

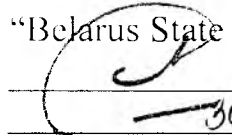
EDUCATIONAL INSTITUTION “BELARUS STATE ECONOMIC  
UNIVERSITY”

APPROVED BY

Rector of Educational Institution

“Belarus State Economic University”

A.V. Egorov

  
30 06 2025

Registration № 6724-25

**TRADE NEGOTIATIONS AND DISPUTE SETTLEMENT**

The Curriculum of the Educational Institution of Higher education in the academic  
discipline for the specialty: **7-06-0421-01 «Jurisprudence»**

The Curriculum is based on the educational standard of advanced Higher education OSVO 7-06– 0421-01-2023 "Jurisprudence" (Specialization "Legal support of economic activity"), and the curriculum for the specialty 7-06– 0421-01 "Jurisprudence"

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RECOMMENDED FOR APPROVAL:

Department of Civil law disciplines of the Educational Institution "Belarus State Economic University "

(Protocol N. 12 of 28 May 2025)

Methodological Commission on the specialties "Jurisprudence", of the educational institution "Belarus State Economic University "

(Protocol N. 10 of 05.06 2025);

Scientific and methodological council of the Educational Institution "Belarus State Economic University"

(Protocol N. 6 of 25.06 2025)

## EXPLANATORY NOTE

### **The purpose and objectives of the academic discipline "Trade Negotiations and Dispute Settlement"**

The purpose of studying the discipline "Trade negotiations and settlement of trade disputes" is to acquire students systematic knowledge of theoretical and practical problems, knowledge of international trade negotiations and the legal mechanism for resolving trade disputes between states; the ability to identify trends in the development of legal regulation in the field of international trade negotiations and the legal mechanism for resolving trade disputes between states; mastering the method of comparative law; acquisition of the skills of scientific, pedagogical and research work in this field.

To achieve this goal, the following tasks are expected to be solved:

- to gain theoretical knowledge about problems in the field of international trade negotiations;
- To deepen knowledge about the norms of international law governing the settlement of international trade disputes;
- develop skills in analyzing and evaluating international legal acts and legal acts regulating the settlement of international trade disputes in the WTO;
- develop skills in applying the acquired theoretical knowledge in the field of trade negotiations and settlement of international trade disputes to practical legal situations;
- develop the ability to conduct a comprehensive analysis and generalization of practice in the settlement of international trade disputes and the ability to use relevant results in professional activities.

**The place of academic discipline in the specialist training system, links with other academic disciplines, including academic disciplines of a component of an institution of higher education, specialization disciplines, etc.**

The program is based on interdisciplinary connections with the academic disciplines "Civil Procedure", "Implementation of international treaties in the national legal system", "Private international law", "Public International Law".

Competence requirements

Requirements for mastering the academic discipline

Mastering the academic discipline "Trade negotiations and settlement of trade disputes" should ensure the formation of:

**Universal competence:**

- to form the social qualities necessary for conscious participation in the socio-political life of the country;
- possess the qualities of citizenship and patriotism;

- analyze the socio-political situation in the country and the world; determine the socio-political significance of historical events.

Because of studying the academic discipline "Trade negotiations and settlement of trade disputes", the following competence is formed:

**Specialized competence:**

to use knowledge and understanding of the specifics of international trade negotiations and the legal mechanism for the settlement of trade disputes between states

SK-6. Be able to apply modern knowledge of trade dispute settlement issues in the course of research and scientific and practical activities

As a result of studying the discipline,

***To know:***

- Concepts in the field of trade negotiations and settlement of trade disputes principles underlying the resolution of international trade disputes in the WTO;
- The main theoretical and practical problems in the field of settlement of international trade disputes in the WTO when appealing against recommendations made on an international trade dispute;
- The legal status of foreign States in the settlement of international trade disputes in the WTO;
- The mechanism of settlement of international trade disputes, functions, tasks and main features of the WTO dispute settlement system;
- The system of WTO bodies involved in the dispute settlement process;
- The specifics of the stages of settlement of trade disputes within the WTO;
- The procedure for the implementation of recommendations made on the international trade dispute recommendations.

