

World Trade Institute

8th Summer Academy

on International Trade Regulation

12 July – 13 August 2010

Course Modules

Launched in 2003, the World Trade Institute's (WTI) Summer Academy addresses the increasing demand for up-to-date knowledge of the most cutting-edge issues in international trade regulation. Professionals, government officials, international civil servants, scholars, staff from non-governmental organizations and students who cannot attend the WTI's full year Master's programme can benefit from a compact exposure to – and a comprehensive inside look at – many of the hottest topics in trade regulation and global governance.

The forthcoming eighth WTI Summer Academy covers many of the most important and current topics in the field of international trade, from rule-making in services and investment to the commercial diplomacy of trade negotiations and the links between trade remedies and climate change mitigation. Mastering the economic impacts, legal principles, and political feasibility of trade regulation is a highly interdisciplinary challenge. Our courses are co-taught by many of the world's leading practitioners, drawn from the fields of economics, law and international political economy. Participants with a diverse background of professional and academic expertise learn to blend the policy aspects of trade with thorough legal interpretation and economic analysis while establishing contacts with fellow professionals and faculty from all over the world.

As with the WTI's flagship Master of International Law and Economics (MILE) programme, the weekly modules of the Summer Academy can be attended on a flexible "à la carte" basis in order to accommodate a wide range of training needs and interests. Participants have access to the WTI's state of the art facilities, technical resources and library. All lectures are given in English and admission to the Academy is limited to 65 participants per week. While staying in the heart of Europe, participants can discover Berne's many summertime charms and take advantage of the programme's field trip to the world's leading institutions of trade governance in Geneva.

For more information on the Summer Academy, visit our website at www.wti.org or contact Gaby Hofer at summer@wti.org.

Week 1: 12 – 16 July 2010

1. Introduction to the World Trading System

This course introduces participants to the nexus of WTO law and the underlying economics and political economy of international trade relations. The first part of the course focuses on the legal parameters and evolution of the GATT and WTO Agreements. The second part of the week investigates basic economic and political economy models and key empirical findings. A visit to the World Trade Organisation (WTO) and the Advisory Centre on WTO Law (ACWL) is planned for Friday, 16 July 2010.

Thomas Cottier *Managing Director, World Trade Institute, University of Berne; Director, Swiss National Centre of Competence in Research on Trade Regulation (NCCR)*

Simon Evenett *Professor of International Trade and Economic Development, University of St. Gallen*

Week 2: 19 – 23 July 2010

2. The Political Economy of Trade

This course explores the relationship between domestic and foreign policy, discussing the conflicts that can arise within and between countries in the pursuit of commercial and other goals. It examines trade policy from a conflict management perspective, before focusing on the ways that foreign policy and trade relate to one another in specific areas. Among the issues covered are discriminatory trade agreements as an instrument of foreign policy, problems of coherence between the WTO and other international organisations, the political issues surrounding trade and development and prospects for structural reform of the WTO.

Craig VanGrasstek *Trade Consultant, WTO, OECD, UNCTAD, World Bank; Trade Policy Lecturer, Harvard University*

Weeks 3a and 3b: 26 – 30 July 2010

The following two courses will run in parallel, eventually combining on 30 July for a joint discussion on trade remedies and climate change led by Gary N. Horlick.

3a. Trade Remedies

This course explains the key features of the EC and US trade remedy regimes and how they relate to WTO law. The operation of the WTO agreements on anti-dumping, safeguards, and subsidies and countervailing measures – particularly in the current economic context – will be discussed. The course concludes with a discussion of potential outcomes of future negotiations on these issues and how the recent economic crisis has affected recourse to contingent protection measures.

