

**SYLLABUS**  
**INTERNATIONAL TRADE LAW**  
(Attached to Decision No..... / QĐ-ĐHNT dated    /    / 20....  
of the President of Foreign Trade University)

**Course title:** International Trade Law

**Course code:** PLUE422

**Faculty:** Law Faculty

**Department:** International Trade Law Department, Faculty of Law

**Course conducting:**

**Credit hours:** 3 credits

**Prerequisite(s):** Introduction to Law (PLUE111)

**Time of the first design/announcement:**

**Adjust, modify, supplement:**

**1. INSTRUCTOR(S) INFORMATION**

No.	Instructors' name	Email	Phone number	Office
1	Ho Thuy Ngoc	Ngocht@ftu.edu.vn	0904164363	Faculty of Law
2	Vu Kim Ngan	Nganvk@ftu.edu.vn	0888690969	Faculty of Law
3	Nguyen Ngoc Ha	<u>Hann@ftu.edu.vn</u>	0948180683	Faculty of Law

**2. COURSE OBJECTIVES**

The course is designed to help students get familiar with international trade law in general and particularly the law of the World Trade Organization (WTO). Students are equipped with knowledge to analyze the world trading system and to evaluate how international law balances trade liberalization with other societal values and interests, such as the protection of public health, the environment and economic development of developing countries. The course also provides students with the knowledge and skills to analyze and evaluate agreements in various aspects of international trade. At the end of the course, students can work out the fundamental principles and underlying logic of WTO law and the world trading system.

**3. COURSE LEARNING OUTCOMES**

**3.1. Learning outcomes about knowledge, skills, autonomy and responsibility**

On completion of this course, students should be able to:

**3.1.1. Knowledge**

**CLO1:** Understand and analyze the main principles and sources of international trade law.

**CLO2:** Understand and analyze the history and development, the agreements and institutional structure of the WTO and its predecessor, the GATT.

**CLO3:** Apply and analyze fundamental WTO principles and rules concerning market access for trade in goods, trade in services.

**CLO4:** Apply, analyze and evaluate the WTO rules on unfair trade, in particular the rules on dumping and subsidized trade; as well as how the WTO deals with the inevitable conflict between trade liberalization and other societal values and interest.

**CLO5:** Apply, analyze and evaluate the rules and procedures governing the settlement of disputes.

### 3.1.2. Skills

**CLO6:** To consult with specific real-life international trade problems encountered by developed countries and developing countries.

**CLO7:** To resolve relevant disputes arising out of international trade law.

**CLO8:** To improve presentation and work-in-group skills.

### 3.3. Attitudes

**CLO9:** To be confident in dealing with issues of international trade law nature;

**CLO10:** To be proactive in conducting research relating to international trade law, WTO law and related legal issues, and cases in which Vietnam participates.

## 3.2. Matrix of the contribution of Course learning outcomes to Program learning outcomes

Course learning outcomes	Program learning outcomes											
	PLO1	PLO2	PLO3	PLO4	PLO5	PLO6	PLO7	PLO8	PLO9	PLO 10	PLO 11	PLO 12
<b>CLO1</b>	X		X	X								
<b>CLO2</b>	X		X	X								
<b>CLO3</b>	X		X	X								
<b>CLO4</b>	X	X	X	X	X							
<b>CLO5</b>	X		X	X	X							
<b>CLO6</b>						X	X	X				
<b>CLO7</b>						X	X	X				
<b>CLO8</b>							X	X				
<b>CLO9</b>									X	X	X	X
<b>CLO10</b>									X	X	X	X
<b>Course</b>	3	1	5	2	1	4	5	5	4	4	4	3

## 4. READINGS MATERIALS

### 4.1. Textbook:

(1) Peter Van den Bossche, The Law and Policy of the World Trade Organization- Text, Cases and Materials. 2<sup>nd</sup>, Cambridge University Press.

### 4.2. Compulsory readings

(2) World Trade Organization, The Legal texts, The Results of the Uruguay Round of Multilateral Trade Negotiations, Cambridge University Press.

