

## TABLE OF CONTENTS

<b>COVER .....</b>	<b>1</b>
<b>ENDORSEMENT .....</b>	<b>I</b>
<b>APPROVAL .....</b>	<b>II</b>
<b>STATEMENT OF ANTI PLAGIARISM .....</b>	<b>III</b>
<b>PREFACE.....</b>	<b>IV</b>
<b>ABSTRACT .....</b>	<b>VI</b>
<b>INTISARI .....</b>	<b>VII</b>
<b>TABLE OF CONTENTS.....</b>	<b>VIII</b>
<b>ABBREVIATION .....</b>	<b>XI</b>
<b>LIST OF TABLE .....</b>	<b>XII</b>
<b>CHAPTER I: INTRODUCTION .....</b>	<b>1</b>
A. BACKGROUND .....	1
B. PROBLEM IDENTIFICATION .....	4
C. OBJECTIVES .....	5
D. AUTHENTICITY .....	5
E. BENEFIT OF RESEARCH .....	10
<b>CHAPTER II: LITERATURE REVIEW.....</b>	<b>11</b>
A. OVERVIEW OF THE WTO .....	11
1. Objectives and Functions of WTO.....	11
2. Foundational Principles in WTO .....	13
B. OVERVIEW OF QUANTITATIVE RESTRICTIONS ON EXPORTATION IN GATT 1994 .....	14
1. Quantitative Restrictions on Exportation under Article XI:1 and Its Excerptions under Article XI:2 GATT 1994 .....	14
2. Scopes of Quantitative Restrictions under Article XI:1 GATT 1994 .....	17
3. Quantitative Restriction on Exportation using License under Article XI:1 GATT 1994.....	18
4. “Other Measures” Provision under Article XI:1 GATT 1994.....	20
C. OVERVIEW OF NATIONAL SECURITY EXCEPTIONS IN GATT 1994 .....	21
D. CRITIQUE UPON S&DT PROVISIONS FOR DEVELOPING COUNTRIES .....	24
<b>CHAPTER III: RESEARCH METHOD.....</b>	<b>26</b>
A. TYPE OF RESEARCH .....	26
B. TYPE OF DATA .....	26

C.	DATA COLLECTION METHOD.....	28
D.	DATA ANALYSIS .....	28
<b>CHAPTER IV: RESEARCH RESULT AND ANALYSIS .....</b>		<b>29</b>
A.	CONSISTENCY BETWEEN MOFCOM ANNOUNCEMENT NO. 23/2023 REGARDING CHINA'S IMPLEMENTATION OF EXPORT CONTROLS ON GALLIUM AND GERMANIUM RELATED ITEMS TO GATT 1994.....	29
1.	Export Restrictions Framework under GATT 1994.....	29
a.	<b>Interpretation &amp; Application of the Export Formalities Provision in the Article VIII .....</b>	<b>31</b>
b.	<b>Interpretation &amp; Application of Transparency and Non- Discriminatory Principle in the Article X.....</b>	<b>33</b>
c.	<b>Interpretation &amp; Application of Quantitative Restrictions under Article XI .....</b>	<b>35</b>
1)	<b>Paragraph 1 .....</b>	<b>35</b>
2)	<b>Paragraph 2 .....</b>	<b>40</b>
d.	<b>Interpretation &amp; Application of Security Exceptions in the Article XXI .....</b>	<b>50</b>
2.	China's Gallium and Germanium Export Restriction Policy.....	63
a.	<b>China's Motivation for the Gallium and Germanium Export Restrictions Policy Invocation .....</b>	<b>65</b>
1)	<b>National Security &amp; National Interest Motivation.....</b>	<b>66</b>
2)	<b>Protection for Domestic Industry &amp; Employment .....</b>	<b>67</b>
3)	<b>Response to Western Allies for Their Ban on Chips- microprocessor Import to China .....</b>	<b>67</b>
b.	<b>China's Procedures &amp; Technicalities in the Invocation of the Gallium and Germanium Export Restrictions Policy .....</b>	<b>68</b>
B.	CHINA'S POSSIBLE COUNTERMEASURES FOR JUSTIFICATION OF MOFCOM ANNOUNCEMENT NO. 23/2023 REGARDING CHINA'S IMPLEMENTATION OF EXPORT CONTROLS ON GALLIUM AND GERMANIUM RELATED ITEMS INVOCATION ACCORDING TO GATT 1994.....	70
1.	The Use of S&DT Provisions for China's Justification.....	71
a.	<b>Developing Countries in S&amp;DT's View &amp; How China Can Be Accounted.....</b>	<b>71</b>
b.	<b>Typology of S&amp;DT Provisions under GATT 1994 &amp; How China Can Take Benefit.....</b>	<b>75</b>
2.	Feasibility of Article XI:2 (a) & (b) for China's Justification .....	80
3.	Feasibility of Article XXI:(b) for China's Justification .....	83

4.	China's Disguised Retaliation Approach toward Western Allies using S&DT Provisions .....	87
<b>CHAPTER V: CLOSURE.....</b>		<b>91</b>
A.	CONCLUSION .....	91
B.	RECOMMENDATION .....	91
<b>BIBLIOGRAPHY .....</b>		<b>93</b>