Gary N. Horlick *International Trade Lawyer, Lecturer, Yale Law School;
Georgetown Law Center; World Trade Institute; former U.S. Deputy
Assistant Secretary of Commerce for Import Administration*

Edwin Vermulst *Founding Partner, Vermulst Verhaeghe Graafsma & Bronckers
Advocaten; Editor-in-Chief, Journal of World Trade, Global Trade
and Customs Journal*

3b. Trade, Development and Climate Change

The first part of this course will explore key legal and economic issues arising from the enlarged role of developing countries in trade governance. It will explore linkages between trade, growth and development, take up the issue of aid for trade and explore the negotiating priorities of developing countries in the WTO system. The second part of the week explores domestic and international measures to reduce greenhouse gas emissions up to and including measures designed to influence the behaviour of trading partners. In drawing lessons from WTO and GATT decisions on subsidies, border tax adjustments and regulatory issues, controversial issues such as tariffs on environmental goods will be addressed, as will the relationship between international environmental agreements and trade law.

Christian Häberli	<i>Senior Consultant, Swiss National Centre of Competence in Research on Trade Regulation (NCCR); former Chair Committee on Agriculture and Dispute Settlement Panels, WTO</i>
Richard Newfarmer	<i>Special Representative of the World Bank to the United Nations and the World Trade Organization, Geneva</i>
Arthur Appleton	<i>Founder, Appleton Luff – International Lawyers; Co-President, International Business Lawyers Association (Geneva); Law Advisor, Uruguay Round Trade Negotiations</i>
Gary N. Horlick	<i>International Trade Lawyer, Lecturer, Yale Law School, Georgetown Law Center, World Trade Institute; former U.S. Deputy Assistant Secretary of Commerce for Import Administration</i>

Week 4: 2 – 6 August 2010

4. Services and Investment: Rule-making, Market Opening and Litigation

This course offers, in its first part, an in-depth examination of the law and economics of trade in services at both the multilateral and regional levels and addresses key outstanding sectoral and rule-making challenges in services negotiations. The second part of the course focuses on the rapidly evolving landscape of investment rules and litigation arising under the bilateral investment treaties and preferential trade agreements. It also explores prospects for the development of a truly multilateral regime for investment.

Pierre Sauvé *Deputy Managing Director and Director of Studies, World Trade Institute, University of Berne*

Eric Leroux *Senior Counsel and Deputy Director of the Trade Law Bureau, Government of Canada*

Roberto Echandi *Ambassador of Costa Rica to the European Union*

Week 5: 9 – 13 August 2010

5. Getting To Yes: Trade Negotiations and Commercial Diplomacy

This course focuses on the analysis, advocacy, and negotiating that leads to international agreements on investment and trade-related issues: in-depth analysis of the factors that bear on the policy process at home and abroad, political advocacy tools and techniques to assure support for desired outcomes and the skills needed to complete successful negotiations. Teaching methods include lectures, cases studies and simulation exercises to create a 'real world' experience.

Robert Rogowsky *Director of Operations, United States International Trade Commission*

The Faculty

Arthur E. Appleton

Dr Appleton has more than 18 years of experience in the field of international trade (GATT/WTO) law dating back to the late 1980s when he advised a prominent Asian country during the Uruguay Round of trade negotiations. He works with businesses, sovereign states, international organisations and non-governmental organisations on various trade and arbitration issues and has appeared as lead counsel before the Appellate Body of the World Trade Organization. He publishes widely on international trade issues and is a co-editor (with Patrick Macrory and Michael Plummer) of "The World Trade Organization: Legal, Economic and Political Analysis", a multi-volume work that appeared in spring 2005. He recently left a major U.S. law firm to found Appleton Luff (www.appletonluff.com) a boutique international trade law and arbitration firm active both legal and policy matters. Dr Appleton serves on the Board of Directors of ILI Barcelona, and the Steering Committee of the International Trade Law Center of the International Law Institute (Washington, D.C.). He is also Co-President of the International Business Lawyers Association (Geneva). In addition, Dr Appleton is a member of the Editorial Boards of Legal Issues of Economic Integration and The Geneva Post Quarterly/Journal of World Affairs, and serves on the Editorial Committee of the ASA Bulletin (Association Suisse de l'Arbitrage). Dr Appleton has been recognised in the International Who's Who of Trade and Customs Lawyers since the year 2000.

