

**Yaroslav Mudryi National Law University**  
Department of Economic Law

**S Y L L A B U S**

**OF ACADEMIC DISCIPLINE**  
**«WORLD TRADE ORGANIZATION LAW»**

**Level of higher education** – the second (master's) level

**Degree of higher education** – master

**Field of knowledge** – 29 «International Relations»

**Speciality** – 293 «International Law»

**Discipline status** – compulsory

Kharkiv – 2022

**Syllabus of academic discipline «WORLD TRADE ORGANIZATION LAW»**  
for students of the second (master's) level of higher education in the field of  
knowledge 29 «International Relations» of the speciality 293 «International Law».  
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Approved at the meeting of the Department of Economic Law  
(Minutes No. 1 dated “30” June 2022)

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<b>Status of the academic discipline</b>	compulsory
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<b>Online consultations</b>	during distance learning, consultations are held using Moodle, Zoom, etc. platforms.

<b>Title of the academic discipline</b>	<b>«WORLD TRADE ORGANIZATION LAW»</b>
<b>Status of the academic discipline</b>	compulsory
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<b>Status of the academic discipline</b>	compulsory
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### *The academic discipline overview*

The essence of all key aspects of the emergence and functioning of the WTO in the context of the globalization of the world economy and the formation of the Global Legal System is revealed. The "package of documents" of the WTO is analyzed, and the description of the dispute resolution mechanism and of the monitoring process of the WTO member countries' trade policy is provided.

The academic discipline aims to provide students with a comprehensive system of knowledge about: international legal foundations of regulation of international trade in goods and services in the context of modern phenomena and trends; WTO legal system; the content of WTO agreements, which constitute the "package of WTO documents", and the degree of their application in the domestic legislation of WTO members, primarily in Ukraine; the state of the existing international trade legal order, shortcomings and problems of its development; doctrinal and normative approaches to the legal regulation of relations in the WTO system related to the conclusion, implementation and withdrawal from the "package" of WTO agreements; and to prepare students for independent innovative solutions to professional tasks, and in particular drafting appeals to the WTO.

#### ***Tasks:***

- formation of theoretical knowledge in the field of WTO law and understanding of its integral categories, namely, regarding the general provisions of agreements and relevant legal acts which regulate the international trade legal order;
- developing the skills of interpretation and application of WTO law, identification and legal substantiation of precedents and legislation in professional activity by legal speciality;
- acquisition by the students of the skills to clearly express and defend personal positions and decisions on a specific task on WTO law;

- development of the students' skills to carry out effective scientific research;
- formation of skills to use national and international sources of information when preparing for practical classes on WTO law;
- mastering the competencies formed during the study of the disciplines of general and professional training, and optional disciplines;
- development of professional worldview, completion of professional self-determination;
- acquisition of initial professional experience necessary for "soft" entry into the profession;
- mastering the testing tools and rules of its conduct.

***The place of the academic discipline in the structure of the educational and professional programme.***

***Interdisciplinary links***

***Prerequisites:*** "The European Union Law and its System", "Legal Regulation of the EU Internal Market", "Topical Issues of Scientific Research Methodology".

***Co-requisites:*** "International Contract Law", "European Private International Law".

***Post-requisites:*** "International Intellectual Property Law", "EU Corporate Law and Governance", "Notary and Notarial Actions of Consular Institutions", "Problems of Law Enforcement (professional and practical competences)".

***Expected learning outcomes***

*As a result of mastering the academic discipline, students are supposed to demonstrate the following learning outcomes:*

LO 1. Demonstrate knowledge of the key concepts, principles, theories and doctrines of WTO law, determine the place of WTO law in the system of modern public international law.

LO 2. Demonstrate knowledge of the main stages of the WTO law evolution, its main institutions, characterize the current state and directions of further development of international legal trade cooperation in the context of globalization.

LO 3. Demonstrate knowledge of the specifics of the subject, special

principles, and sources of WTO law, as well as its system and structure.

LO 4. Carry out a critical analysis of judicial and arbitration practice in cases related to the resolution of international trade disputes regarding the interpretation and peculiarities of the application of international legal rules in the relevant field.

LO 5. Determine the limits of legal personality of various participants in international trade relations; discuss the scope of competence of legal entities and their associations, non-governmental organizations in international trade legal relations.

