

FICHA TÉCNICA DE LA ASIGNATURA

Datos de la asignatura	
Nombre	International Trade Law: The Multilateral Trading System
Código	
Titulación	Official master
Curso	
Créditos ECTS	4
Carácter	Optional
Departamento	
Lengua de instrucción	English
Descriptor	Discusses the current trends in international commercial policies related to the multilateral trading system developed through the World Trade Organization, Free Trade Agreements and Investment Protection Treaties. Regulation of international trade is studied through the analysis of different sectors of the economy. Special interest is given to the relationship of trade policies with sectoral public policies. Additional interest is given to the recent tendencies of protectionist national economic policies and how they affect the international trading system.

Datos del profesorado	
Profesor	
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Departamento	
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Horario de tutorías	From 16-25 May every workday 15:00-16:00 Rest of the semester with previous appointment through facetime

DATOS ESPECÍFICOS DE LA ASIGNATURA

Contextualización de la asignatura

Aportación al perfil formativo y profesional de la titulación

Students are expected:

- to acquire detailed knowledge about key regulatory topics of the international trading system
- to have a good understanding of current economic and political debates related to international trade
- to critically discuss the regulation of international trade and propose modifications
- to use trade data to describe economic sub-sectors
- to analyse WTO cases to deduct regulation
- to resolve hypothetical trade law cases and present legal arguments in WTO moot court
- to participate in regulatory debate simulation taking up pre-established position
- to make projections about future development of the international trading system

Prerrequisitos

No existen formalmente requisitos previos.

BLOQUES TEMÁTICOS Y CONTENIDOS

Bloque I: Institutions and Legal Principles of the International Trading System

Tema 1: FTAs and Multilateral Trading System

- International Trade and Development
- Historic Development of Trade Liberalization
- International Trade Liberalization in the World Trade Organization
- Doha Development Round of the World Trade Organization
- Multilaterality, Regional Economic Integrations, Free Trade Agreements
- Protectionist policies in current world trade system
- Regulatory Issues in FTAs
- Examples of Free Trade Agreements of the European Union (Canada, Mexico - under re-negotiation)
- Projections in International Trade Liberalization (Trans Pacific Partnership (TPP), Transatlantic Trade and Investment Partnership (TTIP))
- Chinese trade agreements (especially China-Australia)
- Future of the Multilateral Trading System

Tema 2: WTO/FTAs structure and functioning

- WTO major regulatory topics (Trade in Goods, Trade in Services, TRIPs and TRIMs)
- Institutional structure of the WTO
- Dispute Settlement System and its legal effects
- FTA committees
- Dispute resolution in FTAs

Tema 3: Legal Principles – WTO/FTAs

- MFN
- National Treatment
- Non-discrimination and its exceptions
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Bloque II: Main Regulatory Areas of International Trade**Tema 4: Tariff and Non-Tariff Barriers / TBT/SPS**

- Regulation of Tariffs
- Non-Tariff Barriers
- Technical Barriers to Trade
- Sanitary and Phytosanitary Measures

Tema 5: Subsidies / Safeguards / Agricultural products

- Subsidies Regulation and Countervailing Measures
- Safeguard provisions
- Trade of agricultural goods

Tema 6: Antidumping / Trade in Services

- Antidumping Regulation and Countervailing Measures
- General Rules of Trade in Services in WTO
- Trade in Services in FTAs

Bloque III: Additional Trade related Regulatory Topics**Tema 7: New Listings in Trade Related Regulatory Topics 1**

- Intellectual Property
- Public Procurement
- Free Competition
- Bilateral Dialogues and Cooperation

Tema 8: New Listings in Trade Related Regulatory Topics 2

- Investment
- Trade and Environment
- Trade and Labour

METODOLOGÍA DOCENTE**Aspectos metodológicos generales de la asignatura**

Topics are developed in class as a result of continuous discussions with students based on previously assigned readings and exercises. Classes are practical and case law based. Current trends are also analysed through statistical data.