Thomas Cottier

Thomas Cottier, Managing Director of the World Trade Institute, is Professor of European and International Economic Law at the University of Bern and Director of the Institute of European and International Economic Law. He directs the national research programme on trade law and policy (NCCR International Trade Regulation: From Fragmentation to Coherence) located at the WTI. He is an associate editor of several journals. He was a visiting professor at the Graduate Institute, Geneva and also currently teaches at the Europa Institut Saarbrücken, Germany and at Wuhan University, China. He was a member of the Swiss National Research Council from 1997-2004 and served on the board of the International Plant Genetic Resources Institute (IPGRI) Rome during the same period. He served the Baker & McKenzie law firm as Of Counsel from 1998 to 2005. Professor Cottier has a long-standing involvement in GATT/WTO activities. He served on the Swiss negotiating team of the Uruguay Round from 1986 to 1993, first as Chief negotiator on dispute settlement and subsidies for Switzerland and subsequently as Chief negotiator on TRIPs. He held several positions in the Swiss External Economic Affairs Department and was the Deputy-Director General of the Swiss Intellectual Property Office. In addition to his conceptual work in the fields of services and intellectual property and legal counselling, he has also served as a member or chair of several GATT and WTO panels.

Roberto Echandi

Ambassador Echandi undertook his doctoral and LL.M. studies in International Trade Law at the University of Michigan School of Law at Ann Arbor, Michigan; his M.Phil. in Latin American studies with emphasis in economic integration at the University of Oxford; Licenciado en Derecho, at the University of Costa Rica and specialised negotiation courses at the JFK School of Government at Harvard University. Before being appointed Ambassador to the EC by President Oscar Arias in early 2007, for several years Ambassador Echandi was the Program Director of the Small Economy Trade & Investment Center (SETIC), Academia de Centroamerica, San Jose, Costa Rica. SETIC is a specialised program aimed at providing training, advisory services and research to small developing economies in the field of international investment, trade law and policy. Since 1993 Ambassador Echandi has also been Professor of International Trade and Investment Law at the Diplomatic Institute "Manuel María Peralta" of the Ministry of Foreign Affairs of Costa Rica. From October 2002 until January 2005, he was appointed by the Government of Costa Rica as Special Adjunct Ambassador for U.S. Trade Affairs. From this position at the Ministry of Foreign Trade of Costa Rica he participated in the negotiations of the US-Central America Free Trade Agreement (CAFTA), process in which he was the Costa Rican lead negotiator in two negotiation groups, services and investment and trade capacity building. Ambassador Echandi has also been Adjunct Professor of Law, Visiting Scholar and Fellow at the Institute for International Economic Law (IIEL) of the Georgetown University Law Center, at Washington D.C. He has also served as Director-General for International Trade at the Ministry of Foreign Trade of Costa Rica and as legal advisor to the Appellate Body Secretariat of the World Trade Organization (WTO) in Geneva, Switzerland. Ambassador Echandi has published several specialised books and articles in Costa Rica, the United States and Europe. His national and international publications have been focused on the legal and political economy dimension of investment issues, dispute settlement, trade in services and the evolution of the process of regional economic integration in the Americas. He has also participated as consultant and key note speaker in numerous seminars and conferences organised in the United States, Europe, Asia and Latin America by international organizations such as the OECD, the World Bank, UNCTAD, the Organization of American States, the Inter-American Development Bank and the WTO.

Simon Evenett

Simon J. Evenett is Professor of International Trade and Economic Development at the University of St. Gallen, Switzerland. In addition to his research on the determinants of international commercial flows, Professor Evenett is particularly interested in the relationships between international trade policy, national competition law and policy, and economic development. He obtained his Ph.D. in Economics from Yale University and a B.A. (Hons) from the University of Cambridge. Professor Evenett has been a (non-resident) Senior Fellow of the Economic Studies Programme in the Brookings Institution, Washington, DC. Previously, he taught at Oxford University and Rutgers University as well as serving twice as a World Bank official. His writings can be downloaded from www.evenett.com.

