LITERATURE
International Law in Asia: 
A Bibliographic Survey 2012

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INTRODUCTION

This bibliography provides information on books, articles, notes, and other materials dealing with international law in Asia, broadly defined. Only English language publications are listed. In the preparation of this bibliography, good use has been made of the list of acquisitions of the Peace Palace Library in The Hague, The Netherlands, as well as the Washington & Lee University law journal rankings, in addition to book reviews in journals of international law, Asian studies, and international affairs. Most, if not all, of the materials can be listed under two or more categories, but in order to save space, each item has been placed under one category.

The bibliography is limited to new materials published in 2012, or in some cases, previously published materials that have new editions in 2012. The headings used in this year's bibliography are as follows:

1. General
2. States and statehood
3. IGOs
4. NGOs
5. Territory and jurisdiction
6. Seas and marine resources
7. Rivers and water resources
8. Jus ad bellum and jus in bello
9. International criminal law and transnational crime
10. Peace and transitional justice
11. Security
12. Environment
13. Energy
14. Development
15. Human rights – General
16. Human rights – Institutions and Organizations
17. Human rights – Central Asia
18. Human rights – South Asia
19. Human rights – Northeast Asia
20. Human rights – West Asia
21. Human rights – Southeast Asia
22. Nationality, migration and refugees
23. Colonialism and self determination
24. International economic and business law – General
25. WTO and trade
26. Investment
27. Intellectual property
28. Cultural property and heritage
29. Dispute settlement
30. Arbitration
31. Private International law
32. Internet, data and communications
33. Air and Space
34. Miscellaneous

1. GENERAL

Ali, Hanishi T. et al., India, 46(1) International Lawyer 553 (2012).


Charyyeva, Bahar et al., Central Asia, 46(1) International Lawyer 501 (2012).


Deng, Ying et al., China, 46(1) International Lawyer 517 (2012).

The Oxford Handbook of the History of International Law (Bardo Fassbender, Anne Peters, Simone Peter & Daniel Högger eds., Oxford University Press 2012).


Persaud, Justin G. & Saunders, Steve, Asia/Pacific, 46(1) INTERNATIONAL LAWYER 483 (2012).


Salter, Michael, Law, Power and International Politics with Special Reference to East Asia: Carl Schmitt’s Grossraum Analysis, 11(3) CHINESE JOURNAL OF INTERNATIONAL LAW 393-427 (2012).

Tan, Kevin Y.L., Constitutionalism and the Search for Legal and Political Legitimacy in the Asian States, 7(2) NATIONAL TAIWAN UNIVERSITY LAW REVIEW 503 (2012).


2. STATES AND STATEHOOD


Dumberry, Patrick, Is Turkey the ‘Continuing’ State of the Ottoman Empire Under International Law?, 59(2) NETHERLANDS INTERNATIONAL LAW REVIEW 235 (2012).

Flaherty, Martin S., Hong Kong Fifteen Years after the Handover: One Country, Which Direction?, 51(2) COLUMBIA JOURNAL OF TRANS-NATIONAL LAW 275-286 (2013).

Gagain, Michael, Climate Change, Sea Level Rise, and Artificial Islands: Saving the Maldives’ Statehood and Maritime Claims through the Constitution of the Oceans, 23(1) COLORADO JOURNAL OF INTERNATIONAL ENVIRONMENTAL LAW & POLICY 17 (2012).


China, the European Union and Global Governance (Jan Wouters, Tanguy de Wilde, Pierre Defraigne and Jean-Christophe Defraigne eds., Edward Elgar 2012).


3. IGOs


Ng, Joel, Rule of Law as a Framework Within the ASEAN Community, 5(2) Journal of East Asia & International Law 327 (2012).


ROBERTS, CHRISTOPHER B., ASEAN Regionalism: Cooperation, Values and Institutionalisation (Routledge 2012).

4. NGOs

CHEN, JIE, TRANSNATIONAL CIVIL SOCIETY IN CHINA: INTRUSION AND IMPACT (Edward Elgar 2012).

Fleay, Caroline, Transnational Activism, Amnesty International and Human Rights in China: The Implications of Consistent Civil and
Political Rights Framing, 16(7) INTERNATIONAL JOURNAL OF HUMAN RIGHTS 915 (2012).

Gunter, Michael M. Jr. & Rosen, Ariane C., Two-Level Games of International Environmental NGOs in China, 3(2) WILLIAM & MARY POLICY REVIEW 270-294 (2012).

