

BIBLIOGRAPHY

Books

- Brierly, James Leslie, 1963, *The Law of Nations: An Introduction to the International Law of Peace*, 6th Edition, Oxford Clarendon Press.
- Churchill, Robin, Lowe, Vaughan, 1999, *Law of the Sea*, 3rd Edition, Manchester University Press.
- Jackson, John H., 1989, *The World Trading System: Law and Policy of International Economic Relations*, MIT Press.
- Mersky, Roy M., Dunn, Donald J., 2002, “Legal Research Illustrated”, *Foundation Press*.
- Sands, Philippe, Peel, Jacqueline, Fabra, Adriana, Mackenzie, Ruth, 2012, *Principles of International Environmental Law*, 3rd Edition, Cambridge University Press.
- Weiss, Edith Brown, Jackson, John H., Bernasconi-Osterwalder, Nathalie (eds.), 2008, *Reconciling Environment and Trade*, 2nd Ed., Martinus Nijhoff.

Journals

- Ahn, Dukgeun, 1999, “Environmental Dispute in the GATT/WTO: Before and After *US – Shrimp Case*”, *Michigan Journal of International Law* 20(4).
- Ariadno, Melda Kamil, 2013, “Review of Indonesian Legal Arrangement on Tuna Fisheries”, *Indonesian Journal of International Law* 10(3).
- Bjørndal, Trond, Munro, Gordon, 2002, “The Management of High Seas Fisheries Resources and the Implementation of the U.N. Fish Stocks Agreement of 1995 (Working Paper No. 06/02)”, *Institute for Research in Economics and Business Administration Bergen*.
- Bodansky, Daniel, 1993, “The United Nations Framework Convention on Climate Change: A Commentary”, *Yale Journal of International Law*, 18(2).



- Cullis-Suzuki, Sarika, Pauly, Daniel, 2010, "Failing the High Seas: A Global Evaluation of Regional Fisheries Management Organizations", *Marine Policy, Aquatic Ecosystem Research Laboratory (AERL)*, University of British Columbia.
- Esty, Daniel C., 1994, "Greening the GATT: Trade, Environment, and the Future", *Peterson Institute for International Economics*.
- Gullett, Warwick, 1997, "Environmental Protection and the Precautionary Principle: A Response to Scientific Uncertainty in Environmental Management", *Environmental and Planning Law Journal*, University of Wollongong.
- Hilf, M., 2001, "Power, Rules and Principles – Which Orientation for WTO/GATT Law?", *Journal of International Economic Law*, 4(1).
- Long, Oliver, 1987, "Law and its Limitations in the GATT Multilateral Trade System", *Legal Aspects of International Organizations* 6.
- Lurié, Andrew, Kalinina, Kalinina, 2015, "Protecting Animals in International Trade: A Study of the Recent Successes at the WTO and in Free Trade Agreements", *American University International Law Review* 30(3).
- Lydgate, Emily Barrett, 2012, "Sustainable Development in the WTO: from Mutual Supportiveness to Balancing", *World Trade Review* 11(4).
- Mack, Julie R., 1996, "International Fisheries Management: How the UN Conference on Straddling and Highly Migratory Fish Stocks Changes the Law of Fishing in the High Seas", *California Western International Law Journal* 26(2).
- Marr, Simon, 2000, "The Southern Bluefin Tuna Cases: The Precautionary Approach and Conservation and Management of Fish Resources", *European Journal of International Law* 11(4).
- Molenaar, Erik Jaap, 2000, "The Concept of 'Real Interest' and Other Aspects of Co-operation through Regional Fisheries Management Mechanisms", *The International Journal of Marine and Coastal Law* 15(4), Kluwer Law International.
- Rayfuse, Rosemary, 2007, "Regional Allocation Issues or Zen and the Art of Pie Cutting", University of New South Wales.



