

LAWS70322 WTO Law and Dispute Settlement

| | |
|--|--|
| Credit Points: | 12.50 |
| Level: | 7 (Graduate/Postgraduate) |
| Dates & Locations: | 2013, Parkville This subject commences in the following study period/s: May, Parkville - Taught on campus. |
| Time Commitment: | Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Not available |
| Prerequisites: | None |
| Corequisites: | None |
| Recommended Background Knowledge: | Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience. |
| Non Allowed Subjects: | Students who have completed Principles of WTO Law or WTO Dispute Settlement may not undertake this subject. |
| Core Participation Requirements: | The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/ |
| Contact: | For more information, contact the Melbourne Law Masters office. Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters) |
| Subject Overview: | <p>The World Trade Organization (WTO) is at the centre of ongoing debates concerning both fragmentation of public international law and persistent inequities between developed and developing countries. It also provides one of the most active systems in the world for resolving international disputes, with jurisdiction over some of the largest and most significant matters arising today. This subject offers a sophisticated understanding of the WTO and its dispute settlement system, including a detailed analysis of the fundamental principles and jurisprudence of WTO law. The lecturer is a leading scholar in WTO law and a former Legal Officer with the Appellate Body Secretariat of the WTO.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"># History and objectives of the WTO# Core disciplines under the General Agreement on Tariffs and Trade 1994 (GATT 1994):<ul style="list-style-type: none"># Tariff bindings# Non-discrimination (most-favoured nation (MFN) and national treatment)# Prohibition on quantitative restrictions |

| | |
|--------------------------------------|--|
| | <ul style="list-style-type: none"> # Exceptions to WTO commitments, e.g. environment, health, public morals, culture, free trade agreements, and special and differential treatment for developing countries # Current challenges facing the WTO and the Doha Development Round of negotiations. |
| Objectives: | <p>A student who has successfully completed this subject should:</p> <ul style="list-style-type: none"> # Be familiar with the history of the WTO and its predecessor, the General Agreement on Tariffs and Trade 1947 (GATT 1947) # Understand the legal framework of the WTO, including the relationship between the various agreements, the relationship between the WTO agreements and national laws, and the dispute settlement process # Understand the tensions that may arise between WTO objectives and other objectives in national or international law, and how these tensions may be resolved # Be able to interpret and apply certain key WTO agreements, including advocating a particular position in a given hypothetical, potential or past case # Be familiar with some of the major WTO dispute settlement decisions regarding these WTO agreements, and be able to assess these decisions critically # Be familiar with current issues and negotiations in the WTO. |
| Assessment: | Take-home examination (100%) (5–8 July) or 10,000 word research paper (100%) (19 August) on a topic approved by the subject coordinator |
| Prescribed Texts: | Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Visit the Melbourne Law Masters website for more information about this subject. |
| Breadth Options: | This subject is not available as a breadth subject. |
| Fees Information: | Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees |
| Links to further information: | http://www.law.unimelb.edu.au/subject/LAWS70322/2013 |