



PROGRAM ON REGIONAL ECONOMIC INTEGRATION
INCAE BUSINESS SCHOOL – WORLD TRADE INSTITUTE

January – July 2011

The world economy has experienced unprecedented levels of economic and financial integration since the latter part of the twentieth century. Developments such as trade, investment and capital account liberalization, as well as technological innovation in transport and telecommunications, have vastly increased the international exchange both of final products – goods and services – as well of factors of production – people, capital and ideas. What is often less recognized is that the process of globalization has been accompanied by a considerable strengthening of economic and financial linkages *within* geographic regions. The world economy is thus simultaneously becoming more globalized and more regionalized. Deepening regional integration has typically been supported by regional policy initiatives, particularly in the fields of trade and investment. Latin America and the Caribbean countries are no exception to this rule.

Indeed, Latin America and the Caribbean have a long history of regional economic integration and today such a process is central to the growth and poverty alleviation strategies of most countries in the region. The INCAE-WTI program on regional economic integration, delivered in partnership with **SIECA** and the **World Bank**, covers many of the most important and emerging topics in international trade regulation facing LAC countries. It has been designed to build regional capacity in global and regional economic integration. Mastering the economic impacts, legal principles, and political feasibility of trade regulation is a highly interdisciplinary challenge. Our courses are co-taught by many of the world's leading practitioners, drawn from the fields of economics, law, international political economy and business administration. Participants will learn to blend the policy aspects of trade with thorough legal interpretation, economic analysis and business perspectives, while establishing contacts with fellow professionals and faculty from all over the world.

The program is structured into four, non-consecutive, weekly modules. Topics covered include the fundamental principles of international trade regulation, new frontiers in services and investment rule-making, the rising salience of competition policy, new challenges in agricultural trade liberalization, the increasing links between trade remedies and climate change mitigation, cutting-edge research and policy perspectives on non-tariff barriers, as well as key challenges in commercial diplomacy. While most participants will register for the full program, the weekly modules can be attended on a flexible, "*à la carte*", basis in order to accommodate a wide range of training needs and interests.



Participants

The program is designed to train leaders from government, regional organizations, business and academia with a diverse background of professional and academic expertise in fields related to economic integration. Trade policy officials, officials from competition and regulation agencies, trade lawyers, economic analysts, SPS officials, policy advisors, academics, and businessmen are welcome to apply. Qualified applicants are expected to have a solid working command of English and should be ready to read a large amount of material in English both prior to and during each week of the program.

Fees

The fee for attending the full 4-week program is US\$8,000. Applicants will also have the option to attend individual weeks priced at US\$2,500 each.

All materials, board and lodging will be included.

Financial aid

Thanks to our partnership with the World Bank, full and partial scholarships are available to officials from national governments and regional governmental organizations, and will be granted on a competitive basis. Applicants should fill out the form for financial aid and submit a one (1) page essay to demonstrate their commitment to advance the regional economic integration agenda. Applications for financial aid should be directed to isabel.solis@incae.edu.

Modules

1. Introduction to the World Trading System and Regional Integration in Latin America and the Caribbean. January 24-28

This course will examine the broad policy questions around trade and development. It will explain the legal foundations of international trade and regional economic integration and from the economic standpoint, this module will further the participants' understanding of the role of international trade in fostering accelerated growth and alleviate poverty, in particular in developing countries. Topics covered will include a historical perspective on international trade, the political economy of trade, openness and poverty, and openness and growth. It will discuss the emerging issues of regional integration, including an overview of trade in services, investment, dispute settlement and competition policy. Particular emphasis will be given to current integration schemes including the free trade agreements signed by the US and the EU with Latin American countries.

