

LAWS70322 WTO Law and Dispute Settlement

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: April, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.
Time Commitment:	Contact Hours: 24-26 hours Total Time Commitment: 136-150 hours The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
Prerequisites:	Melbourne Law Masters Students: None JD Students: 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 any of the below subjects are not permitted to take LAWS70322 WTO Law and Dispute Settlement: 730826 Principles of WTO Law 730692 WTO Dispute Settlement 732733 WTO Law and Dispute Settlement
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 Student Equity and Disability Support.
Coordinator:	Prof Tomer Broude
Contact:	Lecturers Professor Tomer Broude (http://www.law.unimelb.edu.au/staff/Tomer%20Broude) (Coordinator) 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 public international law in general and WTO law in particular.</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # History and objectives of the GATT/WTO # Dispute settlement in international trade # 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 # Exceptions to WTO commitments, e.g. environment, health, public morals, culture, free trade agreements, and special and differential treatment for developing countries # The regulation of trade in services under the General Agreement on Trade in Services (GATS) # Current challenges facing the WTO and the Doha Development Round of negotiations.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advance and integrated understanding of the history and economic foundations of the WTO and its predecessor, the General Agreement on Tariffs and Trade 1947 (GATT 1947) # Understand and be capable of critically examining 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, with an emphasis on their effectiveness # Be an engaged participant and interlocutor regarding 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, at an advanced level, certain key WTO agreements, including advocating a particular position in a given hypothetical, potential or past case # Be familiar, in detail, 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 # Have the cognitive and technical skills to generate creative and critical ideas relating to international trade regulation, in the WTO and in other fora, in both negotiation and dispute settlement settings.
Assessment:	<p>Take-home examination (5,000-6,000 words as specified in the subject reading guide) (100%) (17 - 20 June) or 10,000 word research paper (100%) (25 July) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.</p>
Prescribed Texts:	<p>Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.</p>
Breadth Options:	<p>This subject is not available as a breadth subject.</p>
Fees Information:	<p>Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees</p>
Links to further information:	<p>www.law.unimelb.edu.au/subject/LAWS70322/2016</p>
Related Course(s):	<p>Graduate Diploma in Dispute Resolution Graduate Diploma in International Economic Law Graduate Diploma in International Law Graduate Diploma in Legal Studies Juris Doctor Master of Commercial Law</p>

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