

INTERNATIONAL TRADE REMEDIES

Course code: PLU431

(Attached to Decision No..... / QĐ-ĐHNT dated / / 20....
of the President of Foreign Trade University)

Faculty: Faculty of Law

Department: International Trade law

Credit hours: 3

Prerequisite(s): International law on trade in goods (PLU433)

Time of the first design/announcement:

Adjustment, modification, supplementation:

1. INSTRUCTORS' INFORMATION

	Instructors' name	Email	Phone number
	Assoc. Prof. Nguyen Ngoc Ha	hann@ftu.edu.vn	094 8180683
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2. COURSE OBJECTIVES

This course is a mandatory subject within the specialized knowledge block of the Bachelor of Law program, specializing in International Trade Law.

This course provides students with in-depth legal knowledge and skills regarding measures to ensure fairness in international trade. It covers an overview of the topic and specific measures such as anti-dumping, countervailing, and safeguard measures under the WTO framework, as well as those in some new-generation FTAs in which Vietnam participates. Additionally, it addresses the legal provisions of certain countries and Vietnam governing trade fairness measures and the practical application of these regulations.

3. COURSE LEARNING OUTCOMES

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

Upon the course completion, undergraduate students are able:

3.1.1. Knowledge

CLO1: Apply general knowledge of trade remedies in international trade to study subsequent trade remedy measures.

CLO2: Analyze WTO regulations, provisions in selected FTAs, and rules of the United States, the EU, and Vietnam on anti-dumping, as well as assess the practical application of these regulations.

CLO3: Analyze WTO regulations, provisions in selected FTAs, and rules of the United States, the EU, and Vietnam on subsidies and countervailing measures, and assess the practical application of these regulations.

3.1.2. Skills

CLO6: Possess skills to assist Vietnamese enterprises in identifying risks of being subjected to trade remedies abroad, as well as recognizing and requesting competent Vietnamese authorities to impose trade remedies on imported goods to protect the legitimate rights and interests of relevant domestic industries.

CLO8: Possess skills to provide consultancy for relevant state agencies in the application of regulations on fair trade measures and in handling trade remedy cases abroad.

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CLO10: Actively and proactively learn lessons from WTO trade remedy cases involving anti-dumping measures.

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

[illegible]

CL 03	x	x	x	x												
CL 04	x	x	x	x												
CL 05					x	x	x	x	x	x	x					
CL 06					x	x	x	x	x	x	x					
CL 07					x	x	x	x	x	x	x					
CL 08					x	x	x	x	x	x	x					
CL 09												x	x	x	x	x
CL 010												x	x	x	x	x
CL 011												x	x	x	x	x
Cou rse	2	3	3	5	3	4	5	5	5	4	3	4	4	4	4	5

4. READING MATERIALS

4.1. Textbook

1. Hanoi Law University, *Textbook International Trade and Business Law*, People's Public Security Publishing House, Hanoi, (2017) (Vietnamese-English bilingual book), link
<http://pltmqt.hlu.edu.vn/Images/Post/files/Khoa%20PLTMQT/GT%20LTMQT%20SONG%20NGU-2017.pdf>

4.2. Compulsory readings

2. Anti-Dumping Agreement (Implementation of Article VI of the GATT)
3. Agreement on Subsidies and Countervailing Measures
4. Agreement on Safeguards
5. General Agreement on Tariffs and Trade 1994
6. Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)
7. Free Trade Agreement between The Socialist Republic of Viet Nam and European Union
8. Asean Trade in Goods Agreements
9. Law On Foreign Trade Management 2017
10. Vietnam chamber of commerce and industry, *Q&A on Anti-Dumping under WTO – United States – EU*, link
<https://trungtamwto.vn/file/16550/Hoi%20dap%20PL%20ve%20chong%20ban%20pha%20gia%20WTO-US-EU.pdf>

11. Vietnam chamber of commerce and industry , *Handbook on Resisting Anti-Dumping and Countervailing Duty Cases in the United States*, link <https://trungtamwto.vn/file/23660/cam-nang-khang-kien-chong-ban-pha-gia-chong-tro-cap-tai-hoa-ky.pdf>
 12. Vietnam chamber of commerce and industry, Disputes on Anti-Dumping in WTO, link <https://chongbanphagia.vn/download/f1740/2019021310132915sach-tranh-chap-cbpg-trong-wto.pdf>
 13. Trade Remedies Authority of Vietnam, Trade Remedies and Early Warning, link https://trav.gov.vn/?page=newsletter&category_id=353327ef-2d62-49fb-bd95-8411bdb046b3
 14. Nguyen Ngoc Ha, Current Situation of Anti-Dumping Investigations in Vietnam and Emerging Issues, *Journal of Legal Studies*, 2018, Vol. 9 (220), pg. 32-46.
 15. Nguyen Ngoc Ha , The lessons learned from Indonesia's safeguard investigation on cold-rolled steel imports from Vietnam, *Journal of State and Law*, 2018, Vol. 11(367), pg. 73-84.
 16. Nguyen Ngoc Ha, 'Regulations on Fisheries Subsidies in the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and Their Impacts on Vietnam, *Journal of Jurisprudence*, 2019, No. 5(228), pp. 29-42.
- website
17. <http://www.wto.org>
 18. <http://trungtamwto.vn>
 19. <http://www.chongbanphagia.vn>
 20. <http://www.trav.gov.vn>

