



## QUESTION PAPER

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### INSTRUCTIONS FOR PARTICIPANTS:

- The duration of this test is 60 minutes.
- This is a closed book test. Researchers are not allowed to access any print or electronic material during the test.
- Read the questions carefully. No questions or clarifications can be sought during the test period, answer as it is.
- Mark answers in the answer sheet provided.
- Each question carries 1 mark. There is no negative marking.
- In case of a tie, the score of section A shall be used to break the tie.

### SECTION A

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Q.1. Member States to the WTO may take emergency action against import of products in the form of Safeguard measures. What is the validity of non-governmental safeguard measures taken by private enterprises of a Member State under the Agreement on Safeguards?

- a) They are illegal.
- b) They are legal and can be endorsed by the government of the Member State.
- c) Member states are discouraged from adopting such non-governmental measures imposing safeguard restrictions on imports.
- d) The Safeguards Agreement does not address validity of safeguard measures adopted by non-governmental private enterprises.

Q.2. Which of the following allows imposition of a safeguard duty on a non-MFN basis?

- a) Article XIX, GATT, 1994.
- b) Article 9, Agreement on Safeguards
- c) Article 1, Agreement on Safeguards
- d) Article I, GATT, 1994

Q.3. When safeguard restrictions are imposed in the form of quantitative restrictions (quotas), what is the amount of quota that can be fixed as safeguard action?

- a) Safeguard restrictions cannot be imposed in the form of quantitative restrictions.



- b) The Member State imposing the safeguard restrictions in the form of quotas has complete autonomy to decide the amount or level of quota.
- c) The level of the quota must not be below the actual import level of the most recent five representative years.
- d) The level of the quota must not be below the actual import level of the most recent three representative years.

Q.4. Which of these provisions allows for formation and notification of Free Trade Agreements to the WTO?

- a) Article XXIV, GATT, 1994
- b) Article 2(a) of the Enabling Clause to the GATT.
- c) Both (a) and (b)
- d) Neither (a) nor (b)

Q.5. Five major economies have imposed anti-dumping duties against the imports from Pueblo Faro. Anti – dumping duties \_\_\_\_\_.

- a) Can be imposed when injury is caused to producers of like or directly competitive products of a domestic industry.
- b) Can be imposed against fair trade.
- c) Can be imposed on a non-MFN basis against targeted exporters and countries.
- d) Both (a) and (c).

Q.6. Article 11 of the Safeguards Agreement requires phasing out of safeguard measures within a period not exceeding four years after the date of entry into force of the WTO Agreement, *subject to not more than one specific measure per importing Member, the duration of which shall not extend beyond 31 December 1999*. Which is the only Member entitled to this exception?

- a) United States of America
- b) China
- c) Japan
- d) EC



Q.7. The \_\_\_\_\_ in \_\_\_\_\_ provides the procedural requirements to be followed for the notification of safeguards measures taken in accordance with Article 9.1, Agreement on Safeguards.

- a) Committee on Safeguards, 'Formats for Certain Notifications under the Agreement on Safeguards'.
- b) Committee on Trade and Development, 'Formats for Certain Notifications under the Agreement on Safeguards'.
- c) Committee on Safeguards, 'Guidelines for Certain Notifications under the Agreement on Safeguards'.
- d) Agreement on Safeguards, Footnote 3.

Q.8. The Panel ruling in *Dominican Republic – Bag and Fabric Safeguards* allowed exclusion of developing countries from safeguard measures by application of the \_\_\_\_\_ principle.

- a) Most Favoured Nation
- b) National Treatment
- c) Parallelism
- d) Special and Differential Treatment

Q.9. Panel and Appellate Body rulings concerning the WTO-consistency of safeguard measures often culminate in recommendations concerning implementation of safeguard measures. This discretionary power is embodied in:

- a) Article 3, DSU
- b) Article 11, DSU
- c) Article 15, DSU
- d) Article 19, DSU

Q.10. The earliest WTO Panel ruling on the Agreement on Safeguards in \_\_\_\_\_ controversially held that there is no obligation to produce evidence of "unforeseen developments" before imposition of safeguards under Article XIX, GATT, 1994.