Faculty: Alberto Trejos, INCAE; Peter Van den Bosche, Appellate Body Member, Patrick Low WTO, Francisco de Paula Gutiérrez, INCAE



2. Agriculture policy and standards. April 04- 08, 2011

Agriculture is one of the most contentious issues in the trade policy arena. Latin American countries with a significant comparative advantage in agriculture have to deal with the agriculture reforms resulting from WTO negotiations and Regional Trade Agreements commitments and navigate between complex offensive and defensive interests in the sector. They must also contend with agricultural regulations and other standards on goods impacting on trade in agricultural commodities in numerous ways. Such regulations can advance domestic social goals like public health by establishing minimum standards or prescribing legitimate, scientifically sound, safety requirements. But they can also serve as hidden protectionist policies. This module will address fundamental issues of the Agriculture, TBT and SPS agreements of the WTO and their relationship with regional trade agreements and regional and national regulatory regimes. Current issues such as domestic support measures, GMOs and labeling will be analyzed in both their global context and regional contexts.

Faculty: Arthur Appleton, WTI; Víctor Umaña, WTI-INCAE; Alberto Trejos INCAE; Bernard Kilian, INCAE

3. Services, Investment and Competition Policy. May 30-June 04. 2011

a) Trade in services and investment: rule-making, market access and negotiations.

Since the 1990s, the opening of state monopolies in banking, insurance, telecommunications and other services has changed the economic landscape of services delivery and competition in Latin America and the Caribbean. Today services account for a large and growing share of trade and cross-border FDI activity in the region. This course starts with an in-depth examination of the law and economics of trade in services in the Latin American context and addresses key outstanding sectoral and rule-making challenges in services negotiations and the implementation of market access commitments in trade agreements. The course then focuses on the rapidly evolving landscape of investment rules and litigation under bilateral investment treaties and preferential trade agreements. Special attention will be given to national regulatory agencies and their performance in LAC.

Faculty: Pierre Sauvé, WTI; Roberto Echandi, WTI; Bernard Hoekman, World Bank

b) Competition policy

Regional integration has done much to promote the greater contestability of markets. It has also highlighted the need for competition law and effective enforcement to complement trade and investment liberalization. The main rationale of incorporating competition rules into regional trade agreements is to ensure that efforts to liberalize trade by eliminating border barriers are not undercut by restrictive practices behind the border. Trade, investment and competition policies interact in complex ways, mostly complementing each other, but there are areas in areas where there is a normative overlap over the same economic conduct (i.e.: price discrimination). This course will address the legal and economic foundations of competition law and policy, and explore the salience of greater competition policy activism to realizing the full benefits of deeper integration in LAC.

Faculty: Mario Umaña, Georgetown University. Simon Evenett. University of St. Gallen



4. Pressing issues on the regional economic integration agenda July 25 – 30, 2011.

a) Trade remedies and dispute settlement after the economic crisis.

This course addresses key challenges in the operation of trade remedy and contingent protection practices, including anti-dumping, safeguards, subsidies and countervailing duties under WTO law and regional trade agreements from a legal and economic perspective. It concludes with a discussion of potential outcomes of future negotiations on these issues and how the economic crisis has affected recourse to instruments of contingent protection.

Faculty: Gary Horlick, WTI; Edwin Verlmust, WTI; Alberto Trejos, INCAE

b) Trade and climate change

Climate change represents not only a major threat to humanity but also as a source of potential trade tension among nations as mitigation efforts are enacted in an uncoordinated manner. The course examines the trade implications of measures aimed at reducing greenhouse gas emissions, including subsidies, border tax adjustments and regulatory issues, as well as tariffs on environmental goods. It also explores the relationship between international environmental agreements and trade law.

