



UNIVERSITY OF WORLD
ECONOMY AND DIPLOMACY

"APPROVED"
Vice Rector for
Academic Affairs

Durbek Amanov

WTO LAW AND PRACTICE SYLLABUS

2023-2024

FALL TERM



JAHON IQTISODIYOTI VA
DIPLOMATIYA UNIVERSITETI



Module: WTO Law and Practice (IEL)
ECTS: 6.0
Year: 2023-2024
Term: Fall
Language of Instruction: English

Lecturer: Dr. Umid YAKUBKHODJAEV
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Brief information about the course:

“WTO Law and Practice” is an elective course that provides a comprehensive overview of the World Trade Organization (WTO), its legal framework, and procedures. This course explores the principles and rules that govern international trade, emphasizing the role of the WTO in creating a predictable and transparent global trading system. Students will examine the sources of WTO law, including the various agreements and understand the decision-making process within the organization. Special attention will be given to dispute settlement mechanisms and case studies, enabling students to analyze real-world trade disputes and their resolutions.

Expected learning outcomes:

Students who successfully complete the course will:

- 1) Understand the fundamental principles and objectives of the World Trade Organization and how they impact global trade relations.
- 2) Demonstrate a comprehensive knowledge of the legal framework of the WTO, including the various agreements and their provisions.
- 3) Understand the functioning of the WTO decision-making process, including the role of negotiation, consensus-building, and voting.
- 4) Develop critical thinking and problem-solving abilities through the analysis of real-world trade disputes and their outcomes.
- 5) Apply knowledge of WTO law and practice to propose and justify policy recommendations aimed at enhancing global trade governance.

Prerequisites:

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Core reading materials:

Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021.
WTO Agreements, WTO, 2021

Recommended reading:

Peter Van den Bossche and Werner Zdouc, The Law and Policy of the World Trade Organization, 5th edition (Cambridge University Press), 2021.

Teaching and learning workload:

In the classroom	60 academic hours (30 lecture hours/30 practical classes)
Self study	120 academic hours

Performance evaluation tasks:

Assessment methods include class assignments, mid-term and final exams, all of which aim to evaluate students' knowledge, critical thinking skills, analytical abilities, oral communication skills, independent reasoning and defense of their viewpoints, and effective written expression.

Class Participation Description (40 %):

Students are assessed on their class participation based on their ability to present learning materials effectively within a limited time frame, work collaboratively in groups, draw conclusions using practical examples, engage in legal debates, and support their answers with appropriate legal terminology and concepts. The following tasks are used to assess the students class participation:



1. First Written Task: Students will be assigned a list of (15) questions on basic principles of the WTO Law to test their understanding of the core reading materials (10 points). Teaching week 4.
2. Simulation Exercise on basic non-discrimination rules: Students will be assigned a legal case study to summarize the main points, identify key legal concepts, and prepare a brief memo (6 points). Teaching week 6.
3. Simulation Exercise on exceptions: Students will be assigned a legal case study to summarize the main points, identify key legal concepts, and prepare a brief memo (6 points). Teaching week 8.
4. Simulation Exercise on subsidies and countervailing measures: Students will be assigned a legal case study to summarize the main points, identify key legal concepts, and prepare a brief memo (6 points). Teaching week 11.
5. Simulation Exercise on Technical Barriers to Trade: Students will be assigned a legal case study to summarize the main points, identify key legal concepts, and prepare a brief memo (6 points). Teaching week 13.
5. Case Study: Students will be assigned to work in groups to analyze a complex legal case. Each group will be responsible for identifying relevant legal issues, discussing possible outcomes, and presenting their analysis to the class. They should demonstrate effective collaboration, critical thinking, and the ability to draw conclusions based on legal principles (6 points). Teaching week 14.

Mid-term Exam Description (20 %):

The students will have a mid-term exam during the course (during week 9). The mid-term exam in WTO law consists of an independent written work. The exam is typically conducted as a take-home assignment, allowing students to thoroughly research and analyze the given questions.

The mid-term exam is designed to provide students with an opportunity to demonstrate their knowledge and comprehension of key WTO law principles, including but not limited to the WTO agreements, dispute settlement mechanism, and trade policy issues. The exam questions are structured to test students' ability to analyze hypothetical scenarios and apply the relevant WTO rules and case law to provide legal arguments and recommendations.

Students may be asked to critically evaluate specific WTO cases, identify legal issues involved, and propose potential outcomes based on their understanding of the applicable WTO rules. The written work is expected to be well-structured and coherent, with clear arguments supported by appropriate legal references and citations. Students are encouraged to use their research skills to consult primary sources such as WTO agreements, panel and appellate body reports, and relevant scholarly articles.

