

TABLE OF CONTENTS

ENDORSEMENT	ii
APPROVAL	iii
STATEMENT OF ANTI PLAGIARISM	iv
TABLE OF CONTENTS.....	v
ABSTRACT	viii
INTISARI	ix
ACKNOWLEDGMENT	x
CHAPTER 1	1
INTRODUCTION.....	1
1. Background.....	1
2. Research Questions	7
3. Research Goals	8
4. The originality of Research	8
5. Research Benefits	10
CHAPTER II.....	12
THEORETICAL REVIEW	12
1. Non-Discrimination Principle Under the GATT.....	12
A. Most-Favored Nation Principle	12
B. National Treatment Principle	14

2. Quantitative Restriction Under the GATT.....	16
3. Exceptions of Quantitative Restriction Under Article XI (2) GATT ..	20
4. General Exceptions under Article XX GATT	21
A. Measures under sub-paragraph a-j.....	22
B. Chapeau of Article XX GATT	24
5. Vienna Convention on Law of Treaties (VCLT) as the Rules interpreting the GATT.....	27
A. Interpretation Under Article 31 VCLT.....	28
B. Interpretation under Article 32 VCLT.....	33
CHAPTER III	36
RESEARCH METHOD	36
1. Research Type	36
2. Research Approach.....	36
3. Legal Materials.....	37
4. Data collecting method	37
5. Data Analysis	38
CHAPTER IV.....	39
RESEARCH RESULT and ANALYSIS.....	39
1. The application of sub-paragraph g of Article XX of GATT extending the scope of exhaustible natural resources in the US Shrimp Case.....	39

A. Application of the measures under sub-paragraph g of Article XX in the AB decision	40
B. Analysis of the application of sub-paragraph g of Article XX of GATT extending the scope of exhaustible natural resources to include living creatures	45
2. Application of the arbitrary discrimination under Article XX of GATT to a due process issue.....	57
A. The AB Panel examination on the arbitrary discrimination in the US Shrimp Case.....	58
B. The AB Panel’s mistake in applying arbitrary discrimination under Article XX of GATT	59
3. Whether the unilateral trade measure targeted to an environmental condition outside of country’s territory is allowed by the GATT	66
A. the AB Panel’s opinion regarding the unilateral nature of the US measure	66
B. Whether the AB Panel’s opinion is accurate according to the GATT ...	69
CHAPTER V	84
CLOSURE	84
1. Conclusion.....	84
2. Suggestion	85
BIBLIOGRAPHY	87