LO 6. Identify problems of legal regulation within individual institutions of WTO law, propose ways to overcome them in accordance with the principles of international trade law, fundamental principles of international law, general principles of law, practice of international organizations and modern doctrinal developments on the relevant issues.

LO 7. Reveal the peculiarities of the international legal regulation of cooperation between states in the field of trade.

LO 8. Characterize the stages of the development, principles, main directions and institutional mechanisms of international legal cooperation in the field of ensuring trade security.

LO 9. Demonstrate knowledge of the main mechanisms, rules and procedures for resolving disputes in international trade law.

LO 10. Provide professional advice on the essence and methods of international legal protection of the rights and interests of WTO law subjects.

LO 11. Characterize the strategic directions of Ukraine's foreign policy activity in the trade sphere, the effectiveness of cooperation in the relevant directions.

LO 12. Analyze the legislation of Ukraine as to the compliance with the WTO law rules, formulate proposals for approximation of national legal acts to the relevant rules of WTO law.

## **Types of classes and individual work**

### **for full-time students**

<b>No.</b>	<b>In-class studies</b>		<b>Individual work (hours)</b>
	<b>Topic of the lecture</b>	<b>Topic of the practical class</b>	
1	Legal order in the international legal system	Legal order in the international legal system	10
2	Historical development of GATT	Historical development of GATT	10
3	The World Trade Organization as an international organization. Membership in the World Trade Organization. Ukraine and the WTO.	The World Trade Organization as an international organization. Membership in the World Trade Organization. Ukraine and the WTO.	10
4	Structure of WTO law	Structure of WTO law	10

5	Interpretation of WTO law	Interpretation of WTO law	
6	General Agreement on Tariffs and Trade	General Agreement on Tariffs and Trade	10
7	Multilateral agreements: on trade in goods, transit of goods across the border, production of goods and anti-dumping measures, trade in goods, agricultural aspect	Multilateral agreements: on trade in goods, transit of goods across the border, production of goods and anti-dumping measures, trade in goods, agricultural aspect	10
8	Legal regulation of trade-related aspects of intellectual property rights and trade in services within the framework of the WTO.	Legal regulation of trade-related aspects of intellectual property rights and trade in services within the framework of the WTO.	10
9	Trade policy monitoring mechanism and resolving disputes within the framework of the WTO	Trade policy monitoring mechanism and resolving disputes within the framework of the WTO	12

### **Types of classes and individual work for part-time students**

<b>No.</b>	<b>Topic of the lecture</b>	<b>Topic of the practical class</b>	<b>Individual work (hours)</b>
1	Historical development of GATT	Historical development of GATT	110
2	Multilateral agreements: on trade in goods, transit of goods across the border, production of goods and anti-dumping measures, trade in goods, agricultural aspect	Multilateral agreements: on trade in goods, transit of goods across the border, production of goods and anti-dumping measures, trade in goods, agricultural aspect	
3	Trade policy monitoring mechanism and resolving disputes within the framework of the WTO	-----	

### **Individual work of students**

Individual work is a type of extracurricular self-study activity aimed at studying the educational material included in the course programme. When performing individual work, students must independently process lecture notes, recommended literature, regulatory acts, materials of empirical research on the topics presented in practical classes.

Forms of individual work are: individual final written work; revision of lecture materials; work in information networks; writing scientific reports on highly

specialized issues; preparing thematic presentations; preparing and publication of scientific articles, theses, etc.; developing schemes, tables on the topics of primary discipline; writing annotations of scientific articles and monographs; analyses of draft laws and changes to legislation.

The students' independent work involves studying additional educational and scientific literature, dispute resolution procedures in the WTO; familiarization with the WTO regulations and the trade policy monitoring mechanism. Individual work is intended to deepen the students' knowledge of the topics covered by the academic discipline.

*Educational methodical and information support of the academic discipline*

*Normative and legal acts*

1. General Agreement on Tariffs and Trade (GATT) 1994. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_003#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_003#Text)
2. Agreement about agriculture. Official portal of the Verkhovna Rada of Ukraine. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_005#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_005#Text)
3. Agreement on the application of sanitary and phytosanitary measures. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_003#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_003#Text)
4. Agreement on technical barriers to trade. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_008#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_008#Text)
5. Agreement on trade-related investment measures. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_009#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_009#Text)
6. Agreement on the Application of Article VII of the General Agreement on Tariffs and Trade of 1994. Official portal of the Verkhovna Rada of Ukraine. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_011#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_011#Text)
7. Agreement on pre-shipment inspection. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_012#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_012#Text)
8. Agreement on rules of origin determination. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_012#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_012#Text)