Faculty: Gary Horlick, WTI; Lawrence Pratt, INCAE; Patrick Low, WTO

ACADEMIC COORDINATORS

ALBERTO TREJOS, INCAE BUSINESS SCHOOL

Alberto Trejos is a Costa Rican economist, who got his PhD from the University of Pennsylvania in 1994. Active researcher in macroeconomics, international trade and development economics, has been sponsored among others by the National Science Foundation of the US. Professor at INCAE, Latin America's leading business school, since 1997. Dean of INCAE, and General Director of its Latin American Center for Competitiveness and Sustainable Development, between 1999-2002. Professor of Economics at Northwestern University in 1994-97. Visiting professor and researcher at Institut d'Anàlisi Econòmica de Barcelona, the Federal Reserve Bank of Minneapolis, Fundação Getulio Vargas of Rio de Janeiro and The University of Texas. Minister of Foreign Trade of Costa Rica in 2002-04. In that position, he led the negotiation of CAFTA (the Free Trade Agreement between the US, Central America and the Dominican Republic) and the CARICOM-Costa Rica FTA. He was responsible for Costa Rica's ratification of its FTA with Canada, and its entry in the Central American Customs Union. In 1998-99, board member of the National Financial System Supervisory Body. In 1999 took part in the design and ratification of the Costa Rican pension reform. Consultant for several companies, governments and international organizations, is a partner at CEFSA. President of CINDE (Costa Rican Investment Board), and board member of several corporations and organizations, including Costa Rica's leading private financial institution.

PIERRE SAUVÉ, WORLD TRADE INSTITUTE

Pierre Sauvé is Deputy Managing Director and Director of Studies at the World Trade Institute (WTI), in Berne, Switzerland. He holds Visiting Professor appointments at the College of Europe in Bruges,



Belgium, and at the University of Barcelona, whose LL.M. program in international economic law and policy (IELPO) he serves as Academic Advisor. He was a Visiting Professor at the London School of Economics and Political Science in 2007-08 and at the Institut d'Etudes Politiques (Sciences-Po) in Paris, France, in 2003-04. He served as a senior economist in the OECD Trade Directorate from 1993-2002, a period during which he also taught at the John F. Kennedy School of Government at Harvard University and was appointed Non-resident Senior Fellow at the Brookings Institution in Washington, D.C. (1998-2000). Prior to joining the OECD, he served as services negotiator within the Canadian Department of Foreign Affairs and International Trade's Office of North American Free Trade Negotiations (1991-93). He was previously a staff member of the General Agreement on Tariffs and Trade in Geneva, Switzerland (1988-91) as well as the Bank for International Settlements, in Basle, Switzerland (1987-88). Mr. Sauvé was educated in economics and international relations at the Université du Québec à Montreal and Carleton University in Canada, as well as at Cambridge and Oxford universities in the United Kingdom. He has advised the governments of a number of OECD and developing countries and served as a consultant to leading regional and multilateral agencies involved in trade, finance and development. He serves on the Editorial Board of the Journal of International Economic Law and the Journal of World Trade, as well as a Member of the Review Committee of UNCTAD's Series on International Investment and Development. He was appointed in 2003 as a member of the dispute panel roster of trade specialists established under the North American Free Trade Agreement and served as a member of the Warwick Commission on the Future of the Multilateral Trading System in 2007-08.

FACULTY

ARTHUR E. APPLETON

Dr Appleton has more than 18 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 of trade negotiations. He works with businesses, sovereign states, international organisations and non-governmental organisations on various trade and arbitration issues and has appeared as lead counsel before the Appellate Body of the World Trade Organization. He publishes widely on international trade issues and is a 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 recently left a major U.S. law firm to found Appleton Luff (www.appletonluff.com) a boutique international trade law and arbitration firm active both legal and policy matters. Dr Appleton serves on the Board of Directors of ILI Barcelona, and the Steering Committee of the International Trade Law Center of the International Law Institute (Washington, D.C.). He is also Co-President of the International Business Lawyers Association (Geneva). In addition, Dr Appleton is a member of the Editorial Boards of Legal Issues of Economic Integration and The Geneva Post Quarterly/Journal of World Affairs, and serves on the Editorial Committee of the ASA Bulletin (Association Suisse de l'Arbitrage). Dr Appleton has been recognized in the International Who's Who of Trade and Customs Lawyers since the year 2000.

