## SUBJECT DETAILS

<table>
<thead>
<tr>
<th>Data on the subject</th>
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<tbody>
<tr>
<td>Name</td>
<td>International and EU Trade Law</td>
</tr>
<tr>
<td>Degree</td>
<td>Postgraduate in Master in International and European Business Law</td>
</tr>
<tr>
<td>Year</td>
<td>2018-19</td>
</tr>
<tr>
<td>Nature</td>
<td>Fall semester</td>
</tr>
<tr>
<td>ECTS Credits</td>
<td>3 ECTS</td>
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<tr>
<td>Department</td>
<td>Law</td>
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<tr>
<td>Area</td>
<td>Law</td>
</tr>
<tr>
<td>Teaching staff</td>
<td>Shared: Dr. Juan Jorge Piernas López (see details below) and Dr. Isabel Maravall Buckwalter</td>
</tr>
</tbody>
</table>

### Data on the teaching staff

| Teaching staff                  | Dr. Isabel Maravall Buckwalter                                  |
| e-mail                           | imaravall@comillas.edu                                           |
| Telephone                       | 649678980                                                      |
| Office                           |                                                               |
| Tutoring Schedule               | Upon request from students                                     |

| Teaching staff                  | Dr. Juan Jorge Piernas López                                    |
| e-mail                           | jjpiernas@icade.comillas.edu                                    |
| Telephone                       | 605014534                                                      |
| Office                           |                                                               |
| Tutoring Schedule               | Upon request from students                                     |
SPECIFIC DATA ON THE SUBJECT

Pre-requisites

None

Contribution of the degree to the professional profile

This subject will provide students with a general knowledge of the normative framework and main conceptual and practical challenges of International and EU Trade Law. Thus, it will contribute to preparing the professional development of skills useful to work in business enterprises, law firms, public institutions, chambers of commerce and any national or international organization dedicated to foreign commercial matters. It will also grant them tools to evaluate critically the current state of world and EU trade law and policy and its impact on broader issues of global development.

COMPETENCES TO BE IMPROVED

What skills you’ll gain from this class:

Generic Competences

GC 1: Analysis and synthesis abilities
GC 3: Ability to manage information
GC 6: Team work skills
GC 7: Ability to work in an international context
GC 8: Critical appraisal skills
GC 10: Ability to develop autonomous learning skills
GC 11: Concern for quality
GC 12: Ability to apply theoretical knowledge into practice

Specific competences of the subject

SC 1 - Having a critical view of the functioning and interaction of various institutions with relevance for international business
SC 2 - Mastering the main relevant international treaties in the field of international trade, distinguishing between binding instrument and mere recommendations or instruments merely of an interpretive or guiding nature (soft law)
SC 3 - Knowing the advantages in international trade for EU companies and those from other states of the WTO and properly identifying the corresponding business implications

THEMATIC AREA AND CONTENT

AREA 1: International Trade Law

Theme 1: International treaties that regulate global trade: the World Trade Organization (WTO)

1.1 Introduction: economic globalisation and trade
1.2 History of the World Trade Organization
   1.2.1 Havana Agreement, GATT, UNCTAD
### Theme 2: International treaties that regulate bilateral, regional and multilateral trade

2.1 Normative framework of bilateral, regional and multilateral trade treaties
   - 2.1.1 The case of Preferential Trade Agreements (PTAs)
   - 2.1.2 Examples of regional treaties: NAFTA, MERCOSUR (CARICOM, ASEAN, African agreements)
   - 2.1.3 Case studies

2.2 Interaction of the actors of such treaties with the WTO

### AREA 2: International Trade Law, Public International Law and global public goods

#### Theme 1: Normative framework

- 1.1 Public International Law and International Trade Law (ITL)
- 1.2 ITL and International Economic Law
- 1.3 ITL, International Human Rights Law and International Environmental Law: the 'international law of cooperation'
  - 1.3.1 Human rights law and trade law
  - 1.3.2 International legal regime for transnational corporations in the sphere of human rights

#### Theme 2: International Trade and Development

- 2.1 Sustainable Development, Human Development and Environmental Protection
  - 2.1.1 Case study
- 2.2 Trade for development: which development and for whom?
- 2.3 Developed and developing countries: the Doha agenda and beyond

#### Theme 3: Political and economic actors and the global order

- 3.1 The UN, international actors, and the global trade context
- 3.2 Recent trends of analysis: World Poverty, Global Justice and Gender Equality
  - 3.2.1 Gender equality and world development: a matter of global governance?

### AREA 3: EU Trade Law

#### Theme 1: Introduction / The EU in the international trade system

- 1.1 Introduction
- 1.2 EU as an economic actor in the world trade system today
- 1.3 EU competences in external action
- 1.4 EU international representation

#### Theme 2: EU Trade Policy – Unilateral instruments

- 2.1 Introduction: Principles and General scheme
- 2.2 Instruments
  - 2.2.1 Common Customs Tariff
  - 2.2.2 Generalized tariff preferences
### 2.2.3 General import regulations
### 2.2.4 Anti-dumping
### 2.2.5 Anti-subsidy
### 2.2.6 The trade barriers instrument
### 2.2.7 Export policy
### 2.3 Main actors of Common Commercial Policy

#### Theme 3: EU Trade Policy – Bilateral and Multilateral instruments

- 3.1 Introduction
- 3.2 Bilateral Agreements
- 3.3 Multilateral Agreements
- 3.4 The EU in the WTO
- 3.5 The WTO in the EU

