



**FACULTY OF BUSINESS AND ECONOMICS
DEPARTMENT OF BUSINESS LAW**

**BUSL 853: UNIT GUIDE/OUTLINE
WORLD TRADE ORGANISATION LAW**

1. GENERAL INFORMATION ABOUT THIS UNIT

Year and Semester: 2010, Second Semester

Convenor and Lecturer: Professor M. Rafiqul Islam

Credit Points: FOUR

Students in this unit should read this unit guide carefully at the start of the semester. It contains important information about the unit. If anything in it is unclear, please consult the Convenor of the unit.

2. ABOUT CONTENTS OF THIS UNIT

Unit description: The World Trade Organization (WTO) is a multilateral institution set up under an international agreement in 1994 to regulate and administer trade and related activities between its members. It has been operational since 1 January 1995 with its Secretariat in Geneva. The WTO law refers to the legal regime that governs the exchange or import and export of goods, services, capital, and technology between WTO members pursuant to a body of WTO agreements, understandings, and protocols, including the General Agreement on Tariffs and Trade (GATT) – the predecessor of the WTO. The study of the WTO law involves the study of international trade according to various contractual arrangements stipulating rules, principles, procedures, and practices that WTO members negotiated and agreed to follow in order to make their trading relationships non-discriminatory, fair, predictable, and transparent. The WTO law, being developed through international agreements, falls squarely within the domain of public international law. There is a close relationship between international trade and financial system due to the involvement of trade-related financing (payments) as well as debt crises. The North-South conflict of economic interest in international trade brings the interplay of law, politics, diplomacy, and balance of power in multilateral trade negotiations under the WTO. The study of the WTO law encompasses all these issues to understand the dynamics and politics of international economic cooperation.

GATT was initiated at the aftermath of the Second World War and implemented on a provisional basis in 1947. Its partial and discriminatory coverage of trading sectors,

permissive legal regime, weak institutional framework, power-based decision making, and conciliatory approach benefited the powerful few at the expense of powerless many. Widespread dissatisfaction about the performance of GATT necessitated its overhauling reforms, which took place in the eighth Uruguay Round of GATT talks in 1986-1993. The Uruguay Round concluded a series of new agreements on trade in goods, services, intellectual property rights, dispute settlement, and review mechanisms, and established the WTO as their administering authority. It also reached six new understandings explaining certain controversial provisions and articles of GATT 1947, constituting a new GATT, called GATT 1994. GATT 1947 remains independent but an integral part of the WTO trading regime. All these trade instruments of the Uruguay Round and GATT 1947 constitute the principal sources of multilateral trade law, rules, and disciplines under the WTO. This rule-based WTO multilateral trading system backed by an effective dispute settlement mechanism has been implemented with the specific objectives, among others, of addressing the imbalances of GATT and its domination by powerful members. This Unit examines the WTO trading system with the end in view to see the extent to which its intended objective is achieved. The fairness and equity dimensions of trade between WTO members with markedly diverse socio-economic circumstances since 1995 expose the unfairness of fair trade, which is yet to be dissipated under the WTO.

The progressive development of the WTO law has partially been stalled since the sixth WTO Ministerial Conference in Hong Kong in December 2005. Nonetheless, the existing WTO trading regime embodies a very wide spectrum of rules, disciplines, procedures, and practices and it is not possible to cover them all in the given contact hours in this semester. This reality has led me to be selective and I have selected 13 topics and teaching sessions on the basis of their importance and necessity in understanding the WTO law. This means that lectures would cover some selected topics/issues, NOT each and every topic mentioned in the Unit Outline. Students are expected to read the topics not covered in lectures, as they are immensely helpful for the preparation of assignments and for active participation in the class discourse. The unit also affords an opportunity for students to acquire through research the cutting-edge of scholarship on certain contemporary and/or controversial issues of their own choice (exclusively from this unit outline). Students are expected to be realistically critical and to contribute, wherever appropriate and possible, to a better understanding of the WTO law.

Unit rationale: Following the recent global financial crisis and the ongoing lacklustre operation of the WTO, the structure and system of multilateral trade is now under great pressure and will seemingly remain under, even greater, pressure for the foreseeable future. Developing countries have been attempting, with partial success, to develop and implement a more equitable, new set of rules and practice affecting international economic activities. The role of GATT in promoting fairer and freer international trade has been unsatisfactory. The WTO is expected to do better than GATT. Its performance over the past 15 years will be critically examined to ascertain its successes and failures to date. The practice of unilateralism and bilateralism amidst non-discriminatory multilateralism remains a Trojan Horse for protectionist obsessions. Australia itself has concluded bilateral preferential free trade agreements with New Zealand, Singapore, the US, Thailand, Chile, and Papua New Guinea. It has also actively been negotiating similar

free trade agreements with China, Japan, Malaysia, Indonesia, United Arab Emirates, and India. Is this proliferation of preferential regionalism and bilateralism particularly among the major trading powers of the world complementary or obstructive alternative to multilateralism under the WTO? The study of this unit will be rewarding in appreciating the diverse trading interests of WTO members and their so-called level playing field.

The onslaughts of globalisation and high-tech information system have rendered the world intensely interdependent and legal jurisdiction inter-linked. These changes have introduced new elements in the traditional understanding of international law, which itself is undergoing profound transformation to keep pace with the new circumstances and shared expectation of the international community. This development has resulted in an increased demand for legal professionals with international, cross-border, and multi-jurisdictional skill, expertise, and experience. It is indeed in order and imperative that law graduates acquire such skill, expertise, and experience by exposing themselves to the global regulatory regime of trade and its new frontiers governing various national and international jurisdictions in the 21st century.

Relevant relationship to other units in the program: It is a specialised elective unit offered and taught to the course-work students of Master degrees, notably MCom, MIntBus/MIntRel, MComLaw, MIntTrdeComLaw, PGDipIntTrdeComLaw, and PGCerDipIntTrdeComLaw. It is also pertinent to other disciplines, notably Law, Economics, Financial Studies, Commerce, Diplomacy, and International Relations. Students from these disciplines may join the unit. The nature and orientation of the unit is relevant and linked to BUSL 851: International Trade Law, BUSL 848: International Commercial Arbitration, and Law 410: International Trade and Finance offered by Macquarie Law School. Students who have completed any or combination of these units may have an advantage of possessing some basic ideas about the operation of international regime of economic law in general. Students with economics background may also be familiar with some aspects of this unit and the economic rationales of trade.

3. TEACHING STAFF

Convenor and Teacher: Professor M. Rafiqul Islam
Office 444, Building W3A
Tel: 02 9850 7082; Fax: 02 9850 7686
Email: rafiqul.islam@mq.edu.au

Consultation hours: Fridays between 4.30 and 5.30 pm in office/over phone/by email.

