex 1

Law of the Republic of Indonesia No. 7 of 1994 concerning ratification of agreement establishing the world trade organisation

Law of the Republic of Indonesia No. 17 of 2016 concerning amendment of Law no. 10 of 1995 on customs

Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union [2016] OJ L176 (EU Basic Anti-Dumping Regulation)

Regulation (EU) 2017/2321 of the European Parliament and of the Council of 12 December 2017 amending Regulation (EU) 2016/1036 on protection against dumped imports from countries not members of the European Union and Regulation (EU) 2016/1037 on protection against subsidised imports from countries not members of the European Union [2017] OJ L338 (2017 amendment)

The General Agreement on Tariffs and Trade 1994 (GATT 1994)

Case-law

Appellate Body Report, *EU – Fatty alcohol (Indonesia)*

Appellate Body Report, *India – Patents (US)*

Appellate Body Report, *Japan – Alcoholic Beverages II*

Appellate Body Report, *US – Hot-Rolled Steel*

Appellate Body Report, *US – Zeroing (EC)*

Court of Justice, Case C-468/15, *PT Musim Mas v. Council* (3 September 2015)

European Union, Anti-Dumping Measures on Imports of Certain Fatty Alcohols from Indonesia Request for Consultations by Indonesia, WT/DS442/1 (1 August 2012)

Executive Summary of Indonesia's Appellant's Submission, *EU – Fatty alcohol (Indonesia)*

Executive Summary of the European Union Appellee's Submission, *EU – Fatty alcohol (Indonesia)*

First Integrated Executive Summary of the Arguments of Indonesia, *EU – Fatty alcohol (Indonesia)*

First Integrated Executive Summary of the Arguments of the European Union, *EU – Fatty alcohol (Indonesia)*

First Written Submission of Indonesia, *EU – Fatty alcohol (Indonesia)*

General Court, Case T-26/12, *PT Musim Mas vs Council* (25 June 2015)

Panel Finding, *EU – Fatty alcohol (Indonesia)*

Panel Report, *EU – Fatty alcohol (Indonesia)*

Panel Report, *Korea – Certain Paper*

Second Integrated Executive Summary of the Arguments of Indonesia, *EU – Fatty alcohol (Indonesia)*

Second Integrated Executive Summary of the Arguments of the European Union, *EU – Fatty alcohol (Indonesia)*

Third Chamber, Case C-191/09P, *Council of the European Union and Commission of the European Communities v Interpipe Nikopolsky Seamless Tubes Plant Niko Tube ZAT (Interpipe Niko Tube ZAT) and Interpipe Nizhnedneprovsky Tube Rolling Plant VAT (Interpipe NTRP VAT)* (16 February 2012)

Secondary sources

Books, articles in journals

Asian Development Bank and International Institute for Trade and Development, 'Trade remedies: a tool kit' (Asian Development Bank 2009) <<https://www.adb.org/sites/default/files/publication/27526/trade-remedies-toolkit.pdf>> accessed on 28 April 2022

Blonigen BA and Thomas J. Prusa, *Anti-dumping (University of Oregon, January 2018)* <https://pages.uoregon.edu/bruceb/Antidumping_Handbook_Chapter.pdf> accessed on 18 February 2022

Dewata, M. F., Dr., and Yulianto Achmad, MH. *Dualisme Penelitian Hukum Normatif & Empiris* (Pustaka Pelajar 2010)



Diamandis PH and Steven Kotler, *The Future Is Faster than You Think: How Converging Technologies Are Transforming Business, Industries, and Our Lives* (Simon & Schuster 2020)

ECLAC, *Globalization and Development* (United Nations 2002)
<https://repositorio.cepal.org/bitstream/handle/11362/2726/S2002903_en.pdf%3Bjsessionid%3D29368DCA38C18D84A23864EC62BACB3A%3Fsequence%3D2> accessed on 19 February 2022

European Union, Anti-Dumping Measures on Imports of Certain Fatty Alcohols from Indonesia Request for Consultations by Indonesia, WT/DS442/1 (1 August 2012)

Hakobyan S and Joel P. Trachtman, 'EU – Fatty Alcohols (Indonesia): Corporate Structure, Transfer Pricing, and Dumping' (2018) European University Institute Working Paper RSCAS 2018/57
<https://cadmus.eui.eu/bitstream/handle/1814/59906/RSCAS_2018_57.pdf?sequence=1> accessed on 3 May 2022

Hansen JD and Jørgen Ulff-Møller Nielsen, 'Dumping and Injury Margins in a Reciprocal Dumping Model with Horizontal as Well as Vertical Product Differentiation' (2016) ETSG
<<https://www.etsg.org/ETSG2006/papers/Nielsen.pdf>> Accessed on 19 February 2022

Hodgson GM, "The Political Economy of Utopia" (1995) 53(2) Review of Social Economy <<https://www.jstor.org/stable/29769771>> accessed on 18 February 2022

Kharel A, 'Doctrinal Legal Research' (2018) Juris Nepal Law Associates; Tribhuvan University <<https://ssrn.com/abstract=3130525>> accessed on 19 February 2022

