

Course Outline

COURSE:	LAWS 5200 / INAF 5507 - International Economic Law: Regulation of Trade and Investment
TERM:	Fall 2008-09
CLASS:	Day & Time: Monday - 8:35-11:25 am
	Room: B454 LA (Loeb)
INSTRUCTOR:	Professor P.J. Davidson
CONTACT:	Office: D590 LA (Loeb)
	Office Hrs: Monday - 12:30-3:00 or by appointment
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"Students with disabilities requiring academic accommodations in this course must register with the Paul Menton Centre for Students with Disabilities for a formal evaluation of disability-related needs. Registered PMC students are required to contact the centre, 613-520-6608, every term to ensure that I receive your letter of accommodation, no later than two weeks before the first assignment is due or the first in-class test/midterm requiring accommodations. If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by November 7, 2008, for December examinations, and March 6, 2009, for April examinations."With regard to accommodations for religious obligations and pregnancy, please see http://www.carleton.ca/pmc/students/accom_policy.html

OBJECT OF THE COURSE

The rules which comprise international economic law form the legal framework at an international level for the regulation of international trade and investment. This seminar will examine the role played by international law and specifically by international economic law in regulating international economic activity. It will examine the development and elements of the international legal framework for regulating trade and investment.

The role of law in society and the nature, origins and basis of international law and its relationship to national law will be examined before continuing with a study of the nature, sources and operation of international economic law. The course will concentrate on the World Trade Organisation legal framework and a study will be made of select aspects of the regulation of international economic activity, including the main international obligations, contingency protection, bilateral and plurilateral agreements, and regional integration, as well as an examination of the development of the expansion of international regulation of economic activity under the World Trade Organization (WTO). In addition, an examination of developing countries in international economic law and an examination of some of the elements of the regulation of international investment will be made. Various dispute settlement mechanisms for different international economic disputes will be discussed.

A fundamental theme of this seminar will be assessing the role of law in regulating international economic transactions. In particular, the course will focus on policy and legal issues that are becoming increasingly important in the current world trading system. Considerable emphasis has been placed by governments recently on the need for greater order and certainty in international commercial relationships. This has led to a considerable increase in domestic law applicable to international trade as well as to considerable legalisation of multilateral and bilateral commercial relationships.

COURSE MATERIALS

1. The text for the course is: Michael J. Trebilcock and Robert Howse, The Regulation of International Trade, 3rd ed., (London and New York: Routledge, 2005).
2. In addition to the text, weekly readings will be assigned. Most of these readings are available "on-line". Copies of required readings not on-line will be available on reserve in library. (Note: required readings are those indicated under the heading "readings" in the outline; those articles under the heading "see also" are for additional reference.)

