

Business Law  
**Module 11 [International Trade Law]**

*The module covers fundamentals of international trade law, predominantly through the prism of the WTO system. In particular, it concentrates on the peculiarities of the multilateral trade system, as promoted under the WTO regime, the structure of the organization, main principles of its activity, rights and obligations of the member states, as well as the options pertaining to settling disputes between them.*

Basic Notions:

Multilateral Trading System

Early history / emergence of the WTO

WTO

Trade liberalization

Objectives of the WTO

Structure of the WTO

Rules-based system

Comparative advantage and specialization

Trade negotiations

Doha development agenda

Accession to the WTO

The GATT

GATT 1947 v. GATT 1994

Consensus

GATS

TRIPS

Market Access

Schedules of commitments in goods and services

Tariff

Ad valorem tariff

Specific tariff (not ad valorem)

Tariff binding

Bound tariff rate

Applied tariff rate

MFN principle

Quantitative restrictions (quotas)

Border measures

National Treatment

Protectionism

Like Products

PPMs (Production and Process Methods) in determining likeness

Developing countries

LDC's

Special and differential treatment

Enabling clause

MFN limitations in Enabling clause context

Safeguards

General exceptions (GATT Art. XX)

Structure of GATT Art. XX (Chapeau + particular exception)

Security exceptions (GATT Art. XXI)

Regional trade agreements (RTAs)  
Customs unions (CU's)  
Free Trade Areas (FTA)  
Conditions for formation of FTAs and CUs  
Waivers  
Balance of payment (BOP)  
Plurilateral trade agreements  
Dumping  
Margin of Dumping  
Anti-dumping duty  
Subsidy  
Specific subsidy  
Prohibited subsidy  
Actionable subsidy  
Domestic subsidy  
Export subsidy  
Countervailing duty  
Transparency  
Notification requirement  
TPR (Trade policy review mechanism)  
WTO dispute settlement (general notions)  
Consultations  
Panel Process  
AB (Appellate Body) Review  
Implementation  
Nullification  
Impairment  
Specific commitments under GATS  
Government procurement  
Multilateral Trade Agreements (basics pertaining to the place in the system, scope of coverage, etc:  
Agreement on Agriculture, SPS, TBT, )  
Proliferation of RTA's

#### General Reference Materials:

Black's Law Dictionary Free Online Legal Dictionary 2nd Ed.:

<http://thelawdictionary.org/#ixzz2dKQavCad>

#### Articles, Book Chapters, Other Overviews and Summaries

Online Course of Introduction to the WTO (6 study modules):

[http://etraining.wto.org/admin/files/Course\\_307/CourseContents/N-INTRO-E-Print.pdf](http://etraining.wto.org/admin/files/Course_307/CourseContents/N-INTRO-E-Print.pdf)

Marceau, Gabrielle, The WTO: Legal Underpinnings, WTO e-learning course, January 2013, available at:

[http://etraining.wto.org/admin/files/Course\\_363/CourseContents/Legal%20underpinnings-E-R1-Print.pdf](http://etraining.wto.org/admin/files/Course_363/CourseContents/Legal%20underpinnings-E-R1-Print.pdf)

Van den Bossche, Peter, UNCTAD Course on Dispute Settlement – WTO – An Overview:

[http://unctad.org/en/docs/edmmisc232add11\\_en.pdf](http://unctad.org/en/docs/edmmisc232add11_en.pdf)

Kessie Edwini, WTO Rules on Regional Trade Agreements (ppt), available at:

<http://www.unitar.org/ny/sites/unitar.org.ny/files/RegionalTradeAgreements.pdf>

### Other resources

The WTO web page: [www.wto.org](http://www.wto.org)

The WTO in brief (video): [http://www.wto.org/english/thewto\\_e/whatis\\_e/inbrief\\_e/ibr00\\_e.htm](http://www.wto.org/english/thewto_e/whatis_e/inbrief_e/ibr00_e.htm)

From GATT to WTO: [http://www.wto.org/english/res\\_e/webcas\\_e/webcas\\_e.htm#video](http://www.wto.org/english/res_e/webcas_e/webcas_e.htm#video)

Virtual visit to WTO: [http://www.wto.org/english/res\\_e/webcas\\_e/webcas\\_e.htm#video](http://www.wto.org/english/res_e/webcas_e/webcas_e.htm#video)