(3) The Comprehensive and Progressive Trans-Pacific Partnership (CPTPP)

(4) The European Union – Vietnam Free Trade Agreement (EVFTA)

(5) The Regional Comprehensive Economic Partnership (RCEP)

### 4.3. Optional reading(s)

(6) Davey, W.J. 'The WTO Dispute Settlement System: How Have Developing Countries Fared?', Conference Paper, 2007.

(7) Jackson, J.H., Davey, W. and Sykes, A., 'GATT and International Tariff Commitments: The Bindings 'in *Legal Problems of International Economic Relations: Cases, Materials and Text*, St. Paul: West Publishing Co., 1986, 2nd edn, pp. 395-420.

(8) François, J. and B. Hoekman (2010), Services Trade and Policy, in *Journal of Economic Literature*, 48 (September), pp. 642-92.

(9) Marconini, M. and P. Sauvé, "Negotiating Trade in Services: A Practical

Guide for Developing Countries”, in Saez, S., ed. Trade in Services Negotiations: A Guide for Developing Countries, Directions in Development: Trade, Washington, D.C., The World Bank, pp. 19-85. Available at <http://issuu.com/World.Bank.Publications/docs/9780821383537>

(10) Paul Halpern, Michael Trebilcock and Stuart Turnbull, An Economic Analysis of Marconini, M. and P. Sauvé, “Negotiating Trade in Services: A Practical Guide for Developing Countries”, in Saez, S., ed. Trade in Services Negotiations: A Guide for Developing Countries, Directions in Development: Trade, Washington, D.C., The World Bank, pp. 19-85. Available at <http://issuu.com/World.Bank.Publications/docs/9780821383537>

#### 4.4. Websites and links

(11) <http://www.wto.org>

(12) <http://www.trungtamwto.vn>

## 5. COURSE CONTENTS AND SCHEDULE

### 5.1. Course contents

3.1. Course contents						
No.	Contents	Time Allocation				Contribution to CLO
		Hour(s) on the class		Essays, exercise, Assignments... (3)	Self-study with teacher's tutorials (4)	
		Lecture (1)	Practice, Seminar... (2)			
1-2	Chapter 1. Economic Globalization and the Law of the WTO	4	2	0	9	1,6,7,8,9,10
3-6	Chapter 2. The World Trade Organization	8	4	0	18	2,6,7,8,9,10
7-8	Chapter 3. Principles of non-discrimination	4	2	22.5	9	3,6,7,8,9,10
9-10	Chapter 4. Rules on market access	4	2	0	9	4,6,7,8,9,10
11	Mid-term exam	3	0	0	6	1,2,3,4, 6,7,8,9,10
12-13	Chapter 5. Rules on unfair trade	4	2	0	9	4,6,7,8,9,10
14-15	Chapter 6. The WTO Dispute Settlement	3	3	0	7.5	5,6,7,8,9,10
Total (hour)		30	15	22.5	67.5	

### 5.2. Schedule of lectures

No.	Teaching and learning activities	Hour(s)	Content	Contribution to CLO
1	Lecture	2	Chapter 1. Economic Globalization and the Law of the WTO	1,6,7,8,9,10
	Practice,	1		

