

WORLD TRADE ORGANIZATION AND MULTILATERAL TRADE AGREEMENT

Professor: AHN Dukgeun
Classroom: Building 140-2/R202
Class Hour: Wednesday 2:00-5:00pm
Office Hour: Wednesday 1:00-2:00 or by appointment
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COURSE DESCRIPTION

This course is a sequel to *Understanding International Trade Law* and focuses on more advanced and applied topics within the global trading system. Key areas of study include food safety, technical regulation, trade in services, and trade-related intellectual property protection. These issues are commonly referred to as non-tariff barriers to trade and have been the source of numerous controversial economic disputes among closely linked trading partners.

Despite current challenges facing the World Trade Organization (WTO), most countries—including non-WTO members—continue to comply with international trade rules in shaping their economic policies. This course examines how these rules are applied and implemented across various sectors, with particular emphasis on selected WTO dispute settlement case studies.

Student performance will be assessed on the basis of class participation (30 percent), case summaries (20 percent), and a group presentation (50 percent).

COURSE OUTLINE

The assigned reading list for this course is primarily based on P. van den Bossche and Werner Zdouc, *Law and Policy of the World Trade Organization* (5th ed., 2021). Students with a strong interest in particular topics are encouraged to consult the materials listed in the recommended reading sections, which may not be covered in full during class sessions. In addition, occasional handouts will be distributed to supplement the assigned readings and to reflect ongoing developments in the international trading system.

Students are also strongly advised to remain informed about current developments in international trade. Useful sources include, inter alia, the “World Trade” section of the *Financial Times*, *The Economist*, and specialized trade publications such as *BNA International Trade Reporter* and *Inside U.S. Trade*.

In recent years, a wide range of additional textbooks and research materials on international trade law—particularly online resources—have become available. Students may find the following works useful for further study and research:

- John H. Jackson, *The World Trading System* (2nd ed., 1997).

- J. Jackson, W. Davey, and A. Sykes, *Legal Problems of International Economic Relations* (7th ed., 2021).
- Petros C. Mavroidis, *The Regulation of International Trade*, Vols. I–III (2020).
- Raj Bhala, *International Trade Law*, Vols. I–VIII (6th ed.), available at the University of Kansas ScholarWorks repository. < <https://kuscholarworks.ku.edu/>>
- H. Gao, J. Hillman, N. Lamp, and J. Pauwelyn, *International Trade Law: A Casebook for a System in Crisis*, available through the Geneva Trade Platform. < <https://genevatradeplatform.org/e-casebook/>>
- J. Weiler, J. Arato, S. Cho, and K. Claussen, *International Trade Law through the Cases* (2025), available through the Jean Monnet Program. <<https://jeanmonnetprogram.org/resources/the-law-of-the-world-trade-organization-through-the-cases/teaching-materials/>>

1. Introduction to the Study of International Trade Law and Policy

REQUIRED

- World Trade Organization, <www.wto.org>.

RECOMMENDED

- Stanford GATT Digital Library <<https://exhibits.stanford.edu/gatt>>
- <www.worldtradelaw.net>
- GATT Analytical Index, <https://www.wto.org/english/res_e/publications_e/ai17_e/gatt1994_e.htm>
- WTO Analytical Index, <https://www.wto.org/english/res_e/publications_e/ai17_e/ai17_e.htm>
- WTO Document Online, < <https://docs.wto.org/dol2fe/Home.aspx>>
- John H. Jackson, *International Economic Law: Reflections on the “Boilerroom” of International Relations*, *American University Journal of International Law and Policy*, Vol. 10, pp. 595-606 (Winter 1995).
- Alan O. Sykes, “International Trade”, *Encyclopedia of Law and Economics*, <<https://reference.findlaw.com/lawandeconomics/5910-international-trade.pdf>> .

2. Trump’s Reciprocal Tariffs and Pertinent Legal Issues

REQUIRED

- Weiler, J. Arato, S. Cho, and K. Claussen, *International Trade Law through the Cases*, Unit XIII (2025)

RECOMMENDED

- Julian Arato, Kathleen Claussen, & Timothy Meyer, *The “America First Trade Policy” in Practice*, Essay, 119:4 Am. J. Int’l L. 668 (2025).

3. Agricultural Trade: Agreement on Agriculture

REQUIRED

- Michael J. Trebilcock & Robert Howse, *The Regulation of International Trade*, Ch. 12.
- WTO, *EC – Measures Affecting the Importation of Certain Poultry Products* (DS69).
- WTO, *EC – Export Subsidies on Sugar* (DS265).