BERNARD HOEKMAN

Bernard Hoekman is Director of the Trade Department of the World Bank. Before taking up his present position he served as Research Manager of the International Trade group in the Development Research Group of the Bank and managed the international trade and global integration activities of the World Bank Institute's Economic Policy division. He has worked extensively in countries in the Middle East and North Africa. Between 1988 and 1993 he was on the staff of the GATT Secretariat in Geneva. He is a



graduate of the Erasmus University Rotterdam, holds a Ph.D. in economics from the University of Michigan and is a Research Fellow of the London-based Centre for Economic Policy Research. His current research focuses on the functioning of the multilateral trading system (WTO), international transactions in services, the relationship between competition and trade policy, the economics of regional economic integration, and channels of international technology diffusion.

EDWIN VERMLUST

Edwin Vermulst has practised international trade law and policy in Washington DC and Brussels since 1985 and is a founding partner of Vermulst Verhaeghe & Graafsma Advocaten. He is a member of the Brussels bar A-list. Mr Vermulst graduated from the University of Utrecht in 1983 and obtained LL.M and SJD degrees from the University of Michigan Law School in 1984 and 1986. Mr Vermulst specialises in the defence of multinationals, trade associations, exporters and importers in EC commercial defence and customs proceedings, for example in the on-going anti-dumping proceedings involving Footwear, DVDs and CD-Rs. Mr Vermulst was a WTO panelist and has been involved in WTO dispute settlement proceedings as a member of the delegation, most recently in EC-Certain customs matters. He has (co-)authored eight books, including landmark comparative analyses of the anti-dumping systems of Australia, Canada, the EC and the US with Professor John Jackson in 1989 and of rules of origin with Jacques Bourgeois and Paul Waer in 1994, as well as numerous articles. His last book on the WTO Anti-Dumping Agreement was published in 2006 by Oxford University Press. Mr Vermulst is a Member of the Faculty of the World Trade Institute in Berne. He is the Editor-in-Chief of the Journal of World Trade and the Global Trade and Customs Journal. Mr Vermulst is invariably selected as a top trade practitioner by publications such as Who's Who Legal, Legal 500, Chambers Global and the Rushford report.

GARY N. HORLICK

Gary Horlick is an international trade lawyer specialising in trade in goods, services and cross-border investment. He is also a Lecturer at Yale Law School (1983-1986, 2001-present) Georgetown Law Center (1986-present) and the World Trade Institute (2001-present). He is a US national and was educated at Dartmouth College, Cambridge University and Yale Law School. He has previously held the positions of U.S. Deputy Assistant Secretary of Commerce for Import Administration, 1981-1983; International Trade Counsel, U.S. Senate Committee on Finance, 1981; Attorney with the Washington law firm of Steptoe & Johnson, 1976-1981 and Assistant Representative, Ford Foundation, Santiago, Chile and Bogota, Colombia (after starting as Assistant to the Representative), 1973-1976. He was the first Chairman of the WTO's Permanent Group of Experts on Subsidies, and has been chairman of WTO and Mercosur panels.

LAWRENCE PRATT

Lawrence Pratt is the Director of the Latin American Center for Competitiveness and Sustainable Development (CLACDS) at INCAE, in Alajuela, Costa Rica. At INCAE, he is founder and director of the internationally-renowned Ecobanking Project (www.ecobanking.com) and the Sustainable Markets Intelligence Center (www.cims-la.com). Mr. Pratt's research focuses on incorporating sustainability into the strategic positioning of countries, industries and firms. He lectures widely internationally on sustainable business and on the design of policy structures to promote competitive advantage from sustainability. Mr. Pratt also serves as a consultant and advisor to various multilateral organizations, manufacturing, natural resources and financial services companies in the United States, Latin America and Europe. Previously he was Senior Policy Analyst at the Environmental Law Institute in Washington,



DC, and member of the team that developed the groundbreaking Toxic Release Inventory Program at the U.S. Environmental Protection Agency.

