

Paper Code: LL.B. 404
Paper: International Trade Law

L	T	Credit
4	1	5

1. The objective of the course is to introduce the subject to the students with special reference to India's role and place in the multilateral trading represented by the WTO.
2. **Pattern of Question Paper:** The question paper shall have Parts 'A' and 'B'. In part 'A' there shall be one compulsory question based on objective or short answer type questions carrying 25 marks and covering the entire course. In part 'B', two questions of 12.5 marks each shall be asked from every unit asking the candidates to attempt one question from each unit.

I. Trade in Goods I

- a. General Agreement on Tariffs and Trade (GATT)
 - Basic Principles of GATT
 - Most favoured Nations Treatment
 - Binding Commitments and National Treatment
 - Quantitative restrictions
 - Subsidies and Market access
 - Exceptions
 - Various rounds of GATT
 - From Havana Charter to Marrakesh Agreement
 - Establishment of WTO
 - Structure of WTO, Objectives, Functions and decision making.
- b. Agreement on Agriculture
 - Subsidies
 - Aggregate measurement of support
 - Domestic Support
 - Amber Box, Red Box, Green Box, Blue Box and S & D Box
- c. Agreement on Sanitary and Phytosanitary Measures
 - Standards of Sanitary and Phytosanitary Measures
 - Measures available in India
 - Important articles of Agreement
- d. Agreement on Technical Barriers to Trade **(Number of hours – 09)**
 - Types of Technical barriers to Trade
 - Various measures for the termination of Trade Barriers

II. Trade in Goods II

- a. Agreement on Trade-Related Investment Measures
 - Articles of TRIMS
 - IPR laws in India
- b. Agreement on Subsidies and Countervailing Measures
 - Meaning of subsidies

- Measures relating to subsidies in India
- Countervailing measures in India
- c. Anti-dumping Agreement
 - Meaning of Dumping
 - Permissible Dumpings
 - Cases by India against Dumping
- d. Agreement on Safeguards **(Number of hours – 09)**
 - Various modes of Safeguards

Trade in Services

- a. General Agreement on Trade in Services
 - Types of Services for which India trades
 - Joint Ventures
 - Out Sourcing
- b. Ongoing Multilateral Negotiations **(Number of hours – 09)**

International Trade Dispute Resolution

- a. Nullification or impairment
- b. Dispute settlement
 - GATT Dispute settlement mechanism
 - WTO Dispute settlement mechanism
 - ICC rules of Dispute settlement
 - UNCITRAL rules of Dispute settlement
- c. Enforcement and Remedies **(Number of hours – 09)**
 - New York convention
 - Geneva Convention
 - Difference between GATT & WTO regarding Disputes settlement

Text books / Compulsory Readings (Latest editions only):

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1. *Results of the Uruguay Round of Multilateral Trade Negotiations: The Legal Texts* (Geneva: GATT Secretariat, 1994).

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1. J.C.T. Chuah- International Trade Law & Financing Mechanism
 2. SmithOff International Trade Law and its development
 3. Ravindra Pratap WTO & GATT and its impact on Indian Economy
 4. Hudec, Robert E., *Developing Countries in the GATT Legal System* (London: Gower Press for the Trade Policy Research Centre, 1987).

5. Jackson, John H., *World Trade and the Law of GATT* (Indianapolis: Bobbs-Merrill, 1969).
6. Pratap, Ravindra, *India at the WTO Dispute Settlement System* (New Delhi: Manak Publications, 2004).
7. Srinivasan, T. N., *Developing Countries and the Multilateral Trading System: From the GATT to the Uruguay Round and the Future* (Delhi: Oxford University Press, 1998).
8. Akakwam, Philip A., "The Standard of Review in the 1994 Antidumping Code: Circumscribing the Role of GATT Panels in Reviewing National Antidumping Determination", *Minnesota Journal of Global Trade*, vol. 5, no. 2 (1996), p 277.
9. Bhagwati, Jagdish and Hudec, Robert E, *Fair Trade and Harmonization: Prerequisites for Free Trade* (Cambridge, Mass.: MIT Press, 1996) vol. 2 (Legal Analysis).
10. Bierwagen, Rainer M., *GATT Article VI and the Protectionist Bias in Anti-Dumping Law* (Deventer: Kluwer, 1990).