RECOMMENDED

- WTO, The WTO Agreements Series 3: Agriculture (2000).
- Dukgeun Ahn & David Orden, “China – Domestic Support for Agricultural Producers: One Policy, Multiple Parameters Imply Modest Discipline”, World Trade Review, Vol.20, 389-404 (2021).
- Sanoussi Bilal & Pavlos Pezaros, Negotiating the Future of Agricultural Policies: Agricultural Trade and the Millennium WTO Round (Kluwer Law Int'l, 2000).
- Joseph McMahon, The WTO Agreement on Agriculture: A Commentary (Oxford Univ. Press, 2007)
- J. McMahon & M. Desta, Research Handbook on the WTO Agriculture Agreement: New and Emerging Issues in International Agricultural Trade Law (Edward Elgar, 2013).

4. Food Safety: SPS Agreement

REQUIRED

- van den Bossche & Werner Zdouc, Ch. 14.
- WTO, *Japan - Measures Affecting the Importation of Apples* (DS245).
- WTO, *Korea-Import Bans, and Testing and Certification Requirements for Radionuclides* (DS495).

RECOMMENDED

- WTO, The WTO Agreements Series 4: Sanitary & Phytosanitary Measures (1998).
- R. Wolfrum, et al., WTO Technical Barriers and SPS Measures (Brill, 2007).
- David S. Johanson, Commentary on the Agreement on the Application of Sanitary and Phytosanitary Measures, in Law & Practice of the World Trade Organization (Joseph F. Dennin ed.).
- Marsha A. Echols, Sanitary and Phytosanitary Measures, in The World Trade Organization (Terence Stewart ed., 1996).
- Joanne Scott, The WTO Agreement on Sanitary and Phytosanitary Measures: A Commentary (Oxford Univ. Press, 2007).
- Dukgeun Ahn, “Comparative Analysis of WTO SPS and TBT Agreements” (International Trade Law & Regulation, 2002).

5. Standards and Technical Regulations: TBT Agreement

REQUIRED

- van den Bossche & Werner Zdouc, Ch. 13.
- WTO, *US-Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products* (DS381)
- WTO, *United States - Certain Country of Origin Labelling (COOL) Requirements* (DS384,386)

RECOMMENDED

- R. Wolfrum, et al., WTO Technical Barriers and SPS Measures (Brill, 2007).
- Minjung Kim, “The ‘Standard’ in the GATT/WTO TBT Agreements: Origin, Evolution and Application”, Journal of World Trade, Vol.52:5, 765-788 (2018).
- Raj Bhala & Kevin Kennedy, World Trade Law, 123-132 (1998, Lexus Publishing).
- Dukgeun Ahn, “Comparative Analysis of WTO SPS and TBT Agreements”, International Trade

Law & Regulation, Vol.8, Issue 3 (2002).

- National Research Council, *Standards, Conformity Assessment and Trade into the 21st Century* (National Academy Press, 1995).

6. Services Trade: General Agreement on Trade in Services (GATS)

REQUIRED

- van den Bossche & Werner Zdouc, Ch. 7.
- WTO, *China – Certain Measures Affecting Electronic Payment Services* (DS413).
- WTO, *US – Measures Affecting Cross-Border Supply of Gambling and Betting Services* (DS285).

RECOMMENDED

- WTO, Guide to the GATS (1999).
- Bernard Hoekman, *Assessing the General Agreement on Trade in Services*, in The Uruguay Round and Developing Countries (L. Martin & A. Winters, eds. 1996, Cambridge Univ. Press).
- ITC, Business Guide to the General Agreement on Trade in Services (1999).
- Jagdish Bhawati, *Trade in Services and the Multilateral Trade Negotiations* 282-306, in Political Economy and International Economics (1991, MIT Press).
- Pierre Sauve, Trade Rules Behind Borders (2003, Cameron May).
- Pierre Sauve & Robert Stern, GATS 2000 (2000, Univ of Michigan Press).
- Aaditya Mattoo, A Handbook of International Trade in Services (2007).