MARIO UMAÑA

Mario A. Umaña is an Adjunct Professor at Georgetown University Law Center. He received a Doctor in Law (SJD) and a Master in Law (LL.M) both from Georgetown University Law Center. His areas of research are: International Trade Law, Competition Law, Competitiveness, Foreign Direct Investment, Export Promotion, and Project Finance. Prof. Umaña has been the academic coordinator of the Joint Georgetown University-INCAE Business School Executive Program in Legal Issues of International Business for the last 12 years. He has also given lectures and seminars in Japan, Taiwan, Trinidad and Tobago, Suriname, Spain, Ecuador, Chile, El Salvador, and Honduras. He currently works for the Inter-American Development Bank in Washington DC, as a Senior Specialist in Trade, Integration and Competition Policy. Between 1996 and 1999, Prof. Umaña worked for INCAE's Center for Competitiveness and Sustainable Development as a senior researcher and project manager. He has been a professor of International Trade for the University of Costa Rica (UCR), and for the Latin American University of Science and Technology in Costa Rica (ULACIT). He has worked as a consultant in trade related issues for several organizations (including OECD, North South Center, FEDEPRICAP, Costa Rican Chamber of Commerce) and served as General Manager of the Ministry of Agriculture and Livestock of Costa Rica, and member of the Costa Rican Investment Council. Prof Umaña is member of the Institute of International Economic Law IIEL.

PATRICK LOW

Patrick Low is Chief Economist (Director of Economic Research and Statistics) at the World Trade Organization. He was first appointed Chief Economist in May 1997 and then served as Director-General Mike Moore's Chief of Staff from September 1999 to December 2001, after which he returned to his previous post of Chief Economist. From 1995-1997 he was in the WTO's Trade in Services Division. He worked from 1990-94 in the World Bank's research complex (International Trade Division). Prior to that, he taught at El Colegio de México in Mexico City and worked as a consultant, from 1987-90. From 1980-87, Patrick Low worked at the GATT secretariat in Geneva. He holds a PhD in economics from Sussex University in the United Kingdom, and has written widely on a range of trade policy issues.

PETER VAN DEN BOSSCHE

Peter Van den Bossche was appointed as a Member of the Appellate Body of the World Trade Organization in 2009. He is a Professor of International Economic Law and Head of the Department of International and European Law at Maastricht University, the Netherlands. Prof. Van den Bosche holds a law degree from the University of Antwerp (1982), a LL.M. from the University of Michigan, Ann Arbor (1986), and a PhD from the European University Institute, Florence (1990). He worked at the Court of Justice of the European Communities, Luxembourg, as référendaire of Advocate-General W. Van Gerven (1990-92) after which he joined the Faculty of Law of Maastricht University. From 1993 to 1996 (and again from 2003 to 2005), he served as Director of Studies of the Magister Iuris Communis programme. From 1997 to 2001, Van den Bossche was Counsellor to the Appellate Body of the World Trade Organization, Geneva. In 2001, he served as Acting Director of the Appellate Body Secretariat. Van den Bossche is a consultant to international organizations on WTO law and international economic dispute settlement, member of the International Faculty of the World Trade Institute, Berne, member of the Board of Editors of the Journal of International Economic Law and visiting professor at the Université



Libre de Bruxelles, the Institute of European Studies of Macau, China, the International Economic Law and Policy Programme of the Facultat de Dret of the Universitat de Barcelona, the Trade Policy Training Centre in Africa at the Eastern and Southern African Management Institute, Arusha, Tanzania and the China-EU School of Law, Beijing, China. Van den Bossche is the author of 'The Law and Policy of the World Trade Organization: Text, Cases and Materials', 2nd edition, published by Cambridge University Press, 2008.

ROBERTO ECHANDI.

