

WTO TRADE REMEDY SYSTEM

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COURSE DESCRIPTION

Trade remedy measures have been the key elements of the world trading system since the inception of the GATT. In fact, the major reasons for the current WTO crisis have been the controversy over the trade remedy jurisprudence of the WTO dispute settlement system. This course deals with the current legal and economic issues for the WTO trade remedy system that raise various core elements for understanding the world trading system. Issues ranging from calculation methods for antidumping and countervailing duties to injury determinations will be analyzed with rulings in the WTO disputes.

The final assessment for the course will be based on a take-home examination. Class participation and presentation will be favorably considered in your final grade up to 40%.

RECOMMENDED READINGS

- Mavroidis, Petros C., Patrick A. Messerlin, and Jasper M. Wauters, 2008, *The Law and Economics of Contingent Protection in the WTO*, Edward Elgar
- Jackson, John H. and Edwin A. Vermulst, 1989, *Antidumping Law and Practice: A Comparative Study*, University of Michigan Press
- Vermulst, Edwin, 2005, *The WTO Anti-Dumping Agreement: A Commentary*, Oxford University Press
- Czako, Human and Miranda, 2003, *A Handbook on Anti-dumping Investigations*, Cambridge University Press
- Alan O. Sykes, 2006, "The WTO agreement on safeguards : a commentary," Oxford ; New York : Oxford University Press.
- Rudiger Wolfrum, Peter-Tobias Stoll & Michael Koebele, 2007, *WTO Trade Remedies* (Max Planck Commentaries on World Trade Law).

SUGGESTED CLASS TOPICS

- 9/4 1. Overview of WTO Trade Remedy Systems
- 9/11 2. AD Investigation: Procedural Rules
- DOC versus ITC procedure
- AFA versus BIA: AD Agreement Annex II
- 9/18 3. AD Investigation: Questionnaires & On the Spot Investigation
- Key issues in practice
- Guest expert lecture
- 9/25 4. AD Investigation: Legal Issues on Sunset Review
- Principle versus practice on sunset review

United States - Anti-Dumping Measures on Oil Country Tubular Goods (OCTG) from Mexico (DS282)
- 10/2 5. Dumping Margin Calculation: Practices
- Key legal elements
- Excel programming in practice
- 10/16 6. Dumping Margin Calculation: Legal Disputes on Zeroing

United States - Measures Relating to Zeroing and Sunset Reviews (DS322)
United States - Continued Existence and Application of Zeroing Methodology (DS350)
United States - Anti-Dumping and Countervailing Measures on Large Residential Washers from Korea (DS464)
- 10/23 7. Injury Determination: Practices & Legal Disputes
- Key legal elements

China - Anti-Dumping and Countervailing Duties on Certain Automobiles from the United States (DS440)
- 10/30 [No Class]
- 11/6 8. Countervailing System: Comparison with AD System
- Similarity & differences in rules
- Procedural peculiarities
- 11/13 9. Subsidy Margin Calculation: Rules & Practices
- Rules under SCM Agreement
- Accounting practices
- 11/20 10. Subsidy Margin Calculation: Legal Disputes

United States - Countervailing Duty Measures on Certain Products from China (DS437)
- 11/27 11. Safeguard Systems: Rules & Legal Issues

Dominican Republic-Safeguard Measures on Imports of Polypropylene Bags and Tubular Fabric (DS415,416,417,418)

Indonesia – Safeguard Measures on Certain Iron or Steel Products (DS490,496)

12/4 12. Safeguard Injury Determination

United States - Definitive Safeguard Measures on Imports of Circular Welded Carbon Quality Line Pipe from Korea (DS202)

Ukraine - Definitive Safeguard Measures on Certain Passenger Cars (DS468)

✧ **Term Paper Due by 5:00 pm on 12/13**