***Be able to:***

- To disclose the essence of the categories used in the field of trade negotiations and settlement of international trade disputes;
- Independently study and analyze the sources of trade negotiations and the resolution of international trade disputes, as well as the practice of their application;
- Legally competent and reasoned drafting of documents that are necessary in the process of settling international trade disputes;
- Provide qualified advice on the settlement of international trade disputes.

***Own:***

Terminology in the field of trade negotiations and international trade dispute resolution;

Skills in researching materials on the WTO trade dispute;

Systematic and comparative analysis of approaches used in the settlement of international trade disputes.

As part of the educational process in this academic discipline, a master's student must acquire not only theoretical and practical knowledge, skills and abilities in his specialty, but also develop his value–personal, spiritual potential, form the qualities of a patriot and a citizen who is ready to actively participate in the economic, industrial, socio-cultural and social life of the country.

The discipline "Trade negotiations and Trade Dispute resolution" belongs to the module "Innovative approaches in trade dispute resolution".

To study the academic discipline "Trade negotiations and settlement of trade disputes", it is necessary to master the disciplines "Implementation of international treaties in the national legal system", "Institutional law of the Union State, the EAEU and the CIS", "Private International Law.

The form of education is full–time.

In accordance with the university's curriculum, the study of academic discipline is allocated:

The study of the discipline "Trade negotiations and settlement of trade disputes" is carried out during the first semester. The total number of hours devoted to the study of the discipline: 90 hours, including 38 classroom hours, of which lectures – 18 hours, seminars – 20 hours.

The complexity of the academic discipline is 3 credits.  
The form of the current academic discipline certification is an exam.

## **COURSE CONTENT**

### **Topic 1. Main provisions on trade negotiations and dispute settlement.**

Historical development of the WTO dispute settlement system. The GATT system of 1947 and its evolution. Articles XXII and XXIII of GATT and their practice. Agreement on Notifications, Consultations, Settlement of Disputes and Observations adopted at the result of the Tokyo Round of Negotiations of the GATT States Parties. Shortcomings of the GATT dispute settlement system. Settlement of disputes in the Tokyo Round. Major developments in the Uruguay Round: Dispute Settlement Understanding.

### **Topic 2. Functions, tasks and main features of the WTO dispute settlement system**

Participants in the dispute settlement system. Legal status of parties and third parties. Legal status of non-governmental organizations. Substantive scope of the dispute settlement system (the “covered agreements”, single set of rules and procedures).

Main area of application of the dispute settlement system: within the framework of agreements; non-agreement dispute settlement. Developing member countries and the dispute settlement system

### **Topic 3. System of WTO bodies involved in the dispute settlement process**

The Dispute Settlement Body (DSB), its functions and composition, decision-making. Role of Chairman of Dispute Resolution Body, Director-General and WTO Secretariats. Panel, functions and composition, administrative support and legal support. Appellate body, tasks and main provisions of activities, composition and structure. Arbitrators. Experts. Article 11.2 of the Agreement on the Application of Sanitary and Phytosanitary Measures; Articles 14.2, 14.3 and Protocol 2 of the Agreement on Technical Barriers to Trade; Articles 19.3, 19.4 and Protocol 2 of the Agreement for the Implementation of Article VII of GATT 1994; Articles 4.5 and 24.3 of the Agreement on Subsidies and Countervailing Measures. Code of conduct, structure and guidelines

### **Topic 4. Legal basis of the dispute**

Legal provisions of multilateral trade agreements and the Dispute Settlement Understanding. Different types of disputes under Article XXIII GATT 1994. Complaint of violation. Types of complaints under GATT 1994. Types of disputes under multilateral Agreements on trade in goods. Types of disputes under GATTs. Types of disputes according to TRIPS. Dispute resolution under articles I to XVI of the WTO Agreement and the Dispute Settlement Understanding

### **Topic 5. Stages dispute settlement within WTO**

Consultations, purpose of consultations, legal basis, procedure. Penal, establishment, powers, composition, functions Procedure applied in the case of complaints by several parties. Third parties. Right to request information. Preliminary review stage. Discussion of the arguments made at the preliminary consideration stage. Timing and adoption of the reports of the panels. Appeal procedure. Time frame for filing an appeal. Right to appeal. Third parties in appeal procedure. Subject of appeal. Composition of the Appellate Body. Appeal procedure. Adoption of the Report of the Appellate Body. Conclusions and recommendations of the Appellate Body. Adoption by DSB of the report of the Appellate Body. Special procedures relating to least developed member countries.