3. Students may also wish to consult the following sources:

1. Bhala, Raj, International Trade Law: Interdisciplinary Theory and Practice, Third Edition, 2007.
2. Jackson, John Howard, Legal problems of international economic relations; cases, materials, and text on the national and international regulation of transnational economic relations. 3rd ed. (St. Paul, Minn.: West Pub., 1995). Call number: K3943.A58J3 1995.
3. Jackson, John H., The World Trading System, 2nd ed., (Cambridge: The MIT Press, 1997). Call number: K4602.2 1997.
4. Kindred, Hugh M., *et al.*, International Law - Chiefly as Interpreted and Applied in Canada. 6th ed. (Toronto: Emond Montgomery Publications, 2000). . Call number: JX68.I4984 2000.
5. Kohona, Palitha T.B., The Regulation of International Economic Relations Through Law, (Dordrecht: Martinus Nijhoff Publishers, 1985). Call number K3823.K63.
6. Moreno, Carlos, Legal aspects of international trade, (prepared by the UNCTAD secretariat, New York : United Nations, 1999). Call number UN8 TR 99.L21 .ENG.
7. van den Bossche, Peter., The Law and Policy of the World Trade Organization -Text, Cases and Materials, (New York: Cambridge University Press, 2005).
8. WTO website - www.wto.org - this website has a lot of information on the WTO/GATT, including a number of videos on different aspects of the WTO, including: "From GATT to WTO", "To the heart of the WTO", "Basic principles of the WTO system", "Why is it important to liberalize ?"
9. The International Economic Law Interest Group of the American Society of International Law website - <http://www.international-economic-law.org/>
10. Hoffman, Marci, "Revised Guide to International Trade Law Sources on the Internet", <http://www.llrx.com/features/trade3.htm> .
11. International Economic Law and Policy Blog (Blog with contributions from international trade law experts) <http://worldtradelaw.typepad.com/ielpblog/>
12. Picker, Colin; Bunn, Isabella D.; Arner, Douglas W.: International economic law - The State and Future of the Discipline, (Oxford ; Portland, Or. : Hart Pub., 2008)
13. Qureshi, Asif H., and Ziegler, Andreas R., International economic law, (2nd ed.) (London: Sweet & Maxwell, 2007).
14. Matsushita, Mitsuo, Thomas J. Schoenbaum and Petros C. Mavroidis., The world trade organization : law, practice, and policy, (2nd ed.) (Oxford ; New York : Oxford University Press, 2006).

Students in this course are also advised to regularly keep up on current developments in the international trade area. Useful sources include, inter alia, the business section of newspapers, The Economist, and the World Trade Review (electronic resource, available in the library).

FORMAT OF COURSE

The course will follow a seminar format and students will be expected to have read the assigned readings and be prepared to discuss and analyse the materials during the seminar. Generally, the first half of the seminar will deal with a general presentation and discussion of the week's topic(s), while the second half of the seminar will deal with a more detailed discussion of the readings.

Starting with the seminar of September 22, two or three students per week will be required to choose a reading for discussion, related to that week's topic, that is not already on the outline, that they think is a potential reading for inclusion on the outline, and prepare a short summary and critique of the reading for presentation to the class. The critique should include, e.g., what the author has to say on the topic, how well the author addresses the issue, how the reading relates to the topic and other readings, whether you agree or not, why it should be a required reading, etc. A report of this summary and critique must be prepared to hand in. Reports must be typed, double-spaced on 8 1/2x11 paper. Reports should not exceed five pages. One copy should be placed in the NPSIA Resource Centre, Dunton Tower, and one copy in the Law Graduate Study Room/Lounge in the Loeb Building, C463, for consultation by students in the seminar; one copy is to be handed in for marking, together with a copy of the reading. Weeks will be assigned at the class of September 15th. Students should peruse the topics in the outline with a view to choosing a "presentation" week. I will attempt to accommodate student interest in the scheduling of presentations.

In addition, each student will be required to prepare an in-depth research paper (approximately 6000-6500 words) dealing with an issue arising from the subject matter covered by the course. Specific topics for the papers must be chosen in consultation with me by no later than the class of October 20th. Students must prepare, and hand in by that time, a two page statement on their research paper, indicating the thrust of the paper, and including a preliminary bibliography. This will be marked and returned to the student.

Papers must be typed, double-spaced on 8 1/2x11 paper, be properly foot-noted and contain a proper bibliography. Papers must also have a cover page setting out, inter alia, the student's name and number, and the title of the paper.

The papers are due the last day of classes, i.e., December 1st. **No extensions will be given.** Late papers will be downgraded at the rate of one letter grade for each day late, i.e., an A paper will go to B after one day, C after two days, etc. (note: these penalties for late papers also apply to the critique papers and essay statements).

EVALUATION

Participation	20%
Written critique	15%
Presentation of critique	10%
Research paper statement	5%
Research paper	50%
	100%

Students are requested to read the section 'Instructional Offences' in the University's Graduate Calendar. Cheating, plagiarism and/or complementarity will be severely penalized. Penalties range from a zero mark to expulsion or suspension from studies at the University.