Final Exam Description (40 %):

The final exam in WTO law is conducted through testing. It aims to evaluate students' understanding of the entire course content, including the remaining topics covered after the mid-term exam.

The exam questions are designed to require students to engage in comprehensive research, demonstrate their understanding of the complexities surrounding various trade issues, and provide well-structured and persuasive arguments within the confines of WTO law. Students are expected to showcase a high level of legal research and writing skills, including the ability to identify and utilize relevant legal authorities from both primary and secondary sources.



Assessment Criteria:

Knowledge of WTO

- Excellent:** The student demonstrates a comprehensive understanding of the key principles, rules, and procedures of WTO law and practice, including the relevant case law and jurisprudence.
- Good:** The student shows a good understanding of the key principles, rules, and procedures of WTO law and practice, with some gaps in knowledge of case law and jurisprudence.
- Satisfactory:** The student demonstrates a satisfactory understanding of the key principles, rules, and procedures of WTO law and practice, but lacks depth in analysis and application.
- Fail:** The student lacks comprehensive understanding of the key principles, rules, and procedures of WTO law and practice.

Analytical Skills

- Excellent:** The student critically analyzes and evaluates complex legal issues and can apply relevant legal principles effectively.
- Good:** The student demonstrates the ability to analyze legal issues and apply relevant legal principles, but with some minor inconsistencies or gaps in reasoning.
- Satisfactory:** The student shows satisfactory analytical skills, but the analysis may lack depth or thoroughness.
- Fail:** The student's analysis is superficial and does not provide a clear understanding of the legal issues involved.

Research Skills

- Excellent:** The student demonstrates excellent research skills, consistently using a wide range of credible and relevant sources to support arguments and findings.
- Good:** The student shows good research skills, using mostly credible and relevant sources to support arguments and findings.
- Satisfactory:** The student demonstrates satisfactory research skills, but may rely on a limited number of sources or fail to use credible and relevant sources consistently.
- Fail:** The student's research skills are weak, with little evidence of using credible and relevant sources to support arguments and findings.

Communication Skills

- Excellent:** The student communicates ideas and arguments clearly, concisely, and persuasively, employing appropriate legal terminology and structure.
- Good:** The student communicates ideas and arguments effectively, using mostly clear and concise language, but with occasional lapses in clarity or structure.
- Satisfactory:** The student's communication is satisfactory, but may lack precision or coherence at times.
- Fail:** The student's communication is unclear, incoherent, or fails to convey ideas and arguments effectively.

Integration of Theory and Practice

- Excellent:** The student effectively applies theoretical knowledge of WTO law to practical scenarios, demonstrating a clear understanding of how the law is implemented and its impact on real-world situations.
- Good:** The student demonstrates a good understanding of the practical implications of WTO law, but with some minor inconsistencies or gaps in connecting theory and practice.
- Satisfactory:** The student shows a satisfactory understanding of the practical implications of WTO law, but may lack depth or clarity in integrating theory and practice.
- Fail:** The student fails to effectively connect theoretical knowledge of WTO law with practical scenarios, showing a limited understanding of the law's implementation and impact.

Final Exam:

Written (case study)



Marking system:	Numeric value	Percent value
	5 (<i>excellent</i>)	90-100%
	4 (<i>good</i>)	70-89%
	3 (<i>satisfactory</i>)	60-69%
	2 (<i>fail</i>)	0-59%

Assessment structure:	Class participation and assignments:	- 40% of overall grading.
	Mid-term exam:	- 20% of overall grading.
	Final exam:	- 40% of overall grading.

Teaching and Learning Forms:	▪ Lectures;
	▪ Practical Classes;
	▪ Group Work;
	▪ Oral and Written Presentations/Submissions;
	▪ Project work.

Code of Academic Conduct:	The followings are strictly prohibited:
	A. Cheating on an examination or assignment. Any attempt by students to alter their performance on an examination or assignment in violation of the stated or commonly understood ground rules.
	B. Plagiarism. Representing the work or ideas of another as one's own; and/or using another's work or ideas without crediting the source. Plagiarism includes, but is not limited to, the following: copying the answers of another student on an examination; copying or restating the work or ideas of another person or persons in any oral or written work (printed or electronic) without citing the appropriate source.
	C. Misrepresentation, falsification, or fabrication of data presented for surveys, experiments, reports, etc., which includes but is not limited to: citing authors who do not exist; citing interviews that never took place; citing field work that was not completed; and falsely claiming attendance at mandatory class events.
	D. Theft of an examination. Stealing or otherwise discovering and/or making known to others the contents of an examination that has not yet been administered.
	E. Unauthorized communication during examinations. Any unauthorized communication may be considered automatic evidence of cheating.
	F. Knowingly allowing another student to represent your work as their own.