**Topic 6. Conducting trade negotiations and settling trade disputes without recourse to an Panel or an Appeals body**

The legal force of the recommendations and decisions of the panel, the appellate body, the dispute resolution body. Obligations in the context of a "regional or local" violation. The legal status of accepted/not accepted reports on other disputes. Mutually agreed solutions. Bilateral consultations. Good offices, conciliation and mediation.

**Topic 7. States' implementation of the recommendations of the dispute settlement body of the world trade organization.**

Arbitration in accordance with Art. 25 Dispute Settlement Understanding. Developing countries and the regulation of trade disputes - theory and practice. Special and differential treatment in consultations. Procedure pursuant to the Decision of 5 April 1966. Developing countries and dispute management. Legal aid.

**THE DISCIPLINE-DESIGNED THEMATIC CURRICULUM**  
**Full-Time Mode of the In-depth Higher Education**  
**TRADE NEGOTIATIONS AND DISPUTE SETTLEMENT**

No. of Unit, Topics	Title of Unit, Topic	The number of study hours							References	Knowledge control
		Lectures	Practical classes	Seminars	Lab classes	The number of hours for the independent study **				
						Lectures	Seminars	Lab classes		
1	2	3	4	5	6	7	8	9	11	12
1 term										
Topic 1	Main provisions on trade negotiations and dispute settlement	4							[1], [7], [8], [9], [16]	An express survey. Detailed review of topics, certain issues, concepts
	Main provisions on trade negotiations and dispute settlement			2					1], [7], [8], [9], [16]	A survey, an abstract in the form of a presentation. Preparation for the interim assessment
Topic 2	Functions, tasks and main features of the WTO dispute settlement system	2							[1], [7], [10]	An express survey. Preparation for revision tasks
	Functions, tasks and main features of the WTO			2					[1], [7], [10]	A survey at a seminar



	dispute settlement system									session, test. Preparation for the interim assessment
Topic 3	System of WTO bodies involved in the dispute settlement process	2							[13], [16]	An express survey. Preparation for the seminar session, including preparation of thematic reports
	System of WTO bodies involved in the dispute settlement process			4					[13], [16]	Seminar session survey, report, revision task. Preparation for the interim assessment
Topic 4	Legal basis of the dispute	2							[6], [11]	An express survey. Preparation for the seminar, including preparation of research papers, essays
	Legal basis of the dispute			2					[6], [11]	Quiz, an abstract (essay). Preparation for the interim assessment
Topic 5	Stages dispute settlement within WTO	4							[1], [8], [16]	An express survey. Working with educational, reference, analytical and other literature and materials
	Stages dispute settlement within WTO			4					[[1], [8], [16]	A survey at a seminar session, a test. Preparation for the interim assessment

Topic 6	Conducting trade negotiations and settling trade disputes without recourse to an Panel or an Appeals body	2							[1], [4], [5], [12]	An express survey. Preparation for the seminar session, including preparation of presentations
	Conducting trade negotiations and settling trade disputes without recourse to an Panel or an Appeals body			4					[1], [4], [5], [12]	A survey at a seminar session. Presentation of the court case. Preparation for the interim assessment
Topic 7	States' implementation of the recommendations of the dispute settlement body of the world trade organization									
	States' implementation of the recommendations of the dispute settlement body of the world trade organization	2								
<b>Total 1<sup>th</sup> term</b>		<b>18</b>		<b>20</b>						
<b>Total</b>		<b>18</b>		<b>20</b>						

## INFORMATION AND METHODOLOGICAL PART

### THE LIST OF BASIC LITERATURE

#### Литература

##### Основная:

1. Соглашение о создании ВТО [Электронный ресурс]. – Режим доступа: [https://docs.wto.org/gtd/WTOLegaltexts/Legal\\_texts\\_e.pdf](https://docs.wto.org/gtd/WTOLegaltexts/Legal_texts_e.pdf) – Дата доступа: 15.05.2025.