4. CLASS TIMES AND SCHEDULE

Internal Students: The timetable for classes can be found on the University web site at: <http://www.timetables.mq.edu.au/>. There will be one lecture (3-hour) per week at the following time and venue: **Lectures: Fridays, 6-9 pm in C5A 404.**

External students: Two-day intensive teaching will be held on 15 August and 4 September 2010 from 10 am to 5 pm in **Room E5A 118.**

The weekly schedule of lecture and topic is as follows:

Week beginning on 02 August	Lecture Topics	Duration
Week 1- lecture 6 August	Contemporary International Trading Regime: From ITO to GATT to WTO and Australia	3 hours
Week 2 - lecture 13 August	Structural Aspect of Trade: GATT: principle and rationale	3 hours
Week 3 – lecture 20 August	Institutional Framework: The WTO and its Ministerials	3 hours
Week 4 – lecture 27 August	Regional and bilateral free trading arrangements	3 hours
Week 5 – lecture 3 September	Trade in goods: agriculture and its protectionist obsessions	3 hours
Week 6 – lecture 10 September	Trade in services and its pressing issues	3 hours
Week 7 – lecture 17 September	Non-tariff barriers to trade: SPS and TBT agreements	3 hours
MID-SEMESTER -----	BREAK: 20 SEPTEMBER -----	TO 4 OCTOBER (labour day) -----
Week 8 – lecture 8 October	Dumping and anti-dumping, subsidies and countervailing	3 hours
Week 9 – lecture 15 October	Escape clauses: safeguards and balance of payment problems	3 hours
Week 10 – lecture 22 October	TRIPS Agreement and transfer of technology	3 hours
Week 11 – lecture 29 October	The dispute settlement system of the WTO	3 hours
Week 12 – lecture 5 November	Non-trade issues at the WTO: environment and human rights	3 hours
Week 13 – lecture 12 November	The WTO multilateral trading system: present and future	3 hours

- **IT IS MANDATORY FOR STUDENTS TO ATTEND ALL LECTURES AND ARE REQUIRED TO ACTIVELY PREPARE FOR AND PARTICIPATE IN CLASS DISCUSSIONS. TWENTY PER CENT MARK IS ALLOCATED FOR ACTIVE PARTICIPATION IN THE CLASS.**
- **BRIEF OVERHEADS MAY BE USED AND DISPLAYED IN LECTURES TO REMAIN FOCUSED WITHIN THE TIME LIMIT. THEY ARE NOT AVAILABLE FOR STUDENTS. STUDENTS WISHING TO HAVE THESE POINTS MAY NOTE THEM IN THE CLASS.**
- **THERE IS NO TUTORIAL FOR THIS UNIT.**

5. REQUIRED AND RECOMMENDED TEXTS AND/OR MATERIALS

A compulsory text and two *alternative* materials books are the CORE readings and prescribed with the intention that every student MUST consult them. Compulsory text is very up to date, as there has not been any new substantive WTO law-making since the Hong Kong WTO Ministerial Conference in December 2005. The subsequent development of the WTO law through its dispute settlement system since 2007 relevant to any lecture topic will be highlighted and commented upon at appropriate places. Material books are the important sources of primary materials/documents on the WTO and trade law. Students may need to consult relevant supplementary readings for the better understanding of some issues. For advanced knowledge and better performance in the assignments, some select scholarly articles are also prescribed in lecture sessions. Prescribed text and materials books are also available in the Reserve section of the Macquarie University Library. There is no prepared materials book for this unit. Should you encounter any difficulties in accessing these sources, contact the Convenor.

Compulsory Textbook:

Islam, M R, *International Trade Law of the WTO*, Oxford University Press, 2006.

Materials Books (given in their order of preference, any one of them will be enough)

1. WTO, *The Legal Texts: The Results of the Uruguay Round of Multilateral Trade Negotiations*, Cambridge University Press, 2000.
2. Lester, S and Mercurio, B, *World Trade Law: Text, Materials and Commentary*, London: Hart Publishing 2008.

Supplementary Readings: Students are also advised to consider and consult the following books to supplement text and materials. Additional reading materials may be referred to whenever necessary and appropriate during lectures.

1. Sutherlans, P et al, *The Future of the WTO: Addressing Institutional Challenges in the New Millennium* (Report of the Consultative Board to the WTO Director General), Geneva, 2004.
2. Bhala, R, *International Trade Law: Interdisciplinary Theory and Practice*, London: LexisNexis, 2007.
3. Bhala, R, *Modern GATT Law: A Treatise on the General Agreement on Tariffs and Trade*, London: Sweet & Maxwell, 2005.
4. Islam, M R, *International Trade Law*, Sydney: Law Book Company, 1999.
5. Matsushita, M., Schoenbaum, T., and Mavroids, P., *The World Trade Organization: Law, Practice, and Policy*, Oxford University Press, 2003.

6. Das, B L, *World Trade Organization: A Guide to the Framework of International Trade*, London: Zed Books Ltd, 2004.
7. Das, B L, *The WTO and the Multilateral Trading System: Past, Present and Future*, London: Zed Books Ltd, 2003.
8. Das, B L, *The WTO Agreements: Deficiencies, Imbalance and Required Changes*, London: Zed Books Ltd, 1998.
9. Qureshi, A H, *Interpreting WTO Agreements: Problems and Perspectives*, Cambridge University Press, 2006.
10. Dunkley, G, *Free Trade: Myth, Reality and Alternatives*, Dhaka: Uni Press, 2004.
11. Hohmann, H (ed), *Agreeing and Implementing the Doha Round of the WTO*, Cambridge University Press, 2008.
12. Panizzon, M (ed), *GATS and the Regulation of International Trade in Services*, Cambridge University Press, 2008.
13. Stoler, A, Redden, J, and Jackson, L (eds), *Trade and Poverty Reduction in the Asia-Pacific Region*, Cambridge University Press, 2009.
14. Kinley, D, *Civilising Globalisation: Human Rights and the Global Economy*, Cambridge University Press, 2009.
15. Macmillan, F, *The WTO and Human Rights*, London: Hart Publishing 2006.
16. Stoll, P-T and Schorkopf, *WTO – World Economic Order and World Trade Law*, The Hague: Martinus Nijhoff Publishers, 2005.
17. Chen, J and Walker, G, eds, *Balancing Act: Law, Policy and Politics in Globalisation and Global Trade*, Sydney: Federation Press, 2004.
18. Palmeter, D and Mavroidis, P, *Dispute Settlement in the WTO*, Cambridge University Press, 2004.
19. Craford, J A and Fiorentino, V, *The Changing Landscape of Regional Trade Agreements* (WTO Discussion Paper No. 8), Geneva, 2005.
20. Adhikari, R and Athukorala, P C (eds), *Developing Countries in the World Trading System*, London: Edward Elgar Publishing Ltd, 2002.
21. Bermann, G and Mavroidis (eds), *WTO Law and Developing Countries*, Cambridge University Press, 2007.