9. Agreement on import licensing procedures. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_014#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_014#Text)

10. Agreement on subsidies and compensatory measures. Official portal of the Verkhovna Rada of Ukraine. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_010#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_010#Text)

11. Agreement on the Application of Article VI of the General Agreement on Tariffs and Trade of 1994. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_010#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_010#Text)

12. Agreement on protective measures. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_016#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_016#Text)

13. Protocol on Amendments to the Marrakesh Agreement Establishing the World Trade Organization. Agreement on simplification of trade procedures. URL: [https://zakon.rada.gov.ua/laws/show/981\\_053/paran2#n2](https://zakon.rada.gov.ua/laws/show/981_053/paran2#n2)

14. General agreement on trade in services. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_017#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_017#Text)

15. Agreement on trade aspects of intellectual property rights. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_018#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_018#Text)

16. Agreement on rules and procedures for dispute resolution. URL: [https://zakon.rada.gov.ua/laws/show/981\\_019#Text](https://zakon.rada.gov.ua/laws/show/981_019#Text)

17. Trade policy review mechanism. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_020#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_020#Text)

18. Agreement on trade in civil aircraft. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_051#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_051#Text)

19. Agreement on public procurement. URL: [https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981\\_050#Text](https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=981_050#Text)

20. On measures related to Ukraine's accession to the World Trade Organization: Decree of the President of Ukraine dated 17.06.2008 № 557/2008. URL: <https://zakon.rada.gov.ua/laws/show/557/2008#Text>

21. On the delegation of Ukraine to participate in negotiations within the framework of the World Trade Organization: Decree of the President of Ukraine

dated October 10, 2018 № 308/2018. URL:  
<https://zakon.rada.gov.ua/laws/show/308/2018?lang=ru#Text>

22. On the approval of the plan of measures for the adaptation of the Ukrainian economy to the requirements of the WTO: order of the Cabinet of Ministers of Ukraine dated October 30, 2008 № 1381-p. URL:  
<https://zakon.rada.gov.ua/laws/show/1381-2008-%D1%80#Text>

23. On the approval of the plan of priority measures regarding the fulfillment of Ukraine's obligations within the framework of membership in the WTO: order of the Cabinet of Ministers of Ukraine dated 12.17.2008№ 1570-p». URL:  
<https://zakon.rada.gov.ua/laws/show/1570-2008-%D1%80#Text>

#### *Basic literature*

1. Van den Boshe P., Beketov S. Vstup do prava Svitovoi orhanizatsii torhivli. Kyiv: In Yure. 2011. 100 s.
2. Krupchana O.D., Bilousova Yu. V. Komentar zakonodavstva pro Svitovu orhanizatsiiu torhivli. Kyiv : Profesional, 2011. 488 s.
3. Martynov A. Yu. Svitova orhanizatsiia torhivli. Entsyklopediia istorii Ukrainy : u 10 t. Kyiv : Nauk. dumka, 2012. T. 9. 478 s.
4. Osyka S. H., Bakalinska O. O., Piatnytskyi V. T. Pravo Svitovoi orhanizatsii torhivli – stryzen mizhnarodnoho torhovelno-ekonomichnoho prava : navch. posibnyk : u 3-kh t. Kyiv. Kyiv. nats. torh.-ekon. un-t. 2019. 596 s.
5. Osyka S. H., Piatnytskyi V.T. Svitova orhanizatsiia torhivli. Kyiv : «K.I.S.», 2005. 514 s.
6. Ostapenko Yu. I. Mekhanizm rozghliadu sporiv u ramkakh SOT. Yurydychnyi naukovyi elektronnyi zhurnal. 2022. №10. URL:  
[http://lsej.org.ua/11\\_2022/71.pdf](http://lsej.org.ua/11_2022/71.pdf).
7. Ostapenko Yu. I. Pravo SOT. Pravo. Kharkiv, 2021. 192 s.
8. Chybisov D. M. Protsedura vyrishennia sporiv v ramkakh Svitovoi orhanizatsii torhivli: teoriia i praktyka. Odesa, 2011. Vyp. 42. 352 s.