COURSE OUTLINE and READINGS

- Sept.8 a) Introduction
- outline of course
 - expectations
- b) The Role of IEL
- the Ideal of Free Trade and Comparative Advantage
 - liberal trade and the impact of trade restrictions
 - the relevance of the international legal framework
 - a legal framework for trade and investment

Readings: Text: Preface, first edition, pp.xiii-xiv; Chapt.1, "The Evolution of International Trade Theory, Policy and Institutions", pp.1-20.

- Sept. 15 a) "Law"
- the idea of law
 - theories of law
 - the role of law in society
 - establishing rules
 - dispute settlement
 - the Concept of Legalization
- b) International Law
- nature and basis of IL
 - sources of IL
 - subjects of IL
- c) IL and Domestic Law
- reception of IL in DL
 - constitutional problem in Canada

Readings:

- a) Abbott, Kenneth W., et al, 'The Concept of Legalization', (2000) 54 (3) Intl Organization, 401-419. (Available at <http://www.princeton.edu/~amoravcs/library/concept.pdf>)
- b) Wallace, Rebecca M.M., International Law - A Student Introduction, (4th ed.), (London: Sweet & Maxwell, 2002), pp.1-33; 56-75. (Call # KZ 3295 W35 A35 2002) [on reserve at library]
- c) Davidson, P.J., "Uniformity in International Trade Law: The Constitutional Obstacle", (1988) 11 Dal. L J pp.677-680 (Introduction) and pp.685-697 (The Constitutional Issue).

See also:

- a) 1. Lloyd, The Idea of Law, (Harmondsworth: Penguin, 1964), pp. 86-115.)
2. Harris, Phil, An Introduction to Law, 4th ed., (London: Weidenfeld and Nicolson, 1993), Ch. I, "Law and Society", pp.1-22. (Call # KD661 .H37)
- b) 1. Scott, Shirley V., "International Law as Ideology: Theorizing the Relationship between International Law and International Politics", (1994) 5 EJIL, 313-325 (on-line at <http://www.ejil.org/journal/Vol5/No3/art1.pdf>)

2. D'Amato, Anthony, "Is International Law Really 'Law'?", chapter 1 in, D'Amato, International Law: Process and Prospect, (Dobbs Ferry: National Publishers Inc., 1987), pp.1-26. (Call Number JX3091.D36)
3. Koh, H. H., Review Essay, "Why Do Nations Obey International Law? (1997) 106 The Yale Law Journal, pp.2599-2659. (Available at lexis.com)
- c) 1. Kindred, Hugh M., et al., International Law - Chiefly as Interpreted and Applied in Canada, 6th ed., (Toronto: Emond Montgomery, 2000), Chapter 4. National Application of International Law, A. National Application in Canada, 1. Customary Law in Canada, pp.165-8; 2. Treaties in Canada - pp.180-193; 3. Influence of International Law on Canadian Law - pp.227-233.
2. John H. Jackson, The World Trading System, 2nd ed., (Cambridge: The MIT Press, 1997), Chapt.3, "National Institutions", pp.79-105.

Sept 22

- a) TradeModels
 - The Efficiency Model
 - The Collective Action Model
 - The Embedded Liberalism Model
- b) Introduction to "International Economic Law" - "IEL"
 - what is international economic law?
 - approaches to international economic law
 - the need for a legal theory of international economic order
 - the scope of international economic law
 - relation to private and public international law
 - bilateral/plurilateral/multilateral agreements

Readings:

- a) 1. Dunoff, Jeffrey L., "The Death of the Trade Regime", Vol. 10 (1999) No. 4 European Journal of International Law, on-line: <http://www.ejil.org/journal/Vol10/No4/art4.html>, Part 1, "Conventional Understandings of the Trade Regime", pp.736-739.
2. Lang, Andrew T. F., "Reconstructing Embedded Liberalism: John Gerard Ruggie and Constructivist Approaches to the Study of the International Trade Regime", (2006) 9 Journal of International Economic Law, 81-116 (on-line at library)
- b) 1. Petersmann, Ernst-Ulrich, "International Economic Theory and International Economic Law: On the Tasks of a Legal Theory of International Economic Order", in MacDonald, R. St. J. and D.M. Johnston (eds.), The Structure and Process of International Law: Essays in Legal Philosophy Doctrine and Theory, (The Hague: Martinus Nijhoff, 1983) [on reserve in library], pp.227-261.
2. Jackson, John H., The jurisprudence of GATT and the WTO : insights on treaty law and economic relations, (Cambridge: Cambridge University Press, 2000)(Call # K4602.2 2000) , Excerpt from Part I, pp.10-14. (Available at <http://www.fathom.com/feature/121776/>)
3. Kohona, Palitha T.B., The Regulation of International Economic Relations Through Law, (Dordrecht: Martinus Nijhoff Publishers, 1985) [on reserve in library], ch.2, "The regulation of international economic relations through multilateral agreements and international organisations", pp.20-42. (Call # K3823.K63)

See also:

- b) 1. Tarullo, Daniel K. "Logic, Myth, and the International Economic Order", (1985) 26 Harv. Int'l. L.J., pp.533-552.
2. Johnston, Douglas M., "Functionalism in the Theory of International Law", (1988) The Canadian Yearbook of International Law, pp.3-60.
3. Mattias Kumm, "The Legitimacy of International Law: A Constitutionalist Framework of Analysis", (2004) The European Journal of International Law Vol. 15 no.5, pp.907-931 (available at <http://www.ejil.org/journal/Vol15/No5/3.pdf>)

Sept.29

Multilateral regulation of trade

- the Bretton Woods System
- from GATT to WTO
- a legal framework for international trade regulation
- the GATT rules
- Non-discrimination - the MFN obligation, national treatment
- Competing Policies, national security, "general exceptions", e.g., health and welfare
- the WTO

Readings:

1. Text: `Chapt.1, "The Evolution of International Trade Theory, Policy and Institutions", pp.22-38;

- chapt.2, "The Most Favoured Nation Principle", pp.49-76; chapt.3, "National Treatment", pp.83-111.
2. Lamy, Pascal, "The Place of the WTO and its Law in the International Legal Order", (2006) 17 European Journal of International Law, 969-984 (on-line at library).

See also:

1. Castel, J.G., et al., The Canadian Law and Practice of International Trade, 2nd ed., (Toronto: Emond Montgomery Publications, 1997), pp.16-23, pp.26-32.
2. Long, Olivier, Law and its Limitations in the GATT Multilateral Trade System, (Dordrecht: Martinus Nijhoff Publishers, 1985), ch.II, "Forum for Negotiations", p.21 to top of p.25; ch.III, "The Functioning of the GATT", pp.43-56.
3. John H. Jackson, The World Trading System, 2nd ed., (Cambridge: The MIT Press, 1997), Chapt.5, "Tariff and Non-Tariff Barriers", pp.139-156; Chapt.6, "The Most Favoured Nation Policy", Sections 6.1-6.3, pp.157-166; Chapt.8, "National Treatment Obligations and Non-Tariff Barriers", pp.213-228; Chapt.9, "Competing Policies and Ingenious Devices", pp.229-246.

Oct. 6

Contingency Protection

- a) Safeguards and Adjustment Policies
 - the GATT safeguard regime
 - adjustment
 - export restraints, agreements and arrangements
- b) Subsidies and Dumping
 - antidumping rules and their sources
 - the material injury test
 - rules on subsidies and countervailing duties

Readings:

- a) 1. Text: chapt.10, "Safeguard regimes and domestic adjustment policies", pp.300-320.
2. WTO website, "Safeguard measures",
http://www.wto.org/english/tratop_e/safeg_e/safeg_e.htm
- b) 1. Text: chapt.8, "Antidumping Laws", pp.232-245, and 250-261; chapt.9, "Subsidies, Countervailing Duties, and Government Procurement", pp.262-292.
2. WTO websites, "Subsidies and countervailing measures",
http://www.wto.org/english/tratop_e/scm_e/scm_e.htm >;
 "Anti-dumping", http://www.wto.org/english/tratop_e/adp_e/adp_e.htm >.
- a) & b) 1. Giese, J.L., "The Special Import Measures Act: Balancing the Interests of Foreign Exporters and Canadian Industries", (1987) 21(3) JWTL, pp.9-25.