22. Moens, G and Gillies, P (eds), *International Trade and Business: Law, Policy and Ethics*, London: Cavendish/Routledge, 2nd ed, 2006.
23. Borghet, K V et al (eds), *Essays on the Future of the WTO: Finding a New Balance*, London: Cameron May Ltd, 2003.
24. Arup, Christopher, *The New World Trade Organization Agreements: Services and Intellectual Property*, Cambridge University Press, 2000.
25. Moore, Mike, *A World without Walls: Freedom, Development, Free Trade and Global Governance*, Oxford University Press, 2003.

This list is by no means exclusive and exhaustive. You may search on the Ebscohost database for relevant articles and news reports on the WTO trade. **The International Legal Materials** (ILM) also compiles international trade documents and it is available in hard copies in the Library and also can be searched under Hein Online.

6. UNIT WEB PAGE

The unit does not have a web page and/or Blackboard.

7. LEARNING OBJECTIVES

The main learning objectives are:

1. To achieve high academic excellence by way of innovative intellectual constructions of various WTO free trading agreements governing multilateral trade and apply in practical fact situations to test the operation, adequacy and efficacy of contemporary international trade law in dealing with the complex and pressing issues of global free trade in the 21st century;
2. To understand realistically the competing economic interests and legal rights of the North and the South and the ability of the WTO to strike a balance between them;
3. To appreciate the flexible and dynamic nature of the law governing the structured and institutionalised multilateral trade under the WTO; and
4. Section 16 spells out the relationship between assessments and learning objectives.

8. GENERIC SKILLS

In addition to the discipline-based learning objectives, all academic programs at Macquarie seek to develop students' generic skills in a range of areas. Another of the aims of this unit is that students develop their skills in the following:

- Self-awareness and interpersonal skills;

- Communication skills;
- Critical analysis skills;
- Problem-solving skills;
- Creative thinking skills.

See section 16 below for the relationship between assessments and above generic skills.

9. UNIVERSITY EXAMINATION PERIOD

THERE IS NO FORMAL EXAMINATION FOR BUSL 853 (see section 15 for assessment).

The University Examination period in Second Half Year 2010 is from [date] to [date].

You are expected to present yourself for examination at the time and place designated in the University Examination Timetable. The timetable will be available in Draft form approximately eight weeks before the commencement of the examinations and in Final form approximately four weeks before the commencement of the examinations: <http://www.timetables.mq.edu.au/exam>

The only exception to not sitting an examination at the designated time is because of documented illness or unavoidable disruption. In these circumstances you may wish to consider applying for Special Consideration. Information about unavoidable disruption and the special consideration process is available at <http://www.reg.mq.edu.au/Forms/APSCon.pdf>

If a Supplementary Examination is granted as a result of the Special Consideration process the examination will be scheduled after the conclusion of the official examination period. Individual Faculty may signal when its Supplementaries are normally scheduled.

You are advised that it is Macquarie University policy not to set early examinations for individuals or groups of students. All students are expected to ensure that they are available until the end of the teaching semester, that is, the final day of the official examination period.

10. ACADEMIC HONESTY

The University defines plagiarism in its rules: "Plagiarism involves using the work of another person and presenting it as one's own." Plagiarism is a serious breach of the University's rules and carries significant penalties. You must read the University's practices and procedures on plagiarism. These can be found in the *Handbook of Undergraduate Studies* or on the web at: <http://www.student.mq.edu.au/plagiarism/>

The policies and procedures explain what plagiarism is, how to avoid it, the procedures that will be taken in cases of suspected plagiarism, and the penalties if you are found guilty. Penalties may include a deduction of marks, failure in the unit, and/or referral to the University Discipline Committee.

Macquarie University holds a licence to the plagiarism detection software, turnitin®. The software is used at the discretion of the convener, and electronically compares your work to that of your classmates, previous students from Macquarie and other universities, material available on the Internet, and both freely available and subscription-based electronic journals.

The convener may require you to submit your work electronically so that it can be examined by the turnitin® software. You can read more about turnitin® at www.copyright.mq.edu.au.

11. UNIVERSITY POLICY ON GRADING

Academic Senate has a set of guidelines on the distribution of grades across the range from fail to high distinction. Your final result will include one of these grades plus a standardised numerical grade (SNG).

On occasion your raw mark for a unit (i.e., the total of your marks for each assessment item) may not be the same as the SNG, which you receive. Under the Senate guidelines, results may be scaled to ensure that there is a degree of comparability across the university, so that units with the same past performances of their students should achieve similar results.

It is important that you realise that the policy does not require that a minimum number of students need to be failed in any unit. In fact it does something like the opposite, in requiring examiners to explain their actions if more than 20% of students fail in a unit.

The process of scaling does not change the order of marks among students. A student who receives a higher raw mark than another will also receive a higher final scaled mark. For an explanation of the policy, see <http://senate.mq.edu.au/rules/Guidelines2003.doc> or <http://senate.mq.edu.au/rules/detailedguidelines.doc>

12. STUDENT SUPPORT SERVICES

Macquarie University provides a range of Academic Student Support Services. Details of these services can be accessed at <http://www.student.mq.edu.au>

Students experiencing difficulties in pursuing this unit may contact the Convenor or any student academic advisor in the Faculty/Department immediately for help

13. TEACHING AND LEARNING STRATEGY

1. The unit is taught through a three-hour face-to-face discussion-driven lecture in each week. The lecture will provide an overview of the law and related issues for each topic.

