

Name:

Enrolment No:



**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**

**End Semester Examination, May, 2019**

**Course: International Trade Law**

**Semester: VIII**

**Programme: B.B.A. LL.B. (Hons.) Corporate Law**

**Course Code: LLBL 554**

**Time: 03 hrs.**

**Max. Marks: 100**

**No. of page/s: 2**

**Instructions:**

1. Attempt all questions from Section A & D.
2. Attempt any two questions from Section B & C.

**SECTION A**

S. No.		Marks	CO
Q 1	Briefly describe the main functions of the Bretton Woods Institutions. What kind of relationship exist between themselves?	2	1
Q 2	Discuss the attempts to establish ITO and reasons behind its failure.	2	1&2
Q 3	What were the main GATT 'birth defects'?	2	2
Q 4	Critically analyze if GATT was a success or failure.	2	2&3
Q 5	Write a brief note on <i>Custom Valuation</i> under GATT/WTO.	2	3

**SECTION B**

Q 6	'Prohibition of quantitative restrictions under GATT/WTO legal system is considered fundamental to a stable multilateral trade system'. Critically analyze the above statement. Enumerate the exceptions to QRs obligations under GATT.	10	2&3
Q 7	Discuss the scope, objectives, functions and structure of the WTO as an International Trade Organization. What future do you foresee for WTO in regulating international trade?	10	3&4
Q 8	Discuss the legality of the GSP granted by developed nations as a concessionary measure to the developing and LDC Members of the WTO. Write a brief note on US decision to withdraw GSP benefits accorded to India.	10	3&4

**SECTION-C**

Q 9	Critically analyze the <i>principles of non-discrimination</i> under GATT/WTO legal system and their importance for a stable multilateral trading system. Briefly mention their exceptions.	10	2&3
-----	---	----	-----

Q 10	What are the broad objectives and main pillars of the WTO TRIPS Agreement? Discuss the context and content of the problems faced by developing nations to implement the provisions under the TRIPS Agreement. What extent TRIPS tried to address such issues in the recent past? Are they satisfactory?	10	2&4
Q 11	What constitutes ' <i>dumping</i> ' in international trade? In what way it distorts market. Discuss the legal framework and procedure to resort to anti-dumping measures by the WTO Member nations.	10	2&3
<b>SECTION-D</b>			
Q 12	Critically analyze the legal requirements for taking environmental measures by WTO Members while regulating their trade as laid down under GATT Article XX. Substantiate your answer with case examples. Discuss the importance of WTO DSB decision in <i>Shrimp-Turtle</i> dispute.	20	3,4&5
Q 13	What do you mean by Regional Trade Agreements (RTA)? Discuss various kinds of RTAs recognized in international trade. What are the legal requirements to be fulfilled for the formation of a Regional Trade Agreement (RTA) under the GATT/WTO regime? Substantiate your answer with a case example.	20	3&5
Q 14	Discuss the main provisions of the WTO Agreement on Trade in Services. How does trade in services complements trade in goods? Discuss the various modes of supply laid down under the WTO Agreement on Trade in Services.	10	4

Name:

Enrolment No:



**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**

**End Semester Examination, May, 2019**

**Course: International Trade Law**

**Semester: VIII**

**Programme: B.B.A. LL.B. (Hons.) Corporate Law**

**Course Code: LLBL 554**

**Time: 03 hrs.**

**Max. Marks: 100**

**No. of page/s: 2**

**Instructions:**

1. Attempt all questions from Section A & D.
2. Attempt any two questions from Section B & C.

**SECTION A**

S. No.		Marks	CO
Q 1	It is often said that ' <i>the alternative of not joining the WTO is rather worse</i> ', Substantiate.	2	1
Q 2	Highlight the trade and environment interface under GATT/WTO jurisprudence.	2	1&2
Q 3	Elaborate the important differences between GATT and WTO.	2	1&3
Q 4	What are the rules for Decision Making in the WTO?	2	1&3
Q 5	Explain the <i>negative consensus</i> rule regarding dispute settlement under WTO DSB.	2	2

**SECTION B**

Q 6	Critically examine the trade and environment conflict under GATT/WTO jurisprudence. What trends do you observe in settling such disputes by WTO DSB?	10	2&3
Q 7	Discuss the scope, objectives, functions and structure of the WTO as an International Trade Organization. What future do you foresee for WTO in regulating international trade?	10	2,3&4
Q 8	Critically discuss the various rounds of GATT negotiations for liberalizing international trade relations. How Uruguay round was distinct from the previous rounds of trade negotiations?	10	3&4

**SECTION-C**

Q 9	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	3&5
Q 10	Discuss the special and differential treatment given to developing and least-developed countries under GATT/WTO regime on international trade. Cite few examples.	10	2,3&4

Q 11	What are the main obligations of the WTO Members to fulfil for the formation of a Regional Trade Agreement (RTA)? Critically discuss the merits and demerits of RTAs in the context of the WTO. Substantiate your answer with a case example.	10	4&5
<b>SECTION-D</b>			
Q 12	<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	3&5
Q 13	What criteria are used to establish dumping in international trade? What are the <i>de-minimus</i> requirements for an actionable dumping? Critically analyze the legal basis for imposing anti-dumping duty by the importing country member. What does the sunset clause holds under the WTO Anti-Dumping Agreement? Cite some case examples to support your answer.	20	2,3&5
Q 14	Write a case comment on <i>European Communities — Measures Affecting Asbestos and Products</i> , DS135.	10	3&5