5. COURSE CONTENTS AND SCHEDULE

5.1. Course contents

No.	Contents	Time Allocation				Contribution to CLO
		Hour(s) on the class		Exercises (3)	Self-study with teacher's tutorials (4)	
		Lecture (1)	Practice (2)			
1-2	Chapter 1. Overview of International Trade Remedies	4	2	0	9	1, 5, 6, 7, 8, 9, 10, 11
3-6	Chapter 2: International and Vietnamese Laws on Anti-Dumping	8	4	12.5	18	2, 5, 6, 7, 8, 9, 10, 11
7	Mid-term Exam	3	0	0	6	1, 2, 5, 6, 7, 8, 9, 10, 11

8-11	Chapter 3: International and Vietnamese Law on Subsidies and Countervailing Measures	8	4	5	23	3, 5, 6, 7, 8, 9, 10, 11
12- 15	Chapter 4: International and Vietnamese Law on Safeguards	7	5	5	26.5	4, 5, 6, 7, 8, 9, 10, 11
Total (hour)		30	15	22.5	82.5	

5.2. Schedule of lectures

No.	Teaching and learning activities	Hour(s)	Content	Contribution to CLO
1	Lecture	2	Chapter 1. Overview of International Trade Remedies 1.1. Definition, Characteristics, and Role of Fairness Measures in International Trade 1.1.1. Definition 1.1.2. Characteristics 1.1.3. Role	1, 5, 6, 7, 8, 9, 10, 11
	Practice	1		
	Exercise, assignments	0		
	Self-study with the teacher's tutorials	4.5	Read [1, ch.2, tr.659-666], [2-9], [10-11]	
	Assessment methods	<ul style="list-style-type: none"> - Compare the concepts of anti-dumping measures, countervailing measures, and safeguard measures. - Apply the roles of measures ensuring fair trade to explain why Vietnam should or should not use these measures. 		
2	Lecture	2	Chapter 1. Overview of International Trade Remedies (cont.) 1.2. Governing Laws 1.2.1. International Treaties 1.2.2. National Laws 1.2.3. The Relationship	1, 5, 6, 7, 8, 9, 10, 11
	Practice	1		
	Exercise, assignments	0		

			Between the Two Sources of Law	
	Self-study with the teacher's tutorials	4.5	Read [1, ch.2, tr.659-666], [2-9], [10-11].	
	Assessment methods	Distinguish the sources of law governing measures to ensure fairness in international trade.		
3	Lecture	2	Chapter 2 – International and Vietnamese Laws on Anti-Dumping 2.1. WTO Law on Anti-Dumping 2.1.1. General Introduction 2.1.2. Determination of Margin of dumping, Injury, and Causal relationship between the dumped imports and the injury to the domestic industry	2, 5, 6, 7, 8, 9, 10, 11
	Practice	1		
	Exercise, assignments	4		
	Self-study with the teacher's tutorials	4.5	Read [1, ch.2, tr.659-666], [2],[5], [10],[12].	
	Assessment methods	<input type="checkbox"/> Analysis of WTO regulations on determining dumping margins, injury, and causal relationships. <input type="checkbox"/> Application of WTO regulations on determining dumping margins and injury to resolve specific cases.		
4	Lecture	2	Chapter 2 – International and Vietnamese Laws on Anti-Dumping 2.1. WTO Law on Anti-Dumping (cont.) 2.1.3. Procedures and Investigation Processes for Anti-Dumping 2.1.4. Provisions on Dispute Settlement	2, 5, 6, 7, 8, 9, 10, 11
	Practice	2		
	Exercise, assignments	2		
	Self-study with the teacher's tutorials	6	Read [1, ch.2, tr.659-666], [2], [5], [10], [12].	

