

THE EUROPEAN HUMANITIES UNIVERSITY

The Syllabus has been reviewed and recommended to be approved
at the meeting of the _____ Department
name of the department

Director of the Department _____
signature full name

Minutes No. _____ as of «_____» _____ 20____ .

«Approved by»
Dean of the Graduate School
_____ A.A. Sokolova
signature

«_____» _____ 20____ .

SYLLABUS on the subject:

Law of the WTO

for students of the Master's programme
International Law and European Law

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2012-13 Academic Year

Year of Study 2
Semester 1

Total hours (credits) 160 (6)

Among them:

<u>Class hours</u>	48	<u>Independent student's work</u>	112
Lectures/workshops	12	Learning the study materials	68
Participation in online learning sessions	20	Execution of assignments	44
Consultation with the instructor on the course issues in Moodle LMS	8		

Certification of the course: exam / final class 8

Vilnius, 2012

1. EXPLANATORY NOTE

This Course is a compulsory part of EHU LLM. It examines the legal system of the World Trade Organization which governs the relations of States and other international players in the legal framework within which nations trade. Special consideration is given to the resolution of international trade disputes and the control of abuse of powers by the states, and the ways in which the WTO Member States approach the control of anti-trade behaviour.

Course goals and objectives:

This course looks at the variety of ways in which the law has been used to facilitate international trade. It aims helping students to:

- Define, analyse, and apply legal and non-legal rules in the context of the operation of international trade law between nations.
- Assess and evaluate the role and influence of various organs concerned with international trade.
- Explore the issues of enforcement practice arising from the transnational and international functioning of the WTO and its interface with business activity.
- Develop a research strategy, using appropriate research and reference material, with due regard to ethical and socio-economic considerations, into concerns arising from international trade law between nations.

Course learning outcomes

- Demonstrate a critical understanding of the principal norms establishing the legal framework within which nations trade
- Attain a stable professional motivation in applying international trade law, analyse problems concerning the abuse of powers by States, resolution of disputes and the ways in which different jurisdictions approach the control of anti-trade behaviour
- Evaluate the effectiveness of the international legal trading system in securing stability and security in global governance.
- Develop skills to plan, design, organise and implement autonomous research, drawing on primary international law sources and – as appropriate – contemporary scholarship and commentary.

Key Skill Development and Assessment Opportunities

Postgraduate Skills and Competencies		
	Opportunity to Develop	Assessed
Academic Skills		
Research Capability	X	X
Critical Thinking	X	X
Problem Solving	X	X
Reasoning	X	X
Knowledge Management	X	
Self Management Skills		
Critical Self Awareness	X	
Manage Change/Adaptability		
Organisation and Planning	X	
Career Awareness		
Commitment to Lifelong Learning		
Communication Skills		
Written Communication	X	X
Oral/Visual Communication Skills	X	
Active Listening	X	
CIT Skills		
Numeracy Skills		
Interpersonal Skills		
Citizenship		
Team Skills	X	
Leadership		
Networking		
Negotiating		

Student requirements to study this Course:

- Good command of oral and written English
- Bachelors Degree in Law
- Internet access
- Ability to download podcasts, powerpoints and working with MsWord and Moodle.

Course work format:

- Class hours in Vilnius: 12 (lectures/workshops) and 8 (final classes)
- Distance learning in Moodle system: 28

2. ASSESSMENT OF A STUDENT'S KNOWLEDGE

The knowledge and results of students' works shall be assessed according to Cumulative Assessment Model on the following grounds:

- results of papers (essays) – 40% (contribution to the overall assessment). *Non-compliance with deadlines of paper submission in Moodle – less 1 point per week;*
- results of case notes (disputes) – 20% (contribution to the overall assessment). *Non-compliance with deadlines of paper submission in Moodle – less 1 point per week;*
- participation in issue discussions in forums and online discussions (2 assessed forums) – 10% (contribution to the overall assessment);
- final assignment – 30% (contribution to the overall assessment).

3. THE COURSE SCHEDULE

Topic No.	Modules and/or topics of the course and/or topics of classes	Number of class hours					Independent student's work	
		Lectures	in online learning	Final classes	Consultations with the instructor	study materials (number of)	Types of assignments	assignments (number of)
1	Introduction to WTO Law: international trade law and free trade; creation and historical development of the WTO	2	3		1	8	Assessed Forum 1	3
2	Legal structure of the WTO and its principles	2	2		1	9	Essay answer	8
3	Dispute Resolution in the WTO	2	3		1	9	Assessed Forum 2	3
4	Trade in goods and GATT General exceptions and operation of the Dispute Settlement Body	2	2		1	9	Dispute note	6
5	WTO and Environment	1	3		1	9	Non-assessed forum	3
6	Trade in services (GATS)	1	2		1	8	Dispute note	6
7	Trade Related Aspects of Intellectual Property Rights (TRIPS)	1	2		1	8	Essay answer	8
8	Final Assessed Project	1	3		1	8	Final Assignment; non-assessed chat	3
	Exam / final classes			8			Final assignment presentation	4
	Total: 160 hours	12	20	8	8	68		44

4. LITERATURE AND WEB-RESOURCES

Main Literature:

Trebilcock, Howse and Eliason, *Regulation of International Trade*, 4th ed., Routledge, 2012

Further reading:

Van den Bossche, P., *The Law and Policy of The World Trade Organisation*, 2nd ed., Cambridge, 2008

Matsushita, *The World Trade Organization: law, practice, and policy*, OUP, 2006

Palmeter and Mavroidis, *Dispute settlement in the World Trade Organization: Practice and procedure*, 2nd ed., Cambridge University Press, 2005

Journals:

Journal of International Economic Law - Oxford Journals

World Trade Review – Cambridge Journals

Web resources:

The primary legal materials in these and related areas are available on the Web. Where appropriate links are inserted in the text.