- Rayfuse, Rosemary, 2016, “Principles of International Environmental Law Applicable to Waste Management”, *Waste Management and the Green Economy: Law and Policy*, Edward Elgar Publishing.
- Roscow, David, 2006, “US Must Join Law of the Sea”, *Center for Leadership and Global Diplomacy*.
- Rubin, Alana R., 2007, “Rock the Boat: The Plight of the Southern Bluefin Tuna”, *Animal Legal and Historical Center*, Michigan State University College of Law.
- Sands, Philippe, 1999, “International Courts and the Application of the Concept of ‘Sustainable Development’”, *Yearbook of United Nations Law*.
- Sala, Enric, Mayorga, Juan, Costello, Christopher, Kroodsma, David, Palomares, Maria L. D., Pauly, Daniel, Sumalia, U. Rashid, Zeller, Dirk, 2018, “The Economics of Fishing the High Seas”, *Science Advances* 4(6).
- Shelton, Dinah, 1996, “The Impact of Scientific Uncertainty on Environmental Law and Policy in the United States in The Precautionary Principle and International Law: The Challenge of Implementation”, *Kluwer Law International*, The Hague.
- Sirinskiene, Agne, 2009, “The Status of Precautionary Principle: Moving Towards a Rule of Customary Law”, *Jurisprudencija*, Mykolas Romeris University, Faculty of Law.
- Vranes, Erich, 2009, “Trade and the Environment: Fundamental Issues in International Law, WTO Law, and Legal Theory”, *International Economic Law Series*, Oxford, Oxford University Press.
- Weber, Peter, 1993, “Abandoned Seas: Reversing the Decline of the Oceans”, *Worldwatch Paper* 116, Worldwatch Institute.
- Wold, Chris, 2002, “The Status of Sea Turtles under International Environmental Law and International Environmental Agreements”, *Journal of International Wildlife Law & Policy*, 5(1-2).



Judicial Decisions

Appellate Body Reports, *China – Measures Related to the Exportation of Various Raw Materials*, WT/DS394/AB/R, WT/DS395/AB/R, WT/DS398/AB/R, adopted 22 February 2012.

Appellate Body Report, *European Communities – Measures Affecting Asbestos and Products Containing Asbestos*, WT/DS135/AB/R, adopted on 5 April 2001, DSR 2001: VII.

Appellate Body Report, *European Communities – Measures Prohibiting the Importation and Marketing of Seal Products*, WT/DS400/AB/R, WT/DS401/AB/R, adopted 22 May 2014

Appellate Body Report, *Japan – Taxes on Alcoholic Beverages*, WT/DS8/AB/R, WT/DS10/AB/R, WT/DS11/AB/R, adopted November 1, 1996.

Appellate Body Report, *United States – Import of Prohibition of Certain Shrimp and Shrimp Products*, WT/DS58/AB/R, adopted 6 November 1998, DSR 1998: VII.

United States – Measures Concerning the Importation, Marketing and Sales of Tuna and Tuna Products, WT/DS381/AB/R, adopted 16 May 2012.

Appellate Body Report, *United States – Standards for Reformulated and Conventional Gasoline*, WT/DS2/AB/R (April 29, 1996) (adopted May 20, 1996).

Belgium/Netherlands (Iron Rhine arbitration), 24 May 2005, Award, Permanent Court of Arbitration (PCA).

GATT Panel Report, *Canada – Administration of the Foreign Investment Review Act*, L/5504, adopted 7 February 1984, BISD 30S.

GATT Panel Report, *Canada – Measures Affecting Exports of Unprocessed Herring and Salmon*, L/6268, adopted 22 March 1988, BISD 35S.

GATT Panel Report, *European Communities – Measures Prohibiting the Importation and Marketing of Seal Products*, WT/DS400/R, WT/DS401/R, adopted November 25, 2013.



GATT Panel Report, *Thailand – Restrictions on Importation of Internal Taxes on Cigarettes*, DS10/R, adopted on 7 November 1990, BISD 37S.

GATT Panel Report, *United States – Imports of Certain Automotive Spring Assemblies*, L/5333, adopted on 26 May 1983, BISD 30S.

GATT Panel Report, *United States – Prohibition of Imports of Tuna and Tuna Products from Canada*, L/5198, adopted on 22 February 1982, BISD 29S.

GATT Panel Report, *United States – Restrictions on Imports of Tuna*, DS21/R, 3 September 1991, un-adopted.

GATT Panel Report, *United States – Restrictions on Imports of Tuna*, DS29/R, 16 June 1994, un-adopted.

GATT Panel Report, *United States – Section 337 of the Tariff Act of 1930*, L/6439, adopted on 7 November 1989, BISD 36S.

Namibia (Legal Consequences), Advisory Opinion (1971) I.C.J. Report.

Southern Bluefin Tuna (New Zealand v. Japan; Australia v. Japan), Request for Provisional Measures, Order of 27 August 1999, ITLOS Reports 1999.