##### Дополнительная

2. Соглашение по связанным с торговлей инвестиционным мерам (Agreement on Trade-Related Investment Measures) (**ТРИМС**/TRIMs) (Заключено в г. Марракеше 15.04.1994, Marrakesh, 15.IV.1994) // [Электронный ресурс]. – Режим доступа: [https://docs.wto.org/gtd/WTOLegaltexts/Legal\\_texts\\_e.pdf](https://docs.wto.org/gtd/WTOLegaltexts/Legal_texts_e.pdf) – Дата доступа: 15.05.2025.
3. Генеральное соглашение по торговле услугами (General Agreement on Trade in Services) (Заключено в г. Марракеше 15.04.1994 (Marrakesh, 15.IV.1994) (**ГАТС**/GATS) // [Электронный ресурс]. – Режим доступа: [https://docs.wto.org/gtd/WTOLegaltexts/Legal\\_texts\\_e.pdf](https://docs.wto.org/gtd/WTOLegaltexts/Legal_texts_e.pdf) – Дата доступа: 15.05.2025.
4. Соглашение по торговым аспектам прав интеллектуальной собственности (Agreement on Trade-Related Aspects of Intellectual Property Rights) (Заключено в г. Марракеше 15.04.1994 Marrakesh, 15.IV.1994) (**ТРИПС**/TRIPS) // [Электронный ресурс]. – Режим доступа: [https://docs.wto.org/gtd/WTOLegaltexts/Legal\\_texts\\_e.pdf](https://docs.wto.org/gtd/WTOLegaltexts/Legal_texts_e.pdf) – Дата доступа: 15.05.2025.
5. Договоренность о правилах и процедурах, регулирующих разрешение споров" (ДРС/DSU) // [Электронный ресурс]. – [Электронный ресурс]. – Режим доступа: Режим доступа: [www.consultant.ru/document/cons\\_doc\\_INT\\_23213](http://www.consultant.ru/document/cons_doc_INT_23213) – Дата доступа: 15.05.2021
6. Modeling Economic Growth in Contemporary Belarus / ed. by Bruno S. Sergi. - Bingley : Emerald Publishing, 2020. - XLIV, 347 p. : il. - (Entrepreneurship and Global Economic Growth ; vol. 1).
7. Артёмчик, В.В. Основы идеологии белорусского государства : методические рекомендации к практическим занятиям для студентов всех специальностей дневной и заочной форм обучения / В. В. Артёмчик ; Межгосударственное образовательное учреждение высшего образования «Белорусско-Российский университет». – Могилев : Белорусско-Российский университет, 2019. – 44 с.
8. Белорусский путь развития (вопросы и ответы) : справочник / М. Г. Жилинский [и др.]. – Минск : Академия управления при Президенте Республики Беларусь, 2017. – 184 с.
9. Мельник, В. А. Основы идеологии белорусского государства : учебник / В. А. Мельник – Минск : «Вышэйшая школа», 2017. – 65 с.
10. Баталов, А.А. Особенности международно-правового регулирования воздушных сообщений и правила ВТО А.А. Баталов // Российский

- юридический журнал. 2023. N 6. С. 36 - 52.
11. Романова, Е.Е. Понятие "право ВТО": соотношение с международным правом А.А. Романова // Актуальные проблемы российского права. 2022. № 4. С. 115 - 124.
  12. Lichtenstein, P. M. Theories of International Economics / P. M. Lichtenstein. - London ; New York : Routledge, 2016. - 318 p.
  13. Trade Cooperation. The Purpose, Design and Effects of Preferential Trade Agreements. World Trade Forum / edited by A. Dur, M. Elsig. - Cambridge : Cambridge University Press , 2015. - 598 p.
  14. Cohn, T. H. Global Political Economy. Theory and Practice / T. H. Cohn. - Seventh Edition. - London ; New York : Routledge, 2016. - 426 p.
  15. Economic Development in Africa Report, 2019 : Made in Africa - Rules of Origin for Enhanced Intra-African Trade / United Nations Conference on Trade and Development. - Geneva : United Nations, 2019. - XVIII, 217 p. : il.
  16. Hill, Ch. W. International Business. Competing in the Global Marketplace / Hill Ch.W., G. T. Hult. - 12 ed. - New York : McGraw-Hill Education, 2019. - XXXII, 667 p. : il.

