UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

International Trade Law

2122-2-F5602M008-F5602M014M

Learning objectives

Knowledge and understanding

At the end of the course, students will have acquired good knowledge and understanding of the main facets of international trade law.

Ability to apply knowledge and understanding

In class analysis and discussion of cases will develop students ability in applying the knowledge acquired in the course.

Ability to inform judgments and communication skills

Students, also through discussion with their teacher, team work and in class presentations, shall acquire correct legal terminology and shall reach communicative skills in assessing and discussing situations related to international trade law.

Learning ability

The teaching method, through in class analysis of legal texts and readings, shall enhance students' ability to learn the rules governing international trade relations, allowing them to autonomously update the notions acquired.

Contents

Study will focus on the multilateral system administered by the World Trade Organization. Its evolution - from a tariff agreement in the aftermath of the Second World War, to an intergovernmental organization uniting, after China and Russia joined in, 164 countries representing almost the whole volume of International trade - will be

exposed, together with its basic principles and rules. Particular attention will be placed in dealing with the relationship between the liberalization of trade and services' flows and the policy space maintained by WTO's Member States to pursue non trade values such as human rights, social rights, the environment, public health and development. The rationale and effectiveness of the rules shall be discussed in the light of the case law of the dispute settlement bodies of the Organization and of the status of WTO Agreements in EU law. A discussion on the impact of the present COVID-19 and of the 2007-2008 financial crisis on trade and on the capacity of the WTO system to restrain the raise of protectionism will introduce a final reflection on the future of the Organization, which appears challenged by the ever more frequent turn of its Members towards the conclusion of regional and preferential agreements and by the hostility of the Trump Administration towards multilateralism. A closer look into the TTIP negotiation will allow to give an insight into the recent trends in International investment law.

Detailed program

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

Teaching methods

Lectures, class discussion, team work, presentations.

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

Assessment methods

Oral exam. Class participation will be valued. Class attendance and presentations/tests during classes could be an alternative to the oral exam.

During the COVID-19 emergency exams will be online. They will be carried out using the WebEx platform; on the e-learning page of the course there will be a public link to access the examination.

Textbooks and Reading Materials

A. GUZMAN, J. PAUWELYN, J. HILLMAN, International Trade Law, 3rd Global Edition, New York, 2016, paperback (selected pages).

WTO Agreements and text of Panels and Appellate Body's Reports (http://www.wto.org); further materials shall be made available on the course e-learning page.

Semester

First semester

Teaching language

English

Sustainable Development Goals

GOOD HEALTH AND WELL-BEING | DECENT WORK AND ECONOMIC GROWTH | INDUSTRY, INNOVATION AND INFRASTRUCTURE | REDUCED INEQUALITIES | RESPONSIBLE CONSUMPTION AND PRODUCTION | CLIMATE ACTION