	Assessment methods		<input type="checkbox"/> Analyze WTO regulations on the procedures and processes for anti-dumping investigations. <input type="checkbox"/> Study a WTO dispute concerning anti-dumping and analyze the application of procedural and investigative rules in that dispute.	
5	Lecture	2	Chapter 2 – International and Vietnamese Laws on Anti-Dumping (cont.) 2.2. Provisions on Anti-Dumping in Certain FTAs 2.2.1. Provisions in the CPTPP 2.2.2. Provisions in the EVFTA 2.2.3. Provisions in Other FTAs 2.3. U.S. and EU Anti-Dumping Laws 2.3.1. U.S. Anti-Dumping Laws 2.3.2. EU Anti-Dumping Laws	2, 5, 6, 7, 8, 9, 10, 11
	Practice	1		
	Exercise, assignments	2		
	Self-study with the teacher's tutorials	6	Read [6], [7], [8], [10], [11], [16].	
	Assessment methods		<input type="checkbox"/> Analysis of CPTPP/EVFTA regulations on anti-dumping <input type="checkbox"/> Analysis of EU/US regulations on anti-dumping	
6	Lecture	3	Chapter 2 – International and Vietnamese Laws on Anti-Dumping (cont.) 2.4. Vietnamese Law on Anti-Dumping 2.4.1. History of the Formation and Development of Vietnamese Anti-Dumping Laws 2.4.2. Anti-Dumping Provisions in the 2017 Law on Foreign Trade Management	2, 5, 6, 7, 8, 9, 10, 11
	Practice	0		
	Exercise, assignments	0		

			2.4.3. Practical Application of Anti-Dumping Measures in Vietnam	
	Self-study with the teacher’s tutorials	11	Read [9], [14]	
	Assessment methods	<ul style="list-style-type: none">Analyze Vietnam's regulations on anti-dumping measures.Analyze the current state of Vietnam's implementation of anti-dumping measures.		
7	Lecture	3	Mid-term exam	1, 2, 5, 6, 7, 8, 9, 10, 11
	Practice	0		
	Exercise, assignments	0		
	Self-study with the teacher’s tutorials	6	Review the entire content from session 1 to session 6 The referenced materials from chapters 1 and 2	
	Assessment methods	Review chapters 1 and 2		
8	Lecture	2	Chapter 3 – International and Vietnamese Law on Subsidies and Countervailing Measures 3.1. WTO Law on Subsidies 3.1.1. General Introduction 3.1.2. Concept and Classification of Subsidies 3.1.3. Countervailing Measures	3, 5, 6, 7, 8, 9, 10, 11
	Practice	1		
	Exercise, assignments	0		
	Self-study with the teacher’s tutorials	9.5	Read [1, chapter 2, pg.659-666], [3],[5], [10].	
	Assessment methods	<input type="checkbox"/> Analyze WTO regulations on types of subsidies. <input type="checkbox"/> Apply WTO regulations on types of subsidies to resolve a specific case.		
9	Lecture	2	Chapter 3 – International and Vietnamese Law on Subsidies and Countervailing	3, 5, 6, 7, 8, 9, 10, 11
	Practice	1		
	Exercise,	0		

	assignments		Measures (cont.) 3.1. WTO Law on Subsidies 3.1.4. Procedures and Processes for Subsidy Investigations and Application of Countervailing Measures 3.1.5. Special and Differential Treatment (S&D) for Developing and Least Developed Members 3.1.6. Provisions on Dispute Settlement	
	Self-study with the teacher’s tutorials	4.5	Read [1, chapter 2, pg.659-666], [3], [5], [10].	
	Assessment methods	<input type="checkbox"/> Analyze WTO regulations on the procedures and processes for subsidy investigations and the application of countervailing measures. <input type="checkbox"/> Study a WTO dispute regarding subsidies/countervailing measures and analyze the application of the regulations on procedures and processes for subsidy/countervailing investigations.		
10	Lecture	2	Chapter 3 – International and Vietnamese Law on Subsidies and Countervailing Measures (cont.) 3.2. Regulations on Subsidies in Some FTAs 3.2.1. Regulations in the CPTPP 3.2.2. Regulations in the EVFTA 3.2.3. Other FTAs 3.3. U.S. and EU Laws on Subsidies 3.3.1. U.S. Laws on Anti-Dumping 3.3.2. EU Laws on Anti-Dumping	3, 5, 6, 7, 8, 9, 10
	Practice	1		
	Exercise, assignments	0		

	Self-study with the teacher's tutorials	4.5	Read [6], [7], [8], [10], [11].	
	Assessment methods	<input type="checkbox"/> Analysis of CPTPP/EVFTA subsidy regulations. <input type="checkbox"/> Analysis of EU/US subsidy regulations.		
11	Lecture	2	Chapter 3 – International and Vietnamese Law on Subsidies and Countervailing Measures (cont.) 3.4. Vietnamese Law on Subsidies 3.4.1. History of the Formation and Development of Vietnamese Law on Subsidies 3.4.2. Regulations on Subsidies and Countervailing Measures in the Law on Foreign Trade Management of 2017 3.4.3. Practical Application of Countervailing Measures in Vietnam	3, 5, 6, 7, 8, 9, 10, 11
	Practice	1		
	Exercise, assignments	5		
	Self-study with the teacher's tutorials	4.5	Read [9]	
	Assessment methods	<input type="checkbox"/> Analysis of Vietnam's regulations on subsidies. <input type="checkbox"/> Analysis of the current practice of applying countervailing measures in Vietnam.		
12	Lecture	2	Chapter 4 – International and Vietnamese Laws on Safeguard Measures 4.1. WTO Law on Safeguard Measures 4.1.1. General Introduction 4.1.2. Procedures and Processes for Implementing Safeguard Measures	4, 5, 6, 7, 8, 9, 10, 11
	Practice	1		
	Exercise, assignments	0		
	Self-study with the teacher's	9.5	Read [1, chapter 2, pg.659-666], [4],[5].	