Here is preliminary list of sites that can be used to trace such materials:

- Guide to WTO Law and Practice
www.wto.org/english/res_e/booksp_e/analytic_index_e/analytic_index_e.htm
- The Lex Mercatoria Web Site <http://www.jus.uio.no/lm/>
- A lot of useful material useful is provided online by The Jean Monnet Centre for International and Regional Economic Law and Justice, New York University School of Law:
<http://www.jeanmonnetprogram.org>
- Other Related web-sites can be found e.g. International Chamber of Commerce, World Bank etc

5. THE COURSE DESCRIPTION (in accordance with the course schedule)

Unit 1

Topic: Introduction to WTO Law: international trade law and free trade; creation and historical development of the WTO

Content: as specified in Unit 1 of the Workbook, available to students electronically

Literature (main): Workbook Unit 1; Lecture Powerpoint Unit 1;

Further Reading (suppl.): selected pages from Trebilcock, Howse and Eliason

Web resources: <http://www.wto.org/>
http://www.wto.org/english/tratop_e/dda_e/dda_e.htm

Learning assignment: Assessed Forum 1

Unit 2

Topic: Legal structure of the WTO and its principles

Content: as specified in Unit 2 of the Workbook, available to students electronically

Literature (main): Workbook Unit 2; Lecture Powerpoint Unit 2;

Further Reading (suppl.): selected pages from Trebilcock, Howse and Eliason

Web resources:
http://www.wto.org/english/thewto_e/whatis_e/tif_e/utw_chap7e.pdf

Learning assignment: Upload via MOODLE an answer to an essay question

Unit 3

Topic: Dispute Resolution in the WTO

Content: as specified in Unit 3 of the Workbook, available to students electronically

Literature (main): Workbook Unit 3; Lecture Powerpoint Unit 3;

Further Reading (suppl.): selected pages from Trebilcock, Howse and Eliason

Web resources: http://www.wto.org/english/tratop_e/dispu_e/dispu_e.htm

Learning assignment: Assessed Forum 2

Unit 4

Topic: Trade in goods and GATT General exceptions and operation of the Dispute Settlement Body

Content: as specified in Unit 4 of the Workbook, available to students electronically

Literature (main): Workbook Unit 4; Lecture Powerpoint Unit 4;

Further Reading (suppl.): selected pages from Trebilcock, Howse and Eliason
Sungjoon Cho, "Gasoline: United States – Standards for Reformulated and Conventional Gasoline" (1998) 9(1) European Journal of International Law, p.182

Web resources: <http://207.57.19.226/journal/Vol9/No1/sr1a.html>
http://www.wto.org/english/tratop_e/cases_e/ds4_e.htm

Learning assignment: Prepare and upload via MOODLE a written report on a dispute

Unit 5

Topic: WTO and environment

Content: as specified in Unit 5 of the Workbook, available to students electronically

Literature (main): Workbook Unit 5; Lecture Powerpoint Unit 5;

Further Reading (suppl.): selected pages from Trebilcock, Howse and Eliason

Web resources: http://www.wto.org/english/docs_e/legal_e/legal_e.htm
[http://worldtradelaw.net/reports/wtoab/ec-hormones\(ab\).pdf](http://worldtradelaw.net/reports/wtoab/ec-hormones(ab).pdf)

Learning assignment: Non-assessed forum

Unit 6

Topic: Trade in services (GATS)

Content: as specified in Unit 6 of the Workbook, available to students electronically

Literature (main): Workbook Unit 6; Lecture Powerpoint Unit 6;

Further Reading (suppl.): selected pages from Trebilcock, Howse and Eliason

Web resources:
http://www.wto.org/english/tratop_e/dispu_e/cases_e/ds285_e.htm

Learning assignment: Upload via MOODLE a written report on a dispute

Unit 7

Topic: Trade Related Aspects of Intellectual Property Rights (TRIPS)

Content: as specified in Unit 7 of the Workbook, available to students electronically

Literature (main): Workbook Unit 7; Lecture Powerpoint Unit 7;

Further Reading (suppl.): selected pages from Trebilcock, Howse and Eliason

Learning assignment: Upload via MOODLE an answer to an essay question

Unit 8

Topic: Final Project (Assignment) preparation

Learning assignment:

- Non-assessed consolidating activity— 1 hour group chat with the tutor
- Assessed: students prepare and submit the final written assignment

Final Assignment Sample Question:

"The World Trade Organisation (WTO) is the only international body dealing with the rules of trade between nations and its importance is hard to underestimate."

Director-General Pascal Lamy, opening speech for WTO Public Forum
2008: "Trading into the Future" 24.09.2008

Critically assess supporting yourself with examples whether the current trade rules system introduced by the World Trade Organization is effective in regulating international trade in goods. *[30% of the final mark]*

Final class

Topic: Final Project (assignment) presentation and feedback

Content: as specified in Units 1-8 of the Workbook, available to students electronically

Literature (main): Workbook Units 1-8;

Further Reading (suppl.): feedback from the tutor on individual assignments

Learning assignment: Final Project presentation