



International Economic Law

The module International Economic Law is part of the Master of Law UZH and consists of the course with the same name. The course takes place weekly, every Thursday from 08:00 to 09:45 in room RAI-F-041, starting on 20 February 2025.

Course Description

The course will provide an overview of the legal foundations of international economic law and we will discuss current issues. You will learn about the legal tools and basic principles of international trade law, international investment law and international monetary law. The course will also provide you with the tools to better understand the impacts of globalisation and the role of international economic law in shaping a more sustainable international economic order. For this purpose, other areas of law, such as human rights law and international environmental law will be discussed. The course will be held in seminar style. To foster our discussion, all participants are required to prepare for the classes, read the mandatory chapters and papers, participate in classroom discussions. Attendance is mandatory.

Students are awarded 6 ECTS upon successful completion of the course. For a successful completion, students are required to give a group presentation on an assigned topic and engage in a discussion with the whole class. Together with the exam at the end of the semester, the presentation will form the final grade. More information will be provided in the first lecture.

Literature

We recommend using the following textbook:

- CHOUKROUNE LEILA, NEDUMPARA JAMES J., International Economic Law: Text, Cases and Materials, Cambridge University Press 2022

Alternatively, you can also use these textbooks:

- HERDEGEN MATTHIAS, Principles of International Economic Law, 3rd ed., Oxford University Press 2024
- QURESHI ASIF H, ZIEGLER ANDREAS, International Economic Law, 4th ed., Sweet and Maxwell 2019

Course Administration

Course materials will be uploaded on the platform Moodle via the following link:

<https://moodle-app2.let.ethz.ch/course/view.php?id=12044>

The password will be provided in the first class. Further information can be found on Moodle and on the website of Prof. Kaufmann: www.ivr.uzh.ch/kaufmann

Please make yourself acquainted with the specific programme and the documents uploaded on the website before the first class. In case you have questions, don't hesitate to reach out to Anika Fontana, the assistant in charge at the chair of Prof. Kaufmann (lst.kaufmann@ius.uzh.ch).



Syllabus

	Date	Topic	Mandatory reading assignments	Additional materials
1.	20.02.2025	Introduction to IEL <i>Overview</i> <ul style="list-style-type: none">- Main areas of IEL- Actors and institutions- Legal sources <i>Economic fundamentals</i> <ul style="list-style-type: none">- Introduction- The theory of comparative advantage- Globalization, economic growth, and capabilities	CHOUKROUNE/NEDUMPARA, 1-33 Text 1 Smith Text 2 Ricardo Text 3 Sykes	Text A Rodrik
2.	27.02.2025	International Monetary Law <i>Historical Background</i> <ul style="list-style-type: none">- Treaty of Versailles- Atlantic Charter and Bretton Woods <i>IMF and World Bank</i> <i>International monetary policy</i> <i>Monetary Basics</i> <i>Financial crises</i> <ul style="list-style-type: none">- Financial crisis of 2007-2009- Crisis responses, lending, and conditionality- The Greek case	CHOUKROUNE/NEDUMPARA, 647-675 Text 4 Kaufmann Text 5 Keynes	Text B Carmen Reinhart and video of Fifth Karl Brunner Distinguished Lecture: https://www.youtube.com/watch?v=ws3RC0yJvi8 Text C Boughton Text D Zellweger-Gutknecht/Weber
3.	06.03.2025			

	Date	Topic	Mandatory reading assignments	Additional materials
4.	13.03.2025	International Trade Law <i>Institutional framework of the WTO</i> <ul style="list-style-type: none"> - From GATT to WTO - Objectives, functions and scope - Goods and services - Organisation, membership and decision-making <i>Principles of non-discrimination under GATT and GATS</i> <ul style="list-style-type: none"> - Most-favoured-nation treatment - National treatment <i>Economic integration and regional agreements</i> <ul style="list-style-type: none"> - Customs unions - Free trade agreements <i>WTO dispute settlement</i> <ul style="list-style-type: none"> - Principles - Institutions - Proceedings <i>Reform of the WTO</i> <ul style="list-style-type: none"> - Current state - Art. 25 DSU as alternative appeals mechanism <i>Current developments</i> <i>Group Presentations</i>	CHOUKROUNE/NEDUMPARA, 35-117; 332-370; 412-454 Text 6 EC – Asbestos Text 7 Canada – Automotive Industry Text 8 Japan – Alcoholic Beverages Text 9 EC – Bananas Text 10 Low	Text E Miranda/Sanchez Miranda
5.	27.03.2025			
		No class on 20.03.2025 No class on 03.04.2025		

	Date	Topic	Mandatory reading assignments	Additional materials
6.	10.04.2025	International Investment Law <i>Fundamentals</i> <i>Customary international law</i> <ul style="list-style-type: none"> - Before World War I - Breakdown of the consensus - The classical Western view - Theory and practice - The UN's attempts to codify customary international law <i>Investment and Investor</i> <i>Investment protection</i> <ul style="list-style-type: none"> - Fair and equitable treatment - Direct and indirect expropriation - Umbrella clauses <i>Evolving standards of international law</i> <ul style="list-style-type: none"> - International Centre for the Settlement of Investment Disputes (ICSID) - Multilateral Investment Guarantee Agency (MIGA) - Protection of investment: from NAFTA to USMCA <i>Dispute settlement</i> <ul style="list-style-type: none"> - Procedures - Recent case law <i>Group Presentations</i>	CHOUKROUNE/NEDUMPARA, 457-535	
7.	17.04.2025			Text 11 Lowenfeld on Barcelona Traction Text 12 Metalclad Case Text 13 S.D. Myers Case Text 14 Gantz on Pope Talbot Case
		No class on 24.04.2025 No class on 01.05.2025		

	Date	Topic	Mandatory reading assignments	Additional materials
8.	08.05.2025	Trade and Environmental Protection <i>Historical overview of international environmental protection</i> <i>Environmental measures under WTO law</i> <ul style="list-style-type: none"> - Environmentally unfavourable process and production methods - Extraterritoriality of environmentally favourable regulations - “Environmental exemptions” of Art. XX GATT <i>SPS agreement</i> <ul style="list-style-type: none"> - Harmonization: The benchmark of international standards - Risk assessment <i>Group Presentations</i>	CHOUKROUNE/NEDUMPARA, 371-399 Text 15 Bernasconi-Osterwalder et al. on Tuna/Dolphin Cases Text 16 Bernasconi-Osterwalder et al. on Shrimp/Turtle Case Text 17 China – Raw Materials Text 18 China – Rare Earths Text 19 Brazil – Retreaded Tyres Text 20 EC – Hormones	Text F Declaration of the UN Conference on the Human Environment Text G Julia Qin on Retreaded Tyres Text H Julia Qin on Raw Materials and Rare Earths
9.	15.05.2025			
10.	22.05.2025	Human Rights, Trade and Investment <i>The role of labour rights</i> <ul style="list-style-type: none"> - International Labour Organization (ILO) - Core Labour Standards (CLS) <i>Labour provisions in trade agreements</i> <ul style="list-style-type: none"> - WTO agreements - Free trade agreements <i>Health Protection and Investment Agreements</i> <i>Group Presentation</i> <i>Summing Up</i> <i>Q&A</i>	Text 21 ICSID Philip Morris v. Uruguay (skim) Text 22 Australian High Court Decision on Philip Morris Ltd.’s submissions	