	tutorials			
	Assessment methods	Analysis of the Concept and Conditions for Applying Safeguard Measures under WTO Regulations.		
13	Lecture	2	Chapter 4 – International and Vietnamese Laws on Safeguard Measures (cont.) 4.1.2. Procedures and processes for applying safeguard measures (cont.) 4.1.3. S&D provisions for developing and least-developed Members 4.1.4. Provisions on dispute settlement	4, 5, 6, 7, 8, 9, 10, 11
	Practice	1		
	Exercise, assignments	0		
	Self-study with the teacher’s tutorials	9.5	Read [1, ch.2, pg.659-666], [4],[5].	
	Assessment methods	<ul style="list-style-type: none">Analyze WTO regulations on the sequence and procedures for initiating safeguard investigations.Study a WTO dispute concerning the application of safeguard measures and analyze the application of regulations on the sequence and procedures for implementing safeguard measures in that dispute.		
14	Lecture	2	Chapter 4 – International and Vietnamese Laws on Safeguard Measures (cont.) 4.2. Provisions of Certain FTAs on Safeguard Measures 4.2.1. Provisions of the CPTPP 4.2.2. Provisions of the EVFTA 4.2.3. Other FTAs 4.3. U.S. and EU Laws on Safeguard Measures 2.3.1. U.S. Laws on the Application of Safeguard	4, 5, 6, 7, 8, 9, 10, 11
	Practice	1		
	Exercise, assignments	0		

			Measures 2.3.2. EU Laws on the Application of Safeguard Measures	
	Self-study with the teacher’s tutorials	4.5	[6], [7], [8].	
	Assessment methods	<input type="checkbox"/> Analyze the provisions of CPTPP/EVFTA on the application of safeguard measures. <input type="checkbox"/> Analyze the provisions of the EU/United States on the application of safeguard measures.		
15	Lecture	2	Chapter 4 – International and Vietnamese Laws on Safeguard Measures (cont.) 4.4. Vietnamese Law on Safeguards 4.4.1. History of Formation and Development of Vietnamese Law on Safeguards 4.4.2. Regulations on Safeguards in the Law on Foreign Trade Management 2017 4.4.3. Practical Application of Safeguard Measures in Vietnam	4, 5, 6, 7, 8, 9, 10, 11
	Practice	1		
	Exercise, assignments	0		
	Self-study with the teacher’s tutorials	4.5	[9]	
	Assessment methods	<input type="checkbox"/> Analysis of Vietnam's regulations on the application of safeguard measures <input type="checkbox"/> Analysis of the current situation regarding the application of safeguard measures in Vietnam.		

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 80% of the total class.
- Fulfill all assigned tasks of the course.
- The midterm exam score must be at least 4
- Others regulations in accordance with current training regulation;

7. COURSE ASSESSMENT

- **Score ladder: 10**

- **Type of assessment**

Form		Content	Criteria	CLO	Proportion
Formative	Attendance	Roll-call; in-class discussions; homework correction	The number of attendances and participation in lesson. Levels of preparedness and contribution of learners	1, 2, 3, 4, 5, 6, 7, 8, 9, 10	10%
	Mid-term exam	Open-book exam taking the form either 01-hour in-class exam or take-home assignments/essays and consisting of multiple-choice, short-answered and case-solving questions.	<ul style="list-style-type: none"> - Multiple-choice questions: correct answers - Short-answer questions: correct answers; provision of correct legal bases and complete and detailed justifications 	1,2,5, 6,7,8, 9,10	30%
Summative	Final exam	Open-book exam taking the form either 01-hour in-class exam or take-home assignments/essays and consisting of multiple-choice, short-answered and case-solving questions.	<ul style="list-style-type: none"> - Multiple-choice questions: correct answers - Short-answer questions: correct answers; provision of correct legal bases and complete and detailed justifications - Case-solving questions: application of the IRAC/IPAC 	1,2,3,4, 5,6,7, 8,9,10	60%

			model; analyses of legal issues; identification of relevant applicable legal rules/principles; proper application of the law to the issues; provision of correct conclusions.		
				Total:	100%

DEAN OF FACULTY

HEAD OF DEPARTMENT