

TRADE, PUBLIC HEALTH, CONSUMER PROTECTION

Course description

Trade policy, in particular a State's regulatory policy, can have immense implications for public health – including food safety and environmental protection, as well as consumer protection. This course examines the two most important WTO Agreements affecting a Member's ability to regulate the product characteristics associated with imported and domestically produced goods, including agricultural goods.

The Agreement on Technical Barriers to Trade (TBT) and the Agreement on Sanitary and Phytosanitary Measures (SPS) are both part of the WTO's single undertaking, and both are designed to allow the application of regulations designed to further legitimate objectives, such as public health and consumer protection, while disciplining non-tariff barriers applied illegitimately by Members for protectionist purposes. Readings, case studies and class discussions will focus on how the TBT and SPS Agreements should be implemented, and the types of discriminatory practices that violate these agreements. Participants will gain a solid understanding of the legal operation of the TBT and SPS Agreements, relevant WTO case law arising under these agreements, and how the business community and governments use technical regulations and standards as a means to further their objectives.

Course details

Participants: Open course (MILE, TRAIL+, DAS, CAS and à la Carte)

Requirement: Optional

Price: CHF 1'800 (only for à la Carte participants)

Format: Modular, Case study lecture

ECTS: 3 (only for MILE, TRAIL+, DAS and CAS)

Lecturer: Arthur Appleton

Biography

Arthur Appleton: Dr Appleton is a Founding Partner of Appleton Luff – International Lawyers (www.appletonluff.com) a boutique international trade and arbitration firm, active in emerging and developing markets, with offices in Brussels, Geneva, Singapore, Warsaw and Washington, DC. Dr Appleton has more than 24 years of experience in the field of international trade (GATT/WTO) law dating back to the late 1980s when he advised a prominent Asian country during the Uruguay Round negotiations. He works with businesses, sovereign States, international organizations and non-governmental organizations on international trade and arbitration matters and has appeared as lead counsel before the Appellate Body of the World Trade Organization. He works often in developing countries in Asia, Africa and Latin America. Dr Appleton has published three books and approximately 40 articles on trade and arbitration issues, including as co-editor (with Patrick Macrory and Michael Plummer) of *The World Trade Organization: Legal, Economic and Political Analysis*, a multi-volume work that appeared in spring 2005. He is now co-editing a business guide to the WTO for MBA students and business professionals. Dr Appleton serves on the Editorial Board of Legal Issues of Economic Integration, the Advisory Committee of The Latin American Journal of International Trade Law and is a past President of the Association of International Business Lawyers (Geneva). Prior to forming Appleton Luff, Dr Appleton was Counsel with White & Case and Of Counsel with Lalive & Partners. The International Who's Who of Trade and Customs Lawyers has recognised him since 2000. Dr Appleton is an Adjunct Professor at Johns Hopkins University (SAIS - Europe). He teaches at the World Trade Institute (Bern), where he also serves on the Board, and at IELPO (Barcelona). He is regularly invited to lecture on international trade matters at conferences, seminars and universities worldwide. Dr Appleton has also served as sole arbitrator, party appointed arbitrator and counsel in ICC, AAA and Ad Hoc arbitrations. He has been involved in disputes concerning international trade (in particular trade in steel), intellectual property, licensing, agency agreements, contracts, construction and Sovereigns.