

**GUJARAT NATIONAL LAW UNIVERSITY  
GANDHINAGAR**

Course: WTO Law

Semester-VII (Batch: 2014-19)

Mid Semester Test: August-2017

Date: 24<sup>th</sup> August, 2017

Duration: 2 hours

Max. Marks: 30

**Instructions:**

- Read the questions properly and write the answers in the given answer book.
- The respective marks for each question are indicated in-line.
- Do not write any thing on the question paper.
- Indicate correct question numbers in front of the answers.
- No questions or clarifications can be sought during the exam period, answer as it is, giving reason, if any.
- Bare Act is not allowed.

**Answer the following questions:  
(Maximum 550-600 words for each answer)**

**Marks**  
(3x10=  
30)

- Q.1 French Government through a Decree of 24<sup>th</sup> December 1996 (No.96-1133) imposed a prohibition on the manufacture, processing, possession for sale, import, domestic marketing, export, sale and transfer under any title whatsoever of all varieties of asbestos fibres or products containing asbestos fibres. The ban was enacted as a health measure. In 1998, Canada brought a complaint against this prohibition, as its interest remained mainly in its desire to continue exporting chrysotile asbestos fibers for use in construction applications, such as for the reinforcement of certain concrete construction forms. These uses of chrysotile asbestos, and the sale of the resultant asbestos-containing products, were considered safe by Canada with proper precautions. Canada had obtained tariff concessions on asbestos and asbestos-containing products at various points in time, including 1947, 1962 and the Uruguay Round negotiations.
- (a) Evaluate the claims of Canada for non-violation complaint under the GATT, 1994.  
(b) Examine the circumstances under which a non-violation claim can be entertained.
- Q.2 Critically examine the issues of progressive trade liberalization under various negotiating rounds of the GATT during 1947-1994. Also, spell out the circumstances in which certain new trade sectors were brought into during the Uruguay Round negotiations.
- Q.3 Examine the procedure of decision making at World Trade Organization in respect of the following: (a) adoption of authoritative interpretations; and (b) waiver of WTO obligations. How can amendments be effected into the WTO multilateral agreements? Elaborate.

\*\*\*\*\*