Han, Junhong & Holly, Amelia Snape, Analysis of Chinese Grassroots AIDS Prevention NGOs’ Organizational Compliance and Development Strategies — Working from the Example of the Shanghai YAPSC, 4(2) CHINA NONPROFIT REVIEW 259-274 (2012).

Han, Junkui, Foreign NGOs in China in the Context of a Global Civil Society — With a Discussion of the Internationalization of Chinese NGOs, 4(1) CHINA NONPROFIT REVIEW 3-24 (2012).


STEINBERG, GERALD M. & HERZBERG, ANNE & BERMAN, JORDAN, BEST PRACTICES FOR HUMAN RIGHTS AND HUMANITARIAN NGO FACT-FINDING (Martinus Nijhoff 2012).


5. TERRITORY AND JURISDICTION


Zhang, Zuxing, A Deconstruction of the Notion of Acquisitive Prescription and its Implications for the Diaoyu Islands Dispute, 2(2) ASIAN JOURNAL OF INTERNATIONAL LAW 323-338 (2012).

6. SEAS AND MARINE RESOURCES


Balaram, Ravi A., Case Study: The Myanmar and Bangladesh Maritime Boundary Dispute in the Bay of Bengal and its Implications for South
China Sea Claims, 31(3) JOURNAL OF CURRENT SOUTHEAST ASIAN AFFAIRS 85 (2012).

Bang, Ho-Sam & Jang, Duck-Jong, Recent Developments in Regional Memorandums of Understanding on Port State Control, 43(2) OCEAN DEVELOPMENT & INTERNATIONAL LAW 170 (2012).


Chang, Yen-Chiang, A Note on a Comparison of the Ocean Governance System Between Mainland China and Taiwan, 43(4) OCEAN DEVELOPMENT & INTERNATIONAL LAW 311-329 (2012).


Gadihoke, Neil, Arctic Melt: The Outlook for India, 8(1) Maritime Affairs 1-12 (2012).


Hong, Nong, UNCLOS and Ocean Dispute Settlement: Law and Politics in the South China Sea (Routledge 2012).


Kim, Suk Kyoon, China and Japan Maritime Disputes in the East China Sea: A Note on Recent Developments, 43(3) Ocean Development & International Law 296-308 (2012).


Rangreji, Luther, Bangladesh-Myanmar Maritime Boundary Delimitation Dispute, 16 JOURNAL OF INTERNATIONAL AFFAIRS 33 (2012).


Singh, Amit, South China Sea Disputes: Regional Issue, Global Concerns, 8(1) MARITIME AFFAIRS 116-135 (2012).

Sodik, Dikdik Mohamad, The Indonesian Legal Framework on Baselines, Archipelagic Passage, and Innocent Passage, 43(4) OCEAN DEVELOPMENT & INTERNATIONAL LAW 330-341 (2012).

Song, Guan, Particularly Sensitive Sea Area: A Possible Approach of Cooperation in the South China Sea, 2012(16) CHINA OCEANS LAW REVIEW 63 (2012).


Vu, Hai Dang, Towards a Regional MPA Network in the South China Sea: General Perspectives and Specific Challenges, 26(1) Ocean Yearbook 291 (2012).

Climate Change and the Oceans: Gauging the Legal and Policy Currents in the Asia Pacific and Beyond (Robin Warner & Clive Schofield eds., Edward Elgar 2012).


Zou, Keyuan, China’s U-Shaped Line in the South China Sea Revisited, 43(1) OCEAN DEVELOPMENT & INTERNATIONAL LAW 18-34 (2012).

7. RIVERS AND WATER RESOURCES

Evans, Alexandra E.V. et al., Water Quality: Assessment of the Current Situation in Asia, 28(2) INTERNATIONAL JOURNAL OF WATER RESOURCES DEVELOPMENT 195-216 (2012).


Libert, Bo & Lipponen, Annukka, Challenges and Opportunities for Transboundary Water Cooperation in Central Asia: Findings from UN-ECE’s Regional Assessment and Project Work, 28(3) INTERNATIONAL JOURNAL OF WATER RESOURCES DEVELOPMENT 565-576 (2012).


Nickum, James E., Exploring the Boundaries of Water Quality Management in Asia, 28(2) INTERNATIONAL JOURNAL OF WATER RESOURCES DEVELOPMENT 233-245 (2012).