7. Trade Related Intellectual Property Protection: TRIPS

REQUIRED

- van den Bossche & Werner Zdouc, Ch. 15.
- WTO, *Australia - Certain Measures Concerning Trademarks, Geographical Indications and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging* (DS435,441,458,467).
- WTO, *United States - Section 110(5) of the US Copyright Act* (DS160)

RECOMMENDED

- Frederick M. Abbott, *WTO Dispute Settlement and the Agreement on Trade-Related Aspects of Intellectual Property Rights*, pp. 413-437 (Ernst-Ulrich Petersmann ed., International Trade Law and the GATT/WTO Dispute Settlement System (1997, Kluwer Law International)).
- Frederick M. Abbott, Thomas Cottier, Francis Gurry, The International Intellectual Property System: Commentary and Materials (Kluwer Law Int'l, 1999).
- Anthony D'Amato & Doris Estelle Long, eds., International Intellectual Property Anthology (1996, Anderson Publishing Co.).
- Carlos M. Correa & Abdulqawi A. Yusuf, eds., Intellectual Property and International Trade (1998, Kluwer Law International).
- Carlos M. Correa, Intellectual Property Rights, the WTO and Developing Countries: The TRIPS Agreement and Policy Options (Third World Network, 2000).
- Keith Maskus, Intellectual Property Rights in the Global Economy (IIE, 2000).
- Keith E. Maskus & J. Reichman, eds., International Public Goods and Transfer of Technology Under a Globalized Intellectual Property Regime (2005).

- *Special Issue: Trade-Related Aspects of Intellectual Property Rights*, Journal of International Economic Law, Vol.1, No.4 (December 1998).
- UNCTAD-ICTSD, Resource Book on TRIPS and Development (2005).
- J. Boyle & J. Jenkins, *Intellectual Property: Law & the Information Society - Cases & Materials; An Open Casebook* (6th Edition 2024) <<https://web.law.duke.edu/cspd/openip/>>
- 정상조, 지식재산권법 <https://lawtechnology.kr/bsr/board.php?bo_table=Publication>

8. Rules for Government Procurement Projects: GPA

REQUIRED

- van den Bossche & Werner Zdouc, Ch. 7.
- WTO, *Korea-Measures Affecting Government Procurement* (DS163)

RECOMMENDED

- Raj Bhala & Kevin Kennedy, World Trade Law, 1311-1329 (1998, Lexus Publishing).
- Bernard M. Hoekam & Petros C. Mavroidis, eds., Law and Policy in Public Purchasing: The WTO Agreement on Government Procurement (1997, Univ. of Michigan Press).
- Arie Reich ed., International Public Procurement Law: The Evolution of International Regimes on Public Purchasing (Kluwer Law International, 1998).

9. Trade and Development: Special and Differential Treatment for Developing Countries

REQUIRED

- van den Bossche & Werner Zdouc, Ch. 10.
- WTO, *EC-Conditions for the Granting of Tariff Preferences to Developing Countries* (DS246)

RECOMMENDED

- G. Bermann & P. Mavroidis, eds., WTO Law and Developing Countries (2007).
- Will Martin & Alan L. Winters, eds., The Uruguay Round and the Developing Countries (1997, Cambridge Univ. Press).
- The WTO/World Bank Conference on Developing Countries' in a Millennium Round (1999).
- Peter Gallagher, Guide to the WTO and Developing Countries (2000).

SUGGESTED CLASS SCHEDULE

Date (Provisional)	Topics
3/4	1. Introduction to the Study of International Trade Law and Policy
3/11	2. Trump's Reciprocal Tariffs and Pertinent Legal Issues
3/18	3. Agricultural Trade: Agreement on Agriculture
3/25 [12:30-2:00]	Guest Lecturer
4/1	3. Agricultural Trade: Agreement on Agriculture - EC – Measures Affecting the Importation of Certain Poultry Products (DS69). - EC – Export Subsidies on Sugar (DS265).
4/8	4. Food Safety: SPS Agreement
4/15	4. Food Safety: SPS Agreement - Japan - Measures Affecting the Importation of Apples (DS245). - Korea-Import Bans, and Testing and Certification Requirements for Radionuclides (DS495).
4/22	5. Standards and Technical Regulations: TBT Agreement - US-Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products (DS381) - United States - Certain Country of Origin Labelling (COOL) Requirements (DS384,386)
4/29	6. Services Trade
5/6	6. Services Trade - China – Certain Measures Affecting Electronic Payment Services (DS413). - US – Measures Affecting Cross-Border Supply of Gambling and Betting Services (DS285).
5/13	7. Trade Related Intellectual Property Protection
5/20	7. Trade Related Intellectual Property Protection - Australia - Certain Measures Concerning Trademarks, Geographical Indications and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging (DS435,441,458,467). - United States - Section 110(5) of the US Copyright Act (DS160)
5/27	8. Rules for Government Procurement Projects - Korea-Measures Affecting Government Procurement (DS163)

6/3

9. Trade and Development

- *EC-Conditions for the Granting of Tariff Preferences to Developing Countries*
(DS246)