

Specialisation Course V: International Trade Law

Objective:

The Course is designed to give the students an insight into International Trade Law with a view to help them understand the basic principles and contemporary dimensions of International Trade Law.

Course Content:

Unit – I

Introduction to and evolution of International Trade, Theories of International Trade (Mercantilist Theory, Comparative Advantage Theory, etc.), Free trade and fair trade, Balance of Payment, Globalization and its impact on trade in India, *Foreign Trade (Development and Regulation) Act, 1992*.

Unit-II

Introduction to International Trade Law- Definition, scope, sources and subject matter of International Trade Law, Basic principles of international trade law-Most Favoured Nation Treatment, National Treatment, etc.; General Agreement on Trade and Tariff, Evolution of WTO- Structure of the organization, power and objectives, Sanitary and Phyto-sanitary measures, Anti-dumping measures, WTO & Agriculture, Agreements pertaining to trade barriers.

Unit –III

Trade & IPR issues – General Agreement on Trade in Services (GATS), Trade Related Investment Measures (TRIMS), Trade Related Intellectual Property Rights (TRIPS), Trade and Environment issues – WTO Appellate Body decisions, Sustainable development, Doha round of Negotiations.

Unit-IV

International sale of goods, formation of contract of Sale, Indian Law of Contract and Sale of Goods Act, Trade terms in international sales, effects of the contract- rights & obligations of the seller & the buyer, frustration of contract, unification of international sales law, export & import licensing.

Unit-V

International transport of goods-carriage of goods by Sea, carriage covered by Bills of Lading, Hague & Visby Rules, Harter Rules, Charter Parties, *The Indian Carriage of Goods by Sea Act, 1925*, Carriage by Air, *The Carriage by Air Act, 1972*. Settlement of disputes – International commercial Arbitration, Recognition & Enforcement of Foreign Arbitral awards,

UNCITRAL Model Law on International Commercial Awards, UNCITRAL Arbitration rules, Conciliation, UNCITRAL Conciliation Rules.

Books prescribed for reading:

1. BhagirathLal Das, *The World Trade Organization*, (1999).
2. Arun Goyal, *WTO in the new Millennium*.
3. Anil Arora, *International Trade-Theories & Current Trends in the Globalised World*, (2007).
4. John H. Jackson, *The World Trading System*, (1948).
5. P. W. Birnie & A. E. Boyle, *International Law & The Environment*, (2004).
6. Anupam Goyal, *The WTO & The International Environmental Law*,(2006).
7. Erich Vranes, *Trade & The Environment*, (2009).