Ambassador Echandi joined the World Trade Institute in September 2010, where he directs the WTI's new Program on International Investment. He undertook his doctoral and LL.M. studies in International Trade Law at the University of Michigan School of Law at Ann Arbor, Michigan; his M.Phil. in Latin American studies with emphasis in economic integration at the University of Oxford; Licenciado en Derecho, at the University of Costa Rica and specialised negotiation courses at the JFK School of Government at Harvard University. Before being appointed Ambassador to the EC by President Oscar Arias in early 2007, for several years Ambassador Echandi was the Program Director of the Small Economy Trade & Investment Center (SETIC), Academia de Centroamérica, San José, Costa Rica. SETIC is a specialised program aimed at providing training, advisory services and research to small developing economies in the field of international investment, trade law and policy. Since 1993 Ambassador Echandi has also been Professor of International Trade and Investment Law at the Diplomatic Institute "Manuel María Peralta" of the Ministry of Foreign Affairs of Costa Rica. From October 2002 until January 2005, he was appointed by the Government of Costa Rica as Special Adjunct Ambassador for U.S. Trade Affairs. From this position at the Ministry of Foreign Trade of Costa Rica he participated in the negotiations of the US-Central America Free Trade Agreement (CAFTA), process in which he was the Costa Rican lead negotiator in two negotiation groups, services and investment and trade capacity building. Ambassador Echandi has also been Adjunct Professor of Law, Visiting Scholar and Fellow at the Institute for International Economic Law (IIEL) of the Georgetown University Law Center, at Washington D.C. He has also served as Director-General for International Trade at the Ministry of Foreign Trade of Costa Rica and as legal advisor to the Appellate Body Secretariat of the World Trade Organization (WTO) in Geneva, Switzerland. Ambassador Echandi has published several specialised books and articles in Costa Rica, the United States and Europe. His national and international publications have been focused on the legal and political economy dimension of investment issues, dispute settlement, trade in services and the evolution of the process of regional economic integration in the Americas. He has also participated as consultant and key note speaker in numerous seminars and conferences organised in the United States, Europe, Asia and Latin America by international organizations such as the OECD, the World Bank, UNCTAD, the Organization of American States, the Inter-American Development Bank and the WTO.

SIMON J. EVENETT

Simon J. Evenett is Professor of International Trade and Economic Development at the University of St. Gallen, Switzerland. In addition to his research on the determinants of international commercial flows, Professor Evenett is particularly interested in the relationships between international trade policy, national competition law and policy, and economic development. He obtained his Ph.D. in Economics from Yale University and a B.A. (Hons) from the University of Cambridge. Professor Evenett has been a (non-resident) Senior Fellow of the Economic Studies Programme in the Brookings Institution,



Washington, DC. Previously, he taught at Oxford University and Rutgers University as well as serving twice as a World Bank official. His writings can be downloaded from www.evenett.com.

VÍCTOR UMAÑA

Víctor Umaña has a Master's degree in International Law and Economics (Magna Cum Laude) from the World Trade Institute, University of Bern and obtained a bachelor's degree in Agricultural Economics (honors) from the University of Costa Rica. He holds a research position at the WTI-NCCR Trade Regulation project in regionalism, where he investigates the nature and conditions under which trade- and investment-led regional integration efforts lead to the emergence of regional public goods. He has been a researcher for the Latin American Center for Competitiveness and Sustainable Development – CLACDS - at INCAE Business School since 2001, where he manages research and training programs in competitiveness, trade and sustainable development. He lectures on agriculture, trade and sustainable at INCAE's MBA program and at INCAE-CATIE's joint master's program in International Agribusiness Management. He served as Counselor at the Mission of Costa Rica to the World Trade Organization (WTO) in charge of negotiations in agriculture, industrial goods, sanitary and phytosanitary measures and technical barriers to trade. He has performed as consultant for various international organizations including, IDB, GTZ, World Bank, The Brenthurst Foundation and InWEnt, in Latin America and Africa. He contributes regularly with op-eds to regional magazines and newspapers and is invited frequently as speaker on economic issues.