Legal Instruments

Agenda 21, adopted by the United Nations Conference on Environment and Development, 14 June 1992, UN Doc. A/CONF. 151/26/Rev.1.

Agreement for the Establishment of the Indian Ocean Tuna Commission, 25 November 1993.

Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, 4 December 1995,

Agreement on Technical Barriers to Trade, 1 January 1995.

Charter of the United Nations (adopted on 26 June 1945, entered into force on 24 October 1945) 1 UNTS xvi.



CITES, Resolution Conference 5.10, adopted at the Fifth Meeting of the Conference of the Parties (1985).

Convention on International Trade in Endangered Species of Wild Fauna and Flora, 3 March 1975.

Dolphin-Safe Labeling Standards, 50 C.F. R. § 216.91(2)(i)-(ii), 2013, United States of America.

International Convention for the Conservation of Atlantic Tunas, 14 May 1966.

International Law Association, New Delhi Declaration of Principles of International Law Relating to Sustainable Development, 2002.

Marrakesh Agreement Establishing the World Trade Organization, 15 April 1994.

Marrakesh Ministerial Decision on Trade and Environment, 14 April 1994, MTN.TNC/45MIN.

Rio Declaration on Environment and Development, 13 June 1992.

United Nations Convention on the Law of the Sea, 10 December 1982.

Vienna Convention on the Law of Treaties, 23 May 1969.

Online References

Adam, David, "Bluefin Tuna Fails to Make UN's List of Protected Fish", *The Guardian*, 18 March 2010, accessed 19 September 2019.

Black, Richard, 25 November 2008, "EU Condemned on Tuna 'Mockery' ", BBC News UK, <http://news.bbc.co.uk/2/hi/science/nature/7746965.stm>.

"Bluefin Tuna", World Wide Fund for Nature (WWF International), <https://www.worldwildlife.org/species/bluefin-tuna>.

"Bluefin Tuna Listing Rejected at CITES", *TRAFFIC: the Wildlife Trade Monitoring Network*, 18 March 2010, accessed 3 August 2019.



CITES, “Discover CITES: The CITES Secretariat”,
<https://www.cites.org/eng/disc/sec/index.php>, accessed 20 September 2019.

CITES, “List of Parties to the Convention”,
<https://cites.org/eng/disc/parties/index.php>.

Colette, Bruce B., 17 November 2017, “Bluefin Tuna Science Remains Vague”,
Science 358(6365), <https://science.sciencemag.org/content/358/6365/879.2>.

Collette, B., Amorim, A.F., Boustany, A., Carpenter, K.E., de Oliveira Leite Jr.,
N., Di Natale, A., Die, D., Fox, W., Fredou, F.L., Graves, J., Viera Hazin,
F.H., Hinton, M., Juan Jorda, M., Kada, O., Minte Vera, C., Miyabe, N.,
Nelson, R., Oxenford, H., Pollard, D., Restrepo, V., Schratwieser, J., Teixeira
Lessa, R.P., Pires Ferreira Travassos, P.E., Uozumi, Y., 2011, “*Thunnus*
thynnus”, The IUCN Red List of Threatened Species 2011.

Collette, B., Chang, S. K., Di Natale, A., Fox, W., Juan Jorda, M., Miyabe, N.,
Nelson, R., Uozumi, Y., Wang, S., 2011, “*Thunnus maccoyii*”, The IUCN
Red List of Threatened Species 2011.

Colette, B., Fox, W., Juan Jorda, M., Nelson, R., Pollard, D., Suzuki N., Teo, S.,
2014, “*Thunnus orientalis*”, The IUCN Red List of Threatened Species 2014.

Cornell University, 2011, “Basics of Legal Research”, Cornell University law
library at <https://law.library.cornell.edu/>.

IUCN, IUCN Definitions Glossary, retrieved from:
https://www.iucn.org/sites/dev/files/iucn-glossary-of-definitions_march2018_en.pdf, accessed 11 July 2019.

IUCN, Conservation Tools, “IUCN Red List of Threatened Species”,
<https://www.iucn.org/resources/conservation-tools/iucn-red-list-threatened-species>.

IUCN 2019, “The IUCN Red List of Threatened Species”, Version 2019-1,
<http://www.iucnredlist.org>. Downloaded on 24 May 2019.

