



UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Foundations of International Economic Law

2021-2-F5602M008

Learning objectives

Students will gain the ability to know different levels of normative sources that contribute to regulate economic transactions in international markets and have the tools to appreciate the work of the most important public institutions that operate at a global, European and internal level, in their interactions with each other.

Contents

The course aims to provide students with knowledge of the main organizational structures, legal mechanisms and operational tools that govern the relationship between markets and public institutions at european and international level.

In the first module these contents are discussed with specific reference to the analysis of european competition law and regulation of services of general economic interest.

In the second module the focus is extended to the regulations that govern international markets. This involves the analysis of legal sources at different levels (international instruments, national, private and EU) and their integration mechanisms, as well as issues relating to the regulation of multinational companies.

Detailed program

Competition Law

Functions and contents of competition law – Overview of EU competition law - The European concept of undertaking - The relevant market – The prohibition of anti-competitive agreements – The abuse of dominant position – The prohibition of State aids – Public services in EU law – Services of general economic interest and State aids – Liberalization and privatization – Postal services – Transports – Energy – Local services and in house companies – Service directive – Public procurement directive.

International Trade Law

The debate on liberalized trade - Origin and structure of the World Trade Organization - Analysis of the basic rules of the system ...and of its leeways (waivers and derogations) - Special rules for developing countries - Protection of non trade values such as public health and the environment in the case law of the Panels and of the Appellate Body - Trade defence measures (anti-dumping, subsidies and safeguard measures) - Critical issues in the liberalization of services - Structure and contents of the Agreement on the trade related aspects of intellectual property rights (TRIPs) - The tension between multilateralism and regionalism in international trade - The trade policy of the EU and the TTIP negotiation - The disputes settlement mechanism as the main feature for an assessment of the effectiveness of the multilateral system.

Prerequisites

None

Teaching methods

Lectures and case study

During the Covid-19 emergency period, lessons will be held remotely asynchronously with synchronous videoconferencing events.

Assessment methods

The exam is oral. There are no intermediate exams. The commission will evaluate the degree of knowledge of the program, according to criteria of completeness of knowledge, appropriate use of legal language, critical thinking skills in the exposition of issues.

During the Covid-19 emergency period, oral exams will only be online. They will be carried out using the WebEx platform and on the e-learning page of the course there will be a public link for access to the examination of possible virtual spectators.

Textbooks and Reading Materials

R. Whish, D. Bailey, Competition Law, Oxford, 2015 (selected pages)

W. Sauter, Public Services in EU Law, Cambridge, 2015 (selected pages)

A. Guzman, J. Pauwelyn, International Trade Law, Second Edition, New York, 2012, paperback.

WTO Agreements and text of Panels and Appellate Body Reports (<http://www.wto.org>)

Semester

First semester

Teaching language

English
