

Loyola School of Law
INTERNATIONAL TRADE LAW
Spring 2014/Course 4G33/DI

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BASIC INFORMATION and SYLLABUS – version 01

Class room: Hall of the 80's

Class hours: Mondays and Wednesdays, 1:10-2:40pm

Cancelled classes Wednesday, 25 March, and Wednesday, 8 April

Make-up classes: *TBD; possibly 9 March, 23 April, or 24 April*

Course Materials:

1. DANIEL C.K. CHOW AND THOMAS J. SCHOEBBAUM, INTERNATIONAL TRADE LAW: PROBLEMS, CASES, AND MATERIALS (2nd edition, 2013) Do **not** read authors' "PROBLEMS" and "NOTES AND QUESTIONS" in assigned pages unless specifically directed in this syllabus.
2. WTO and bilateral treaties posted on TWEN. We will focus on "GATT 1947," "GATT 1994" and the "DSU" but elements of other posted treaties will be discussed.
3. *Supplemental materials as described in the syllabus.* As with treaties, all supplemental readings are available on TWEN.

Office and office hours: Burns 314, Mondays and Wednesdays, 3-5pm
but appointments by email are welcome and preferable

Evaluation and Class Format:

Grading in the course will be based on a final examination (we will discuss whether in-class or take home). In addition, class participation will be used to adjust grades upward or downward. Students are expected to be prepared each class to participate based on class readings. Internet use during class is strictly FORBIDDEN. *Students found to be using the internet during class will have their final grade lowered significantly.*

SYLLABUS

Again, there is NO need to read the casebook authors' "PROBLEMS" or "NOTES AND QUESTIONS" unless specifically assigned in the syllabus; otherwise.

I. THE REALITY, HISTORY, AND INSTITUTIONS OF THE GLOBAL ECONOMY

Casebook pages

8 - 43 ["International Trade Flows" to "US-China Economic Relations"]

Additional readings, briefly review (do not read in detail):

Hawaii-US Treaty of Friendship, Commerce, and Navigation 1849

Argentina-US Treaty of Friendship, Commerce, and Navigation 1853

Casebook pages

49 - 67 ["Negotiating Trade Concessions," including Figure 1-12 and **do** read "Notes on Implementation and Remedies" on 56-57]

71 - 76 ["Note on Trade Remedies" to *Japan – Measures Affecting...Paper*]

78 - 82 ["E. Principles of Interpretation . . ."]

GATT 1947 [skim to become familiar with article headings]

GATT 1994 [same]

WTO "Dispute Settlement Understanding" (DSU) [same]

II. THE INTERNATIONAL LAW/DOMESTIC LAW INTERFACE FOR TRADE

Casebook pages

95-116

III. NATIONAL TREATMENT -- GATT ARTICLE III

GATT 1947 – Article III

Casebook pages

129 ["Introduction"]

142 - 159 ["III. National Treatment" through *Canada – Certain Measures..*]

IV. THE MOST-FAVORED-NATION CLAUSE – GATT ARTICLE I

GATT 1947 – Article I

Casebook pages

129 - 130 ["II. The Most Favored Nation Principle"]

134 - 137 [Treatment of Germany of Imports of Sardines]

Additional readings, excerpts from

Japan – Tariff on Imports of Spruce-Pine-Fur (SPF) Dimension Lumber, GATT Panel

Report adopted 19 July 1989, 36th Supp. BISD 167 (1990) [Japan – SPF edited.doc]
Spain – Tariff Treatment of Unroasted Coffee, GATT Panel Report, adopted 11 June
1981, 28th Supp. BISD 102 (1982) [Spain Coffee edited.doc]

Casebook pages

137 - 140 [Canada – Certain Measures Affecting the Automobile Industry and “D.
Exceptions to MFN Obligations”]

V. CUSTOMS AND TARIFF LAW – CLASSIFICATION, VALUATION
AND RULES OF ORIGIN

Casebook pages

179 - 184 [through *Argentina – Measures Affecting Imports of Footwear ...*]
188 – 189 [“III. Harmonized Tariff System”]
193 – 195 [to “IV. Customs Procedures” to “V. Product Classification”]
202- 211 [*Bausch & Lomb, Mead Corporation, and I.E. Dupont de Nemours*]
216 – 235 [*Luigi Bormioli through Brother International*]

VI. CLASSIC NON-TARIFF BARRIERS

GATT 1947 – Articles X.1, XI, III.1, III.2 and IV

Casebook pages

245 - 260 [to *European Communities – Regime for ... Bananas*]
276 - 292 [“IV. Technical Regulations and Product Standards” to “V. State
Trading Enterprises”]

VII. REGIONAL AND HISTORY-BASED TRADING ARRANGEMENTS

GATT 1947 – Article XXIV

Casebook pages

51 - 57 [“VII. Preferential Trade Agreements”]
260 - 265 [*European Communities – Regime for ... Bananas*]
235 - 244 [VIII. Customs & Free Trade Areas. ... (skim formulae at end)]

VIII. THE “GENERAL EXCEPTIONS” TO WTO/GATT

GATT 1947 – Articles XX and XXI

WTO Agreement on Sanitary and Phytosanitary Measures

Casebook pages

299 – 300
318 – 346 [III. Product Safety through *Brazil – Retreaded Tyres*]
301 – 318 [II. Environmental Protection]

132 – 133 [Belgian Family Allowances]
369 – 372 [VIII. Workers’ Rights through “Note on Human Rights . . .]

IX. DUMPING, SUBSIDIES, AND SAFEGUARDS

Casebook pages

443 – 450 [through “B. The Operation of the U.S. Anti-Dumping Law”]
468 – 477 [“E. International Law Discipline” through *United States – Anti-Dumping Measures on Certain Hot-Rolled Steel Products*]
497 – 500 [“C. Challenging Subsidies at the WTO . . .”]
507 – 514 [*Indonesia – Certain Measures Affecting the Automobile Industry*]
518 - 527 [“Note on the Aircraft Trade Subsidy War . . .” through *United States – Countervailing Duty Investigation on DRAMS*]

I sincerely doubt we will be able to cover all the material in Part IX. So, stay tuned, as I update on readings and pages.

End of syllabus, version 02

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THIS IS AVAILABLE ON THE TWEN SYSTEM