

International Trade Regulation

Prof. Dr. Michael Hahn and Prof. Dr. Isabelle Van Damme

Version 11 May 2025

Start Date: Monday, 15 September 2025

End date: Wednesday 17 December 2025

Time and place:

- Mondays, 12:15-14:00, Silva Casa Auditorium, World Trade Institute, Hallerstrasse 6, Bern
- Wednesdays, 10:15-12:00, Silva Casa Auditorium, World Trade Institute, Hallerstrasse 6, Bern

Credits: 10

1. Course overview

As WTO law remains the “floor” of international trade law, the course offers an examination of the multilateral system of the WTO and its agreements covering trade in goods and services, as well as trade-related intellectual property rights. The structure, decision-making processes, negotiating techniques and dispute settlement procedures of the WTO will be treated in detail. In-depth analysis of pertinent case law acquaints students with diverse situations of trade law in action, ranging from the effects of discrimination; quantitative restrictions and non-tariff measures; technical regulations and standards; sanitary and phytosanitary measures to trade remedies and various types of exception clauses that exist in the WTO rulebook.

The course also explores the relationship between the multilateral trade regime and the regional sub-regimes in all continents. The compatibility of preferential trade agreements with the multilateral trade regime will be discussed and the course will undertake to present the reasons for states turning away from the WTO as a forum for new law-making.

Sovereignty, environmental, labour and human rights protection, economic and national security, globalization and its impact on the protection of societal values are topics that are discussed with a view to identifying the linkages and gaining a better understanding of the real-life areas interacting with trade liberalization.

2. Participation

The course is designed for advanced students in law, economics or political science with a strong command of English and interest in international law and international relations. The preparation of the assigned reading materials as well as active participation in class are expected and will be critical to your success in the course.

3. Recommended books and materials

Peter Van den Bossche/W Zdouc (2021). The Law and Policy of the World Trade Organization: Texts, Cases, and Materials, 5th edition, Cambridge University Press OR Mitsuo Matsushita/Thomas

Schoenbaum/Petros Mavroidis/Michael Hahn, The World Trade Organization — Law, Practice, and Policy, 4rd ed. (paperback), Oxford University Press (forthcoming, TBC); students interested should contact the convenor for organizing the purchase at a discount or it can be found at WTI library, available for copying or scanning.

The WTO Agreements – The Marrakesh Agreement Establishing the World Trade Organization and its Annexes (Cambridge University Press, 1994; new version 2017). The book is available at the WTI library or can be ordered via:

https://onlinebookshop.wto.org/shop/article_details.asp?Id_Article=39&lang=EN. Students can alternatively download the WTO legal texts from the WTO website (www.wto.org) or from ILIAS.

Please bring the legal texts with you to all lectures.

Additional materials, as well as the PowerPoint slides of the lectures will be made available on ILIAS.

4. Exam

The final exam is an oral exam. Students receive one or two written questions and/or case hypotheticals. They will have 20 minutes time to prepare answers and then will present them to the examiners, who will ask additional questions (20 minutes). In the evaluation, emphasis will be placed on the ability to critically assess the cases and materials provided during the course.

5. Recording of lectures

Audio recordings of the lectures will be available. Those recordings may solely be used by students for the purpose of their studies and may not be shared.

6. Further readings

6.1 Books

Van den Bossche, P., & Zdouc, W. (2022). *The Law and Policy of the World Trade Organization: Texts, Cases, and Materials*, 5th edition, Cambridge University Press.

Van den Bossche, P., & Prévost, D. (2021). *Essentials of WTO Law*, 2th edition, Cambridge University Press.

6.2 Journals

All these journals are available at the IEW/WTI library (Hallerstrasse 6, 3012, Bern):

Journal of International Economic Law (JIEL) <http://jiel.oxfordjournals.org/>

Journal of World Trade <http://www.kluwerlawonline.com>

World Trade Review <http://journals.cambridge.org/action/displayJournal?jid=WTR>

American Journal of International Law (AJIL) <http://www.jstor.org/journals/00029300.html>

European Journal of International Law (EJIL) <http://www.ejil.org/>

6.3 Webpages

- **World Trade Organization (WTO)** (www.wto.org) offers the most comprehensive information;
- **WTO Analytical Index** (https://www.wto.org/english/res_e/publications_e/ai17_e/ai17_e.htm) serves as a guide to the interpretation and application of the WTO agreements by the Appellate Body, dispute settlement panels and other WTO bodies;

- **World Trade Law Net** (www.worldtradelaw.net) and **Trade Law Guide** (<https://www.tradelawguide.com/Home/Welcome>) often offer more accessible information specifically on WTO case law.

The **Financial Times** (www.ft.com) and the website of the **International Institute for Sustainable Development** (<https://www.iisd.org/>) are also good sources of information on recent developments in WTO negotiations and adjudication.

More interactive analytical platform can be found at **International Economic Law and Policy Blog**: <http://worldtradelaw.typepad.com/>.