**Интернет-источники:**

1. [www.wto.org/english/](http://www.wto.org/english/) сайт ВТО
2. [president.gov.by](http://president.gov.by) – официальный сайт Президента Республики Беларусь.
3. [government.gov.by](http://government.gov.by) – Совет Министров Республики Беларусь.

## **Topics for abstracts**

1. Multilateral trade negotiations in the WTO (historical aspect)
2. Structure of the WTO
3. Results of the Uruguay Round (1994)
4. Principles WTO
5. Historic development of the WTO dispute settlement system
6. Consequences of the joining the WTO of the People's Republic of China
7. Participants in the dispute settlement system (parties and third parties, no non-governmental actors)
8. Legal scope of the dispute settlement system in WTO
9. Additional legal basis in dispute settlement in WTO
10. Covered Agreements in WTO
11. Developing country Members in the dispute settlement system WTO
12. The Dispute Settlement Body (DSB)
13. Director-General of the WTO: functions concerning dispute settlement system
14. WTO Secretariat: functions concerning dispute settlement system
15. Panels in the dispute settlement system WTO
16. Panel Procedures in WTO
17. Appellate Body Procedures in WTO
18. Appellate Body in the dispute settlement system WTO
19. Arbitration in WTO
20. Expert Review Groups in WTO
21. Types of complaints in DSB in the dispute settlement system WTO
22. Good Offices, Conciliation and Mediation in WTO
23. Consultations in dispute settlement system WTO
24. Interpretation of the Appellate Body in the WTO
25. Compensation and the Suspension of Concessions in dispute settlement 'WTO
26. Adoption of the reports of Panel and Appellate body in WTO
27. Issues decided by the arbitrator within dispute settlement in the WTO
28. Application of temporary measures in case of non-compliance with the decision of Dispute Settlement Body
29. Crisis of the dispute resolution mechanism of the WTO

### 30. Surveillance of Implementation of Recommendations and Rulings of Panel and Appellate body

## QUESTIONS FOR THE EXAM

### TRADE NEGOTIATIONS AND DISPUTE SETTLEMENT

1. Rounds of WTO trade negotiations and their results (general characteristic)
2. Historical development of the WTO dispute settlement system.
3. The dispute settlement in GATT of 1947 and its evolution.
4. Differences between dispute settlement system in GATT 1947 and in WTO
5. Outcome of the Uruguay Round of Negotiations of the World Trade Organization.
6. Functions of WTO
7. WTO structure
8. Article XXII of GATT.
9. Article XXIII of GATT.
10. "Covered agreements" in the WTO
11. Principles WTO
12. Principle of most-favored-nation (MFN)
13. Legal basis for the settlement of dispute in WTO
14. Principle of national treatment
15. Principle non-quantitative restriction WTO
16. Adjudicative and non-adjudicative opportunities for dispute settlement within WTO
17. Understanding on Rules and Procedures Governing the Settlement of Disputes (general characteristic)
18. The competence of Director-General of WTO in relation to dispute settlement
19. Participants of the dispute settlement system of the World Trade Organization.
20. Legal status of parties in the dispute settlement in WTO.
21. Legal status of third parties in the dispute settlement in WTO
22. Substantive scope of the dispute settlement system.
23. Developing member countries in the dispute settlement system WTO
24. Negative consensus in the dispute settlement system WTO.
25. Different types of disputes under Article XXIII GATT 1994.
26. Types of complaints in WTO.
27. Violation complaints in the dispute settlement system WTO
28. Non-violation complaints in the dispute settlement system WTO
29. The Dispute Settlement Body (DSB), its functions
30. Role of the Chairman of Dispute Settlement Body
31. Role of WTO Secretariats in dispute settlement mechanism in WTO.
32. Panel and its functions

