

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

Course title: International Law on Trade in services

Course code: PLUE434

Faculty: Law Faculty

Department: International Trade Law Department, Faculty of Law

Course conducting:

Credit hours: 2 credits

Prerequisite(s): International Public Law (PLU307) và Commercial Law (PLU217)

Time of the first design/announcement: Decision No. 2730/QĐ-BGDĐT dated 05/07/2011 by the Ministry of Education and Training; Decision No. 326/QĐ-ĐHNT-QLĐT dated 13/04/2012 by the Principle of Foreign Trade University.

Adjust, modify, supplement: Decision No. 1957/QĐ-ĐHNT dated 23/05/2019 by the Principle of Foreign Trade University.

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

This course is a core component of the specialized knowledge block within the Bachelor of Laws program, focusing on International Trade Law.

It is designed to equip students with advanced knowledge of the legal frameworks regulating international law on trade in services under the WTO system and bilateral and regional FTAs. The course aims to refine students' analytical and evaluative skills, enabling them to interpret and apply legal provisions, including Services Schedule to effectively address and resolve disputes in the realm of international trade in services.

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: Effectively apply foundational knowledge of trade in services and international laws governing this area, including subjects, scope, methods of regulation, fundamental principles, and sources of law.

CLO2: Analyze the provisions of the WTO framework on trade in services.

CLO3: Examine the key legal regulations on trade in services within the EU and ASEAN frameworks, as well as provisions on trade in services under bilateral free trade agreements.

CLO4: Assess the legal provisions governing bilateral trade in services between Vietnam and partner countries within the context of free trade agreements.

CLO5: Interpret and evaluate schedules of commitments on trade in services made by WTO members or partners in bilateral and regional free trade agreements.

3.1.2. Skills

CLO6: Develop skills to search and reference Vietnam's commitments or those of other entities concerning trade in services under the WTO framework and bilateral or regional free trade agreements.

CLO7: Apply acquired knowledge to provide legal consultancy on issues related to international trade in services.

CLO8: Utilize acquired knowledge to resolve disputes pertaining to international trade in services.

3.3. Attitudes

CLO9: Demonstrate an appropriate attitude when applying regulations on trade in services under the WTO framework and bilateral or regional free trade agreements.

CLO10: Adhere to and uphold international legal frameworks governing trade in services in the execution of professional responsibilities.

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

Course learning outcomes	Program learning outcomes															
	PLO 1	PLO 2	PLO 3	PLO 4	PLO 5	PLO 6	PLO 7	PLO 8	PLO 9	PLO 10	PLO 11	PLO 12	PLO 13	PLO 14	PLO 15	PLO 16
CLO1	x	x	x	x												
CLO2	x	x	x	x												
CLO3	x	x	x	x												
CLO4	x	x	x	x												
CLO5	x	x	x	x												
CLO6					x	x	x	x	x	x	x					
CLO7					x	x	x	x	x	x	x					
CLO8					x	x	x	x	x	x	x					
CLO9												x	x	x	x	x
CLO10												x	x	x	x	x
Course	2	3	3	5	3	4	5	5	5	4	3	4	4	4	4	5

4. READINGS MATERIALS

4.1. Textbook

1. Prof. Dr. Nguyễn Thị Mơ, Textbook on International Trade Law, Labour Publishing House, Hanoi, 2011.

4.2. Compulsory readings

*Books

2. Hanoi Law University, Surya P. Subedi (Ed.), *Textbook on International Trade and Business Law*, Young Publishing House, 2017 (A bilingual English-Vietnamese textbook published under the EU-funded MUTRAP III Project), available for free download at:

<http://pltmgt.hlu.edu.vn/Images/Post/files/Khoa%20PLTMQT/GT%20LTMTQT%20SONG%20NGU-2017.pdf> (accessed on 07/11/2021).

3. Peter van den Bossche, *The Law and Policy of the World Trade Organization: Text, Cases and Materials* (Second Edition), Cambridge University Press, 2008.