- a) Panel, Korea – Dairy
- b) Panel, Argentina – Footwear
- c) Panel, US – Wheat Gluten



d) Panel, US - Lamb

Q.11. The \_\_\_\_\_ Ministerial Declaration adopted a Special Safeguard Mechanism, allowing developing countries to impose immediate, temporary tariff measures as safeguards to combat import surges affecting its agricultural industry.

- a) Doha
- b) Nairobi
- c) Hong Kong
- d) Geneva

Q.12. In a safeguard investigation to determine serious injury caused to domestic industry, “domestic industry” is understood to mean:

- a) Producers of like and directly competitive products
- b) Producers competing in the same market segment
- c) Producers constituting an industry of similar goods
- d) Producers catering to similar consumers

Q.13. The WTO Safeguards Agreement broke new ground by imposing time limits on safeguard measures. Such clauses imposing time limits are referred to as:

- a) “Grey-Area” Clauses
- b) Limitation Clauses
- c) Boilerplate Clauses
- d) Sunset Clauses

Q.14. The Accession Protocol of \_\_\_\_\_ to the WTO provides for a product specific Transitional Safeguard Mechanism and encompasses different rights and obligations for the state as compared to those in the Safeguards Agreement.

- a) Russia
- b) Kosovo
- c) China
- d) Afghanistan



Q.15. The Agreement on Safeguards requires payment of compensation by the state imposing safeguard duties beyond a period of three years. If such compensation is not provided, other member states may:

- a) Impose countervailing duties against the state imposing safeguard measures.
- b) Suspend equivalent concessions granted under the GATT to the state imposing safeguard measures.
- c) Impose Balance of Payment restrictions against the state imposing safeguard measures.
- d) All of the above.

Q.16. Which article of the Agreement on Safeguards allows for settlement of disputes concerning safeguard measures according to the DSU?

- a) Article 13, Agreement on Safeguards
- b) Article 8, Agreement on Safeguards
- c) Article 14, Agreement on Safeguards
- d) Article 10, Agreement on Safeguards

Q.17. Which of the following can be invoked by states imposing safeguard measures to seek an exemption from disclosure of confidential information?

- a) Article 12.3, Agreement on Safeguards
- b) Article 12.7, Agreement on Safeguards
- c) Article 12.11, Agreement on Safeguards
- d) Article 12.10, Agreement on Safeguards

Q.18. What is the maximum duration for which a member state can apply provisional safeguard measures?

- a) 180 days
- b) 100 days
- c) 240 days
- d) 200 days



Q.19. Developing country members are permitted to maintain their safeguard measures for \_\_\_ year(s) longer than the maximum allowed for other members.

- a) 3
- b) 4
- c) 1
- d) 2

Q.20. Safeguard measures imposed by WTO Members subsequent to the entry into force of the WTO Agreement must:

- a) Comply with both Article XIX of the GATT, 1994 and the Agreement on Safeguards
- b) Comply with the requirements of the Agreement on Safeguards alone.
- c) Comply with Article XIX of the GATT, 1994 or the Agreement on Safeguards, whichever affords more favorable treatment.
- d) Comply with Article XIX of the GATT, 1994.

Q.21. Which of the following can a safeguards measure be imposed in the form of?

- a) Custom Duties
- b) Voluntary Restraint Arrangements
- c) Voluntary Export Restraints
- d) Both (a) and (b)

Q.22. Which of the following are the least likely to assess whether Product X and Product Y are 'like' or 'directly competitive' for the purposes of the Agreement on Safeguards?