Upadhyay, Surya Nath, INTERNATIONAL WATERCOURSES LAW AND A PERSPECTIVE IN NEPAL-INDIA COOPERATION (Ekta Books 2012).


Wegerich, Kai et al., Is It Possible to Shift to Hydrological Boundaries? The Ferghana Valley Meshed System, 28(3) INTERNATIONAL JOURNAL OF WATER RESOURCES DEVELOPMENT 545-564 (2012).

Wegerich, Kai et al., Meso-level Cooperation on Transboundary Tributaries and Infrastructure in the Ferghana Valley, 28(3) INTERNATIONAL JOURNAL OF WATER RESOURCES DEVELOPMENT 525-543 (2012).


8. JUS AD BELLUM AND JUS IN BELLO


Harris, Albert, Settlers and Insurgency: The Philippines and Sri Lankan Cases, 8(31) Review of International Law & Politics 103 (2012).


Maurer, Peter, Challenges to International Humanitarian Law: Israel’s Occupation Policy, 94(888) International Review of the Red Cross 1503-1510 (2012).

McLaughlin, Rob, An Australian Perspective on Non-International Armed Conflict: Afghanistan and East Timor, 88 International Law Studies 293 (2012).

Moorcraft, Paul, Total destruction of the Tamil Tigers: The Rare Victory of Sri Lanka’s Long War (Pen and Sword Military 2012).


Nam, Seunghyun Sally, War on the Korean Peninsula? Application of Jus in Bello in the Cheonan and Yeonpyeong Island Attacks, 8(1) East Asia Law Review 43 (2012).


9. INTERNATIONAL CRIMINAL LAW AND TRANSNATIONAL CRIME


Bewicke, Aurora E., Cultural Relativism and Asian Participation at the International Criminal Court, 18(2) AUSTRALIAN JOURNAL OF HUMAN RIGHTS 139 (2012).

Chang, Lennon Yao-chung, Cybercrime in the Greater China Region: Regulatory Responses and Crime Prevention Across the Taiwan Strait (Edward Elgar 2012).

Davenport, Tara, Legal Measures to Combat Piracy and Armed Robbery in the Horn of Africa and in Southeast Asia: A Comparison, 35 STUDIES IN CONFLICT AND TERRORISM 570 (2012).


Ikaningtyas (Mrs.) & Ruslijanto, Patricia Audrey, The ASEAN Way Towards Piracy Challenge, 9(3) INDONESIAN JOURNAL OF INTERNATIONAL LAW 444 (2012).


GLOBAL ANTI-TERRORISM LAW AND POLICY (Victor V. Ramraj, Michael Hor, Kent Roach & George Williams eds., Cambridge University Press 2012).


Ridley, Nick, TERRORIST FINANCING: THE FAILURE OF COUNTER MEASURES (Edward Elgar 2012).

Ronen, Yaël, The Use and Abuse of International Law: Choice of Applicable Criminal Law in Post-Conflict East Timor, in INTERNATIONAL LAW
IN DOMESTIC COURTS: RULE OF LAW REFORM IN POST-CONFLICT STATES (Edda Kristjánsdóttir, André Nollkaemper & Cedric Ryngaert eds., Intersentia 2012).


Sperfeldt, Christoph, Cambodian Civil Society and the Khmer Rouge Tribunal, 6(1) INTERNATIONAL JOURNAL OF TRANSITIONAL JUSTICE 149-160 (2012).


Wagle, Rishikesh, Judicial Activism and the Use of International Law as Gap-filler in Domestic Law: The Case of Forced Disappearances Committed During the Armed Conflict in Nepal, in INTERNATIONAL LAW IN DOMESTIC COURTS: RULE OF LAW REFORM IN POST-CONFLICT STATES (Edda Kristjánsdóttir, André Nollkaemper & Cedric Ryngaert eds., Intersentia 2012).


Witsch, Michael C., Legitimacy on Trial at the Extraordinary Chambers, 26(1) TEMPLE INTERNATIONAL & COMPARATIVE LAW JOURNAL 143 (2012).
10. PEACE AND TRANSITIONAL JUSTICE


Bräuchler, Birgit, Intangible Cultural Heritage and Peace Building in Indonesia and East Timor, in ROUTLEDGE HANDBOOK OF HERITAGE IN ASIA (Patrick Daly & Tim Winter eds., Routledge 2012).