	Seminar...		<b>1.1. Introduction</b> <b>1.2. Economic globalization and international trade</b> 1.2.1 The emergence of the global economy 1.2.2 Trade liberalization vs protectionism <b>1.3. International trade and the law of the WTO</b> 1.3.1. International rules for international trade 1.3.2. Basic rules and principles of WTO law	
	Essays, exercise, assignments	0		
	Self-study with the teacher's tutorials	4.5	Read [1, Chapter 1, pp.1-75]	
	Assessment methods	Analyze history and development of international trade law		
2	Lecture	2	<b>Chapter 1. Economic Globalization and the Law of the WTO (cont'd)</b> <b>1.4. Sources of WTO law</b> 1.4.1. The Marrakesh Agreement establish the WTO 1.4.2. Other sources of WTO law <b>1.5. WTO law in context</b> 1.5.1. WTO law and international law 1.5.2. WTO law and national law	1,6,7,8,9,10
	Practice, Seminar...	1		
	Essays, exercise, assignments	0		
	Self-study with the teacher's tutorials	4.5	Read [1, Chapter 1, pp.1-75]	
	Assessment methods	Excercise at p.73 [1]		
3	Lecture	2	<b>Chapter 2. The World Trade Organization</b> <b>2.1. Introduction</b> <b>2.2. The origins of the WTO</b> 2.2.1 The GATT 1947 2.2.2 Uruguay Round of Multilateral Trade Negotiations	2,6,7,8,9,10
	Practice, Seminar...	1		
	Essays, exercise, assignments	0		
	Self-study with the teacher's tutorials	4.5	Read [1, Chapter 2, pp.75-168];	
	Assessment methods	Analyze history and development of the WTO		
4	Lecture	2	<b>Chapter 2. The World Trade Organization (cont'd)</b> <b>2.3. Mandate of the WTO</b> 2.3.1. Objectives of the WTO	2,6,7,8,9,10
	Practice, Seminar...	1		
	Essays, exercise,	0		

	assignments		2.3.2. Functions of the WTO <b>2.4. Membership of the WTO</b> 2.4.1. Current membership 2.4.2. Accession procedures 2.4.3. Obligations of Members 2.4.4. Withdrawal and expulsion	
	Self-study with the teacher's tutorials	4.5	Read [1, Chapter 2, pp.75-168];	
	Assessment methods	Analyze mandates of the WTO towards trade liberalization and its membership situation		
5	Lecture	2	<b>Chapter 2. The World Trade Organization (cont'd)</b> <b>2.5. Institutional structure of the WTO</b> 2.5.1. Basic structure 2.5.2. Ministerial Conference 2.5.3. General Council, DSB and TPRB 2.5.4. Specialised councils, committees and working parties 2.5.5. Trade Negotiations Committee 2.5.6. Political bodies lacking in the WTO structure 2.5.7. Quasi-judicial and other non-political bodies 2.5.8. WTO Secretariat	2,6,7,8,9,10
	Practice, Seminar...	1		
	Essays, exercise, assignments	0		
	Self-study with the teacher's tutorials	4.5	Read [1, Chapter 2, pp.75-168]; [2, pp. iii-1]	
	Assessment methods	Exercise in p.167 [1]		
6	Lecture	2	<b>Chapter 2. The World Trade Organization (cont'd)</b> <b>2.6. Decision making in the WTO</b> 2.6.1. Normal procedure 2.6.2. Special procedures 2.6.3. WTO decision-making in practice 2.6.4. Participation of developing-country Members 2.6.5. Involvement of NGOs 2.6.6. Form and legal basis of WTO decisions	2,6,7,8,9,10
	Practice, Seminar...	1		
	Essays, exercise, assignments	0		
	Self-study with the teacher's tutorials	4.5	Read [1, Chapter 2, pp.75-168]; [2, pp. iii-1]	
	Assessment methods	Analyze the decision-making methods at the WTO and evaluate their effectiveness in practice		
7	Lecture	2	<b>Chapter 3. Principles of non-discrimination</b>	3,6,7,8,9,10
	Practice, Seminar...	1		

