

Course Outline

COURSE:	LAWS 4200B – INTERNATIONAL ECONOMIC LAW
TERM:	WINTER 2022
PREREQUISITES:	LAWS 2908, 0.5 credit from LAWS 3207 or LAWS 3208, and Fourth-Year Honours standing
CLASSDAY AND TIME:	Tuesdays, 11:35am – 14:25pm EST (online synchronous Zoom)
INSTRUCTOR:	Lori Anne Heckbert
(CONTRACT)	
CONTACT/Email:	lorianne.heckbert@carleton.ca
Office Hours:	By appointment only – see appointments calendar to book

CALENDAR COURSE DESCRIPTION

Selected topics in international economic law. May include: the legal regulation of international economic activity; methods of dispute settlement; standardization and development of an autonomous international trade law; and selected conventions and institutions governing international economic law.

COURSE DESCRIPTION

This course will acquaint students with the legal aspects of doing business in a global environment. It will include legal considerations relevant to businesspeople engaged in import or export and to companies seeking greater presence in foreign countries as well as legal principles applicable to multinational corporations. Topics covered will include: bilateral and multilateral trade agreements including the GATT, the EC and the Canada-U.S.-Mexico Free Trade Agreement; legal aspects of the international sale of goods; legal aspects of financing international sales of goods; forms of market entry strategies abroad; international protection of intellectual property; comparative anti-trust legislation; conflict of laws; and international settlement of disputes.

REQUIRED TEXTS

Required readings will be posted on D2L; some will have online links. Case study exercises will be distributed in class.

EVALUATION

(All components must be completed in order to get a passing grade)

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

(1) Open Book 90 minute Midterm ONLINE – 25% of final grade – Feb 15, 2022, 11:35 am

(2) Case Comment - 35% of final grade - Due March 22, 2022 at 6:00 pm EST (upload to D2L)

- Length: 1500-1700 words double-spaced, McGill style legal citation and bibliography required
- Content: legal analysis of issue, based on Course Objectives above, and defense of position.
- Students will be provided, and expected to follow, additional information with regards to assignment formatting, citation, and submission. Email submission will not be permitted.

(3) Open book final examination ONLINE - 35% of final grade - final exam period: date TBD

You must use all the tools at your disposal (readings, lectures and cases discussed in class) to assess the provided fact patterns and questions, in a formally scheduled 2 hour final exam.

(4) Active class participation - 5% of final grade

Participation grade will be based on class attendance and comments/active engagement in class discussions.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Late assignments will be penalized at a rate of 20% per day. Late assignments will be counted as submitted based on the time submitted electronically via CULearn.

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>. **For clarity, extensions will not be granted for technology issues (such as printing or computer failure), transportation challenges, vacations, work schedule conflicts, or academic workload.**

Extensions for longer than 7 days will normally not be granted. In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

METHOD OF INSTRUCTION

Each week will include both lecture and interactive discussion opportunities. Please note:

1. **Students are expected to complete the assigned readings prior to class.** Be prepared to answer questions on the day's topics and actively participate in class discussion.
2. **The course is designed for students who attend the entire session each week.** Students who do not place themselves at serious disadvantage if they wish to do well in the course.
3. **All students should sign into lectures using their Carleton ID and proper name, so they may be addressed properly. Note: Students seeking permission to attend lectures using a personal email address or pseudonym will be denied entry – this measure is to safeguard student privacy and avoid disruption of classes.**

4. Recording of lectures by any means (sound, video, picture etc.) without the permission of the instructor is strictly prohibited.

**** ONLINE NOTE:** students must ensure they have high quality internet access.

This will be an all-virtual course, delivered using a combination of weekly online lectures and interactive sessions. Big Blue Button, Zoom and/or Google Meets technologies will be used. Participation requires students to have reliable, high-speed internet access, a computer (ideally with a webcam), and a headset with a microphone. You may be expected to use the video and/or audio and/or chat during web conferencing sessions for participation and collaboration. You are not required to turn your camera on and may decide to turn it on or off at any time. Students are not permitted to take photographs, screenshots, or record other students, TAs, or instructors. If you have concerns about being recorded, please email me directly so we can discuss.

Sessions may be recorded to enable access to students with internet connectivity problems, who are based in different time zones, and/or who have conflicting commitments. Students who do not wish to be recorded should leave their camera and microphone turned off. Big Blue Button sessions are automatically recorded. You will be notified at the start of a Zoom or Google Meet session when the recording will start, and Zoom will always notify meeting participants that a meeting is being recorded. It is not possible to disable this notification.

Please note that all recordings are protected by copyright. The recordings are for your own educational use, but you are not permitted to publish to third party sites, such as social media sites and course materials sites.

INTELLECTUAL PROPERTY AND COPYRIGHT POLICY

The course materials posted on this course's D2L page are designed for use as part of the LAWS 4200 course at Carleton University and are the intellectual property of the Instructor (© 2022, Lori Anne Heckbert. All rights reserved.) unless otherwise stated. Unless a user's right in Canada's *Copyright Act* covers the particular use, you may not record, copy, publish, post on an internet site, sell, or otherwise distribute this course's content without the Instructor's express permission.

Third party copyrighted materials (such as book chapters, journal articles, music, videos, etc.) have either been licensed for use in this course or fall under an exception or limitation in Canadian Copyright law.

TIME ZONE

The time zone that will be used for the purposes of all evaluations and all course sessions will be Eastern Standard Time.

