UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

International Trade Law - 2

2223-3-E1801M045-E1801M064M-T2

Learning objectives

The course aims at providing students with a basic knowledge of the legal structure of the multilateral trading system, of the main principles governing the International markets of goods and services and of international investment law.

Contents

The course provides students with an introduction to the multilateral trading system. Study will focus on trade agreements administered by the World Trade Organization. Its evolution will be exposed, together with its basic principles and rules relating to the markets of goods, services and intellectual property rights. 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. An overview of the WTO's dispute settlement mechanism will allow students to assess how effective the system can be deemed. 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.

Basic rules on international investment law.

Detailed program

- Introduction to the liberalization of international trade and the actors of economic globalization.

- The multilateral trading system: origin and institutional structure of the WTO.

- Trade liberalization in the goods' market and "new generation" trade treaties.

- Recently liberalized areas: a) the Agreement on services; b) the TRIPs' regime for intellectual property rights.

- Multilateral agreements on dumping and subsidies.

- WTO's disputes resolution system and the effects of WTO's rules in the EU

- International trade and fundamental human rights: standards for the MNEs and CSR

- Basic rules on international investment law

Prerequisites

Teaching methods

Lectures/case law analysis

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

Assessment methods

The exam is oral and consists of open questions on the topics covered in class aimed at checking the knowledge of the program and the ability to critically examine the topics covered.

Attending students will be admitted to an optional final written exam (open questions).

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 oral 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

One out of the following textbooks:

F. MARRELLA (2017), Manuale di Diritto del Commercio Internazionale , CEDAM, Padova, 2017, pp. 1-71; 164-200; 652-681; 705-710; 723-728.

G. VENTURINI (ed., 2015), L'Organizzazione Mondiale del Commercio , Milano, p. 3-126; 151-248; 275-331.

P. VAN DEN BOSSCHE, D. PREVOST (2016), Essentials of WTO Law , Cambridge, 2016.

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C. Gulotta, Responsabilità sociale d’impresa e regole del commercio internazionale , in M. Cutillo, F. Novak, T. Scovazzi, La responsabilità sociale d’impresa in tema di diritti umani e protezione dell’ambiente: il caso del Perù, Giuffrè, Milano, 2014, pp. 149-186. (Il saggio è reperibile online sulla pagina e-learning del corso).

Sustainable Development Goals

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