- a) Customs Classifications of the both products
- b) Market Segment of the industry in which both products are supplied
- c) Production structures of both products
- d) Consumer taste and preferences for both products

Q. 23. The total period of application of a safeguard measure, including the period of application of any provisional measure, period of initial application and any extension thereof cannot exceed \_\_\_\_\_ years.

- a) 6
- b) 10



- c) 9
- d) 8

Q.24. A free-trade agreement notified to the WTO under Article XXIV, GATT, 1994 requires the \_\_\_\_\_ on substantially all the trade between its parties.

- a) Mutual reduction of duties and other restrictive regulations of commerce
- b) Special and differentiated reduction of duties and other restrictive regulations of commerce.
- c) Elimination of duties and other restrictive regulations of commerce.
- d) None of the above.

Q.25. The latest Panel Report on safeguard disciplines between Ukraine and Japan discusses safeguard measures imposed against:

- a) Seal Products
- b) Large Civil Aircrafts
- c) Broiler Products
- d) Passenger Cars

## SECTION B

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Q.1. Under which Article of the DSU can a request for establishment of a Panel be made by a Complainant state?

- a) 11
- b) 9
- c) 8
- d) 6

Q.2. Which article provides for the inclusion of the Agreement on Safeguards into the Agreement Establishing the World Trade Organization (“Marrakesh Agreement”)?

- a) Article 1, Marrakesh Agreement
- b) Article 2, Marrakesh Agreement
- c) Article XIX, GATT, 1994
- d) Preamble, Agreement on Safeguards



Q.3. Which article of the Dispute Settlement Understanding to the WTO allows for the DSB to take Public International Law principles into consideration while adjudicating disputes?

- a) Article 2, DSU
- b) Article 3, DSU
- c) Article 5, DSU
- d) Article 6, DSU

Q.4. What is the nature of a safeguard measure?

- a) It is an emergency measure against fair trade.
- b) It is a balance of payment restriction.
- c) It is a temporary measure against unfair trade.
- d) Both (a) and (c)

Q.5. The tariff on bicycles being imported from India to all countries participating in a \_\_\_\_\_ would be the same.

- a) Free Trade Agreement.
- b) Common Union.
- c) Customs Union.
- d) Generalized System of Preferences.

Q.6. Which of the following situations do not fall within the scope of 'General Exceptions' under Article XX of the GATT, 1994?

- a) Protection of public morals
- b) Importation of gold or silver
- c) Severe Unemployment
- d) Protection of national treasures

Q.7. The Marrakesh Mandate for coherence in international trade is fulfilled by:

- a) WTO, International Monetary Fund and the United National Commission on Trade and Development
- b) WTO, World Bank and United National Commission on Trade and Development
- c) WTO, International Monetary Fund and United National Commission on International Trade Law





- d) WTO, International Monetary Fund and World Bank

Q.8. If Pueblo Faro fails to comply with the Panel Rulings and Recommendations within a reasonable period of time in the present case, Puerto Sombra may:

- a) Appeal to the Appellate Body.
- b) Suspend its concessions to Pueblo Faro and seek compensation.
- c) Impose trade embargo on Pueblo Faro.
- d) All of the above.

Q.9. Which of the following provisions incorporate the mechanism of an advance notice within the safeguards discipline?

- a) Article 12, Agreement on Safeguards
- b) Article 16, Agreement on Safeguards
- c) Article XIX:3, GATT, 1994
- d) Article 10, Agreement on Safeguards

Q.10. X Member State brings a dispute before the Panel against Y, without having any 'economic interest' in the proceedings. Such a complaint is:

- a) prohibited
- b) permitted
- c) permitted only when interested parties are made third parties
- d) permitted only when there may be apprehension of damage to 'economic interest' in the future.

Q.11. "Threat of serious injury" under Article 4.1(b) of the Agreement on Safeguards must be:

- a) "unavoidable"
- b) "inevitable"
- c) "clearly imminent"
- d) "possible"

Q.12. The Committee on Safeguards has been established vide:

- a) Article XIX, GATT, 1994



- b) Article 13, Agreement on Safeguards.
- c) Doha Ministerial Declaration, "Agreement establishing the Committee on Safeguards".
- d) Singapore Ministerial Declaration, "Agreement establishing the Committee on Safeguards".

