

## 730-692 WTO Dispute Settlement

<b>Credit Points:</b>	12.500
<b>Level:</b>	Graduate/Postgraduate
<b>Dates &amp; Locations:</b>	2008, This subject commences in the following study period/s: Semester 2, - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: 24 - 26 contact hours per subject. Total Time Commitment: The time commitment for this subject depends on the candidate's background and experience.
<b>Prerequisites:</b>	N.A.
<b>Corequisites:</b>	N.A.
<b>Recommended Background Knowledge:</b>	None
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	N.A.
<b>Coordinator:</b>	Dr Andrew Mitchell, Dr Tania Voon
<b>Subject Overview:</b>	<p><b>Objectives:</b></p> <p>The World Trade Organization (WTO) provides one of the most active systems in the world for resolving international disputes, with fast and effective appellate review, a strong enforcement mechanism, and jurisdiction over some of the largest and most significant matters arising today. This subject will provide a sophisticated understanding of the WTO dispute-settlement system and problems associated with the system.</p> <p>A candidate who has successfully completed the subject should:</p> <ul style="list-style-type: none"> <li># Understand the WTO dispute-settlement system within the broader framework of the WTO</li> <li># Have advanced knowledge of the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU), including the role of public international law in WTO disputes</li> <li># Understand the different types of proceedings that may take place within the WTO dispute-settlement system and the roles of different bodies involved in those proceedings (in particular, the Dispute Settlement Body, Panels, the Appellate Body, and Arbitrators)</li> <li># Be able to assess critically major recent dispute-settlement decisions</li> <li># Understand how, over time, the WTO dispute-settlement system has evolved and WTO disputes have resolved issues regarding substantive WTO laws</li> <li># Be familiar with the history of the DSU and negotiations on improving the DSU in the Doha Development Round.</li> </ul> <p><b>Syllabus:</b></p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> <li># Brief introduction to the WTO, including history, rationale and basic principles</li> <li># Overview of the WTO dispute-settlement system, including comparison with dispute settlement under the General Agreement on Tariffs and Trade 1947</li> <li># Treaty interpretation and the role of public international law in WTO disputes</li> <li># Procedural issues in WTO disputes, including the types of measures that may be challenged, the involvement of non-parties and appellate review of Panel Reports</li> <li># Substantive issues in certain WTO disputes, focusing on the latest case law</li> <li># Enforcement of dispute-settlement decisions, including arbitrations under Articles 21.3(c) and 22.6 of the DSU and compliance Panels under Article 21.5</li> <li># Proposals for DSU reform.</li> </ul>
<b>Assessment:</b>	Examination 3 hours (100%) (16 January 2009) or Research paper 10,000 words (100%) (23 February 2009) (topic approved by the subject coordinator)

<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Please visit the subject homepage on the Melbourne Law Masters website by following the link at the bottom of this subject entry.
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Generic Skills:</b>	Please see the Subject Objectives for this information.
<b>Links to further information:</b>	For the latest information on this subject, please visit: <a href="http://www.masters.law.unimelb.edu.au/subject/730692">http://www.masters.law.unimelb.edu.au/subject/730692</a>