

GX 1654

Ollscoil na hÉireann, Gaillimh
National University of Ireland, Galway

Semester I Examination 2003/2004

Exam Code(s)	2, 3&4 LL.B, 3CL, 2&3CW, 3BC, 1OA1, 1EM1
Exams(s)	Semester I Examination 2003/2004 Second, Third & Fourth LL.B Third Bachelor of Corporate Law Second & Third Bachelor of Civil Law Third Bachelor of Commerce Erasmus & Occasional
Module Codes(s)	LW 364
Module(s)	International Trade Law
Paper No.	
External Examiner(s)	Dr. Patricia Conlan
Internal Examiner(s)	Ms. Anna-Louise Hinds
Instructions	Answer any THREE questions
Duration	TWO hours
No. of AnswerBooks	
Requirements:	
Handout	
MCQ	
Statistical Tables	
Graph Paper	
Log Graph Paper	
Other Material	Students are allowed to refer to the Legal Texts of the World Trade Organisation, including GATT, GATS and TRIPS, the ADA and the DSU or to the relevant provisions thereof (photocopies or downloaded versions are permitted). Erasmus students are allowed use dictionaries.
No. of Pages	2 inclusive
Department(s)	LAW

P.T.O.

1. The World Trade Organisation (WTO) Agreement – ‘*a mere enhancement of the General Agreement on Tariffs in Trade (GATT)*’ or ‘*a watershed moment in the institution of world economic relations*’?

Discuss.

2. Answer (a) OR (b):

- (a) The World Trade Organisation (WTO) launched negotiations for new agreements (hypothetical) in the areas of trade in services and trade and intellectual property. The European Commission negotiated these agreements on behalf of the both the European Community (EC) and the Member States of the EC. The negotiations have been completed and the Commission has concluded the agreements for the EC and its Members States. The Council of Ministers of the European Union is of the opinion that the Commission has overstepped the boundaries of its powers in concluding the agreements. The Council of Ministers seeks legal advice in this matter.

Advise the Council of Ministers as to any arising legal issues.

OR

- (b) Explain the position of the European Community (EC) in the World Trade Organisation (WTO) with particular emphasis on Article XXIV GATT 1994.
3. The Irish government maintains that the US is in breach of its obligations under Article III (2) GATT. The Irish government is unsure about dispute settlement procedures in the World Trade Organisation (WTO) and approaches you for advice. Advise the Irish government on the procedural and substantive issues involved in dispute settlement system of the WTO.
4. Dumping can be broadly defined as exporting goods at a price below that charged on the domestic market and is thought to be highly injurious to producers in the importing country.

Assess the methods of preventing dumping under the World Trade Organisation Agreement.

5. Critically examine the relationship between free trade and environmental protection.
6. “The interrelationship between trade policy and labour rights is among the most contentious issues that the world trading system faces today.”

Discuss.

END