Course Structure and Timetable (Lectures)

Week	Topics	Reading Task	Class Tasks
1.	International Trade and the Law of the WTO	Lecture Notes_Module A_1_Trade and WTO Law Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 1-9 Recommended further reading: <i>See ibid</i> p. 9	Discussion Assignment_Module A_1_Trade and WTO Law
2.	The World Trade Organization	Lecture Notes_Module A_2_WTO Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 10-29 Recommended further reading: <i>See ibid</i> p. 28	Discussion Assignment_Module A_2_WTO
3.	The WTO Dispute Settlement System	Lecture Notes_Module A_3_WTO DSS Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 30-53 Recommended further reading: <i>See ibid</i> p. 53	Discussion Assignment_Module A_3_WTO DSS
4.	Non-discrimination Obligations in Trade in Goods	Lecture Notes_Module B_4_ND Goods Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 54-82 Recommended further reading: <i>See ibid</i> p. 81	Discussion Assignment_Module B_4_ND Goods
5.	Non-discrimination Obligations in Trade in Services	Lecture Notes_Module B_5_ND Services Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 54-82 Recommended further reading: <i>See ibid</i> p. 81	Discussion Assignment_Module B_5_ND Services
6.	Customs Duties and Other Duties and Charges on Imports and Exports of Goods	Lecture Notes_Module B_6_Customs and Other Duties Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 83-105 Recommended further reading: <i>See ibid</i> p. 104	Discussion Assignment_Module B_6_Customs and Other Duties
7.	Quantitative Restrictions and Other Non-Tariff Barriers on Trade in Goods and	Lecture Notes_Module B_7_QRs and other NT Barriers	Discussion Assignment_Module



	Services	Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 83-105 Recommended further reading: <i>See ibid</i> p. 104	B_7_QRs and other NT Barriers
8.	Exceptions	Lecture Notes_Module B_8_General and Security Exceptions Lecture Notes_Module B_9_Economic Emergency Exceptions Lecture Notes_Module B_10_Regional Integration and Economic Development Exceptions Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 106-146 Recommended further reading: <i>See ibid</i> p. 144	Discussion Assignment_Module B_8_General and Security Exceptions
9.	Dumping and Anti-Dumping Measures	Lecture Notes_Module C_11_Dumping Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 147-158 Recommended further reading: <i>See ibid</i> p. 170	Discussion Assignment_Module C_11_Dumping
10.	Subsidies and Countervailing Measures	Lecture notes_Module C_12_Subsidies Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 159-171 Recommended further reading: <i>See ibid</i> p. 170	Discussion Assignment_Module C_12_Subsidies
11.	Technical Barriers to Trade	Lecture Notes_Module C_13_TBT Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 172-181 Recommended further reading: <i>See ibid</i> p. 205	Discussion Assignment_Module C_13_TBT
12.	Sanitary and Phytosanitary Measures	Lecture Notes_Module C_14_SPS Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 184-194 Recommended further reading: <i>See ibid</i> p. 205	Discussion assignment_Module C_14_SPS
13.	Trade in Agricultural Products	Lecture Notes_Module C_15_Trade in Agriculture Chapter 6, section 6.5.4, Chapter 7, section 7.3.7 of Essentials of WTO Law, 2nd edition	Discussion Assignment_Module C_15_Trade in Agriculture



Chapter 9, section 3.1, Chapter 12, section 9 of The Law and Policy of the WTO, 5th edition

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| 14. | Trade-Related Aspects of Intellectual Property Rights | <p>Lecture Notes_Module C_18_TRIPS</p> <p>Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 195-206</p> <p>Recommended further reading: <i>See ibid</i> p. 205</p> | <p>Discussion Assignment_Module C_18_TRIPS</p> |
| 15. | The WTO System in Need of Reform to Address the Challenges of the 21st Century? | <p>Lecture Notes_Module D_20_WTO and the challenges of the XXI Century</p> | <p>Discussion Assignment_Module D_20_WTO and the challenges of the XXI Century</p> |

Course Structure and Timetable (Seminars)