Höglund, Kristine & Orjuela, Camilla, Hybrid Peace Governance and Illiberal Peacebuilding in Sri Lanka, 18(1) GLOBAL GOVERNANCE 89-104 (2012).


Johnson, Kirsten et al., From Youth Affected by War to Advocates of Peace, Round Table Discussions with Former Child Combatants from Sudan, Sierra Leone and Cambodia, 16(1) JOURNAL OF INTERNATIONAL PEACEKEEPING 152-174 (2012).


China’s Evolving Approach to Peacekeeping (Marc Lanteigne & Miwa Hirono eds., Routledge 2012).

Murphy, Ray, Peacekeeping in Lebanon and Civilian Protection, 17(3) JOURNAL OF CONFLICT & SECURITY LAW 373-402 (2012).


11. SECURITY

Brewster, David, India as an Asia Pacific Power (Routledge 2012).


Maritime Challenges and Priorities in Asia: Implications for Regional Security (Joshua Ho & Sam Bateman eds., Routledge 2012).
Green, James A., India’s Status as a Nuclear Weapons Power Under Customary International Law, 24(1) National Law School of India Review 125 (2012).


12. ENVIRONMENT


Conrad, Bjorn, China in Copenhagen: Reconciling the Beijing Climate Revolution and the Copenhagen Climate Obstinacy, 210 China Quarterly 435 (2012).


Haas, Lennon Banks, Saving the Trees One Constitutional Provision at a Time: Judicial Activism and Deforestation in India, 40 Georgia Journal of International & Comparative Law 751 (2012).


Carbon Pricing, Growth and the Environment (Larry Kreiser et al. eds., Edward Elgar 2012).


Lyons, Youna, Transboundary Pollution from Offshore Oil and Gas Activities in the Seas of Southeast Asia, in Transboundary Environmental Governance in Inland, Coastal and Marine Areas (Robin Warner & Simon Marsden eds., Ashgate 2012).


Puthucherril, Tony George, Climate Change, Sea Level Rise and Protecting Displaced Coastal Communities: Possible Solutions, 1(2) Global Journal of Comparative Law 225-264 (2012).

Roesa, Nellyana, The ASEAN Agreement on Trans-Boundary Pollution in Relation with Indonesia Haze, Compliance in Theory and Practice, 9(3) Indonesian Journal of International Law 452 (2012).


13. ENERGY


Blazey, Patricia, Will China’s 12th Five Year Plan Allow for Sufficient Nuclear Power to Support its Booming Economy in the Next Twenty Years?, 21 PACIFIC RIM LAW & POLICY JOURNAL 461-484 (2012).


Granit, Jakob et al., Regional Options for Addressing the Water, Energy and Food Nexus in Central Asia and the Aral Sea Basin, 28(3) INTERNATIONAL JOURNAL OF WATER RESOURCES DEVELOPMENT 419-432 (2012).


14. DEVELOPMENT

Anwar, Arman, Dimensions of ASEAN Cooperation in Health Development of Southeast Asia, 10(1) Indonesian Journal of International Law 137 (2012).


Gillespie, John, Exploring the Role of Legitimacy and Identity in Framing Responses to Global Legal Reforms in Socialist Transforming Asia, 29(3) Wisconsin International Law Journal 534 (2012).


Lim, Peng Han, Creating a Sustainable Inter-City ASEAN Football League, Regional Television Programming Network, (Content/ IP Industry) Sports Tourism and Travel Industry and Developing Principles for a Legal Framework to Achieve Economic and Socio-Cultural Integration, 10(1) Indonesian Journal of International Law 45 (2012).

Law and Development in Asia (Gerald Pau McAlinn & Caslav Pejovic eds., Routledge 2012).


Woo, Margaret Y., Bounded Legality: China’s Developmental State and Civil Dispute Resolution, 27 Maryland Journal of International Law 235-262 (2012).

15. HUMAN RIGHTS – GENERAL


Sonipat Declaration, 13(1) ASIA-PACIFIC JOURNAL ON HUMAN RIGHTS & THE LAW 95-99 (2012).

16. HUMAN RIGHTS – ORGANIZATIONS


ASEAN Human Rights Declaration, 13(2) ASIA-PACIFIC JOURNAL ON HUMAN RIGHTS & THE LAW 74-81 (2012).