* Legal Documents

4. Marrakesh Agreement 1994 Establishing the World Trade Organization, Annex 1B: General Agreement on Trade in Services (GATS) and its annexes.
5. ASEAN Framework Agreement on Services (AFAS).
6. ASEAN Trade in Services Agreement (ATISA).
7. United States-Mexico-Canada Agreement (USMCA-NAFTA).
8. Bilateral Trade Agreement between Vietnam and the United States.
9. EU-Vietnam Free Trade Agreement (EVFTA).
10. Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP).
11. Regional Comprehensive Economic Partnership (RCEP).
12. ASEAN-China Agreement on Trade in Services.

4.3. Optional reading(s)

13. <http://www.wto.org>
14. <http://www.trungtamwto.org>
15. <http://fta.moit.gov.vn>

5. COURSE CONTENTS AND SCHEDULE

5.1. 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. Overview of Trade in Services and International Law Governing Trade in Services	6	0	0	12	1,6,7,8,9,10
3-6	Chapter 2. Legal Framework Governing Trade in Services under the WTO	8	4	5	18	2,5,6,7,8,9,10
7-8	- Chapter 3. Legal Framework Governing Trade in Services within Certain Regional Free Trade Organizations - Midterm Examination	3	3	5	7.5	3, 5, 6,7,8,9,10
9-10	Chapter 4. Legal Framework Governing Trade in Services between Vietnam and Selected Partners under	3	3	5	7.5	4, 5, 6,7,8,9,10

	Bilateral Free Trade Agreements					
Total (hour)		20	10	15	45	

5.2. Schedule of lectures

No.	Teaching and learning activities	Hour(s)	Content	Contribution to CLO
1	Lecture	3	Chapter 1. Overview of Trade in Services and International Law Governing Trade in Services 1.1. Overview of Trade in Services and Liberalization of Trade in Services 1.1.1. Services and Their Characteristics 1.1.2. Trade in Services 1.1.3. Barriers to Trade in Services and the Benefits of Liberalizing Trade in Services	1,6,7,8,9,10
	Practice, Seminar...	0		
	Essays, exercise, assignments	0		
	Self-study with the teacher's tutorials	6		
	Assessment methods	Analyze the impact of barriers in services trade on the liberalization of trade.		
2	Lecture	3	Chapter 1. Overview of Trade in Services and International Law Governing Trade in Services (cont'd) 1.2. International Legal Framework Governing Trade in Services 1.2.1. Overview of International Law in the Field of Trade in Services 1.2.2. Legal Principles Governing Trade in Services	1,6,7,8,9,10
	Practice, Seminar...	0		
	Essays, exercise, assignments	0		
	Self-study with the teacher's tutorials	6		
	Assessment methods	Analysis of the Core Content of New-Generation Free Trade Agreements (FTAs) with illustrative examples.		
3	Lecture	2	Chapter 2. Legal Framework Governing Trade in Services under the WTO 2.1. Overview of Legal Framework Governing Trade in Services under the WTO 2.1.1. The History of the GATS Agreement 2.1.2. Objectives of the GATS Agreement	2,6,7,8,9,10
	Practice, Seminar...	1		
	Essays, exercise, assignments	0		

