



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

A. M. E. C. E. A MAIN EXAMINATION

AUGUST – DECEMBER 2018 TRIMESTER

FACULTY OF LAW

REGULAR PROGRAMME

CLS 405: INTERNATIONAL ECONOMIC LAW

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Date: DECEMBER 2018

Duration: 2 Hours

INSTRUCTIONS: Answer Question ONE and ANY OTHER TWO Questions

- Q1. a) The narrow and the broad sense in the interpretation of International Economic Law derives its meaning in the specific important aspects of International Economy (Monetary and Trade Law). Different scholars and philosophers have outlined and contributed philosophically or otherwise, position that led to the development of International Economic Law. Discuss **(20marks)**
- b) With the use of the relevant provisions of the law, critically analyze the different sources of International Economic Law. **(10marks)**
- Q2. a) Bilateral Economic treaties are designed to safeguard and promote international trading and investments in ensuring international rights and obligations of member countries are respected. To what extent can these treaties achieve their purpose in developing economies. **(14marks)**
- b) What is the role of the law in regulating International economic transactions while focusing on policy and legal issues. **(6marks)**
- Q3. Settlement of investment disputes has always taken the center stage in the negotiation of agreements and treaties among other key factors. The Interpretation and implementation of the WTO agreements through discussions, negotiations and dispute resolution under the new dispute settlement mechanisms has contributed to the 'Juridicalization' of the framework for regulating International economic trading and investment. **(20 marks)**

Q4. International Economic Law has its history that dates back to the 17th and the 18th Century as outlined by the scholarly contribution of Adam Smith. Different theories have been posited to affirm economic trade across borders. On the other hand, the realization of GATT was a defining moment for International Economic Law to the development of the 'big three' International Economic Organizations. Explain and examine this position. **(20 marks)**

Q5. a) Critically analyze the considerable emphasis on the need for greater order and certainty in international economic relationships. **(10 marks)**

b) Examine the appropriate and considerable legalization of multilateral and bilateral relationships in the advancement of economic trading and investment. **(10 marks)**

END