2. The aim of the lecture is not only to provide students with an understanding of the applicable rules, principles, and practices but also to consider a critique of the operation of those rules, principles, and practices in the international trading system. The lectures will draw students' attention to the relevant cases and other international trade documents that are part of the prescribed readings for that week. Students will further be challenged to think more critically and analytically about the materials under discussions.
3. External students, if any, are taught through correspondence and two days intensive face-to-face on-campus teaching.
4. Lectures/on-campus sessions will provide opportunities to explore different aspects of each topic in more detail. Students are however expected to be realistically critical and to contribute, wherever appropriate and possible, to a better understanding of international trading regime of the WTO.
5. For these classes, students are expected to have read in advance the assigned readings for each topic and to participate in discussion based upon the assigned discussion topic as well as based on the readings more generally.
6. Each student in this unit must consult first his or her compulsory text and/or material books as appropriate. Additional relevant reading materials may be found in the Supplementary Reading list. Further reading materials may be suggested whenever necessary and appropriate.
7. Students encountering learning difficulties are encouraged to contact the Convenor for support and help.
8. Students having learning difficulties are also encouraged consult the University Student Support Services through <http://www.student.mq.edu.au>

14. SCHEDULE OF TOPICS AND READING LIST

II. TEACHING SESSIONS

Topic # 1: Contemporary International Trading Regime: From ITO to GATT to WTO and Australia

- International trade law and the WTO law explained
- International trade in historical contexts: inter-war and post-war period
- The post-war international trading regime and its economic rationale
- Contemporary international trading environment: From GATT to WTO
- Role and policy of Australia as a trading nation within the WTO system

Readings

1. Compulsory text: chapter 1.
2. Islam, M R, *International Trade Law*, Sydney: Law Book Co, 1999, chapter 1.
3. Hoekman, B and Kostecki, M, *The Political Economy of the World Trading System*, Oxford University Press, 2002.
4. Moore, M, *A World without Walls: Freedom, Development, Free Trade and Global Governance*, London: Oxford University Press, 2003.
5. Landau, A, *International Trading System*, London: Routledge, 2005.
6. DFAT, *Advancing the National Interest: Australia's Foreign and Trade Policy White Paper*, Canberra, April 2003, <http://www.dfat.gov.au/ani/index.html>

Topic # 2: Structural Aspect of Trade: General Agreement on Tariffs and Trade (GATT)

- GATT 1947 and its trade liberalisation rounds
- Legal principles of non-discriminatory trade: MFN and NT
- Partial trade liberalisation and lacklustre legal coverage
- Dispute settlement
- GATT era of trade liberalisation: achievements and failures

Reading

1. Compulsory text: chapter 1.
2. Schwartz W F & Sykes, A O, "Towards a Positive Theory of the MFN Obligation and its Exceptions in the WTO/GATT System" (1996) 16 Int'l Rev L & Econ, 27-51.
3. Abu-Akeel, A K, "The MFN as it Applies to Service Trade: New Problems for an Old Concept" (1999) 33:4 J. World Trade, 103.
4. Islam, M R, "The Most Favoured Nation Clause" in Wilde, D and Islam M eds, *International Transactions: Trade and Investment, Law and Finance*, Sydney: Law Book Company, 1993, 215-224.
5. Islam, M R, "GATT with Emphasis on its Dispute Resolution System" in Wilde, D and Islam M eds, *International Transactions: Trade and Investment, Law and Finance*, Sydney: Law Book Company, 1993, 225-239.
6. Dunkley, G, *Free Trade: Myth, Reality and Alternatives*, Dhaka: Uni Press, 2004.
7. Jackson, J, *Restructuring the GATT System*, London: Printer Publishers, 1990.

Topic # 3: Institutional Framework: The World Trade Organization (WTO)

- The Uruguay Round: 1986 -1993 and its outcomes
- GATT 1994: Uruguay Understandings
- WTO: its governing principles and structure
- Structure, coverage, and operation
- Operations to date since the Hong Kong Ministerial in 2005

Readings

1. Compulsory text: chapters 1 (general), 2 (WTO), and 3 (GATT 1994).
2. WTO, *The Legal Texts: The Results of the Uruguay Round of Multilateral Trade Negotiations*, Cambridge University Press, 2000.
3. Bossche, P V, *The Law and Policy of the World Trade Organization*, Cambridge University Press, 2005.
4. Thomas, J S and Meyer M A, *The New Rules of Global Trade: A Guide to the World Trade Organization*, Carswell Canada, 1997.
5. Matsushita, M., Schoenbaum, T., and Mavroids, P., *The World Trade Organization: Law, Practice, and Policy*, Oxford University Press, 2003.
6. Dunkley, G, *The Free Trade Adventure: The WTO, the Uruguay Round and Globalism: A Critique*, London: Zed Books, 2000.
7. Stewart, T (ed), *The GATT Uruguay Round: A Negotiating History (1986-1992)*, Deventer: Kluwer International, 1993 (3 vols)

Topic # 4: Regional and Bilateral Free Trading Arrangements

- Article XXIV of GATT
- GATT 1994 Understanding on GATT Article XXIV
- Transparency Mechanism of GATT Article XXIV of 2007
- Regional free trade: EU, NAFTA, and APEC
- Bilateral free trade agreements: The case of Australia
- Preferential trading versus global non-discriminatory trading

Readings

1. Compulsory text: chapters 3.5 (Art. XXIV Understanding) and 3.9 (Australia).
2. Islam, M R, *International Trade Law*, Sydney: Law Book Co, 1999, chapter 3.

3. Islam, M R, "The Australian Policy and Practice of Preferential Bilateral Trade: A Benign or Malign Alternative to the WTO Multilateral Free Trading System?" (2003) 2:2 *J Int'l Trade Law & Policy*, 43-62.
4. Islam, M R and Islam, R, "Mandarin Diplomacy for an Australia-China Free Trade Agreement: Competing Protectionist Obsessions Militating against Economic Complementarities" (2010) 37:3 *Legal Issues of Econ. Integration*
5. Oxley, A., "Free Trade Agreements in the Era of Globalisation: New Instruments to Advance New Interests – The Case of Australia" (2003) 57:1 *Aust. J Int'l. Affairs*, 165-186.
6. Asafu-Adjaye, J and Mahadevan, R, "Regional Trade Agreements Versus Global Trade Liberalisation: Implications for a Small Island Developing State" (2009) 32:3 *The World Economy*, 509-529.
7. Preusse, HG, "Regional Integration in the Nineties: Stimulation or Threat to the Multilateral Trading System?" (1994)28(4) *J. World Trade*, 147.
8. Qureshi, AH, "The Role of GATT in the Management of Trade Blocs: An Enforcement Perspective" (1993)27(3) *J. World Trade*, 101.

Topic # 5: Trade in Goods: Agriculture and Protectionist Obsessions

- Trade in goods: manufacturing, raw materials, and agriculture
- Protectionism in agricultural trade
- WTO agreement on agricultural trade
- The position of developing countries
- The position of Australia
- The future of agricultural trade liberalisation

Readings

1. Compulsory text: chapter 4.
2. Islam, M R, "Parochialism in Agricultural Trade Liberalisation under the WTO: Dilemmas and Options for Australia as a Middle-Sized Nation" (2002) 36:4 *J World Trade*, 773-802.
3. Islam, MR and Islam R, "The Global Food Crisis and Lacklustre Agricultural Trade Liberalisation: Demystifying their Nexus Underpinning Reform" (2009) 10:5 *J World Investment & Trade*, 679-698.
4. Brink, L, "WTO Constraints on Domestic Support in Agriculture: Past and Future" (2009) 57:1 *Canadian J Agricultural Econ.* 1 – 21.