Baek, Buhm-Suk, Medium Foreseeing the Future: The Role of NHRIs in Creating RHRIs in the Asia-Pacific Region, 8(1) SOCIO-LEGAL REVIEW 36-112 (2012).

Baek, Buhm-Suk, Mere Ritual or Gradual Change: Why Has Asia Failed to Establish Regional Human Rights Institutions Thus Far?, 5(1) NORTHWESTERN INTERDISCIPLINARY LAW REVIEW 145-190 (2012).

Baek, Buhm-Suk, RHRIs, NHRIs and Human Rights NGOs, 24(2) FLORIDA JOURNAL OF INTERNATIONAL LAW 235-270 (2012).

Baik, Tae-Ung, EMERGING REGIONAL HUMAN RIGHTS SYSTEMS IN ASIA (Cambridge University Press 2012).


17. HUMAN RIGHTS – CENTRAL ASIA


18. HUMAN RIGHTS – SOUTH ASIA


Begum, Afroza, Women’s Participation in Union Parishads: A Quest for a Compassionate Legal Approach in Bangladesh from an International


Khan, Adeeba Aziz, NGOs, the Judiciary and Rights in Bangladesh: Just another Face of Partisan Politics, 1(3) CAMBRIDGE JOURNAL OF INTERNATIONAL & COMPARATIVE LAW 254-274 (2012).


Challenges to Civil Rights Guarantees in India (Noorani & South Asia Human Rights Documentation Centre eds., Oxford University Press 2012).


Tellis, Ashley, Disrupting the Dinner Table: Re-thinking the ‘Queer Movement’ in Contemporary India, 4(1) Jindal Global Law Review 142-156 (2012).


19. HUMAN RIGHTS – NORTHEAST ASIA


Ramsden, Michael, Using the ICESCR in Hong Kong Courts, 42(3) Hong Kong Law Journal 839-864 (2012).


Tokunaga, Emika, The Rights of Disaster Victims: Japan’s Triple Disaster Two Years On, 30 CHINESE (TAIWAN) YEARBOOK OF INTERNATIONAL LAW & AFFAIRS 127-142 (2012).


Wang, Yun Hai, The Death Penalty and Society in East Asia: How to Understand and Compare the Death Penalty in China, Japan and South Korea, 40 HITOTSUBASHI JOURNAL OF LAW & POLITICS 1-14 (2012).

Webster, Timothy, China’s Human Rights Footprint in Africa, 51(3) COLUMBIA JOURNAL OF TRANSNATIONAL LAW 626-664 (2012).


Zou, Bing, On the Application of Death Penalty to Elderly Offenders in China, 5(2) JOURNAL OF POLITICS & LAW 140-144 (2012).

20. HUMAN RIGHTS – WEST ASIA


Alhargan, Raed A., The Impact of the UN Human Rights System and Human Rights INGOs on the Saudi Government with Special Refer-
ence to the Spiral Model, 16(4) INTERNATIONAL JOURNAL OF HUMAN RIGHTS 598-623 (2012).

Bohlander, Michael, “There is No Compulsion in Religion“ – Freedom of Religion, Responsibility to Protect (R2P) and Crimes Against Humanity at the Example of the Islamic Blasphemy Laws of Pakistan, 8(1) JOURNAL OF ISLAMIC STATE PRACTICES IN INTERNATIONAL LAW 36-66 (2012).


Mennie, David, The Role of the International Covenant on Civil and Political Rights in the Israeli-Palestinian Conflict: Should Israel’s Obligations Under the Covenant Extend to Gaza and the Other Occupied Palestinian Territories?, 21(2) TRANSNATIONAL LAW & CONTEMPORARY PROBLEMS 511-548 (2012).


21. HUMAN RIGHTS – SOUTHEAST ASIA

Alfitri, Legal Reform Project, Access to Justice and Gender Equity in Indonesia, 9(2) INDONESIAN JOURNAL OF INTERNATIONAL LAW 292 (2012).


Hak, Nora Abdul, Rights of a Wife in the Case of Conversion to Islam Under Family Law in Malaysia, 26(2) Arab Law Quarterly 227-239 (2012).


22. NATIONALITY, MIGRATION AND REFUGEES


Labour Migration and Human Trafficking in Southeast Asia: Critical Perspectives (Michele Ford, Lenore Lyons & Willem van Schendel eds., Routledge 2012).