See also:

- a) 1. Sykes, Alan O., "The safeguards mess: a critique of WTO jurisprudence", World Trade Review (2003), 2: 3, 261-295. (Available on-line through library) (For a critique and reply see: Kent Jones, "The safeguards mess revisited: the fundamental problem", World Trade Review (2004), 3: 1, 83-91, and Alan O. Sykes, "The 'safeguards mess' revisited – a reply to Professor Jones", World Trade Review (2004), 3: 1, 93-97).
2. Ginzburg, E., "Analysis of Article XIX: the Safeguard Problem After the Uruguay Round", (1992) 71 Nebraska Law Review, pp.566-580.
- b) 1. Castel, J.G., et al., The Canadian Law and Practice of International Trade, 2nd ed., (Toronto: Emond Montgomery Publications, 1997), pp.497-565.
2. Holbein, J.R., et al., "Comparative Analysis of Specific Elements in United States and Canadian Unfair Trade Law", (1992) 26 Intl Lawyer, pp.873-898.

Oct.13

Thanksgiving - classes cancelled

Oct.20

Plurilateralism and Bilateralism

- the GATT rules - custom unions, free trade areas and preferential arrangements
- the Canada-U.S. Free Trade Agreement and the NAFTA
 - the rules
 - more than trade --regulation of investment
- the European Community (EC)
- AFTA; APEC

Readings:

1. Text: chapt.1, "The Basic Elements of ... the North American Free Trade Agreement, and the European Union", pp.38-48; chapt.6, "... Multilateralism vs. regionalism", pp.193-201.
2. Davidson, Paul J., "Ask not what the WTO can do for RTAs, But what RTAs can do for the WTO", (2005) Asia Pacific Law Review, Vol 13 No 1, pp.47-61 [on reserve in library].
3. Hirsch, Moshe, "The Sociology of International Economic Law: Sociological Analysis of the Regulation of Regional Agreements in the World Trading System", The European Journal of International Law (2008) Vol. 19 no. 2, pp.277-299 (on-line in library).
4. Abbott, Frederick M., "A New Dominant Trade Species Emerges: Is Bilateralism a Threat?", (2007) Journal of International Economic Law 10(3), 571-583 (on-line in library)

See also:

1. WTO website: "Regional Trade Agreements",
http://www.wto.org/english/tratop_e/region_e/region_e.htm#top
2. ASEAN and APEC websites: <www.aseansec.org>; <www.apecsec.org.sg>.
3. Asian Pacific Economic Cooperation, The Impact of Subregionalism on APEC, Report by the Economic Committee, November 1997, Chapter 2: "Issues Raised by Subregional Trade Arrangements"; Chapter 3: "Subregional Trade Arrangements in APEC", pp.4-15 (available at http://www.apecsec.org.sg/apec/publications/free_downloads/1997-1993.html)

Oct.27

Regulation of Investment

- investment and trade protection
- TRIMs
- the FTA and NAFTA chapt.11
- BITs and FIPAs
- the MAI
- codes of conduct

Readings:

1. Text: chapt.14, "Trade and Investment", pp.439-470.
2. Pierre Sauvé, "Multilateral Rules on Investment: is Forward Movement Possible?", (2006) 9(2) Journal of International Economic Law, 325-355. [available on-line through library]

See also:

