

ONE YEAR LL.M DEGREE SECOND SEMESTER EXAMINATIONS, MAY 2018

GENERAL PRINCIPLES OF GATT AND WTO LAW

Time: 3 Hours

Maximum marks: 50

Answer ANY FIVE questions. Each question carries TEN marks

(5 x 10 = 50)

- I. What do you mean by 'progressive trade liberalisation'? How does the GATT / WTO system facilitate progressive trade liberalisation at the multilateral level?
- II. Explain the scope of the 'Most Favoured Nation' obligation as incorporated in the General Agreement on Tariffs and Trade (GATT). Are exceptions permitted to this obligation?
- III. What are 'tariffs'? Discuss the rules relating to tariffs as incorporated in the GATT. Discuss the significance of a common language to describe goods in respect of which tariffs are imposed.
- IV. Explain the scope of the *chapeau* of Article XX of GATT. Does the WTO system require WTO members to 'bite the bullet' and set aside important social concerns in the name of honouring their obligations under GATT?
- V. Under what circumstances can WTO members adopt measures to protect human, animal, plant life or health? Write a critical note on the Appellate Body Report in *Brazil – Retreated Tyres*.
- VI. What are 'Preferential Trade Agreements'? What is the GATT framework relating to PTAs? Are there any classification of PTAs?
- VII. Discuss the significance of 'special and differential treatment' in GATT/WTO system. What are the salient features of the *Enabling Clause*?
- VIII. With the help of supporting case law discuss how the WTO Panels and Appellate Body have interpreted the scope of the term 'like products'.