			2.1.3. Fundamental Principles of the GATS Agreement - Group Discussion Questions: + Similarities and differences between the principles governing trade in goods and trade in services. + Distinction between the MFN and NT principles in the GATT and GATS Agreements.	
	Self-study with the teacher's tutorials	4.5	Read [1, Chapter 4, pp. 249–262], [2, Chapter 2, Section 4, pp.713–716, 719–726], [3, Chapter 4]	
	Assessment methods	Analyze the fundamental principles of the GATS Agreement.		
4	Lecture	2	Chapter 2. Legal Framework Governing Trade in Services under the WTO (cont'd)	2,5,6,7,8,9,10
	Practice, Seminar...	1		
	Essays, exercise, assignments	2	2.2. Methods of Service Delivery under GATS 2.3. Basic Obligations of Members under GATS 2.4. Service Commitment Schedules Discussion and Group Work Questions: • Study and discuss the service commitment schedules of Vietnam and several countries such as the United States, China, and the EU. • Divide into groups and present Vietnam's commitments on the following topics: commitments to open legal services and their impacts; commitments to open educational services and their impacts.	
	Self-study with the teacher's tutorials	4.5	Read [1, Chapter 4, pp. 263 – 271], [2, Chapter 2, pp. 717-723], [4]	
	Assessment methods	Analyse the Service Commitments under the GATS Agreement and Evaluation of Vietnam's Commitments in the Service Sector		
5	Lecture	2	Chapter 2. Legal Framework Governing Trade in Services under the WTO (cont'd)	2,5,6,7,8,9,10
	Practice, Seminar...	1		
	Essays, exercise, assignments	3	2.5. WTO Regulations in Specific Service Sectors 2.6. Exceptions to Trade in Services Group Work and Discussion: • Divide into groups to discuss, prepare, and present on various aspects of services through a case study exercise in Document 3 (The teacher has assigned case studies to the groups since session 4).	

	Self-study with the teacher's tutorials	4.5	Read [1, Chapter 4, pp. 284-288]; [2, Chapter 2, pp. 681-683, 723-729], [3, Chapter.7], [4]	
	Assessment methods	Analyze the exceptions and exemptions under the GATS Agreement and the content of its annexes.		
6	Lecture	2	Chapter 2. Legal Framework Governing Trade in Services under the WTO (cont'd) 2.7. Special and Differential Treatment for Developing and Least-Developed Members under GATS 2.8. Doha Round Negotiations on Trade in Services Discussion Questions: <ul style="list-style-type: none">The deadlock in the Doha Round negotiations on services and its causes. Based on the deadlock, draw conclusions about the characteristics of the legal frameworks regulating international trade in services.	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 4, pp.272-283]; [2, Chapter 2, pp. 723-729]	
	Assessment methods	Analyze the impact of Special and Differential (S&D) provisions under the GATS Agreement		
7	Lecture	1	Chapter 3. Legal Framework Governing Trade in Services within Certain Regional Free Trade Organizations 3.1. Overview of regional economic integration and the laws regulating trade in services within the framework of certain regional free trade organizations. 3.2. Regulations on trade in services of the European Union (EU).	3,5,6,7,8,9,10
	Practice, Seminar...	0		
	Essays, exercise, assignments	0		
	Self-study with the teacher's tutorials	6	Read [1, Chapter 6, pp.349-365]; [2, Chapter 3, pp. 812-834]	
	Assessment methods	Midterm exam content: All the topics mentioned in the assessment sections of Chapter 1 and Chapter 2.		
8	Lecture	2	Chapter 3. Legal Framework Governing Trade in Services within Certain Regional Free Trade Organizations (cont'd) 3.3. Regulations on Trade in Services under the North American Free Trade Agreement (USMCA/NAFTA) 3.4. Regulations on Trade in Services	3,5,6,7,8,9,10
	Practice, Seminar...	3		
	Essays, exercise, assignments	5		