1. "Legal and Institutional Arrangements Governing Foreign Investment", and "Investment-related WTO rules and disciplines", in "Trade and Foreign Direct Investment", New Report by the WTO, WTO Press/57, October 9, 1996, pp.33-51.
2. Newfarmer, Richard, "An International Investment Agreement: Promise and Potential Pitfall", Development Outreach, July, 2003, World Bank Institute, available at: <http://www1.worldbank.org/devoutreach/july03/article.asp?id=210>
3. International Chamber of Commerce, "ICC's expectations regarding a WTO investment agreement", Commission on Trade and Investment Policy, 7 March 2003, available at http://www.iccwbo.org/home/statements_rules/statements/2003/wto_investment_agreement.asp
4. WTO website on Trade and Investment, http://www.wto.org/english/tratop_e/invest_e/invest_e.htm.
5. UNCTAD Website on Foreign Direct Investment, <http://www.unctad.org/Templates/StartPage.asp?intItemID=2527&lang=1>, particularly "International Investment Agreements" (IIAs), <http://www.unctad.org/Templates/StartPage.asp?intItemID=2310&lang=1>

Nov.3

Dispute Settlement(I)

- power-oriented versus rule-oriented diplomacy
- dispute settlement procedures in the GATT/WTO
- issues - e.g., amicus briefs, transparency, precedent

Readings:

1. Text: Chapt. 4, "Dispute Settlement", pp.112-147.
2. Jackson, John H., "International Law Status of WTO Dispute Settlement Reports: Obligation to Comply or Option to "Buy Out"?", (2004) 98 A.J.I.L. 109-123 (available on-line through library)
3. Joost Pauwelyn, "Enforcement and Countermeasures in the WTO: Rules Are Rules—Toward a More Collective Approach", (2000) 94 A.J.I.L. 335-347, (available on-line through library)

See also:

1. Claus-Dieter Ehlermann, "Tensions between the dispute settlement process and the diplomatic and treaty-making activities of the WTO", *World Trade Review* (2002), 1: 301–308 (available on-line through library)
2. Gazzini, Tarcisio, "The Legal Nature of WTO Obligations and the Consequences of their Violation", *The European Journal of International Law* (2006) Vol. 17 no.4, pp.723–742 (available on-line through library)

Nov.10

Dispute Settlement(II)

- dispute settlement procedures in the NAFTA
- role of ICSID
- issues/problems with DS

Readings:

1. Text: Chapt. 4, "Dispute Settlement", pp.147-154.
2. Gal-Or, Noemi, "The Concept of Appeal in International Dispute Settlement", (2008) *The European Journal of International Law*, Vol. 19 no. 1, pp.43–65 (available on-line through library).
3. McRae, Donald, "What is the Future of WTO Dispute Settlement?", Volume: 7, Issue: 1, March 01, 2004, *Journal of international economic law*, pp.3-21. (available on-line through library)

See also:

1. Meagher, Niall, "So far, so good: but what next? The Sutherland Report and WTO dispute settlement", *World Trade Review* (2005), 4: 3, 409–417 (available on-line through library)

Nov.17

Developing Countries

- GATT: Article XVIII
- GATT: Part IV
- Enabling Clause
- The WTO Agreements
- Development Law

Readings:

1. Text: chapt. 15, "Trade and Developing Countries", pp.471-506.
2. Manero-Salvador, Ana, "Special and Differential Treatments in World Trade Rules", Volume 8 Number 1 2007/p.102-121 esteyjournal.com (on-line).
3. Seung Wha Chang, "WTO for Trade and Development Post-Doha", (2007) *Journal of International Economic Law* 10(3), 553–570 [on-line in library]
4. Sornarajah, M., "The Clash of Globalisations and the International Law on Foreign Investment", The Simon Reisman Lecture in International Trade Policy, September 12, 2002 (CTPL Policy Debates) [on reserve in library].
5. GATT: Article XVIII; GATT: Part IV.
6. The Enabling Clause - Differential and more favorable treatment, reciprocity and fuller participation of developing countries - GATT Decision of 28 November 1979, L/4903.
7. WTO website, "Trade and development"- http://www.wto.org/english/tratop_e/devel_e/devel_e.htm
Doha Development Agenda: Negotiations, implementation and development - http://www.wto.org/english/tratop_e/dda_e/dda_e.htm