Meir-Blitzenstein, Esther, Zionist or Refugees: The Historical Aspect of the Uprooting of the Jews from Arab Countries and their Immigration to Israel, 50 JUSTICE 21 (2012).


Peterson, Glen, The Uneven Development of the International Refugee Regime in Postwar Asia: Evidence from China, Hong Kong and Indonesia, 25(3) JOURNAL OF REFUGEE STUDIES 326-343 (2012).


23. COLONIALISM AND SELF DETERMINATION


Craven, Matthew, Colonialism and Domination, in The Oxford Handbook of the History of International Law (Bardo Fassbender, Anne Peters, Simone Peter & Daniel Högger eds., Oxford University Press 2012).


Tan, Carol, On Law and Orientalism, 7(2) JOURNAL OF COMPARATIVE LAW 5-17 (2012).


24. INTERNATIONAL ECONOMIC AND BUSINESS LAW – GENERAL

Abad, Anthony Amunategui, Competition Law and Policy in the Framework of ASEAN, in COMPETITION POLICY AND REGIONAL INTEGRATION IN DEVELOPING COUNTRIES (Josef Drexl et al. eds., Edward Elgar 2012).

RESEARCH HANDBOOK ON INTERNATIONAL BANKING AND GOVERNANCE (James R. Barth, Chen Lin & Clas Wihlborg eds., Edward Elgar 2012).


Eichner, Andrew W., Battling Cartels in the New Era of Chinese Antitrust, 47(3) TEXAS INTERNATIONAL LAW JOURNAL 587-616 (2012).


Takahashi, Yasushi, Legal and Practical Problems Faced by Philippine and Indonesian Nurses in the Nursing Programs Under Japan’s Economic Partnership Agreements: Toward Solutions, 7 ASIAN JOURNAL OF WTO & INTERNATIONAL HEALTH LAW & POLICY 517-545 (2012).

Thanadsillapakul, Lawan, The Harmonization of ASEAN: Competition Laws and Policy from an Economic Integration Perspective, in COMPETITION POLICY AND REGIONAL INTEGRATION IN DEVELOPING COUNTRIES (Josef Drexl et al. eds., Edward Elgar 2012).


25. WTO AND TRADE

Bohanes, Jan, United States – Certain Measures Affecting Imports of Poultry from China: The Fascinating Case that Wasn’t, 11(2) WORLD TRADE REVIEW 307-325 (2012).

Chi, Manjiao, China’s Participation in WTO Dispute Settlement Over the Past Decade: Experiences and Impacts, 15(1) JOURNAL OF INTERNATIONAL ECONOMIC LAW 29-49 (2012).

Dhar, Biswajit & Das, Kasturi, How Vulnerable is India’s Trade to Possible Border Carbon Adjustments in the EU?, 46(2) JOURNAL OF WORLD TRADE 249–299 (2012).


He, Lingling, China’s WTO Participation in Anti-Dumping Disputes (2001-2011), 7(4) FRONTIERS OF LAW IN CHINA 616-643 (2012).

Hernández, Roberto Hernández, Economic Liberalization and Trade Relations Between Mexico and China, 41(1) JOURNAL OF CURRENT CHINESE AFFAIRS 49-96 (2012).

Horng, Der-Chin, Reshaping the EU’s FTA Policy in a Globalizing Economy: The Case of the EU-Korea FTA, 46(2) JOURNAL OF WORLD TRADE 301–326 (2012).


Huang, Cui & Ji, Wenhua, Understanding China’s Recent Active Moves on WTO Litigation: Rising Legalism and/or Reluctant Response?, 46(6) JOURNAL OF WORLD TRADE 1281–1308 (2012).


Kennedy, Matthew, China’s role in WTO Dispute Settlement, 11(4) World Trade Review 555-589 (2012).

Khorana, Sangeeta et al., The Battle over the EU’s Proposed Humanitarian Trade Preferences for Pakistan: A Case Study in Multifaceted Protectionism, 46(1) Journal of World Trade 33-59 (2012).


Kong, Qingjiang, China’s Uncharted FTA Strategy, 46(5) Journal of World Trade 1191-1206 (2012).


Mercurio, B. & Tyagi, M., China’s Evolving Role in WTO Dispute Settlement: Acceptance, Consolidation and Activation, 3 EUROPEAN YEARBOOK OF INTERNATIONAL ECONOMIC LAW 89-124 (2012).


