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Michael Hoelscher



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Access to Minerals Stephanie Switzer,Leonardus Gerber,Francesco Sindico,2015 In the past few years the Chinese government opted to restrict the export of selected minerals on environmental and health grounds subsequently leading to an uproar in countries and regions that rely heavily on imports from China to develop their renewable industry sector This paper places the focus on the law and policy of the Chinese export restrictions of critical minerals and its implications for the global renewables energy industry The paper critically assesses how such export restrictions have been dealt with under the dispute settlement system of the World Trade Organisation WTO Drawing on this WTO jurisprudence we posit that litigation on export restrictions of the kind imposed by China poses a threat to the legitimacy of the WTO We therefore conclude by exploring whether there are any alternatives to litigation as a means to deal with countries choosing to impose mineral export restrictions

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