**HANOI LAW UNIVERSITY**

**FACULTY OF INTERNATIONAL TRADE AND BUSINESS LAW**

DEPARTMENT OF MULTILATERAL TRADE AND INTERNATIONAL INVESTMENT LAW

COURSE OUTLINE

THE WTO LAW

2017

I. COURSE INFORMATION

|  |  |
| --- | --- |
| Degree: | Bachelor of Law (High quality training) |
| Course: | The WTO Law |
| Semester/Academic Year: | I/2017-2018 |
| Number of credits: | 02 |
| Lecture hours: | 10 credit hours |
| Seminar hours: | 20 credit hours |
| Team work hours: | 4 credit hours |
| Self-study hours: | 4 credit hours |
| Pre-requisite(s): | Public International Law |

II. LECTURERS AND ASSISTANTS INFORMATION

1. Lecturers

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No | Name | Title | Email | Tel |
|  | Nguyen Thanh Tam | Ph.D | tam837@yahoo.com.vn | 04.37731787 |
|  | Nguyen Thi Thu Hien | Ph.D |  |  |
|  | Nguyen Ba Binh | Ph.D |  |  |
|  | Nguyen Thi Anh Tho | LLM |  |  |
|  | Ho Thuy Ngoc | Ph.D |  |  |
|  | Vu Thi Kim Ngan | Ph.D |  |  |
|  | Trinh Hai Yen | PhD |  |  |
|  | Nguyen Ngoc Ha | PhD |  |  |
|  | Le Thi Anh Nguyet | PhD |  |  |
|  | Sean O’Cornel |  |  |  |
|  |  |  |  |  |

2. Assistants

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No | Name | Title | Email | Tel |
|  | Pham Thanh Hang | ThS |  |  |
|  | Tran Thi Phuong Anh | ThS |  |  |
|  | Ha Thi Phuong Tra | ThS |  |  |
|  | Nguyen Mai Linh | ThS |  |  |
|  |  |  |  |  |

III. COURSE DESCRIPTION

The course of the WTO Law is a legal science that provides the basic knowledge of the World Trade Organization’s legal system governing global trade. Through this course, students will be equipped with the following knowledge:

1) Overview of the WTO Law;

2) Basic principles of the WTO Law;

3) The WTO Agreements - Main source of the WTO Law;

4) Other sources of the WTO Law;

5) Relationship between the WTO Law and national law

The course belonging to the general knowledge part of the Major in International Trade and Business Law is a foundation course for students to continue studying other courses, such as: Law governing international trade in goods; Law governing international trade in services; Intellectual property rights in international trade for businesses; International Investment Law; The WTO’s trade remedies; ...

IV. LEARNING OBJECTIVES

Upon completion of this course, students will be able to know:

* Overview of the WTO and WTO Law; the relationship between the WTO and FTAs;
* The principles of the WTO - the “Rules of the game” of global trade;
* Sources of the WTO law;
* Overview of the WTO Agreements governing the relations between WTO Members in three areas: trade in goods, trade in services and trade-related intellectual property rights;
* Issues raised for members on how to implement the WTO accession commitments;
* Initiate the analysis and analysis of legal issues in trade relations among the WTO members;
* Apply knowledge learned such as the principles of MFN, NT, freer trade, predictability, fair competition, encouraging development and economic reform, environment protection, the rules of WTO agreements, etc., to explain the specific situations in trade relations among the WTO members.

V. CONTENTS OF THE COURSE

**Issue 1. Overview of the WTO Law**

1.1. Multilateral trade system - Past, present and future

1.2. The WTO members

1.3. The WTO in the international economic order (including relationship between the WTO and FTAs)

1.4. The WTO and developing countries

**Issue 2. Basic principles of the WTO Law and Exceptions**

2.1. Reminding basic principles

2.2. Exceptions

**Issue 3. The WTO Agreements - Main source of the WTO Law**

3.1. Overview of WTO agreements within the Uruguay Round

3.2. Overview of WTO agreements after the Uruguay Round

**Issue 4. Other sources of the WTO Law**

4.1. Reports of the WTO’s dispute settlement body

4.2. International customs

4.3. Others

**Issue 5. Relationship between the WTO Law and national law**

5.1. Traditional theories on the relationship between the WTO law and national law

5.2. Three ways to implement the WTO commitments in the national legal order

VI. READINGS

**Compulsory Readings:**

1. Hanoi Law University, *International Trade and Business Law Textbook*, the People’s Public Security Publishing House, Hanoi, 2012 (this Bilingual Textbook was published within framework of the Viet Nam - MUTRAP Project III).

**Others:**

**\* Books**

# Raj Bhala, *International Trade Law - Interdisciplinary Theory and Practice*, LexisNexis Publisher, third version, 2007 (Loose-leaf version).

# [Peter Van den Bossche](https://www.amazon.com/s/ref=dp_byline_sr_book_1?ie=UTF8&text=Professor+Peter+Van+den+Bossche&search-alias=books&field-author=Professor+Peter+Van+den+Bossche&sort=relevancerank), *The Law and Policy of the World Trade Organization: Text, Cases and Materials*, Cambridge University Press; third edition (September 23, 2013).

# WTO Secretariat, *Understanding the World Trade Organization*, 2003 (WTO - www.wto.org).

# John H. Jackson, *The World Trading System, Law and Policy of International Economic Relations*, 2nd edn, 2002.

**\* International Law**

# Report of the Working Party on the Accession of Viet Nam and Viet Nam’s WTO Commitments.

**\* Websites**

* + 1. <http://www.wto.org>
    2. http://www.mutrap.org.vn
    3. http://chongbanphagia.vn
    4. http://www.mofa.gov.vn
    5. http://www.moit.gov.vn

**VII. TEACHING AND LEARNING METHODS/APPROACHES**

A combination of different teaching and learning methods, including: Lectures; Socrates; Case study; Workshop; Teamwork presentation; Others.

Students are required to prepare the topics before attending class and to actively participate in class discussion.

VIII. COURSE SCHEDULE/TEACHING PLAN

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Week** | **Issue** | **Lecture** | **Seminar** | **Team work** | **Self-study** | **Assignment** | **Total of credit hours** |
| 1 | 1 | 2 | (2) |  |  | Receiving assignments | 4 |
| 2 | 2 | 2 | (2) |  | (2) |  | 4 |
| 3 | 3 | 2 | (2) |  |  |  | 4 |
| 4 | 4 | 2 | (2) | (2) | (2) |  | 4 |
| 5 | 5 | 2 | (2) | (2) | (2) | Submitting individual assignment | 4 |
| **Total of credit hours** | | **10** | **10** | **4** | **4** |  | **20** |

**IX. ASSESSMENT**

|  |  |  |  |
| --- | --- | --- | --- |
| No | Type of assignment | Rate | Requirements |
|  | 01 Individual Assignments | 10% | * Form: In-class exam. * Content: Questions relating to the knowledge that students have learnt. |
|  | 01 teamwork paper and oral presentation | 10% | * Form: 3-5 page Essay (Appendix included, if any). * Content: Questions relating to the knowledge of whole course. |
|  | 01 Semester Assignment | 10% | * Form: 3-5 page Essay (Appendix included, if any). * Content: Questions relating to the knowledge of whole course. |
|  | Final exam | 70% | * Form: Multiple choice test |
|  | Total | 100% |  |

X. OTHER REQUIREMENTS

- Plagiarism in any forms will result in FAIL for the related academic work.

- Cheating on any exam also results in FAIL to the student who commits the cheating and to the person who allows others to copy his/her work.

- No excuses for the ignorance of the guidelines for academic works set by Hanoi Law University.