Qi, Tong & Yang, Qiong, A Turning Point of Non-Market Economy: On the Individual Duty Treatment of the WTO in the Fasteners Anti-dumping Case Between European Communities and China, 7(3) FRONTIERS OF LAW IN CHINA 474-491 (2012).

Qi, Tong, China’s First Decade Experience in the WTO Dispute Settlement System: Practice and Prospect, 7 ASIAN JOURNAL OF WTO & INTERNATIONAL HEALTH LAW & POLICY 143-180 (2012).


Regan, Donald H., United States – Certain Measures Affecting Imports of Poultry from China: The Fascinating Case that Wasn’t, 11(2) World Trade Review 273-305 (2012).


Widiatedja, Parikesit, Towards Liberalization of Services in ASEAN: Challenges and Opportunities of ASEAN Framework Agreement on Services (AFAS) on Tourism, 10(1) Indonesian Journal of International Law 65 (2012).

Wu, Chien-Huei, A New Landscape in the WTO: Economic Integration Among China, Taiwan, Hong Kong and Macau, 3 European Yearbook of International Economic Law 241-270 (2012).


Yu, Minyou & Liu, Heng, China’s Ten Years in the WTO: Its Performance and New Challenges, 7(3) Frontiers of Law in China 329-376 (2012).


26. INVESTMENT


Huang, Jie, Negotiating the First Bilateral Investment Agreement Between Mainland China and Taiwan: Difficulties and Solutions, 42(3) Hong Kong Law Journal 971-1000 (2012).


Qi, Huan, Investment Law in the China-ASEAN Free Trade Agreement, 5(2) Journal of East Asia and International Law 343 (2012).


Rawat, Bhawana & Ahmad, Shakeel, Foreign Direct Investment in India’s Service Sector: A Case of Education Sector, 13(2) Journal of World Investment & Trade 294-308 (2012).


Sahoo, Pravakar, Determinants of FDI in South Asia: Role of Infrastructure, Trade Openness and Reforms, 13(2) Journal of World Investment & Trade 256-278 (2012).


27. INTELLIGENT PROPERTY


Birnhack, Michael D., Colonial Copyright: Intellectual Property in Mandate Palestine (Oxford University Press 2012).


Kanniah, Rajeswari & Antons, Christoph, Plant Variety Protection and Traditional Agricultural Knowledge in Southeast Asia, 13(1) AUSTRALIAN JOURNAL OF ASIAN LAW 1-23 (2012).


Lee, Nari & Norrgard, Marcus, Alternatives to Litigation in IP Disputes in Asia and in Finland, 43(1) CALIFORNIA WESTERN INTERNATIONAL LAW JOURNAL 109 (2012).


Noerhadi, Cita Citrawinda, Approaches to Trademark Infringement in ASEAN Countries: Analysis of How the Case is Likely to be Decided in Indonesia, 9(2) INDONESIAN JOURNAL OF INTERNATIONAL LAW 201 (2012).


Qu, Difan & Li, Yahong, The Challenges for the Enforcement Against Copyright Violations in China Under the TRIPS Agreement, 7(2) Frontiers of Law in China 244-268 (2012).


Sardjono, Agus, Culture and Intellectual Property Development in Indonesia, 10(1) Indonesian Journal of International Law 23 (2012).


Spencer, Devon, Not in It for the Long Run: China’s Solution for Compliance with TRIPS Requires More than a Nine-Month Campaign, 19(2) University of Miami International & Comparative Law Review 197-242 (2012).


Williamson, Myra E.J.B., Geographical Indications, Biodiversity and Traditional Knowledge: Obligations and Opportunities for the Kingdom of Saudi Arabia, 26(1) ARAB LAW QUARTERLY 99-119 (2012).


Yu, Peter K., Shaping Chinese Criminal Enforcement Norms through the TRIPS Agreement, in CRIMINAL ENFORCEMENT OF INTELLECTUAL PROPERTY: A HANDBOOK OF CONTEMPORARY RESEARCH (Christophe Geiger ed., Eward Elgar 2012).

28. CULTURAL PROPERTY AND HERITAGE


Van Woudenberg, Nout, State Immunity and Cultural Objects on Loan (Martinus Nijhoff 2012).


29. DISPUTE SETTLEMENT


Tomonori, Mizushima, The Settlement of a Private Person’s Claim Against a Foreign “State”: The Case of Japan’s Foreign State Immunity Act, 30 Chinese (Taiwan) Yearbook of International Law and Affairs 31-47 (2012).

