

	the WTO. Discuss the legality of the one-way FTA granted by developed nations as a concessionary measure to the developing and LDC Members of the WTO.		
Q 11	Critically analyze the concept and criteria to establish dumping in international trade. What are the de-minimus requirements for an actionable dumping? Critically analyze the legal basis and procedure for the imposition of anti-dumping duty by an importing country member.	10	CO3
<p>SECTION-D</p> <p>Note: Attempt all Questions. Max 50 marks</p>			
Q 12	<i>“The GATT and its successor WTO accord developing countries special rights and privileges that affect the ways they participate in the multilateral trading system. These special rights and privileges are collectively referred to as ‘special and differential treatment (S&DT)’ for developing and least developed countries”</i> . In the light of this statement, write a case study and analyze a case law on the point. Discuss the scope genesis and effectiveness of S&DT under GATT/WTO in achieving its avowed objectives.	20	CO4
Q 13	<i>“Environmental issues began to be systematically addressed in the WTO following the Decision on Trade and Environment taken towards the end of the Uruguay Round at Marrakesh in 1994. The Committee on Trade and Environment was established in the same year, with the explicit mandate to resolve environmental issues in the trading system. Some new agreements under the WTO also contained environmental provisions. In 2001, the environment was explicitly put on the negotiating agenda in the Doha Ministerial Declaration in 2001. Today the environment has been mainstreamed into the multilateral trading system, and has significant implications for shaping future rules under the WTO regime”</i> . Against this backdrop, critically examine the trade and environment interface under GATT/WTO jurisprudence. What trends do you observe in settling such disputes by WTO DSB? Substantiate your answer with two relevant case law examples.	15	CO5
Q 14	Write a case comment on <i>Turkey-Restrictions on Imports of Textile and Clothing Products</i> (WT/DS34/R, Doc No 99-2081, ITL 034 (WTO 1999), DSR 1999:VI, 2363, 31st May 1999).	15	CO4

Name:	
Enrolment No:	

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, December 2018

Course: International Trade Law **Course Code : LLBL 554** **Semester: IX**
Programme: B.B.A. LL.B. (Hons.) Corporate Law
Course Code: LLBL 554
Time: 03 hrs. **Max. Marks: 100**
No. of page/s: 2

SECTION A

Note: Attempt all Questions. All Questions carry equal marks. **Max 10 marks**

S. No.		Marks	CO
Q 1	How WTO is different from its predecessor GATT?	2	CO1
Q 2	It is often said that ' <i>the alternative of not joining the WTO is rather worse</i> ', Substantiate.	2	CO2
Q 3	Narrate the fundamental principles of the multilateral trading system established under GATT/WTO, with their exceptions, if any.	2	CO3
Q 4	Discuss the reasons of the failure to establish an International Trade Organization (ITO) as part of the Bretton Woods structure.	2	CO3
Q 5	Highlight the trade and environment interface under GATT/WTO jurisprudence.	2	CO2

SECTION B

Note: Attempt any two Questions out of following three: **Max 20 marks**

Q 6	Elaborate the context in which the GATT 1947 occupied a prominent role for the regulation of the multilateral trading system for more than four decades. What was the legal status of GATT 1947? How WTO is different from its predecessor GATT?	10	CO2
Q 7	' <i>Prohibition of quantitative restrictions (QR) under GATT/WTO legal system is considered fundamental to a stable multilateral trade system</i> ', analyze and comment upon this statement. Enumerate the exceptions to QRs obligations under GATT.	10	CO3
Q 8	Critically analyze the contribution of the WTO in the last twenty years to establish a level playing field in the regulation of international trade. Compare its success with GATT.	10	CO4

SECTION-C

Note: Attempt any two Questions out of following three. All Questions carry Equal Marks. **Max 20 marks**

Q 9	Critically analyze if GATT proved to be a success or failure. Explain the fundamental principles of multilateral trade established by GATT/WTO regime with their exceptions, if any.	10	CO3
Q 10	Critically analyze the concept of ‘dumping’ in international trade. What way it distorts trade and commerce? Discuss the legal framework and procedure to resort to anti-dumping measures by the WTO Member nations.	10	CO4
Q 11	Critically analyze the legal requirements for taking environmental measures by WTO Members while regulating their trade as laid down under GATT Article XX. Examine the scope and effectiveness of the WTO Committee on Trade and Environment in this regard.	10	CO4
SECTION-D Note: Attempt all Questions. Max 50 marks			
Q 12	<i>“While trade is growing fast, the multilateral trading system faces a number of internal difficulties linked to the size of its membership and the diversity of economic situations, trade interests, and previous commitments. But the multilateral trading system is also challenged by the outside rapid development of regional and bilateral free trade agreements. This raises serious challenges for the multilateral trading system. There has been a rapid growth in the number of regional trade agreements (RTAs) in recent years. It has raised the question as to whether RTAs pose a threat to the multilateral trading system”</i> . In the light of this statement, write a case study and analyze a case law on the point. Put forth your views regarding regionalism versus multilateralism in GATT/WTO context.	20	CO5
Q 13	<i>“International trade agreements are primarily aimed at the removal of trade barriers. International environmental agreements, on the other hand, partly contain obligations for countries to restrict the trade with certain dangerous goods (like chemicals or waste) or components of the natural environment (like protected species). This leads to a certain tension between trade and environmental agreements. There is also the risk that international trade agreements narrow the scope of states to establish environmental protection measures”</i> . Against this backdrop, analyze the GATT/WTO’s legal and policy interface with the goals of environmental protection and Sustainable Development. Substantiate your answer with two relevant case law examples.	20	CO5
Q 14	Write a case comment on <i>EC-Approval and Marketing of Biotech Products</i> (DS291/29 September 2006).	10	CO3