KENYATTA UNIVERSITY

UNIVERSITY EXAMINATIONS 2019/2020

FIRST SEMESTER EXAMINATION FOR DEGREE OF BACHELOR OF LAWS

LIL 400: INTERNATIONAL TRADE AND INVESTMENT LAW

DATE: WEDNESDAY 4TH DECEMBER 2019 **TIME: 3.00 P.M - 5.00 P.M**

INSTRUCTIONS:

1. Answer **ALL (3) THREE** questions.
2. Support your answer with relevant illustrations from case law, statutory provisions and any other references.
3. Your writing must be **NEAT** and **LEGIBLE**.
4. Your answer booklet must bear your assigned **REGISTRATION NUMBER**, both on the cover and every written page therein.
5. Do not scribble or draft answers on the inner or outer cover pages or your answer booklet.
6. Do not write anything except your **REGISTRATION NUMBER** on this question paper.
7. **ALL** Kenyatta university Examinations rules apply as if they were contained herein.

QUESTION ONE

Emmanuella a Keyali citizen has been operating a small shop in her country that sells cosmetics for five (5) years. She recently met Shanzu, a foreigner, who recently opened a shop and is selling clothing material from the Republic of Gogo. Shanzu in one of their many conversations mentioned that it took her almost 2 years to be able to set up shop in Keyali because of the many challenges she faced as a foreigner.

This came at a time when Emmanuella was contemplating on expanding her business to the neighboring country of Lusaka. She decided to talk to more foreigners owning business in her locality to better understand how trade and investment works in the international level, why countries engage in it and the challenges that she will encounter in process.

Many of these traders had differing views on what international trade and investment entails in terms of the challenges they encountered and whether such trade carries with it any benefits for them or their countries.

As a trader in one of shops and also an expert in international trade and investment law you have been tasked to help your fellow traders better understand their role in the economy.

Using various case studies on Emerging Market Economies, discuss the theoretical framework that underpins international trade and investment.

(30 Marks)

QUESTION TWO

Dumping in international trade has been stated in some instances to be an unfair trade practice and while it is condemned it is not prohibited.

Discuss the accuracy of the above statement outlining the domestic anti-dumping investigations procedure making reference to the World Trade Organization (WTO) rules.

(20 Marks)

QUESTION THREE

In the past the debate on international trade and investment has been centered almost exclusively on economic issues and how countries can improve their economy. This has recently changed due to the realization that trade and investment has an implication on social issues as well.

Discuss the various ways in which trade agreements and policies try to accommodate other social policy issues and the impact this has had on regulations touching on international trade.

(20 Marks)