33. Competence of Panel
34. Composition of the Panel
35. Appellate body, its functions and tasks
36. Composition of the Appellate Body.
37. Competence of the Appellate Body.
38. Working Procedures for Appellate Body
39. Arbitrators in dispute settlement mechanism in WTO.
40. Experts in dispute settlement mechanism in WTO.
41. Agreements covered by the Understanding on rules and procedures governing the settlement of disputes
42. Stages of dispute settlement in WTO
43. Consultations: purpose, legal basis.
44. Consultations procedure in the dispute settlement mechanism WTO.
45. The request for the establishment of the Panel in dispute settlement mechanism in WTO
46. Working Procedures in the consideration of disputes by Panel
47. Interim Review Stage in the consideration of disputes by Panel
48. Adoption of the reports of the Panel.
49. Right to appeal in the dispute settlement mechanism in WTO.
50. Third parties in Appeal Procedure.
51. Appeal procedure in the dispute settlement mechanism in WTO.
52. Conclusions and recommendations of the Appellate Body.
53. Adoption by DSB of the report of the Appellate Body.
54. The problem of the activities of the Appellate Body at the present time.
55. Good offices within the dispute settlement mechanism WTO.
56. Conciliation and mediation within the dispute settlement mechanism WTO.
57. Implementation of the recommendations and rulings of the DSB
58. Disputes which can arise in course of Implementation of the recommendations and rulings of the DSB
59. The notion of reasonable period of time for implementation of the recommendations and rulings of the DSB
60. Arbitration in WTO.
61. Compensation at the implementation of the recommendations and rulings of the DSB
62. The suspension of concessions at the implementation of the recommendations and rulings of the DSB

## **Organization of independent work of Students**

Independent work of undergraduates is an important stage for obtaining competencies in an academic discipline.

52 hours are allocated for the independent work of a full-time student.

The content of students' independent work includes all the topics of the discipline from the section "Content of educational material".

When studying an academic discipline, the following forms of independent work are used:

- initial detailed familiarization with the curriculum of the discipline;
- familiarization with the list of recommended literature on the discipline as a whole and its sections, its availability in the library and other available sources; study of the necessary literature on the topic, selection of additional literature;
- the study and expansion of the lecturer's lecture material through special literature, consultations;
- preparation for seminars according to specially developed plans with the study of basic and additional literature;
- preparation for performing diagnostic forms of control (abstract, oral surveys, essays, etc.);
- preparation for passing the intermediate certification.

## **Quality control of knowledge acquisition**

Diagnostics of the quality of knowledge acquisition is carried out as part of ongoing monitoring and interim certification.

Current control activities are carried out during the semester and include the following forms of control:

Control work;  
Test tasks;  
Express survey in the classroom;  
Survey;  
Report;  
Study assignment;  
Self-monitoring questions;  
Problem solving;  
other forms

The current academic assessment is conducted three times a semester.

The results of the current assessment for the semester, obtained during the activities of the current assessment, are evaluated with a mark in points on a ten-



point scale and are reflected in the statement of the current assessment of the academic discipline.

Requirements for the student during the intermediate certification.

Students are allowed to take an intermediate certification in an academic discipline on condition of successful completion of the current certification (implementation of ongoing control measures) in the academic discipline provided for in the current semester by this curriculum.

The intermediate certification is conducted in the form of an exam.

### **The methodology of forming marks for academic discipline**

In accordance with the Regulations on the rating system for assessing knowledge, skills and abilities of BSEU students

**ПРОТОКОЛ СОГЛАСОВАНИЯ УЧЕБНОЙ ПРОГРАММЫ  
С ДРУГИМИ ДИСЦИПЛИНАМИ СПЕЦИАЛЬНОСТИ**

Название дисциплины, с которой требуется согласование	Название кафедры	Предложения об изменениях в содержании учебной программы по изучаемой учебной дисциплине	Решение, принятое кафедрой разработавшей учебную программу (с указанием даты и номера протокола)
Международное публичное право  Международное частное право	Международного экономического права	Не имеется	

**ДОПОЛНЕНИЯ И ИЗМЕНЕНИЯ К УЧЕБНОЙ ПРОГРАММЕ ПО  
ИЗУЧАЕМОЙ УЧЕБНОЙ ДИСЦИПЛИНЕ**

на \_\_\_\_/\_\_\_\_ учебный год

№ п/п	Дополнения и изменения	Основание

Учебная программа пересмотрена и одобрена на заседании кафедры  
\_\_\_\_\_ (протокол № \_\_\_\_ от \_\_\_\_\_ 202\_\_ г.)

Заведующий кафедрой

\_\_\_\_\_

УТВЕРЖДАЮ

Декан факультета

\_\_\_\_\_