



International Trade Law

Course code: LLM/MBA 524

Number of credits: 3

Winter 2018

Instructor: Lukasz Gruszczynski, LL.M., Ph.D., professor

Class Schedule: three-week module (various dates – see below), 5.00 pm – 7.30 pm

Office Hours: by appointment

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I. GENERAL DESCRIPTION AND OBJECTIVES OF THE COURSE

Liberalization of international trade is a characteristic feature of contemporary economic relations. The process is mainly channelled through the World Trade Organization (WTO) and governed by the set of rules developed within the organization. The general aim of the course is to introduce the student to the structure of the WTO, its decision-making procedures and the substantive rules regulating different aspects of international trade. Special attention will be given to the dispute settlement mechanism of the WTO. The policy dimension of the activities of the WTO will also be discussed.

II. PROGRAM AND COURSE LEARNING OUTCOMES

LL.M. PROGRAM LEARNING OUTCOMES

Graduates of the LL.M. program should have the following competencies:

- 1) be able to generalize and analyze information critically which is the basis for independent learning and application of new knowledge and skills;
- 2) be fluent in a foreign language at the level of professional communication, have strong oral and written communication skills and be advanced computer users;
- 3) apply professional judgment, perform quality legal analysis, conduct legal research and solve legal problems using advanced methods and technologies, be able to develop new original ideas in the professional sphere;
- 4) draft and interpret normative legal acts, carry out legal expertise of drafts of normative legal acts, serve as experts and consultants, provide qualified legal opinions in various fields of law;
- 5) teach legal disciplines at a high theoretical and methodological level with reliance on international best practice, use of online resources and application of the latest forms and methods of teaching;
- 6) demonstrate leadership qualities, active citizenship, take initiatives and implement projects aimed at advancing a welfare state.

COURSE LEARNING OUTCOMES

Please, list your course learning outcomes and indicate which learning outcomes of the LL.M. Program they help achieve. Each course should have 5-6 learning outcomes.

Upon successful completion of the course students will be able to:	LL.M. Program Learning Outcomes
identify legal issues, interpret, analyze law, and apply law to a variety of situations;	1,2
use specialized vocabulary relating to international trade law	2
comprehend the main principles of WTO Law, understand the essential elements of international trade arrangement between states	4
explain the nature and essential differences among different sets of WTO obligations;	1,5
solve legal problems posed by national measures and their interactions with WTO obligations	3

III. TEACHING METHODS

Students are required to read materials that will be posted in e-course system weekly. The course as such is based on the combination of traditional lecture and discussion with students (on the basis of the assigned reading materials). Theoretical knowledge is subsequently tested on case studies prepared by lecturer – this gives students an opportunity to apply general rules to facts of specific hypothetical cases. The work on case studies is done in small groups (2-3 students) and possible solutions are discussed in the class.

IV. COURSE REQUIREMENTS AND POLICY

- (1) The class will meet 2 or 3 times a week. Class sessions are a mixture of lectures and interactive student-focused activities. Students are expected to come to classes prepared and be ready to discuss the assigned materials.
- (2) Students must be ON TIME for classes. If a student comes to class late and the instructor has already marked him/her as absent, the student is considered to be absent for the whole class.
- (3) CLASS ATTENDANCE is required. If the student misses a class with an excuse, a document explaining the absence must be presented to the instructor no later than the next class following the class during which the student was absent. If the requirements mentioned above are not observed, the student's absence is considered to be unexcused. If the student misses more than 2 classes without an excuse or 50% of the whole course (irrespective of the reason for absence), the student will be assigned an "F" grade for the course.
- (4) Each student is required to be enrolled in the e-course system (www.e-course.auca.kg). The purpose of the e-course system is to allow students to get access to course materials, upload their course assignments, and benefit from a variety of interactive learning opportunities.
- (5) WRITTEN ASSIGNMENTS must be submitted by the set deadline and by the means specified by the instructor. Late submissions are NOT allowed. ***This rule applies to any student who was aware or should have been aware of an assignment and the deadline no matter whether he was sick or had any other excuse on the date of the deadline.***
- (6) The student has to follow the AUCA Academic Honesty Code and the Law Division's Policy on Plagiarism. All types of **cheating** (plagiarism, etc.) are strictly prohibited. If a student fails to

observe this requirement, the instructor may assign an “F” grade for the work or an “F” grade for the whole course depending on the type of assignment and other circumstances.

- (7) CELL PHONES and any other electronic devices should be turned off or kept on a silent mode and are allowed to be used only for academic purposes unless restricted by the instructor.

Please, note that this syllabus is subject to change. Any changes to the syllabus will be announced in class, and the updated version of the syllabus will be available in the e-course. It is students’ duty to stay informed of any adjustments made.

V. GRADING

The course grade will be determined on the basis of the following components:

• Active class participation	30%
• Final exam (in the form of test (first part) and open-book case study (second part))	70%
Total	100%

Grading Scale of the LL.M. Program

A	94-100%	C	68-73%
A-	90-93%	C-	64-67%
B+	86-89%	D+	60-63%
B	80-85%	D	54-59%
B-	77-79%	D-	50-53%
C+	74-76%	F	below 50%

VI. COURSE MATERIALS

Please, provide a list of required and recommended reading materials (books, articles, etc.). You may also indicate normative legal acts to be used in the course. The list of course materials should be updated each year.

1. Required Reading Materials

Students will be required to read materials that will be posted in the e-course system.

2. Recommended Reading Materials

- P. Van den Bossche, *The Law and Policy of the World Trade Organization. Text Cases and Materials* (3rd edition), Cambridge University Press, Cambridge: 2013
- D. Bethlehem, R. McRae, R. Neufeld, I. Van Damme (eds.), *The Oxford Handbook of International Trade Law* (Oxford Handbooks in Law), Oxford University Press, Oxford: 2009

- B. Hoekman & M. Kostecki, *The Political Economy of the World Trading System* (3rd ed.) Oxford University Press, Oxford: 2009
- J. Ch. Maur & J-P. Chauffour (eds.), *Preferential Trade Agreement Policies for Development: A Handbook*, World Bank Institute, 2011
- M. Trebilcock, R. Howse & A. Eliason, *The Regulation of International Trade* (4th ed.), Routledge, New York: 2012

VII. COURSE OUTLINE

Week	Class topics	Assignments, materials to be read ¹
1 October 2018	Introduction to the course. Theory and practice of international and regional trade and liberalization, existing challenges	See the e-course system
3 October 2018	The institutional arrangements and origin of the WTO. WTO dispute settlement.	See the e-course system
8 October 2018	Trade in goods (General Agreement on Tariffs and Trade, including the most-favoured and national treatment principles, tariff bindings and prohibition of quantitative restrictions).	See the e-course system
9 October 2018	Trade in goods (continued).	See the e-course system
10 October 2018	Trade in services (General Agreement on Trade in Services, including the most-favoured and national treatment principles, service commitments).	See the e-course system
16 October 2018	Specific arrangements for non-tariff barriers (SPS and TBT Agreements).	See the e-course system
17 October 2018	Intellectual property rights and international trade	See the e-course system

¹ This information may be provided either in the syllabus or in the e-course.