9. Shvaika L.A. Derzhavne rehuliuвання ekonomiky: pidruchnyk. Kyiv : Znannia, 2008. 462 s.

*Additional literature*

1. Bezverkha I. A. Kliuchovi instrumenty komertsiiinoi dyplamatii v ramkakh Formuvannia rynkovoï ekonomiky. 2011. № 26. S. 14–24.

2. Buhrii M. H., Us I. V. Uchast Ukrainy v SOT: heoekonomichnyi pohliad na zdobutky ta perspektyvy. Stratehichni priorytety. 2011. № 2 (19). S. 91–97.

3. Halushka 3. I., Pochenchuk H. M., Boida S. V., Zavolichna T. R., Storoshchuk B. D., Kuzmuk I. Ya. Ekonomika: praktykum z ekonomichnoi teorii, istorii ekonomiky ta ekonomichnoi dumky, mikro- ta makroekonomiky. Za red. 3. I. Halushky, H. M. Pochenchuk. Chernivtsi: Chernivets. nats. un-t. Yu. Fedkovycha. 2022. 368 s.

4. Karpinska N. Pryntsyp naukovoho obgruntuvannia v razi zastosuvannia sanitarnykh i fitosanitarnykh zakhodiv: vymohy SOT ta YeS. Pidpriemnytstvo, gospodarstvo i pravo. 2021. No 1. S. 100-107. URL: <http://pgp-journal.kiev.ua/archive/2021/1/18.pdf>.

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7. Komarnytskyi D. S. Orhanizatsiino-pravovi zasady spivrobotnytstva Ukrainy ta Svitovoi orhanizatsii torhivli u sferi eksportnoi diialnosti. Yurydychnyi biuleten. 2019. № 11. Ch. 1. S. 167–173.

8. Kryvenko N. V. Mizhnarodna ekonomichna intehtratsiia ta SOT. Visnyk Khmelnytskoho natsionalnoho universytetu. 2018. № 2. S. 43–54.

9. Kupchenia L. I. Onovlennia prava SOT ta zabezpechennia prava na mizhnarodnyi poriadok: suchasnyi dyskus. Elektronne naukove vydannia «Analitychno-porivnialne pravoznavstvo». 2022. S. 339-343. URL: <http://app-journal.in.ua/wp-content/uploads/2022/07/65.pdf>.

10. Modernizatsiia Svitovoï orhanizatsiï torhivli pid vplyvom hlobalnykh vyklykiv : analit. dop. / [I. Veremiŷ, N. Havrylenko, I. Us, H. Shyrokyŷ]; za zah. red. M. Palamarchuka, R. Yuldasheva. Nauk. elektron. vyd. Kyïv: NISD, 2022. 51 s. URL: <https://doi.org/10.53679/NISS-analytrep.2022.14>.

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12. Rezultaty Uruhvaiskoho raundu bahatostoronnykh torhovelnykh perehovoriv: Teksty ofitsiinykh dokumentiv. Kyïv : Vymir, 1998. 520 c.

13. Skrynka D.V. Instytutsiina struktura ta efektyvnist funktsionuvannia Svitovoi Orhanizatsii Torhivli. Aktualni problemy polityky. 2012. № 46. S. 82–89.

14. Stoliarchuk Ya. M. Rol SOT u hlobalnii universalizatsii pravovykh norm zakhystu intelektualnoi vlasnosti. Ekonomika i suspilstvo. 2017. №1. S. 29–33.

15. Tananaiko T. S. Problemy ta mekhanizmy efektyvnosti funktsionuvannia SOT. DVNZ «Kyivskiy natsionalnyi ekonomichnyi universytet imeni Vadyma Hetmana». 2018. S. 112–128.

16. Us I. V. Vplyv ekonomichnykh superechnosti mizh krainamy – uchasnytsiamy SOT na instytutsiinyi rozvytok tsiiei orhanizatsii. Aktualni problemy ekonomiky. 2007. № 7 (73). S. 16–25.

17. Us I. V. Instytutsiini bariery na shliakhu Ukrainy do SOT. Aktualni problemy ekonomiky. 2006. № 9 (63). S. 146-151.

18. Us I. V. Osnovni problemni pytannia Dokha-raundu SOT. Aktualni problemy ekonomiky. 2008. № 6 (84). C. 51–63.

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20. Us I. V. Perspektyvy rozshyrennia sfer diialnosti SOT. Aktualni problemy ekonomiky. 2007. № 8 (74). S. 64–71.