5. Anderson, K et al, "Measuring Distortions to Agricultural Incentives Revisited" (2008) 7:4 *World Trade Review*, 192-214.
6. Disdier, A C et al, "The Impact of Regulations on Agricultural Trade: Evidence from the SPS and TBT Agreements" (2008) 90:2 *Am J Agricultural Econ.* 336-350.
7. Schmitz, A et al, "Agricultural Subsidies in Developed Countries: Impact on Global Welfare" (2006) 28:3 *Review of Agricultural Econ.* 416-425.
8. Delcros, F, "The Legal Status of Agriculture in the WTO" (2002)36 *J. World Trade*, 219.
9. Hunter, J, "Broken Promises: Trade, Agriculture and Development in the WTO" (2003) 4:1 *Melbourne J I L*, 299.
10. Gonzalez, C G, 'Institutionalizing Inequality: The WTO Agreement on Agriculture, Food Security and Developing Countries' (2002) 27 *Columbia J Environmental L*, 433.

Topic # 6: Trade in Services and Its Pressing Issues

- Principles of service trade liberalisation
- General Agreement on Trade in Services (GATS)
- Modes of services delivery
- Semi-skilled and/or unskilled service trade liberalisation under Mode 4
- Pressing issues in services trade liberalisation

Readings

1. Compulsory text: chapter 16.
2. Islam, M R, "Pressing Issues of Global Free Trade in Services", in Chen, J. and Walker, G. (eds), *Balancing Act: Law, Policy and Politics in Globalisation and Global Trade*, Sydney: The Federation Press, 2004, p.251-82.
3. Hoad D, "The GATS and the Impact of Trade Liberalisation on Tourism and Sustainability" (2003) 4 *Tourism and Hospitality Research*, 213.
4. Mukherjee, N, "GATS and the Millennium Round of Multilateral Negotiations: Selected Issues from the Perspective of the Developing Countries" (1999) 33:4 *J. World Trade*, 91.
5. Mukherjee, N, "Exporting Labour Services and Market Access Commitments under GATS in the WTO" (1996) 30:1 *J. World Trade*, 40.
6. WTO, *Introduction to the GATS*, Geneva, 1999.

7. Hibbert, E, "The New Framework for Global Trade in Services" (2003) 23:2 *Service Industries J.* 67.
8. Larsen, K et al, "Trade in Education Services: Trends and Emerging Issues" (2002) 25:6 *World Economy*, 849-68.

Topic # 7: Non-Tariff Barriers to Trade: SPS and TBT Agreements

- Tariff and non-tariff barriers to trade distinguished
- Non-tariff-barriers to trade in goods and services
- Sanitary and Phytosanitary (SPS) Agreement of the WTO
- Technical Barriers to Trade (TBT) Agreement of the WTO
- Quarantine and TBT measures in Australia

Readings

1. Compulsory text: chapter 5 (SPS), and chapter 7 (TBT).
2. Marceau, G and Trachtman, J P, "The Technical Barriers to Trade Agreement, the Sanitary and Phytosanitary Measure Agreement, and the General Agreement on Tariff and Trade" (2002) 36:5 *J World Trade*, 811-881.
3. Mayeda, G, "Developing Disharmony? The SPS and TBT Agreement and the Impact of Harmonization on Developing Countries" (2004) 7:4 *J I. Econ. L.*, 737.
4. McDonald, J, "Domestic Regulation, International Standards, and Technical Barriers to Trade" (2005) 4:2 *World Trade Review*, 249-274.
5. Miljkovic, D, "Sanitary and Phytosanitary Measures in International Trade: Policy Consideration Vs Economic Reasoning" (2005) 29:3 *Int'l J Consumer Studies*, 283-290.
6. Fisher, B, "Preference Erosion, Government Revenues and Non-Tariff Trade Barriers" (2006) 10 *The World Economy*, 1377-1393.

Topic # 8: Dumping and Anti-Dumping, Subsidies and Countervailing

- Unfair and fair trade practices: legal status
- Dumping in GATT and WTO Agreement on Anti-dumping
- Subsidies in GATT and WTO Agreement on Subsidies and Countervailing

Readings

1. Compulsory text: chapter 9 (anti-dumping), and chapter 14 (subsidies).

2. Prusa T J, "Anti-Dumping: A Growing Problem in International Trade" (2005) 28:5 *The World Economy*, 683-700.
3. Durling, J P, "Deference, but only When Due: WTO Review of Anti-dumping Measures", (2003) *J. Int'l Econ. L.*, 125.
4. Conrad, A C, "Dumping and Anti-dumping Measures from a Competition and Allocation Perspective" (2002) 36:3 *J. World Trade*, 563.
5. Horlick, G and Shea, E, "The WTO Antidumping Agreement" (1995) 29:1 *J. World Trade*, 6.
6. Palmeter, D, "A Commentary on the WTO Anti-Dumping Code" (1996)30:4 *J. World Trade*, 63.
7. Collins-William, T and Salembier, G, "International Discipline on Subsidies: The GATT, The WTO and the Future Agenda" (1996)30:1 *J. World Trade*, 6.
8. Zampetti, A, "The Uruguay Round Agreement on Subsidies: A Forward-Looking Assessment" (1995) 29:6 *J. World Trade*, 22.
9. Gaisford, J D and McLachlaur, DL, "Domestic Subsidies and Countervail: The Treacherous Ground of the Level Playing Field" (1990) 24:4 *J. World Trade*, 55.

Topic # 9: Escape Clauses – Safeguards and Balance of Payment Problems

- Safeguards: GATT Article XIX
- Practice of safeguard measures
- The WTO Agreement on Safeguards
- Balance of payment crises and GATT 1994 Understanding

Readings

1. Compulsory text, chapter 15 (safeguards) and chapter 3.4 (balance of payment).
2. Lee, Y S, "Safeguard Measures: Why are they not Applied Consistently with the Rules?" (2002) 36:4 *J. World Trade*, 642.
3. Holliday, G, "The Uruguay Round's Agreement on Safeguards" (1995) 29:3 *J. World Trade*, 155.
4. Perez-Lopez, JF, "GATT Safeguards: A Critical Review of Article XIX and Its Implementation in Selected Countries" (1991) 23 *Case Western Reserve JIL* 517.
5. Stevenson, C, "Are WTO Members Correctly Applying WTO Rules in Safeguard Determinations?" (2004) 38:2 *J. World Trade*, 307.