	Essays, exercise, assignments	0	<b>3.1. MFN under GATT 1994</b> 3.1.1. Nature of the MFN treatment obligation of Article I:1 of the GATT 1994 3.1.2. Consistency with Article I:1 of the GATT 1994 <b>3.2. MFN under GATS 1994</b> 3.2.1. Nature of the MFN treatment obligation of Article II:1 of the GATS 3.2.2. Consistency with Article II:1 of the GATS 3.2.3. Exemptions from the MFN treatment obligation under Article II:1 of the GATS	
	Self-study with the teacher's tutorials	4.5	Read [1, Chapter 4, pp.320-400]; [2, pp. 15-100], [3], [4], [5]	
	Assessment methods	Differentiate MFN under GATT and GATS. Apply GATT Art.I:1 and GATS Art.II:1 to solve legal cases		
8	Lecture	2	<b>Chapter 3. Principles of non-discrimination (cont'd)</b> <b>3.3. NT under GATT 1994</b> 3.3.1. Nature of the national treatment obligation of Article III of the GATT 1994 3.3.2. Consistency with Article III:2, first sentence, of the GATT 1994 3.3.3. Consistency with Article III:2, second sentence, of the GATT 1994 3.3.4. Consistency with the national treatment obligation of Article III:4 of the GATT 1994 <b>3.4. NT under GATS 1994</b> 3.4.1. Nature of the national treatment obligation of Article XVII of the GATS 3.4.2. Consistency with Article XVII of the GATS Exercise in p.398 [1]	3,6,7,8,9,10
	Practice, Seminar...	1		
	Essays, exercise, assignments	22.5		
	Self-study with the teacher's tutorials	4.5		
	Assessment methods	Case study/ Role-play		
9	Lecture	2	<b>Chapter 4. Rules on market access</b> <b>4.1. Tariff barriers to trade in goods</b> 4.1.1. Customs duties or tariffs 4.1.2. Negotiations 4.1.3. Tariff concessions and schedules of concessions 4.1.4. Protection	4,6,7,8,9,10
	Practice, Seminar...	1		
	Essays, exercise, assignments	0		

			4.1.5. Modification		
	Self-study with the teacher's tutorials	4.5	Read [1, Chapter 5, pp.401-506], [3], [4], [5]		
	Assessment methods	Evaluate tariff barriers to trade in goods Analyze Vietnam's Goods schedule in WTO			
10	Lecture	2	<b>Chapter 4. Rules on market access (cont'd)</b> <b>4.2. Non-tariff barriers to trade in goods</b> 4.2.1. Quantitative restrictions 4.2.2. Other non- tariff barriers <b>4.3. Barriers to trade in services</b>	4,6,7,8,9,10	
	Practice, Seminar...	1			
	Essays, exercise, assignments	0			
	Self-study with the teacher's tutorials	4.5			Read [1, Chapter 5, pp.401-506], [3], [4], [5]
	Assessment methods	Analyze Vietnam's Services schedule in WTO Exercise in p.504 [1]			
11	Lecture	3	<b>Mid-term exam</b>	1,2,3, 5,6,7,8,9,10	
	Practice, Seminar...	0			
	Essays, exercise, assignments	0			
	Self-study with the teacher's tutorials	6	Revision of all contents of Chapter 1, 2, 3, and 4		
	Assessment methods	- Instructor prepares exam questions based on the contents of Chapter 1, 2, 3, 4 - See further instructions at 7.2			
12	Lecture	2	<b>Chapter 5. Rules on unfair trade</b> <b>5.1. Dumping</b> 5.1.1. Basic elements of WTO law on dumping 5.1.2. Determination of dumping 5.1.3. Determination of injury 5.1.4. S&D for developing countries members	4,6,7,8,9,10	
	Practice, Seminar...	1			
	Essays, exercise, assignments	0			
	Self-study with the teacher's tutorials	4.5			Read [1, Chapter 6, pp.507-612]; [2, ADA, SG, SCM]
	Assessment methods	Case study on anti-dumping measures (DS404)			
13	Lecture	2	<b>Chapter 5. Rules on unfair trade (cont'd)</b> <b>5.2. Subsidies and counter veiling measures</b> 5.2.1. Basic elements of WTO law on subsidies 5.2.2. Prohibited subsidization 5.2.3. Actionable subsidies 5.2.4. S&D for developing countries	4,6,7,8,9,10	
	Practice, Seminar...	1			
	Essays, exercise, assignments	0			