EVALUACIÓN Y CRITERIOS DE CALIFICACIÓN

Actividades de evaluación	Criterios de valoración	Peso
<p>Related to Tema 1: FTAs and Multilateral Trading System</p> <p>Kick-off topic presentations</p> <p>Group 1 - Trans Pacific Partnership (TPP) Group 2 – EU-Canada Comprehensive Economic and Trade Agreement (CETA) Group 3 - China-Australia Free Trade Agreement (ChAFTA)</p> <p>The written part of the assessment is a pp presentation. PLEASE FEEL FREE TO USE MY SLIDES AS A STARTING POINT FOR YOUR PRESENTATIONS.</p>	<p>The exercise is designed to generate debate in class about the three FTAs. <u>Mini-research and preparation of power point slides out of class</u> and oral presentation in class.</p>	<p>10%</p>
<p>Related to Tema 2: WTO/FTAs structure and functioning</p> <p>Presentation of core reading in class</p> <p>Group 1 – Institutional Structure and Decision-making in the WTO Group 2 – Key Features and Institutions of WTO dispute settlement Group 3 – Dispute settlement in the FTAs</p> <p>Presentations are to be prepared based on relevant parts of Chapters 2 and 3 of Van den Bossche cited below and the analysis of CETA, TPP and ChAFTA relevant chapters. You can find the complete Van den Bossche chapters and the FTA texts under the header of Additional Readings of May 17 class.</p> <p>The written part of the assessment is a pp presentation. PLEASE FEEL FREE TO USE MY SLIDES AS A STARTING POINT FOR YOUR PRESENTATIONS.</p>	<p>The exercise is designed to maintain active participation of students in class discussions based on revision of core reading assigned to class (group work, oral exercise – <u>preparation of readings and preparation of power point slides out of class</u>, and oral presentation in class.</p>	<p>10%</p>

<p>Related to Tema 3: Legal Principles – WTO/FTAs</p> <p>Case preparation – topic related WTO cases are analysed</p> <p>Each of the three working groups analyses and presents the following WTO cases in class.</p> <p>Group 1 – Japan-Alcoholic Beverages II, Colombia-Textiles, US-Gasoline Group 2 – Japan-Alcoholic Beverages II, Colombia-Textiles, US-Shrimps Group 3 – Japan-Alcoholic Beverages II, Colombia-Textiles, Brazil-Re-treaded Tyres</p>	<p><u>Preparation of WTO cases out of class</u>, and the written part of the assessment - a 1-2-page case summary and oral discussion in class. The written summary is prepared in form of bullet points in class. It is essential that students revise in core readings with absolute details the related regulation on MFN, national treatment and general exceptions.</p>	<p>10%</p>
<p>Related to Tema 4: Tariff and Non-Tariff Barriers / TBT/SPS</p> <p>Debate Forum</p> <p>Happy State is a WTO member emerging economy with increasing local consumption and important potential to export meat and meat products from cattle to the European Union. 40% of cattle farming for meat is concentrated through large producers of min. 300 heads (frequently more) representing 10% of all producers. Other producers are small producers of 1-20 heads. There is no sanitary regulation related to these products in Happy State. Modernization of the sector is essential public policy interest. Happy State government organized a discussion group to evaluate positions of interest groups. Happy State is also planning to sign an FTA with the European Union. It is expected that a common approach is decided at the meeting.</p>	<p>The Debate Forum discusses a specific regulatory issue in an organized manner, where negotiating positions are previously established and must be assumed through role play (<u>mini-research out of class, and preparation of 1-page kick off statement out of class, group work, oral exercise in class</u>).</p>	<p>15%</p>

<p>Group 1A- BigBeef – representing large producers Group 1B- SmallBeef – representing small producers Group 2A – EatBeef – representing consumers Group 2B – Happy State government officials Group 3A – ImportBeef – representing importers in Happy State Group 3B – ExportBeef – representing exporters of the European Union</p> <p>Interest group positions' should be based on arguments resulting from mini-research. Common approach should comply with WTO norms and consider EU approach.</p> <p>EC-Hormones (WTO case) must be revised to generate additional ideas for the Debate Forum. It is also expected that students are familiar with recent SPS discussions related to the TTIP and CETA; as well as recent EU beef market trends.</p>		
<p>Related to Tema 5: Subsidies / Safeguards / Agricultural products</p> <p>Moot Court</p> <p>Group 1 – Government of India Group 2 – EU Trade Commission Group 3 – DSS Panel</p> <p>The hypothetical case is based on the China-Aluminium subsidy request for consultations. It is essential that students revise in core readings with absolute details the related regulation on subsidies and safeguards.</p>	<p>The Moot Court is to reconstruct a hypothetical case applying the rules of the WTO Dispute Settlement System (group work, <u>written exercise out of class</u>, oral exercise in class). <u>The written part of the assessment is a 2-page DSS document depending on assigned group role.</u></p>	<p>10%</p>
<p>Related to Tema 6: Antidumping / Trade in Services</p> <p>Case Study</p> <p>Students in the three working groups discuss one specific services' sector of CETA relevant</p>	<p>The case study is an exercise to analyse CETA regulation in its context of international trade tendencies of a given services' sector using among others statistical data and public policy analysis (group work,</p>	<p>15%</p>