#### AREA 4: The WTO Dispute Resolution System

#### Theme 1: Introduction
- 1.1 Origins and evolution of the system
- 1.2 Principles of current system
- 1.3 Institutions involved

#### Theme 2: Proceedings
- 2.1 Consultations
- 2.2 Panel proceedings
- 2.3 Appellate review proceedings
- 2.4 Enforcement

#### Theme 3: Case studies

#### AREA 5: Main International Trade rules

#### Theme 1: Rules on market access
- 1.1 Tariff barriers to trade in goods
- 1.2 Non-Tariff barriers to trade in goods
- 1.3 Barriers to trade in services
- 1.4 Case studies

#### Theme 2: Rules on unfair trade
- 2.1 Dumping and anti-dumping measures
- 2.2 Subsidies and countervailing measures
- 2.3 Case studies

#### AREA 6: Exceptions to the Main International Trade rules

#### Theme 1: Trade liberalisation versus other goods, societal values and norms
- 2.1 General exceptions under the GATT
- 2.2 General exceptions under the GATS
2.3 Regional integration exceptions
2.4 Case studies

**BIBLIOGRAPHY AND RESOURCES**

<table>
<thead>
<tr>
<th>Basic Bibliography</th>
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<tbody>
<tr>
<td><strong>Text books</strong></td>
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<table>
<thead>
<tr>
<th>Chapters of books</th>
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<tbody>
<tr>
<td>Eeckhout, Piet, ‘The EU and its Member States in the WTO - Issues of Responsibility’, in Regional</td>
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</table>


Tamas, Kristof and Joakim Palme (eds.), *Globalizing Migration Regimes: New Challenges to Transnational Cooperation*, Research in Migration and Ethnic Relations Series, Ashgate, UK, 2006, specifically Chapters 15 and 17:


**Articles**


**Websites**

[http://www.wto.org/english/res_e/booksp_e/analytic_index_e/analytic_index_e.htm](http://www.wto.org/english/res_e/booksp_e/analytic_index_e/analytic_index_e.htm)


Notes


Other material


Vienna Convention on the Law of Treaties

Statute of the International Court of Justice


**Chapters of books**


**Articles**


**Other material**

TEACHING METHODOLOGY

General methodological aspects of the subject

Contact hours methodology: Activities

- Critical assessment of relevant International and EU legal norms and principles.
- Analysis of relevant scholarly development on the subject.
- Application of theoretical framework to practical case studies.
- Completion of written exam.

Independent study methodology: Activities

- Reading of assigned materials.
- Analysis of normative instruments and academic literature to duly participate later in class.
- Preparation of written and oral interventions regarding application of theoretical material to practical case studies.
- Study of analysed materials in preparation for written exam.

SUMMARY OF STUDENT WORK HOURS

<table>
<thead>
<tr>
<th>Activity</th>
<th>Number of contact hours</th>
<th>Number of independent study hours</th>
<th>Total number of hours</th>
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<tbody>
<tr>
<td>Lecture</td>
<td>20</td>
<td>25</td>
<td>45</td>
</tr>
<tr>
<td>Practical class</td>
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<td></td>
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<tr>
<td>Debate</td>
<td>4</td>
<td>10</td>
<td>14</td>
</tr>
<tr>
<td>In class presentation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Individual work</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Work in collaboration</td>
<td>5</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>Evaluation: one minute paper</td>
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<tr>
<td>Evaluation: class test</td>
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<tr>
<td>Evaluation: exam</td>
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|                             | Number of contact hours | Number of independent study hours | Total number of hours |
|                             |                         |                                   |                       |
| 30                           | 45                      | 75                                |                       |
## GRADE EVALUATION AND CRITERIA

<table>
<thead>
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<th>Evaluation Activities</th>
<th>Generic Competences</th>
<th>Indicators</th>
<th>Evaluation Weighting</th>
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</thead>
<tbody>
<tr>
<td>Attendance</td>
<td>Punctuality, responsibility, respect for class</td>
<td>Arriving punctually to class and remaining present for the whole duration of the lecture, respecting the time assigned for breaks and duly re-joining the class in the schedule specified by the professors.</td>
<td>10%</td>
</tr>
<tr>
<td>Work in collaboration</td>
<td>GC 1: Analysis and synthesis abilities GC 3: Ability to manage information GC 6: Team work skills GC 8: Critical appraisal skills GC 11: Concern for quality GC 12: Ability to apply theoretical knowledge into practice</td>
<td>Preparation of written argumentation on case studies to be dealt with in class based on reviewed materials. Construction of legal arguments within assigned group. Adequate defence of a position reflecting application of legal and theoretical framework to practical case study. Development of views on a concrete case study in a written manner demonstrating well-founded critical thinking. Specific requirements of written piece of work will be announced in first session.</td>
<td>20%</td>
</tr>
<tr>
<td>Participation</td>
<td>GC 1: Analysis and synthesis abilities GC 3: Ability to manage information GC 7: Ability to work in an international context GC 8: Critical appraisal skills</td>
<td>Participation in class reflecting reading and understanding of the assigned/presented articles, chapters and case studies, either by reacting to direct</td>
<td>20%</td>
</tr>
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</table>
| Evaluation: exam | GC 1: Analysis and synthesis abilities  
|                 | GC 3: Ability to manage information  
|                 | GC 8: Critical appraisal skills  
|                 | GC 10: Ability to develop autonomous learning skills  
|                 | GC 11: Concern for quality  
|                 | GC 12: Ability to apply theoretical knowledge into practice | Correct completion of a written exam consisting of multiple choice questions. Adequate reflection of general and specific knowledge of the theoretical and practical subjects dealt with in class. | 50% |