See also:

1. James C.N. Paul, "Symposium: the United Nations Family: Challenges of Law and Development: the United Nations and the Creation of an International Law of Development", (1995) 36 *Harv. Int'l L.J.* 307.
2. Isabella D. Bunn, "The Right To Development: Implications for International Economic Law", (2000) 15 *Am. U. Int'l L. Rev.* 1425. (Available on-line at [lexis.com](http://www.wcl.american.edu/journal/ilr/15/bunn.pdf) or <http://www.wcl.american.edu/journal/ilr/15/bunn.pdf>)
3. Laure-Hélène Piron, "The Right to Development - A Review of the Current State of the Debate for the Department for International Development", April 2002, Report for the OHCHR, (London: Overseas Development Institute, 2004), available on line at

http://www.odi.org.uk/pppg/publications/papers_reports/LH%20RTD%20Report.pdf

4. Gene M. Grossman* and Alan O. Sykes, "A preference for development: the law and economics of GSP", World Trade Review (2005), 4: 1, 41–67.

Nov.24

Class Cancelled

Dec.1

The Future of the Global Trading System

- the post-Uruguay Round agenda
- multilateralism vs. regionalism/bilateralism
- environment
- labour
- competition policy
- transparency
- participation
- democratic deficit

Readings:

1. Text, Chapt. 20, "Concluding postscript", pp.637-646.
2. Lloyd, Peter, "When should new areas of rules be added to the WTO?", World Trade Review (2005), 4: 2, 275–293 [on-line at library].
3. William J. Davey, "The WTO: Looking Forwards", (2006) 9(1) Journal of International Economic Law, 3–29 (on-line through library)
4. Cottier, Thomas, "Preparing for Structural Reform in The WTO", (2007) Journal of International Economic Law 10(3), 497–508 [on-line in library]

See also:

1. Text Chaps 16-18, pp.507-610.
2. Deborah Z. Cass, The 'Constitutionalization' of International Trade Law: Judicial Norm-Generation as the Engine of Constitutional Development in International Trade, Vol. 12 (2001) No. 1 EJIL, available online at www.ejil.org/journal
3. Dunoff, Jeffrey L., "Constitutional Conceits: The WTO's 'Constitution' and the Discipline of International Law", Vol. 17 (2006) No. 3 European Journal of International Law, on-line: <http://www.ejil.org/journal>
4. Howse, Robert, "The Boundaries of the WTO: From Politics to Technocracy--and Back Again: The Fate of the Multilateral Trading Regime", (2002) 96 A.J.I.L. 94-117
5. David Palmetter, "The WTO As A Legal System" (2000) 24 Fordham Int'l L.J. 444 (available at Lexis.com)
6. William J. Davey, "The Future of International Economic Law", (2007) 10(3) Journal of International Economic Law, 439-442 (on-line through library)
7. World Trade Report 2008, "Trade in a Globalizing World", WTO publication, http://www.wto.org/english/res_e/booksp_e/anrep_e/world_trade_report08_e.pdf
8. Lamy, Pascal, "The Place of the WTO and its Law in the International Legal Order", (2006) 17 European Journal of International Law, 969-984, on-line: <http://www.ejil.org/>

INTERNATIONAL ECONOMIC LAW - SELECTED BIBLIOGRAPHY**BOOKS:****General International Law**