Lavanya CNM, 'Anti-Dumping and India: A Temporal and Sectoral Perspective' (2016) The International Journal of Business & Management <www.theijbm.com> accessed on 19 February 2022

Lee JS, 'A Critical Analysis of Antidumping Policy at the Multilateral and Regional Levels: The Potential Influence of Europe's Trade Power for Possible Reform' (2012) Europa-Kolleg Hamburg Institute for European Integration Study Paper 3/13 <https://europa-kolleg-hamburg.de/wp-content/uploads/2019/05/0313_SP_Lee.pdf> accessed on 28 April 2022

McDonald B, "International Trade: Commerce among Nations" (*International Monetary Fund*, February 24, 2020)
<<https://www.imf.org/external/pubs/ft/fandd/basics/trade.htm>> accessed on 18 February 2022

Pettinger T, "The importance of international trade" (www.economicshelp.org, September 24, 2021) <<https://www.economicshelp.org/blog/58802/trade/the-importance-of-international-trade/>> accessed on 18 February 2022



Porter ME, ‘The Competitive Advantage of Nations’ (*Harvard Business Review* March-April 1990) <<https://hbr.org/1990/03/the-competitive-advantage-of-nations>> accessed on 18 February 2022

Rude J and Jean-Philippe Gervais, ‘Biases in Calculating Dumping Margins: The Case of Cyclical Products’ (2019) 31/1 *Review of Agricultural Economics* <<http://www.jstor.org/stable/30224850>> accessed on 19 February 2022

Saggi K and Mark Wu, ‘Yet Another Nail in the Coffin of Zeroing: United States – Anti-Dumping Administrative Reviews and Other Measures Related to Imports of Certain Orange Juice from Brazil’ (2013) 122 *World Trade Review* 377 <<https://www.cambridge.org/core/journals/world-trade-review/article/yet-another-nail-in-the-coffin-of-zeroing-united-states-antidumping-administrative-reviews-and-other-measures-related-to-imports-of-certain-orange-juice-from-brazil/1771B159C3A57EB5F6A19B24B755541C>> accessed on 10 May 2022

Satapathy C, ‘WTO Agreement on Anti-Dumping: Misuse and Case for Review’ (1999) *Economic and Political Weekly* <<http://www.jstor.org/stable/4408275>> accessed on 19 February 2022

Sutrisni NK and A.A Ketut Sukranata, ‘Pendekatan Follow The Money dalam Penelusuran Tindak Pidana Pencucian Uang Serta Tindak Pidana Lain’ (2013) 1(2) *Kertha Semaya: Journal Ilmu Hukum* <<https://ojs.unud.ac.id/index.php/kerthasemaya/article/view/4684>> accessed on 7 May 2022

UNCTAD, ‘Dispute Settlement: World Trade Organization: 3.6 Anti-dumping Measures’ (*United Nations* 2003) <https://unctad.org/system/files/official-document/edmmisc232add14_en.pdf> accessed on 19 February 2022

Viner J, ‘Dumping as a Method of Competition in International Trade II’ (1923) 1(2) *The University Journal of Business* <<http://www.jstor.org/stable/2354812>> accessed on 19 February 2022

Walliman N, *Your undergraduate dissertation the essential guide for success* (SAGE 2014)

Electronic sources

WTO, ‘Agreement on implementation of Article VI of the General Agreement on Tariffs and Trade 1994’ (www.wto.org) <https://www.wto.org/english/tratop_e/adp_e/antidum2_e.htm> Accessed on 29 April 2022

WTO, ‘DS 442 European Union – Anti-Dumping Measures on Imports of Certain Fatty Alcohols from Indonesia’ (www.wto.org, 2017) <https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds442_e.htm> accessed on 8 February 2022

WTO, ‘DS 480 European Union - Anti-Dumping Measures on Biodiesel from Indonesia’ (www.wto.org, 2018)



What is fair? An analysis of fair comparison of normal value and export price in WTO (Case studies DS442 EU - Fatty Alcohol (Indonesia))

ADELAIDE KATHYA S, Irma Nurhayati S.H., M. Hum., LL. M., Ph. D.

Universitas Gadjah Mada, 2022 | Diunduh dari <http://etd.repository.ugm.ac.id/>

UNIVERSITAS
GADJAH MADA

<https://www.wto.org/english/tratop_e/dispu_e/cases_e/ds480_e.htm> accessed on 8 February 2022

WTO, 'EU - Fatty Alcohols (Indonesia) one page summary of key finding' (www.wto.org, November 16, 2017) <https://www.wto.org/english/tratop_e/dispu_e/cases_e/1pagesum_e/ds442sum_e.pdf> accessed on 8 February 2022

WTO, 'Understanding the WTO - Anti-dumping, subsidies, safeguards: Contingencies, etc.' (www.wto.org) <https://www.wto.org/english/thewto_e/whatis_e/tif_e/agrm8_e.htm> accessed on 18 February 2022