6. Egea, A, "Balance of Payments Provisions in the GATT and NAFTA" (1996)30:4 J. World Trade, 6.

Topic # 10: TRIPs and Transfer of Technology

- Trade related intellectual property rights (TRIPS) explained
- Brief history of international regulation of TRIPS
- TRIPS in the Uruguay Round
- TRIPS agreement of the WTO: modes and manner of protection
- TRIPS pharmaceutical patents: The Doha drug deal
- TRIPS' transfer of technology
- Transfer of green technology under TRIPS

Readings

1. Compulsory text: chapter 17.
2. Bagchi, A "Compulsory licensing and the Duty of Good Faith in TRIPs" (2003) 55:5 Stanford L Rev, (para 9).
3. Kamal, M & Bailey, M, "TRIPs: Whose Interests are being Served?" (2003) 362:9380 *The Lancet*, 260.
4. Levy, C S, "Implementing TRIPs: A Test of Political Will" (2000) 31 Law & Policy in Int'l Bus, 789.
5. Sell, S, "Post TRIPs Developments: The Tension between Commercial and Social Agendas in the Context of Intellectual Property" (2002) 14 Florida J I L, 195.
6. Su E, "The Winners and the Losers: TRIPs and its Effects on Developing Countries" (2000) 23:1 Houston J IL part III, AA(2).
7. Islam, M R, "The Generic Drug Deal of the WTO from Doha to Cancun: A Peripheral Response to a Perennial Conundrum" (2004)7:5 J. World Intellectual Property, 675-92.

Topic # 11: Dispute Settlement System of the WTO

- Brief history of the enactment of the Dispute Settlement Understanding (DSU)
- WTO dispute resolution mechanisms: negotiations, panel, and appeal
- Policy, procedures, and enforcement
- Position of developing and least developed countries
- Reforms

Readings

1. Compulsory text: chapter 18.
2. WTO, *A Handbook on the WTO Dispute Settlement System*, Cambridge University Press, 2004.
3. Davey, W, "The WTO Dispute Settlement System" (2003) 3 J Int'l Econ. L 15.
4. Trachtman, J P, "The Domain of WTO Dispute Resolution" (1999) 44 Harvard ILJ 333-377.
5. Islam, M R, "Recent EU Trade Sanctions on the US to Induce Compliance with the WTO Ruling in the Foreign Sales Corporations Case: Its Policy Contradiction Revisited", (2004) 38:3 J World Trade, 471-89.
6. Brimeyer, B J, "Bananas, Beef and Compliance in the WTO: The Inability of the WTO Dispute Settlement Process to Achieve Compliance from Superpower Nations" (2001) 10 Minnesota J Global Trade, 133.
7. Qureshi, A H, "Participation of Developing Countries in the WTO Dispute Settlement System" (2003) 47:2 J African Law, 174-198.
8. Jackson, J, "International Law Status of WTO Dispute Settlement Reports: Obligations to Comply or 'Buy Out'?" (2004) 98:1 Am J Int'l L, 109-125.
9. Broek, N, "Power Paradoxes in Enforcement and Implementation of the WTO Dispute Settlement Reports: Interdisciplinary Approaches and New Proposals" (2003) 37:1 J. World Trade, 127-162.
10. Orozco, C, "The WTO Solution: The Advisory Centre on WTO Law" (2001) 4:2 J. World Intellectual Property, 245.

Topic # 12: Non-Trade Issues at the WTO: The Environment and Human Rights

- Non trade issues before the WTO: Singapore Ministerial of 1996
- The environment and sustainable development
- Human rights dimension of international trade
- The North-South dimension of the debates

Readings

1. Compulsory text: chapter 22 (the environment) and chapter 23 (human rights).
2. Oxley, A, "Environmental Trade Sanctions: What is at Stake" (2002-3) 18 *Policy* 17.

3. Drumbi, M, "Northern Economic Obligations, Southern Moral Entitlement and International Economic Governance" (2002) 27 Colum. J Int'l Envt'l L, 363.
4. Charnovitz, S. "Environmentalism Confronts GATT Rules: Recent Developments and New Opportunities" (1993)27(2) J. World Trade, 37.
5. Palmeter, D, "Environment and Trade: Much Ado About Little?" (1993) 27:3 J. World Trade, 55.
6. Petersmann, E-U, *International and European Trade and Environmental Law after the Uruguay Round*, Kluwer Law, The Hague, 1995, 35-51.
7. Petersmann, E-U, "The 'Human Rights Approach' Advocated by the UN High Commissioner for Human Rights and by the ILO" (2004) 7:3 J Int'l. Econ. L, 605-27.
8. Brown, D k, "Labor Standards: Where do they belong on the International Trade Agenda?" (2001) 15:3 J Economic Perspectives, 89-112.
9. Domemen, C, *Human Rights and the WTO*, London: Zed Books, 2004.
10. The UN Commission on Human Rights, *The Realization of Economic, Social and Cultural Rights: Globalization and Its Impact on the Full Enjoyment of Human Rights*, by jurists J. Oloka-Onyango and Deepika Udagama, E/CN.4/Sub.2/2000/13 of 15 June 2000 (52nd session, agenda item 4).

Topic # 13: The Multilateral Free Trading System: Present and Future

- Legal nature of the WTO trading system
- Policy aspects of the WTO trading system
- The North-South dynamics in the WTO
- WTO ministerial conferences: Singapore 1996 to Hong Kong 2005 and beyond
- The future of the multilateral trade liberalisation

Readings

1. Compulsory text: chapter 25.
2. Sutherlans, P et al, *The Future of the WTO: Addressing Institutional Challenges in the New Millennium* (Report of the Consultative Board to the WTO Director General), Geneva, 2004.
3. Islam, M R and Zaman, M K, "Market Access for LDCs under the Hong Kong Ministerial of the WTO: Outcomes for Bangladesh" (2006) 7:3 J. World Investment & Trade, 383-406.

4. Gonzalez, C G, "Institutionalizing Inequality: The WTO Agreement on Agriculture, Food Security and Developing Countries" (2002) 27 Colum. J Env'tal. L, 433.
5. "Developing Countries and Multilateral Trade Agreements: Law and the Promise of Development" (1995) 108:7 Harvard L Rev, 1715-32.
6. Islam, M R, "A WTO Multilateral Framework for Competition Policy and Trade-Induced Development: Debunking their Complementarity in Developing Countries" (2004) 5:3 J. World Investment & Trade, 491-508.
7. Cottier, T, 'Challenges Ahead of International Economic Law' (2009) 12 J I Econ L 3-15.
8. Moore, M, *A World Without Walls: Freedom, Development, Free Trade and Global Governance*, London: Oxford University Press, 2003.
9. Heiduk, G S and Wong, K (eds.), *WTO and World Trade: Challenges in a New Era*, Physica-Verlag – A Springer Company, 2005.
10. Amorim, C L N, "The WTO from the Perspective of a Developing Country" (2002) 24 Forham I L J, 95.
11. Subedi, S P, "The Road from Doha: The Issues for the Development Round of the WTO and the Future of International Trade" (2003) 52 International & Comp L Q, 425-446.

