



Vienna Law School

Summer Semester 2024

**Course Title: GATT/WTO Substantive Law of International Trade**

**Professor: Friedl Weiss**

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## I. Course Description and Objectives

**Part I** of this course dealt with the World Trade Organization (WTO) as a *modern institution* – structure, organs, legal status, decision-making, relations with other organizations etc. – and with its unique dispute settlement system – structure, phases, causes of action, remedies, implementation and enforcement.

**Part II** deals with substantive WTO law as administered by the most important and near universal multilateral organisation in the field of international economic law. It is dedicated to raising the standards of living and full employment while recognising the need for positive efforts to ensure that DCs and LDCs secure a share in the growth of international trade and allowing for the optimal use of the world's resources in accordance with the objective of sustainable development. It focuses on the basic *principles and rules for the conduct of multilateral trade* derived from selected covered agreements, namely the GATT, GATS and TRIPS as well as the Anti-Dumping and Subsidies Agreements and on a number of contemporary so-called 'trade and' issues such as 'WTO and Environmental Protection', 'WTO and International Labour Standards', 'WTO and FDI' and 'WTO and Climate Change'.

## II. Course Outline

- GATT Hierarchy of Instruments and Legal Framework
- Trade in Services (GATS)
- Trade-related Intellectual Property Rights (TRIPS)
- WTO and Environmental Protection
- WTO and International Labour Standards
- WTO and Foreign Direct Investment
- WTO and Climate Change

## III. Teaching Method

This seminar will start with introductory presentations by the professor on 12 and 13 March 2024 at the end of which students should select their paper topics. This seminar will focus on the presentation and discussion of the students' seminar papers at three intensive meetings on 17, 18 and 19 June 2024. Participants have to hand in their papers by the end of June 2024.

## IV. Assessment Method

Class participation is expected. It will be worth 20% of the final course mark.

There will be a 90 minutes written final examination worth 80% of the final course mark.



## Reading

- **Michael J. Trebilcock/Joel Trachtman, *Advanced Introduction to International Trade Law*, 2nd edition, Edward Elgar, 2020.**
- **Peter van den Bossche/Werner Zdouc, *The Law and Policy of the World Trade Organization, Text, Cases and Materials*, 6th ed., CUP, 2021.**
- David Collins, *Foundations of International Economic Law*, Edward Elgar, 2019.
- Autar Krishen Koul, *Guide to the WTO and GATT, Economics, Law and Politics*, Springer, 2018.
- WTO Analytical Index, *Guide to GATT Law and Practice*, 3 vols., available at [https://www.wto.org/english/res\\_e/publications\\_e/ai17\\_e/ai17\\_e.htm](https://www.wto.org/english/res_e/publications_e/ai17_e/ai17_e.htm).
- Yingying Wu, *Reforming WTO Rules on State-Owned Enterprises*, Springer, 2019.
- Peter van den Bossche, Denise Prevost, *Essentials of WTO Law*, CUP, 2016.
- Andrew T. Guzman, Joost H.B. Pauwelyn, *International Trade Law*, 2<sup>nd</sup> ed., Aspen Casebooks, 2012.
- Ernst Ulrich Petersmann, *International Economic Law in the 21st century*, Hart, 2012.
- Waldemar Hummer/Friedl Weiss, *Vom GATT'47 zur WTO'94: Dokumente zur alten und zur neuen Welthandelsordnung*, Nomos-Verl.-Ges, 1997.
- WTO BISD 2019 - Basic Instruments and Selected Documents of the World Trade Organization - 2019 - Compilation by the WTO Secretariat, WT/BISD/2019, 17 August 2020.
- Available at  
<https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/WT/BISD/2019.pdf>