



**INTERNATIONAL TRADE IN GOODS, SERVICES, CAPITAL MOVEMENTS
(WTO, GATT, GATS, TRIPS, SMC, FTAs, complex agreements, Investment protection
agreements)**

Lecturer: Dr. Tamás Kende, associate professor / Department of International Law














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Course covered by Tamás Kende, Guest lecturers include János Katona and György Molnár-Bíró

Course description

The course is about the WTO and other trade agreements and ISDS. The course deals in depth with WTO institutions, decision-making, sources of law and the various multilateral and plurilateral agreements. The course also deals with trade in goods, trade in services, trade related IP and trade facilitation. On ISDS the course will deal with both the substantive provisions of BITs and the procedural questions of investor-state arbitration.

Course schedule

DATE	MATTER	READ
1.	Gatt-WTO history, WTO sources of law, WTO accession WTO objectives and functions	 1_1_WTO_Sources_of_Law  1_2_THE OBJECTIVES AND FUNCTIONS OF THE WTO  1_3_ACCESSION_WTO  1_4_From_GATT_to_WTO  1_hét_01_Interntaional trade and the law of the WTO  1_HISTORY OF GATT_WTO
2.	WTO principles exceptions to the principles WTO organisation, TPRM	 2_1_PRINCIPLESOF THE WTO  2_2_EXCEPTION_PRINCIPLESOF THE WTO  2_3_HOW DOES THE WTO WORK  2_4_A_virtual_tour_of_the_WTO  2_5_agreements structure  2_6_Transparency_TPRM  2_hét_02_The World Trade Organization_23_41_pp



3.	WTO dispute resolution	<p> 3_1_wto_disp_settl_lesson_1 3_2_wto_disp_settl_lesson_2 3_3_wto_disp_settl_lesson_3 3_4_wto_disp_settl_lesson_4 3_4_wto_disp_settl_lesson_5 3_4_wto_disp_settl_lesson_6 3_7_wto_disp_settl_lesson_7 3_8_wto_disp_settl_lesson_8 3_9wto_disp_settl_lesson_9 3_10_wto_disp_settl_lesson_10 3_hét_11_WTO dispute settlement </p> <p> https://www.cfr.org/article/wto-dispute-settlement-system-fair https://www.politico.eu/article/wto-donald-trump-protectionism-brussels-fears-trump-wants-the-wto-to-fail/ https://www.politico.eu/article/donald-trump-trade-disdain-for-system-casts-unease-over-wto/ https://www.politico.eu/article/russia-sanctions-europe-trade-eu-takes-billion-euro-battle/ https://www.politico.eu/article/eu-calls-donald-trump-bluff-over-wto/ https://www.politico.eu/pro/us-pushes-wto-to-brink-by-blocking-appointment-of-judge/ https://www.politico.eu/pro/donald-trump-jean-claude-juncker-trade-the-art-of-the-no-deal/ https://ec.europa.eu/commission/presscorner/detail/en/IP_20_113 http://www.europarl.europa.eu/doceo/document/TA-9-2019-0083_EN.html https://www.ft.com/content/f0f992b8-19c4-11ea-97df-cc63de1d73f4 https://atlantic-community.org/healing-the-wto-cure-or-amputate-the-appellate-body/ </p>
4.	Trade in goods TBT	<p> 4_GATT_and other Multilateral Agreements on the trade in goods 4_non_rattiff_barriers to trade 4_Tariffs 4_trade-in_goods_1 4_trade-in_goods_2 4_trade-in_goods_3 4_trade-in_goods_4 4_trade-in_goods_non-tariff_5 4_trade-in_goods_summary_6 </p>



5..	TFA Trade in services TRIPS	5_1_tbt_1 5_2_tbt_2 5_3_SPS_Agreement 5_4_Trade in Services_Gats 5_4_trade-in_services_1 5_4_trade-in_services_2 5_4_trade-in_services_3 5_4_trade-in_services_4 5_4_trade-in_services_5 5_5_Trade-Related Aspects of Intellectual Property Rights 5_wto_Rules of Origin 5_wto_rulesoforigin_agreement
6.	<ul style="list-style-type: none"> Investment protection 1. - Introduction, history, formation of investment protection law. 	<p>7_Part1</p> <p>MATTHIAS HERDEGEN: Principles of International Economic Law, Second Edition. OUP 2016 : Part I. CONTENTS, HISTORY, AND STRUCTURE OF INTERNATIONAL ECONOMIC LAW Chapter I.</p> <p>Pauwelyn J, 'Rational Design or Accidental Evolution? The Emergence of International Investment Law' in Zachary Douglas, Joost Pauwelyn and Jorge E Viñuales (eds), <i>The foundations of international investment law: Bringing theory into practice</i>/(First edition).</p>
7.	Investment protection 2. Bilateral and Multilateral Investment Treaties	<p>8_Part2</p> <p>Chapter 1 - p.11-30 Dolzer R and Schreuer C, <i>Principles of international investment law</i> (Second edition, Oxford University Press 2012)</p> <p>or</p> <p>HERDEGEN, Part V. Chapter XXXIV (Treaties on Investment Protection)</p>
8.	Investment protection 3. Dispute resolution in investment law Investment law and other subsystems of the international legal order.	<p>9_Part3 and 9_Part4</p> <p>Chapter 10 p. 211- 290 Dolzer R and Schreuer C, <i>Principles of international investment law</i> (Second edition, Oxford University Press 2012). HERDEGEN, Part V. Chapter XXXVII.</p> <p>Reinisch A, 'The EU on the investment path- Quo vadis Europe?: The Future of EU BITs and Other Investment Agreements' (2013). and</p>



		<p>Tietje C and Wackernagel C, 'Enforcement of Intra-EU ICSID Awards: Multilevel Governance, Investment Tribunals and the Lost Opportunity of the Micula Arbitration' (2015) 16 The journal of world investment & trade 205.</p> <p>Judgement of the ECJ <i>Achmea</i> (284-16) http://curia.europa.eu/juris/document/document.jsf?docid=201793&text=&dir=&doclang=EN&part=1&occ=first&mode=req&pageIndex=1&id=12995341</p>
9.		Term paper

Reading

- 1) The Law and Policy of the World Trade Organization Text, Cases and Materials 3rd Edition Peter Van den Bossche Werner Zdouc, Cambridge University Press 2013
- 2) Principles of International Investment Law Second Edition Rudolf Dolzer and Christoph Schreuer OUP 456 o.
- 3) The Oxford Handbook of International Trade Law Daniel Bethlehem, Donald McRae, Rodney Neufeld, and Isabelle Van Damme Oxford Handbooks in Law 856 o. 2009
- 4) M. Herdegen: Principles of International Economic law 2ed. OUP 2016.
- 5) Joost Pauwelyn: Rational Design or Accidental Evolution? The Emergence of International Investment Law
- 6) Christian Tietje & Clemens Wackernagel: Enforcement of Intra-EU ICSID Awards Multilevel Governance, Investment Tribunals and the Lost Opportunity of the Micula Arbitration
- 7) August Reinisch: The EU on the Investment Path – Quo Vadis Europe? The Future of EU BITs and other Investment Agreements
- 8) For Hungarians it may help to read the relevant chapters of Kende, Jeney & Szűcs Európai Közjog és politika Kluwer 2018

Assessment

Term paper: Open book exam in May from the readings and seminars.

Mid-term exam in March

Grading: Mid-term paper result 40%, Term-paper 60%.