Week	Topics	Reading Task	Assignments
1.	International Trade and the Law of the WTO <i>Legal Debate</i>	<p>Reading materials assigned in a Simulation Exercise</p> <p>Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 1-9</p> <p>Recommended further reading: <i>See ibid</i> p. 9</p>	<p>Simulation Exercise_Module A_1_Trade and WTO Law (Globophobes versus Globophiles)</p>
2.	The World Trade Organization <i>Group Work</i>	<p>Reading materials assigned in a Simulation Exercise</p> <p>Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 10-29</p> <p>Recommended further reading: <i>See ibid</i> p. 28</p>	<p>Simulation Exercise_Module A_2_WTO (To Join or Not to Join?)</p>
3.	The WTO Dispute Settlement System <i>Legal Debate</i>	<p>Reading materials assigned in a Simulation Exercise</p> <p>Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 30-53</p> <p>Recommended further reading: <i>See ibid</i> p. 53</p>	<p>Simulation Exercise_Module A_3_WTO DSS (Settling Disputes: Right over Might?)</p>
4.	Non-discrimination Obligations in Trade in Goods <i>Legal Debate</i>	<p>Reading materials assigned in a Simulation Exercise</p> <p>Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 54-82</p> <p>Recommended further reading: <i>See ibid</i> p. 81</p>	<p>Simulation Exercise_Module B_4_ND Goods (Organic coffee)</p>



5.	Non-discrimination Obligations in Trade in Services <i>Legal Debate</i>	Reading materials assigned in a Simulation Exercise Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 54-82 Recommended further reading: <i>See ibid</i> p. 81	Simulation Exercise_Module B_5_ND Services (Excluded Providers of Engineering Services)
6.	Customs Duties and Other Duties and Charges on Imports and Exports of Goods <i>Presentation Task Group Work</i>	Reading materials assigned in a Simulation Exercise Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 83-105 Recommended further reading: <i>See ibid</i> p. 104	Simulation Exercise_Module B_6_Customs and Other Duties (Protection from the Pandemic (I))
7.	Quantitative Restrictions and Other Non-Tariff Barriers on Trade in Goods and Services	Reading materials assigned in a Simulation Exercise Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 83-105 Recommended further reading: <i>See ibid</i> p. 104	Simulation Exercise_Module B_7_QRs and other NT Barriers (Protection from the Pandemic (II))
8.	Exceptions <i>Legal Debate</i>	Reading materials assigned in a Simulation Exercise Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 106-146 Recommended further reading: <i>See ibid</i> p. 144	Simulation Exercise_Module B_8_General and Security Exceptions (Space for Safety & Security: Exploring the Exceptions)
9.	Dumping and Anti-Dumping Measures <i>Legal Debate</i>	Reading materials assigned in a Simulation Exercise Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 147-158 Recommended further reading: <i>See ibid</i> p. 170	Simulation Exercise_Module C_11_Dumping (Levelling the Playing Field)
10.	Subsidies and Countervailing Measures <i>Legal Debate</i>	Reading materials assigned in a Simulation Exercise Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 159-171 Recommended further reading: <i>See ibid</i> p. 170	Simulation Exercise_Module C_12_Subsidies (Support for Recovery)
11.	Technical Barriers to Trade	Reading materials assigned in a Simulation Exercise	Simulation Exercise_Module



	<i>Legal Debate</i>	Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 172-181 Recommended further reading: <i>See ibid</i> p. 205	C_13_TBT (Clean Cars)
12.	Sanitary and Phytosanitary Measures <i>Presentation Task</i> <i>Group Work</i>	Reading materials assigned in a Simulation Exercise Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 184-194 Recommended further reading: <i>See ibid</i> p. 205	Simulation Exercise_Module C_14_SPS (Pandemic Protection or Protectionism?)
13.	Trade in Agricultural Products <i>Legal Debate</i>	Reading materials assigned in a Simulation Exercise Chapter 6, section 6.5.4, Chapter 7, section 7.3.7 of Essentials of WTO Law, 2nd edition Chapter 9, section 3.1, Chapter 12, section 9 of The Law and Policy of the WTO, 5th edition	Simulation Exercise_Module C_15_Trade in Agriculture (Cowland vs Beefland)
14.	Trade-Related Aspects of Intellectual Property Rights <i>Presentation Task</i>	Reading materials assigned in a Simulation Exercise Peter Van Den Bossche and Denise Prévost, Essentials of WTO Law, 2nd edition (Cambridge University Press), 2021, pp. 195-206 Recommended further reading: <i>See ibid</i> p. 205	Simulation Exercise_Module C_18_TRIPS (Access to Drugs)
15.	The WTO System in Need of Reform to Address the Challenges of the 21st Century? <i>Legal Debate</i>	Reading materials assigned in a Simulation Exercise	Simulation Exercise_Module D_20_ WTO and the challenges of the XXI Century (In search of common ground!)

Head of Academic Department: _____

Farkhod Alisherov

Dean of International Law Faculty _____

Umid Yakubkhodjaev

Module Leader _____

Umid Yakubkhodjaev