<p>in international trade - analysing a) CETA regulation; b) main world market actors and c) world trade tendencies.</p> <p>Group 1 – ACCOUNTING of business services Group 2 – COMMERCIAL BANKING of financial services Group 3 – ON-LINE SHOPPING of electronic commerce</p>	<p>written and oral exercise – <u>mini-research and preparation of power point slides out of class</u> and oral presentation in class). The written part of the assessment is a pp presentation.</p>	
<p>Related to Tema 7: New Listings in Trade Related Regulatory Topics 1</p> <p>TPP-EU - FTA Negotiations Practice</p> <p>Group 1A- European Union Group 1B- United States of America Group 2A – Canada Group 2B – Australia Group 3A – Japan Group 3B – Chile</p> <p>Minimum and maximum concessions are previously established for each topic and for each delegation. Pre-established concessions are only shared by the respective delegation. These previously established negotiating positions must be assumed through role play.</p>	<p>The TPP-EU - FTA Negotiations Practice models real life based FTA negotiations, where parties must come to a common position on specific issues related to Intellectual Property, Public Procurement and Free Competition. <u>Mini-research out of class, and preparation of 1-page kick off statement out of class</u>, group work, oral exercise in class, drafting of a common written statement in class.</p>	15%
<p>Related to Topic 8: New Listings in Trade Related Regulatory Topics 2</p> <p>Globalization Summit role play</p> <p>The written part of the assessment is the 2-page personal statement on any issue of the globalization debate perceived as most significant by each student. You are free to assume any role and opinion.</p>	<p>The “Globalization Summit role play” exercise brings a wide variety of issues of the globalization debate to class. It is designed to contextualize ideas discussed during the classes from the very personal stand point of each student. <u>Mini-research and preparation of 2-page personal statement out of class</u> and oral presentation and debate groups in class.</p>	15%

RESUMEN HORAS DE TRABAJO DEL ALUMNO	
Horas presenciales	Horas no presenciales
40	120

BIBLIOGRAFÍA Y RECURSOS

Bibliografía Básica
<p>Libros de texto</p> <p>Topic 1 - Newfarmer, Richard (Ed.): Trade, Doha, and Development: Window into the Issues: World Bank, 2006, Chapters 20-26 - Regional Trade Agreements: The Second Front of Negotiations</p> <p>Topic 2 - Van den Bossche, Peter (Ed.) The Law and Policy of the World Trade Organization Text, Cases and Materials: Cambridge University Press, 2013, Chapter 2 – The World Trade Organization (sub-chapters on Institutional Structure and Decision-making in the WTO) Chapter 3 – WTO Dispute Settlement</p> <p>Topic 3- Van den Bossche, Peter (Ed.) The Law and Policy of the World Trade Organization Text, Cases and Materials: Cambridge University Press, 2013, Chapters 4-5 – Most-favoured-nation treatment; National treatment- Please limit readings to GATT regulation (Not GATS); Chapter 8 – General and security exceptions – Please limit readings to GATT general exceptions</p> <p>Topic 4 - Van den Bossche, Peter (Ed.) The Law and Policy of the World Trade Organization Text, Cases and Materials: Cambridge University Press, 2013, Chapters 6-7 – Tariff barriers, Non-tariff barriers; Chapter 13 – Technical barriers to trade; Chapter 14 – Sanitary and phytosanitary measures</p> <p>Topic 5 – Van den Bossche, Peter (Ed.) The Law and Policy of the World Trade Organization Text, Cases and Materials: Cambridge University Press, 2013, Chapters 12 – Subsidies; Chapter 9 – Economic emergency exceptions (sub-chapter related to GATT safeguards)</p> <p>Topic 6 - Van den Bossche, Peter (Ed.) The Law and Policy of the World Trade Organization Text, Cases and Materials: Cambridge University Press, 2013, Chapters 11 – Dumping</p>

Chauffour, Jean-Pierre; Maur, Jean-Christophe (Ed.) Preferential Trade Agreement Policies for Development : A Handbook. World Bank, 2011, Chapter 12 - Services

Topic 7 -

Van den Bossche, Peter (Ed.) The Law and Policy of the World Trade Organization Text, Cases and Materials: Cambridge University Press, 2013, Chapters 15 – Intellectual Property Rights

Chauffour, Jean-Pierre; Maur, Jean-Christophe (Ed.) Preferential Trade Agreement Policies for Development: A Handbook. World Bank, 2011, Chapter 16 – Competition Policy, 17 – Government Procurement, 18 – Intellectual Property Rights

Topic 8 –

Chauffour, Jean-Pierre; Maur, Jean-Christophe (Ed.) Preferential Trade Agreement Policies for Development : A Handbook. World Bank, 2011, Chapters 13 - Labor Mobility, 14 – Investment, 19- - Environment, 20 – Labor Rights

Lowenfeld, Andreas F.: International economic law, Oxford University Press, 2008, Pages 535-592.

Otros materiales

Chapter summaries and power point presentations specially prepared for each topic.

Texts of WTO Agreements and FTAs listed under each topic.

WTO cases listed under each topic.

Project Syndicate short articles distributed in first class.

Bibliografía Complementaria

Otros materiales y recursos

www.wto.org

<http://ec.europa.eu/trade/policy/in-focus/new-trade-strategy/>

<https://ustr.gov/trade-agreements/free-trade-agreements>

<http://dfat.gov.au/trade/agreements/pages/trade-agreements.aspx>

<http://fta.mofcom.gov.cn/english/>