Q.13. What is the status of the Chinese Taipei's WTO membership?

- a) The Chinese Taipei has sought membership of the WTO; the same has not been approved yet.
- b) As a result of the People's Republic of China's accession to the WTO, Chinese Taipei is automatically a member of the WTO with no independent status.
- c) The WTO recognizes the independent membership Chinese Taipei as a separate customs union.
- d) None of the above.

Q.14. Which round of WTO Negotiations first sought to develop a "Safeguards Code" to govern imposition and maintaining of safeguard measures?

- a) Doha Round
- b) Uruguay Round
- c) Tokyo Round
- d) Dillon Round

Q.15. The General Agreement of Tariffs and Trade, 1994, does not contain express rules dealing with \_\_\_\_\_

- a) Exchange Arrangements
- b) Dumping
- c) Rules of Origin
- d) Subsidies and Countervailing Measures

Q.16. \_\_\_\_\_ is not a partner to the Trans-Pacific Partnership ("TPP"), one of the largest Free-Trade Agreements in the world.

- a) China
- b) Malaysia



- c) Vietnam
- d) Brunei

Q.17. Decisions on accession by states to the WTO are taken:

- a) By two-third majority of all members of the WTO
- b) By consensus
- c) By simple majority voting
- d) By three –fourth majority of all members of the WTO

Q.18. Which provision in the Dispute Settlement Understanding deals with interests of Third Parties to a dispute?

- a) Article 10, DSU
- b) Article 8, DSU
- c) Article 9, DSU
- d) Article 11, DSU

Q.19. Which city is scheduled to host the WTO's 11<sup>th</sup> Ministerial Conference from 11<sup>th</sup> December, 2017 to 14<sup>th</sup> December, 2017?

- a) Rio De Janerio
- b) Beijing
- c) Buenos Aires
- d) São Paulo

Q.20. Which of the following is not a non-tariff barrier to trade?

- a) Rules of Origin
- b) Import Licensing
- c) Pre-shipment Inspection
- d) Import Deposit Requirements

Q.21. How does the Agreement on Safeguards govern safeguard measures that were applied before the entry into force of the WTO Agreement?



- a) They were to be suspended before the WTO Agreement's entry into force.
- b) They must be suspended not later than eight years after the date on which they were first applied.
- c) The Agreement on Safeguards does not apply to those measures that were applied before the entry into force of the WTO Agreement.
- d) They are automatically suspended upon the WTO Agreement's entry into force.

Q.22. Which of the following is a Multilateral Agreement on Trade in Goods?

- a) Agreement on Pre-shipment Inspection
- b) Agreement on Government Procurement
- c) Trade Policy Review Mechanism
- d) Agreement on Trade in Civil Aircraft

Q. 23 Which Working Party Report conclusively established the criteria for evaluating 'likeness' of products?

- a) GATT Working Party Report, Canada Import Quota on Eggs
- b) GATT Working Party Report, Brazilian Internal Taxes
- c) GATT Working Party Report, Greece Preferential Tariff
- d) GATT Working Party Report, Border Tax Adjustment

Q.24. Which of the following major producers was not deemed to constitute the domestic industry of Puerto Sombra for Unwrought Aluminum?

- a) Kimp Aluminium Corporation.
- b) Puerto Sombra National Aluminium Corporation.
- c) Raven National Aluminium Corporation.
- d) One Aluminium Corporation.

Q.25. "Unwrought Aluminum" is classified under International Harmonized System Customs Tariff Heading \_\_\_\_\_ of Chapter \_\_\_\_\_.

- a) 9601, 96
- b) 7601, 76
- c) 9601, 91
- d) 7601, 71