“Japan Sushi Tycoon Pays Record Tuna Price”, *BBC News*, 5 January 2019,
accessed 1 August 2019.

Maritime Boundary Office (Government of the Democratic Republic of Timor-
Leste), <http://www.gfm.tl/learn/the-law-of-the-sea/>.



Mereghetti, Matilde, 22 November 2017, “ICCAT to Boost Atlantic Bluefin Quota to 36,000t by 2020”, *Undercurrent News*, <https://www.undercurrentnews.com/2017/11/22/iccat-to-boost-atlantic-bluefin-quota-to-36000t-by-2020/>.

Narula, Svati Kirsten, “Sushinomics: How Bluefin Tuna Became a Million-Dollar Fish”, *The Atlantic*, 5 January 2014, accessed 1 August 2019, citing International Union for the Conservation of Nature (IUCN).

New York University, 2019, “Law Library Basics: Legal Research”, New York University Law Library at <https://nyulaw.libguides.com/>.

Ocean Health Index, 2014, “2014 High Seas Regional Assessment”, Web.

Oceana Europe, “Feature: Bluefin Tuna”, <https://eu.oceana.org/en/eu/media-reports/features/bluefin-tuna>.

Snyder, Chris, “A Fish in Japan just Sold for a Record \$3 Million – here’s why Bluefin Tuna is so Expensive”, *Business Insider*, 11 January 2019, accessed 1 August 2019.

The Humane Society of the United States, 2013, “About the Canadian Seal Hunt”, http://www.humanesociety.org/issues/seal_hunt/facts/about_seal_hunt.html.

United Nations (Division for Ocean Affairs and the Law of the Sea), “Chronological Lists of Ratifications of, Accessions and Successions to the Convention and the related Agreements”, https://www.un.org/depts/los/reference_files/chronological_lists_of_ratifications.htm.

WTO website’s analysis of the Preamble: www.wto.org/english/res_e/booksp_e/analytic_index_e/wto_agree_01_e.htm.

WTO Secretariat, “WTO Rules and Environmental Policies: GATT Exceptions”, https://www.wto.org/english/tratop_e/envir_e/envt_rules_exceptions_e.htm.

World Wide Fund for Nature Mediterranean, 21 November 2017, “Unacceptable Rise in Catch Quota for Bluefin Tuna! WWF Protests”, <http://mediterranean.panda.org/news/?uNewsID=317090>.

Reports and Other Documents

CITES and WTO Secretariat, 2015, “Enhancing Cooperation for Sustainable Development”,
https://cites.org/sites/default/files/i/news/2015/CITES_WTO_Brochure_72.pdf.

ICCAT, 2006, “ICCAT Manual: Chapter 1 (Overview)”.

ICCAT, October 2008, “Report of the Standing Committee on Research and Statistics”.

ICCAT, “Report of the Standing Committee on Research and Statistics (SCRS)”, 2017, Madrid, Spain,
http://iccat.int/Documents/Meetings/Docs/2017_SCRS_REP_ENG.pdf.

ICCAT, “Report of the 2017 ICCAT Bluefin Stock Assessment Meeting”, 2017, Madrid, Spain,
http://iccat.int/Documents/Meetings/Docs/2017_BFT_ASS_REP_ENG.pdf.

ICCAT, 28 – 19 January 2019, “Report of the Meeting of the Technical and Legal Editing Group of Contracting Parties”, Madrid, Spain, retrieved from:
https://www.iccat.int/Documents/Meetings/Docs/2019/Reports/2019_Tech_Legal_Edit_Eng.pdf.

Maguire, Jean-Jacques, Sissenwine, Michael, Csrike, Jorge, Grainger, Richard, 2006, “The State of World Highly Migratory, Straddling and Other High Seas Fishery Resources and Associated Species”, *FAO Fisheries Technical Paper No. 495*, Rome: FAO.

Marashi, S. H., 1996, “Summary Information on the Role of International Fishery and Other Bodies with Regard to the Conservation and Management of Living Resources of the High Seas”, *FAO Fisheries Circular No. 908 FIPL/C908*, Food and Agriculture Organization of the United Nations.

Report of the World Commission on Environment and Development, 1987, *Our Common Future (the Brundtland Report)*, Oxford University Press.

World Health Organization (WHO), Forty-third World Health Assembly, Fourteenth plenary meeting, Agenda Item 10, 17 May 1990 (A43/VR/14; WHA43.16).