30. ARBITRATION


Ali, Shahla & Huang, Hui, Financial Dispute Resolution in China: Arbitration or Court Litigation?, 28(1) ARBITRATION INTERNATIONAL 77-100 (2012).


Baskaran, Thayananthanth, Recent Amendments to the Malaysian Arbitration Act, 28(3) ARBITRATION INTERNATIONAL 533-544 (2012).


Giaretta, Ben, Duties of Arbitrators and Emergency Arbitrators Under the SIAC Rules, 8(2) *Asian International Arbitration Journal* 196-221 (2012).


Sharma, Ayush, Setting Aside Arbitral Awards — Conflicting Time Limits in India, 8(2) ASIAN INTERNATIONAL ARBITRATION JOURNAL 178-195 (2012).


Thilak, Jithees, Extension of Jurisdiction of DIFC Courts and its Impact on Arbitration in the Middle East, 8(2) ASIAN INTERNATIONAL ARBITRATION JOURNAL 161-177 (2012).

Yang, Honglei & Wang, Yuan, Mutual Enforcement of Mainland China and the Hong Kong SAR Awards: An Issue of Nationality, 8(1) ASIAN INTERNATIONAL ARBITRATION JOURNAL 120-130 (2012).


31. PRIVATE INTERNATIONAL LAW


Chen, Chun-I, Legal Aspects of Mutual Non-Denial and the Relations Across the Taiwan Straits, 27 Maryland Journal of International Law 111-127 (2012).

Towards a Chinese Civil Code: Comparative and Historical Perspectives (Lei Chen & C.H. Rhee (Remco) eds., Martinus Nijhoff 2012).


Einhorn, Talia, Private International Law in Israel (Kluwer Law International 2d ed. 2012).


Kusrin, Zuliza Mohd et al., Conversion and the Conflict of Laws in Respect of Spouse Rights to Inheritance in Malaysia, 7(1) Religion & Human Rights 1-9 (2012).


Zhang, Meirong, Application of Private International Law Conventions in Hong Kong of China, 7(3) Frontiers of Law in China 377-401 (2012).
32. INTERNET, DATA AND COMMUNICATIONS


Helge, Kris, Success of a Nation’s Soccer Team: A Bellwether Regarding a Nation’s Electronic Information Infrastructure, the Legal Regulations that Govern the Infrastructure, the Resulting Citizen-Trust in its Government and its E-Readiness in Nigeria, the DPRK, China, 39(3) NORTHERN KENTUCKY LAW REVIEW 467-534 (2012).

Hsieh, Hsiang-Yang, Locating the Value of Information Privacy in a Democratic Society: A Study of the Information Privacy Jurisprudence of Taiwan’s Constitutional Court, 7(1) NATIONAL TAIWAN UNIVERSITY LAW REVIEW 293 (2012).

Ismail, Noriswadi, Selected Issues Regarding the Malaysian Personal Data Protection Act (PDPA) 2010, 2(2) INTERNATIONAL DATA PRIVACY LAW 105-112 (2012).

Kulesza, Joanna, INTERNATIONAL INTERNET LAW (Routledge 2012).


Mendoza, Charisse Mae V., Balancing of Interest in the Digital Age: Protection of the Rights of Offended Parties and the Constitutional Rights
of the Accused in the Context of Sex Scandals, 86(2) PHILIPPINE LAW JOURNAL 356-404 (2012).


SHAO, GUOSONG, INTERNET LAW IN CHINA (Chandos 2012).


33. AIR AND SPACE


Arafah, Adhy Riadhy, Sovereign Right Claim on Geo Stationary Orbit (GSO), 2(2) INDONESIA LAW REVIEW 163 (2012).

García-Arboleda, José Ignacio, Report on the 2012 IATA Legal Symposium, Shanghai, China, 5-7 February, 37(3) AIR & SPACE LAW 281-284 (2012).

George, Moses, Aerodrome Certification and Airport Privatisation in India, 61(1) GERMAN JOURNAL OF AIR & SPACE LAW 129 (2012).


Maria Pozza, Emerging Space Powers: The New Space Programs of Asia, the Middle East and South America, 28(4) SPACE POLICY 304-305 (2012).


Robinson, Jana, Forging a Closer Europe-Japan Strategic Partnership: The Space Dimension, 28 SPACE POLICY 218 (2012).


34. MISCELLANEOUS


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