REQUIRED TEXT AND OTHER MATERIALS

1. Mary Jo Nicholson & Evgeunia Iskra, *Legal Aspects of International Business: A Canadian Perspective*, 4th Edition (Emond Montgomery Publications Limited, Toronto, 2020). The

textbook is offered in both physical hard copy (I have been told that Emond can deliver it to the student in 1-2 days) or ebook format. Note that the ebook has a 1 year rental vs lifetime option. The publisher link is: <https://emond.ca/legal-aspects-of-international-business-a-canadian-perspective-4th-edition.html>.

2. Additional mandatory reading material will be posted on CULearn. I will assume familiarity with these readings in class. A detailed reading list will be posted on CULearn.
3. PowerPoint slides of lectures will be posted on CULearn after class.

Any change to this evaluation scheme will be notified to you via D2L prior to implementation. Failure to complete any of the course requirements may result in an “Incomplete” or “F” grade.

SCHEDULE

Class	Date	Topic	Reading
1	Jan 11	Introduction to Case Reading, Sources of International Law, Treaties	Chapter 1 Materials posted on D2L
2	Jan 18	WTO I: Import tariffs; MFN principle, National Treatment Rule	Chapter 2 Materials posted on D2L
3	Jan 25	WTO II and NAFTA: National Treatment Rule; Quantitative Restriction	Chapter 3 Materials posted on D2L
4	Feb 1	NAFTA, EU	Chapter 4 Materials posted on D2L
5	Feb 8	WTO III: Exceptions Global Regulatory Challenges	Chapter 5 (3 rd edition excerpts) Materials posted on D2L
	Feb 15	MID-TERM (25%) ONLINE Ninety Minute Written Test. Covers Class 1-5.	
6	Feb 22	Reading Week – no class	
7	Mar 1	Import/Exports Procedures Special Import Measures	Chapter 5 (4 th edition) Materials posted on D2L
8	Mar 8	International Sale of Goods I: Incoterms, Ancillary Contracts, CISG	Chapter 6 Materials posted on D2L
9	Mar 15	International Sale of Goods II: Letter of Credit	Chapter 7 Materials posted on D2L
10	Mar 22	Intellectual Property	Chapter 8 Materials posted on D2L
	Mar 22	CASE COMMENT DUE (35%)	

Class	Date	Topic	Reading
11	Mar 29	Foreign Market Entry Strategies	Chapter 9 Materials posted on D2L
12	Apr 5	Disputes Settlement/Review	Chapter 10 Materials posted on D2L
	TBD	FINAL EXAM (35%) <u>ONLINE</u> (during scheduled exam period) Two-Hour Exam – Cumulative	

University and Departmental Policies

PLAGIARISM

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence. More information on the University's Academic Integrity Policy can be found at: <https://carleton.ca/registrar/academic-integrity/>.

DEPARTMENT POLICY

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations: <https://carleton.ca/law/student-experience-resources/>.

COVID-19 PREVENTION MEASURES

All members of the Carleton community are required to follow COVID-19 prevention measures and all mandatory public health requirements (e.g. wearing a mask, physical distancing, hand hygiene, respiratory and cough etiquette) and [mandatory self-screening](#) prior to coming to campus daily.

If you feel ill or exhibit COVID-19 symptoms while on campus or in class, please leave campus immediately, self-isolate, and complete the mandatory [symptom reporting tool](#). For purposes of contact tracing, attendance will be taken in all classes and labs. Participants can check in using posted QR codes through the cuScreen platform where provided. Students who do not have a smartphone will be required to complete a paper process as indicated on the [COVID-19 website](#).

All members of the Carleton community are required to follow guidelines regarding safe movement and seating on campus (e.g. directional arrows, designated entrances and exits, designated seats that maintain physical distancing). In order to avoid congestion, allow all previous occupants to fully vacate a classroom before entering. No food or drinks are permitted in any classrooms or labs.

For the most recent information about Carleton's COVID-19 response and required measures, please see the [University's COVID-19 webpage](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact covidinfo@carleton.ca

Please note that failure to comply with University policies and mandatory public health requirements, and endangering the safety of others are considered misconduct under the [Student Rights and Responsibilities Policy](#). Failure to comply with Carleton's COVID-19 procedures may lead to supplementary action involving Campus Safety and/or Student Affairs.

STATEMENT OF STUDENT CONDUCT ONLINE

All students are expected to contribute towards an engaging, inclusive, and safe learning environment. During all class-related activities, students are expected to engage in respectful and courteous communication. In accordance with the [Student Rights and Responsibilities Policy](#), [discrimination and harassment](#) will not be tolerated. It is a violation of course policy to cut and paste, screen shot, share course content, or post the words of your classmates or Instructor outside of class without permission. All work submitted in this course must be uniquely your own. When submitting assignments and/or completing exams, you are expected to articulate responses in your own words rather than cutting and pasting from course materials without permission, which is a form of plagiarism.

ADDITIONAL STUDENT SUPPORT

The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS on the 4th floor of MacOdrum Library or online at carleton.ca/csas.

ACADEMIC ACCOMMODATIONS

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation

write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For accommodation

regarding a formally-scheduled final exam, you must complete the [Pregnancy Accommodation Form](#).

Religious obligation

Write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details [click here](#).

Academic Accommodations for Students with Disabilities: [The Paul Menton Centre for Students with Disabilities](#) (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your Letter of Accommodation at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (if applicable). After requesting accommodation from PMC, please meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable).

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and where survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/equity/sexual-assault-support-services>.

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>.