			under the ASEAN Economic Community <ul style="list-style-type: none">Students will present on the regulations of the EU, NAFTA, and ASEAN governing trade in services.Students will engage in a discussion and compare the regulations on trade in services in the regions that have been presented.	
	Self-study with the teacher's tutorials	1.5	Read [1, Chapter 6, pp.349-365]; [2, Chapter 3, pp. 835-864], [5], [6]	
	Assessment methods	Compare and analyze the regulations of EU, USMCA/NAFTA, ASEAN on trade in services		
9	Lecture	1,5	Chapter 4. Legal Framework Governing Trade in Services between Vietnam and Selected Partners under Bilateral Free Trade Agreements 4.1. Overview of Bilateral Cooperation in the Field of Trade in Services of Vietnam 4.2. Legal Framework Governing Trade in Services Between Vietnam and the European Union	4,5,6,7,8,9,10
	Practice, Seminar...	1,5		
	Essays, exercise, assignments	3		
	Self-study with the teacher's tutorials	3,75	Read [1, Chapter 6, pp.364-365], [2, Chapter 3, pp. 889-890], [8], [9]	
	Assessment methods	Comment on the role of bilateral trade agreements regulating trade in services in the development of Vietnam's trade.		
10	Lecture	1,5	Chapter 4. Legal Framework Governing Trade in Services between Vietnam and Selected Partners under Bilateral Free Trade Agreements (cont'd) 4.1. Overview of Vietnam's new-generation FTAs (Free Trade Agreements). -Revision.	4,5,6,7,8,9,10
	Practice, Seminar...	1,5		
	Essays, exercise, assignments	2		
	Self-study with the teacher's tutorials	3,75	Read [1, Chapter 6, pp.339-349], [2, Chapter 3, pp. 889-926], [7], [10]	
	Assessment methods	Evaluate the opportunities and challenges for Vietnam when signing bilateral trade agreements that regulate the services trade sector.		

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.
- The mid-term exam score must be at least 4.
- Other regulations follow the current training regulations.

7. COURSE ASSESSMENT

- **Score ladder: 10**
- **Type of assessment:**

Form		Content	Criteria	CLO	Proportion
Formative	Attendance	<ul style="list-style-type: none"> - Students' attendance and preparation for lessons before class. - Students' engagement in discussions and contribution to the lecture. 	The number of attendances and participation in lesson Participation in discussions and answering questions from the teacher.	6,7,8,9,10	10%
	Midterm exam	The instructor can choose one or combine the following midterm assessment methods: <ul style="list-style-type: none"> - Midterm exam: Content from Chapters 1 and 2. - Presentation - Group assignment. 	The grading criteria for each midterm assessment method are determined by the instructor.	1,2,5,6,7,8,9,10	30%
Summative	Final exam	The exam will assess all the content covered in the course.	The instructor may choose one of the following types of exams: 1. Multiple Choice (Paper-based) <ul style="list-style-type: none"> - Content: Topics that have been taught and studied in the course. - Points : 10 points 	1,2,3,4,5,6,7,8,9,10	60%

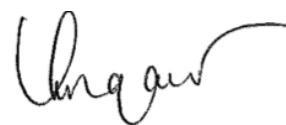
			<ul style="list-style-type: none"> - Number of Questions : As per the approved exam paper. - Evaluation Criteria : According to the approved marking scheme in the exam answer key. <p>2. Essay</p> <ul style="list-style-type: none"> - Content : Topics that have been taught and studied in the course. The essay question may cover theoretical issues, case studies, or both. - Points : 10 points - Evaluation Criteria : According to the approved marking scheme in the exam answer key. <p>3. Major Assignment, Term Paper, Report, Project (Individual or Group Work)</p> <ul style="list-style-type: none"> - Content : Theoretical or practical issues; case law analysis; case studies; business consulting projects... topics related to the course. - Points : 10 points - Evaluation Criteria : According to the approved marking scheme. In group work, individual grades may vary based on each student's contribution to the completion of the assignment, paper, report, or project. <p>4. Oral Exam</p> <ul style="list-style-type: none"> - Content : Topics that have been taught and studied in the course. - Exam Paper : A set of oral questions approved by the Department or Faculty. - Points : 10 points - Evaluation Criteria : According to the approved marking scheme based on the answers to each oral question. <p>5. Combination of Essay and Multiple Choice</p> <ul style="list-style-type: none"> - Content : Topics that have been taught and studied in the course. - Points : 10 points - Evaluation Criteria : According to the approved marking scheme in the exam answer key. 		
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			Depending on specific circumstances at each stage, the final exam may be organized as a traditional in-person exam at the university or an online exam. The evaluation criteria will be based on the approved marking scheme.		
				Total:	100%

DEAN OF FACULTY

HEAD OF DEPARTMENT

SYLLABUS AUTHOR



Dr Vu Kim Ngan