	Self-study with the teacher's tutorials	4.5	Read [1, Chapter 6, pp.507-612]; [2, ADA, SG, SCM], [3], [4], [5]	
	Assessment methods	Exercise in p.612 [1]		
14	Lecture	2	<b>Chapter 6. WTO Dispute Settlement</b> <b>6.1. Introduction</b> <b>6.2. Principles of WTO dispute Settlement</b> 6.2.1. Object and purpose 6.2.2. Methods 6.2.3. Jurisdiction 6.2.4. Access 6.2.5. Process 6.2.5. S&D for developing countries	5,6,7,8,9,10
	Practice, Seminar...	1		
	Essays, exercise, assignments	0		
	Self-study with the teacher's tutorials	3	Read [1, Chapter 3, pp.169-316]; [2, 354-380]	
	Assessment methods	Evaluate the effectiveness of the WTO dispute settlement system		
15	Lecture	1	<b>Chapter 6. WTO Dispute Settlement (cont'd)</b> <b>6.3. Institutions of WTO dispute settlement</b> 6.3.1. DSB 6.3.2. The Panel 6.3.3. The AB 6.3.4. Others <b>6.4. Proceedings</b> 6.4.1. Consultations 6.4.2. Panel proceedings 6.4.3. Appellate review 6.4.4. Implementation and enforcement 6.5. Main challenges	5,6,7,8,9,10
	Practice, Seminar...	2		
	Essays, exercise, assignments	0		
	Self-study with the teacher's tutorials	4.5	Read [1, Chapter 3, pp.169-316]; [2, 354-380]	
	Assessment methods	Exercise in p.316 [1]		

## 6. COURSE POLICY

### 6.1. Missions of students

- Read materials and prepare before attending class.
- Fulfill all assigned tasks.
- Prepare the discussion of the course.

### 6.2. Regulations of exam

- Students have to attend at least 75% of the total class.
- Fulfill all assigned tasks of the course.



- Attendance is also required for all examination/ assignment periods. Students are expected to pass at least 50% of those examinations. For courses those only requires one examination, students are expected to earn at least 5 points out of 10.
- For an absence to be excused, the absence must be accompanied by a written excuse from a doctor or other competent authority. If a student is absent for more than an allowed number of sessions for the university's mission, the instructor then can consider and decide, but must ensure that no more than 60% of the sessions are taken and additional instruction is required under the supervision of the instructor.
- All assignments must be the result of the students' own work and effort.
- If 40% similarity is detected; the assignment's score will be deducted.
- If more than 40% similarity is detected; the assignment will be zero-scored.
- Late submission will result in 10% deducted from assignment score for each day late.
- Missed work or more than 3 days late submission will be zero-scored.

## 7. COURSE ASSESSMENT

- Score ladder: 10

- Type of assessment

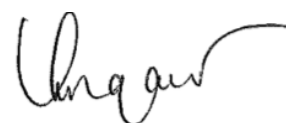
Form		Content	Criteria	CLO	Proportion
Formative	Attendance	Daily attendance and participation in class.	The number of attendances and participation in lesson	6,7,8,9,10	10%
	Midterm exam	Chapters 1,2,3,4	<ul style="list-style-type: none"> <li>- Format: in writing + in-class exam (closed or open book, short answer, problem-solving); or assignment /take-home essay</li> <li>- Exam content will cover Chapters 1,2,3</li> <li>- Time limit: from 90 minutes to 120 minutes (max.) for in-class exam or 72 hours for assignment/ take-home essay</li> <li>- Criteria: grades are determined in accordance with the keys and marking schemes developed by instructor(s).</li> <li>- Depending on actual situation, the exam could be conducted in an online or offline mode.</li> </ul>	1,2,3,5,6,7,8,9,10	30%
Summative	Final exam	Chapters 1,2,3,4,5,6	<ul style="list-style-type: none"> <li>- Format: in writing + in-class exam (closed or open book, short answer, problem-solving); or assignment /take-home essay</li> </ul>	1,2,3,4,5,6,7,8,9,10	60%

			<ul style="list-style-type: none"> <li>-Exam content will cover Chapters 1,2,3,4,5,6</li> <li>- Time limit: from 90 minutes to 120 minutes (max.) for in-class exam or 72 hours for assignment/ take-home essay</li> <li>- Criteria: grades are determined in accordance with the keys and marking schemes developed by instructor(s).</li> <li>- Depending on actual situation, the exam could be conducted in an online or offline mode.</li> </ul>		
				<b>Total:</b>	<b>100%</b>

**DEAN OF FACULTY**

**HEAD OF DEPARTMENT**

**LECTURER IN CHARGE**



**Vũ Kim Ngân**