15. ASSESSMENT

Assessment Items	Value	Due Date
Class Participation in Lectures	20%	Compulsory in every lecture
A take-home question: maximum limit 2500 words (the question is given in section 17 below)	40%	10 September 2010 by 5 pm
Research Paper of maximum 2500 words; students are expected to choose their own topic: see section 18 below	40%	10 November 2010 by 5 pm

Computer generated words count must be shown on the cover page of assignments.

SUBMISSION of Assignments

1. **Internal students** must submit their assignments to the Convenor. Email submission is not preferred under normal circumstances.
2. **External students**, if any, must submit their papers via email to the Convenor.
3. A failure to submit either paper will, irrespective of marks gained in other assessment items, result in the student being awarded a 'Fail' grade for the unit.

EXTENSIONS of Due Dates for assignments

Both major assignments are provided in this Unit Outline and students are required to embark on the assignments right from the start of the semester. As such, there is no scope for any extension of the due dates. No student is expected to seek any extension of time to submit his/her assignment by the due dates, except in extraordinary circumstances of ***disability and severe medical conditions***. Extensions due to work commitments, family and personal matters, competing study demands, last minute emergencies, or poor organisation **will not be granted**, as you should plan your study schedule to allow for other activities and emergencies of normal life.

In cases of extensions sought on disability grounds, students must register their conditions in advance with the University Disability Unit and the application for extension must come to the Convenor through the Disability Unit. In cases of extensions sought on medical grounds, students must submit their **Special Consideration Form**, which must include: (a) a specific indication of relief or waiver sought, that is special consideration in relation to compulsory lecture attendance, or time extension for assignment submission, or marking etc; (b) a duly completed **Professional Authority Form**; and (c) a **medical certificate/s** signed by a medical practitioner/s. The Form with the said documents must be submitted to: **Student Enquiry Service, Level 1, Lincoln Building, C8A**. No other modes of extension application will be entertained.

PENALTIES for late submission

Any assignment that is submitted after the due date and without having obtained an extension will be penalised. The scale of penalties for late assignment will be:

- Up to and including the 7th day after the due date: 10%;
- Up to and including the 14th day after the due date: 20%; and
- Any assignment submitted after the 14th day will not be marked, except in exceptional circumstances at the discretion of the Convenor.

Students are advised to read carefully the information set out below and ensure that they understand the rules and requirements relating to the assessment scheme, as these rules and requirements will be strictly enforced.

PARTICIPATION in Class and/or Intensive Sessions worth 20% mark

1. Internal Students

(a) Substantive requirements in relation to class participation

Students will be assessed on the basis of their knowledge, understanding and ability critically to evaluate the issues raised in each weekly topic. Active participation in the class will require students to read and understand various issues scheduled for discussions

on a regular basis. Students are also required to participate in discussions that extend beyond these set topics and readings through their own evaluation of the issues raised.

(b) Formal requirements in relation to class participation

Internal students are compulsorily required to attend all lectures in accordance with the schedule of lectures set out in section 4 above. However, students will be permitted a maximum of two unexplained absences from attendance at lectures, beyond which they will be penalised in appropriate form and extent.

2. External Students: External students, if any, must attend both days from 9am to 5pm of the intensive sessions as a compulsory requirement of their degree.

3. Both Internal and External: If a student is unable to attend any teaching sessions - lecture or intensive - he or she should, within a reasonable time, provide a written explanation of the reason(s) for the absence together with any appropriate corroborating evidence, e.g. medical certificate. The written explanation must be personally signed by the student and forwarded to the Unit Convenor. E-mail communications on this matter will not be accepted. In this respect, if:

- the reason(s) for the absence are, in the opinion of the Unit Convenor, not justifiable reasons for not attending the relevant class/es; or
- no written explanation is provided to the Unit Convenor within a reasonable time,

the absence will be deemed to be an unauthorised absence for the purpose of the attendance requirement set out above, which may lead to EXCLUSION from the Unit.

Assignment # 1: Take-Home Question

Substantive requirements: Students will be assessed on their understanding and explanation of the legal issues presented, the depth of their research as well as their critical evaluation of the relevant issues. Research should extend beyond the prescribed books and course materials (the supplementary books and journals provide a starting point for further research). Clarity of expression, presentation of argument, responsiveness to question, and correct and consistent reference style will also be taken into account. Students are encouraged to consider a theoretical as well as applied dimension to the question under examination.

Assignment # 2: Research Paper

Substantive requirements: Students will be assessed on their understanding and identification of the relevant legal issues, analysis and evaluation of the issues, quality and depth of research, critical and interdisciplinary approach, and overall presentation. Research should extend beyond the prescribed books and course materials (the recommended books and journals provide a starting point for further research). Clarity of

expression, presentation of argument, responsiveness to the issues raised, as well as complete, correct, and consistent reference/citation style will also be taken into account.

Formal requirements for both written assignments

The following requirements as to presentation of papers must be complied with:

- All research papers must be typed on A4 paper, 12 point font in the text and 10 point font in foot/end notes. Bibliography/reference must also be 12 point font. Students may use both sides of the paper.
- The assignments cannot exceed their respective word limit. The word limit does not include the footnotes and bibliography, although footnotes must not include any substantive content. The actual word length of a paper must be stated on the cover sheet.
- Internal students must submit their assignments in hard copy: All sheets of paper used must be numbered and stapled with an appropriate cover sheet.
- External students must submit their assignments to the Convenor in hard or electronic form with appropriate cover sheet/bar code supplied.
- Footnotes, bibliography and other referencing must be consistent with the *Australian Guide to Legal Citations*, which can be downloaded at <http://www.law.unimelb.edu.au/mulr>.
- Inconsistent, incomplete, and hybrid style of footnotes/endnotes and bibliography/references will cost mark as they are integral parts of your work.
- In-text referencing is NOT permissible in this unit.
- Substantive and procedural requirements referred to are important and should be followed in both assignments.

16. RELATIONSHIP BETWEEN ASSESSMENTS AND LEARNING OBJECTIVES AND GENERIC SKILLS

Active Class Participation will require students to read and understand various issues scheduled for discussions. It is designed to augment the communication and interpersonal skills of students.

The Take-Home Question exercise is intended to provide students with an opportunity to research and critically analyse issues that are fundamental to international trade law and that are currently being tested in contemporary problems facing the international trading system of the WTO. As such, students are able to gain a deeper understanding of core international trade law principles through an exploration of the present challenges that contemporary issues pose to these principles. Students will understand how international

trade law of the WTO operates in the world today, and how it may develop in the future. The exercise provides a means for students to further develop independent legal research skills and enhance their writing abilities through explanation, analysis and argument.