1. Boyle, Alan, and Christine Chinkin, The Making of International Law, (Oxford: Oxford University Press, 2007).
2. Harris, D.J., Cases and Materials on International Law, 4th ed., (London: Sweet & Maxwell, 1991).
3. Janis, Mark W., An Introduction to International Law (4th ed.), (New York: Aspen Publishers, 2003). Call Number: KZ 3140 J36 A35 2003.
4. Kindred, Hugh M., et al., International Law - Chiefly as Interpreted and Applied in Canada, 6th ed., (Toronto: Emond Montgomery, 2000), (see website by author: <http://is.dal.ca/~wwwlaw/kindred.intllaw/>). [JX68.L4984 2000 - on reserve]
5. Starke, J.G., Starke's international law, 11th ed., (London: Butterworths, 1994).
6. Williams, S.A. and A.L.C. de Mestral, An Introduction to International Law, (2nd ed.), (Toronto: Butterworths, 1987).
7. Wallace, Rebecca M.M., International Law - A Student Introduction, (3rd ed.), (London: Sweet & Maxwell, 1997).

General International Economic Law

- 1a. Benvenisti, Eyal and Georg Nolte (eds), The Welfare State, Globalization, and International Law, (Berlin ; New York : Springer, 2004) (CALL # K1700 .W45 2004)
1. Castel J.G., et al., The Canadian Law and Practice of International Trade, 2nd ed., (Toronto: Emond Montgomery Publications Limited, 1997).
2. Fulda, Carl and Warren Schwartz, Regulation of International Trade and Investment: Cases and Materials, (New York: Foundation Press, 1970).
3. Jackson, John H. and William J. Davey, Legal Problems of International Economic Relations: Cases, Materials and Text, 3rd ed., (St. Paul, Minn.: West Publishing Co., 1995).
4. Kohona, Palitha T.B., The Regulation of International Economic Relations Through Law, (Dordrecht: Martinus Nijhoff, 1985).
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2. Canadian Yearbook of International Law
3. Canadian International Lawyer
4. Canada-United States Business Law Review
5. Revue de droit des affaires internationales/International Business Law Journal
6. International Financial Law Review
7. International Legal Materials
8. Journal of International Law & Economics
9. Journal of Law, Policy & International Business
10. Journal of World Trade
11. International Law Journals and Reviews of various Law Schools
12. The International Lawyer
13. World trade review [Electronic resource], available through library ("The World Trade Review (WTR) has been established at the initiative of the Secretariat of the World Trade Organization (WTO) in close cooperation with Cambridge University Press")
14. Asper Review of International Business and Trade Law (available on QuickLaw)
15. Journal of International Economic Law (Oxford University Press)
16. The Journal of World Investment
17. The Estey Centre journal of international law and trade policy [electronic resource] - <http://cafri.usask.ca/estey/>
18. The European Journal of International Law

SERIES:

1. Canadian Council On International Law, Proceedings of Annual Conferences.
2. Department of External Affairs, Proceedings of Annual International Trade Law Seminar.
3. GATT, GATT Focus, newsletter published 10 times a year. (Now the WTO Focus.)

INTERNET SOURCES:

There are a number of internet sites which deal with international economic law or aspects of it. The following are just a few of the many sites which should be consulted.

1. WTO: <http://www.wto.org/>
2. NAFTA: www.nafta-sec-alena.org
3. International Trade Law sites: http://www.law.ecel.uwa.edu.au/intlaw/international_trade_law.htm
<http://lexmercatoria.net/>
4. United Nations - <http://www.un.org/>
5. UNCITRAL: <http://www.uncitral.org/en-index.htm>
6. UNCTAD: <http://www.unctad.org/en/enhome.htm>
7. International Trade Canada <http://www.itcan-cican.gc.ca/menu-en.asp>
8. International Trade Law (The University of Western Australia) (good sources)
http://www.law.ecel.uwa.edu.au/intlaw/international_trade_law.htm
9. Update to Guide to International Trade Law Sources on the Internet <http://www.llrx.com/features/trade2.htm>
10. Institute of International Economic Law, "Researching International Economic Law on the Internet",
<http://www.ll.georgetown.edu/intl/iiel/trade/tradeservices.htm>

**Students should consult the Lexis website (www.lexis.org - available through library) re articles. The site contains the full text of many journals.