21. Us I. V. Polityko-ekonomichni bariery na shliakhu pryiednannia do SOT krain Zbirnyk naukovykh prats. Kyiv : In-t svit. ekonomiky i mizhnar. vidnosyn NAN Ukrainy, 2006. Vyp. 51. S. 74–88.

22. Us I. V. Torhovelna polityka krain ta yii rol v podolanni hlobalnoi prodovolchoi kryzy. Stratehiia rozvytku Ukrainy (ekonomika, sotsioloheia, pravo). 2011. № 1. S. 189–192.

23. Olia Kanevskaia, WTO Rules for Trade with Disputed Territories, *Journal of International Economic Law*, 2023,, jgad015, <https://doi.org/10.1093/jiel/jgad015>.

#### ***Internet resources:***

*Official web portal of the Verkhovna Rada of Ukraine. URL: <http://rada.gov.ua/>*

*Official web portal of the President of Ukraine. URL: <http://www.president.gov.ua>*

*Official web portal of the Cabinet of Ministers of Ukraine. URL:*

<http://www.kmu.gov.ua>

*Official web portal of the Supreme Court of Ukraine. URL:*

[https://supreme.court.gov.ua/supreme/gromadyanam/perelik\\_sprav/](https://supreme.court.gov.ua/supreme/gromadyanam/perelik_sprav/)

*Official web portal of the Constitutional Court of Ukraine. URL:*

<https://ccu.gov.ua/>

*Official web portal of the Ministry of Justice of Ukraine . URL:*

<https://minjust.gov.ua/>

#### ***SEEMC***

*Standardized electronic educational and methodical complex of Department of Economic Law. URL: <https://library.nlu.edu.ua/senmk/item/2361-denna-forma-navchannya-2361.html>*

#### **Lecturer's requirements**

Students *must*: regularly attend lectures and practical classes; systematically and actively work during classes; convincingly present arguments when solving tasks; thoroughly complete written assignments, tests and individual work, etc.

Practical classes missed for a valid reason can be made up by prior agreement with the lecturer.

Students are *recommended to*: participate in scientific conferences, competitions of scientific works, and in the work of the student scientific group at the Department; prepare theses of scientific reports, etc.

Compliance with the norms of the "Code of Academic Ethics of Yaroslav Mudryi National Law University" ([http://nauka.nlu.edu.ua/wp-content/uploads/2020/08/kodeks\\_academichnoyi\\_etyky.pdf](http://nauka.nlu.edu.ua/wp-content/uploads/2020/08/kodeks_academichnoyi_etyky.pdf)) is a mandatory requirement.

During classes, students are allowed to use gadgets only for educational purposes (for example, to view lecture presentations); laptops and tablets are permitted to keep notes of lectures and track the necessary information.

### **Control measures**

The assessment of the results of studying the academic discipline "World Trade Organization Law" involves current control and final control and is based on the cumulative scoring and rating system.

Current control of students' knowledge includes:

- quality control of students' mastering the academic discipline programme material at the practical classes using the following tools: oral, written or express questioning, practical tasks or problems solving, participation in a case development, preparation and defense of an essay on the topic chosen by a student. The purpose of the current control is to determine the level of students' training. During the seminars, a student can get a grade on a five-point scale (0, 3, 4, 5);

- quality control of students' mastering the academic discipline programme material is conducted at the end of the modules in the form of a colloquium.

During the semester, students perform tasks for individual work (preparation of a presentation, essay, report, etc.). The maximum number of points for individual work is 20 points.

The form of final control of students' knowledge of the academic discipline is a credit test. The minimum number of points to receive a credit is 60 points.

### Scale of final pedagogical control

ECTS grade	Description	National Scale grade	Estimation on a 100-point scale used in NLU
<b>A</b>	<b>Excellent</b> - excellent performance, with only a few mistakes	Pass	90 – 100
<b>B</b>	<b>Very good</b> - above average level of work with some mistakes		80 – 89
<b>C</b>	<b>Good</b> - generally correct work with some insignificant mistakes		75 – 79
<b>D</b>	<b>Satisfactory</b> - not bad, but with many mistakes		70 – 74
<b>E</b>	<b>Sufficient</b> - the performance satisfies the minimum criteria		60 – 69
<b>FX</b>	<b>Unsatisfactory</b> - requires some work before re-examination	Fail	35 – 59
<b>F</b>	<b>Unsatisfactory</b> – requires serious further work with compulsory re-study course		0 – 34