The Research Paper is meant to give students an opportunity to write on a topic of their own choice, to go deeper into it and to present it in a logically coherent manner. It is intended to develop independent legal research skill and analytical ability. This method of assignment enables the students to be free and innovative thinkers and the ventilators of new ideas, thereby contributing to the progressive development of the WTO law.

17. Take-Home Question: (mark 40% and maximum limit: 2,500 words). Non-compliance with the Assessment preparation instructions and guidance may affect your marks.

Article XXIV of GATT and Australia-US Free Trade Agreement (AUSFTA)

The governing principle of the WTO multilateral trading system is non-discrimination through the application of most-favoured nation (MFN) treatment enshrined in Article I of GATT. However Article XXIV of GATT allows regional and bilateral discriminatory preferential trade, which overtly contradicts Article I of GATT. To minimise this contradiction, Article XXIV of GATT explicitly embodies a number of conditions to be complied with in establishing Article XXIV trading arrangements so that they are WTO-consistent and serve as a stepping stone to non-discriminatory multilateral trade.

Australia, an unequivocal supporter of non-discriminatory multilateral trade during the Uruguay Round 1986-93, has partially retreated since 1996 from its previous position, drifted to inward-looking discriminatory trade with a number of its preferred partners, and concluded bilateral preferential free trade agreements (FTAs). AUSFTA is one of such FTAs. Do you think that AUSFTA complies with GATT Article XXIV conditions and is WTO-consistent? You are expected to consider GATT Article XXIV conditions and major components of AUSFTA in formulating your reasoned response.

18. RESEARCH PAPER: Sample/Suggested Topics (any one worth 40% and maximum limit: 2,500 words). Non-compliance with the assessment preparation instructions and guidance mentioned above may affect your marks.

Students are expected to choose their respective research topic exclusively from this Unit outline in view of their own interest. This is a thought provoking exercise intended to stimulate students to develop their own topic of research and to work out an appropriate proposal of research. However, students who are unable to select a topic of research and to formulate a research proposal may be assisted. They are advised to approach the Convenor after exhausting their own sincere efforts. Below are some suggested topics for research. Should students opt for any of these topics, they may not require any prior approval of the research topic. However, if they opt for a topic beyond this list, they MUST seek prior approval from the Convenor by submitting a very brief outline of their proposal. Students should not embark on research on any unapproved or unlisted topic. The following are samples of research topics for research papers. They are not intended to be exhaustive. Students are free to choose their own topics beyond these

topics or pick any one of these topics and tailor it to his/her liking and interest. In so doing, students must ensure that their topics are within the purview of the prescribed contents of the Unit and should seek prior approval. No topic beyond the Schedule of Topics will be accepted.

1. The role and interests of Australia as a trading nation in the Asia-Pacific perspective.
2. The Free Trade Agreement between Australia and Singapore 2003.
3. The Australia-Thailand Free Trade Agreement.
4. The proposed Australia-China free trade agreement.
5. Australia's trade practice in relation to multilateral and preferential bilateral trade.
6. Legal principles of non-discrimination in multilateral trade under the WTO.
7. Economic rationale of multilateral free trade - a critical appraisal.
8. The agricultural trade of Australia: challenges and prospects.
9. The safeguard clauses under the WTO and Australian practice.
10. The most favoured nation clause under GATT and the WTO: Its erosion & relevance.
11. The World Trade Organisation (WTO): structural and policy appraisal.
12. Current trade problems of the developing countries.
13. The role of international trade law in redressing the global economic injustices.
14. The North American Free Trade Agreement (NAFTA).
15. The Asia-Pacific Economic Cooperation (APEC).
16. The WTO agricultural agreement - a critical evaluation.
17. The agricultural trade liberalisation in the post-Hong Kong Ministerial.
18. The EC and the European Single market system.
19. Global free trade versus regional free trade: conflicting or complementary?
20. Technical barriers to trade in goods.
21. Technical barriers to trade in services.
22. The Sanitary and Phyto-sanitary Agreement – a critical analysis.
23. Quarantine regime of Australia.
24. Balance of payment problems as an escape clause in international trade.
25. Dumping and anti-dumping in international trade.
26. Subsidies and countervailing measures in international trade.
27. The protectionist role of agricultural subsidies.
28. A critical appraisal of the services trade liberalisation.
29. The liberalisation of semi-skilled and unskilled services under the Mode 4 of GATS.
30. Transfer of technology: the problems of third world countries.
31. Green technology transfer under the TRIPS Agreement.
32. The TRIPS pharmaceutical patents and the right to health.
33. The WTO dispute resolution mechanism.
34. Environmental aspects or challenges of international trade.
35. The nexus between human rights and international trade.
36. This issue of child labour in international trade.
37. The Singapore issues: a critical analysis.
38. Trade facilitation under the WTO multilateral trading system.
39. The North-South conflict of economic interest in international trade.
40. The future of the multilateral free trading system.

ENJOY THE UNIT AND GOOD LUCK

19. TAKE-HOME QUESTION COVER SHEET

<p>Please attach cover sheet to every assignment</p> <p>-----</p> <p>Lecturer's Name: Rafiq Islam</p> <p>Tutorial Time: NA</p> <p>Date Due: 10 September 2010 by 5 pm</p> <p>Unit Number BUSL 853: The WTO Law</p>	<p>Surname</p> <p>Given Names</p> <p><i>The student's name may be filled out by the student. If the name is not filled out by the student could the marker please complete this before returning to the Essay Collection Office. Thankyou!</i></p> <p>Student Number</p> <hr/> <p>Assignment Title: Article XXIV of GATT and AUSFTA</p>
<p>“I certify that I am aware of the University’s policy on plagiarism and that this assignment meets those requirements and has not been previously submitted for assessment in any other course of study”</p> <p>Signed</p>	
Empty space for student information	

20. RESEARCH PAPER COVER SHEET

<p>Please attach cover sheet to every assignment</p> <hr/> <p>Lecturer's Name: Rafiq Islam Lecture Time: NA Date Due: 10 November 2010 by 5 pm Unit Number: BUSL 853: The WTO Law</p>	<p>Surname</p> <p>Given Names</p> <p><i>The student's name may be filled out by the student. If the name is not filled out by the student could the marker please complete this before returning to the Essay Collection Office. Thankyou!</i></p> <p>Student Number</p> <p>Assignment Title: Research paper</p> <p>.....</p> <p>.....</p>
<p>"I certify that I am aware of the University's policy on plagiarism and that this assignment meets those requirements and has not been previously submitted for assessment in any other course of study"</p> <p>Signed</p>	
<p>MARKER'S COMMENTS</p>	