Christian Häberli

Christian Häberli works as a Senior Consultant in WTI/NCCR/IP5 on various trade, agriculture and development policy issues. His professional career started in 1978 at the International Labour Organisation (ILO) with 2 years each in Madagascar and Thailand, followed by 3 years with the Swiss Development Cooperation in Nepal. From 1986 to 2007 he worked at the Swiss Federal Department (Ministry) for Economic Affairs. In the WTO, he chaired the Committee on Agriculture (Regular Session) and served or serves in several dispute settlement panels, namely in EC – Bananas, Japan – Apples, EC – Biotech/GMO and China – Trading Rights. He graduated in 1977 with a Ph.D. on the subject of African Investment Law; he also studied development sciences (1973-75) and obtained a degree at the Institut Universitaire d'Etudes du Développement in Geneva; in 2007, he began studying theology in Bern.

Gary N. Horlick

Gary Horlick is an international trade lawyer specialising in trade in goods, services and cross-border investment. He is also a Lecturer at Yale Law School (1983-1986, 2001-present) Georgetown Law Center (1986-present) and the World Trade Institute (2001-present). He is a US national and was educated at Dartmouth College, Cambridge University and Yale Law School. He has previously held the positions of U.S. Deputy Assistant Secretary of Commerce for Import Administration, 1981-1983; International Trade Counsel, U.S. Senate Committee on Finance, 1981; Attorney with the Washington law firm of Steptoe & Johnson, 1976-1981 and Assistant Representative, Ford Foundation, Santiago, Chile and Bogota, Colombia (after starting as Assistant to the Representative), 1973-1976. He was the first Chairman of the WTO's Permanent Group of Experts on Subsidies, and has been chairman of WTO and Mercosur panels.

Eric Leroux

Eric H. Leroux is Senior Counsel and Deputy Director of the Trade Law Bureau, Government of Canada. He advises the Canadian government on a wide range of international trade issues under the WTO, NAFTA and other international agreements, with an emphasis on investment and services matters. Prior to being in government, Mr. Leroux practiced trade law in the private sector in Washington, D.C., and spent time in academia in Mexico City working and lecturing on trade law. Mr. Leroux has written extensively on trade law, including a book on NAFTA and several articles on the GATS. He is a frequent lecturer on international economic law in various fora around the world. He is fluent in French, English and Spanish.

Richard Newfarmer

Richard Newfarmer is currently the Special Representative of the World Bank to the WTO and UN in Geneva. He has worked for the World Bank as Economic Advisor in the International Trade Department and Prospects Group. Mr. Newfarmer also served the World Bank as Lead Economist in the Chief Economist's Office of East Asia during the Asia crisis and as Lead Economist for the China and Mongolia Department. Prior to joining the Bank, Mr. Newfarmer was a Senior Fellow at the Overseas Development Council and served on the Economics Faculty of the University of Notre Dame. He holds a PhD and two MAs from the University of Wisconsin, and a BA from the University of California at Santa Cruz.

Robert Rogowsky

Robert A. Rogowsky is a Research Fellow at the Independent Institute and Director of Operations for the U.S. International Trade Commission. He received his Ph.D. in economics from the University of Virginia (1982). From 1995 to 1999 he served as Chief Economist and Acting Director of the Office of Economics. As Director of Operations for the U.S. International Trade Commission, he manages a staff of 240 responsible for anti-dumping and countervailing duty investigations; research, technical expertise and trade policy assistance provided to the U.S. Trade Representative and Congress; and maintenance of the Harmonized Tariff System. Dr Rogowsky is also Adjunct Professor of International Trade at George Mason University's School of Public Policy, where he was awarded the School's Teacher of the Year (2000) and at the American University, School of International Service. Dr Rogowsky also has served as Director of the Office of Industries of the USITC and as executive assistant to the Chairman. Prior to that he served as the Deputy Director, Bureau of Consumer Protection of the Federal Trade Commission (FTC), Acting Executive Director to the Consumer Product Safety Commission and Advisor to the Commissioners. Dr Rogowsky served as an antitrust research and litigation economist at the Bureau of Economics of the FTC. He has written widely on international trade, competition policy and regulation, including *Trade Liberalisation: Fears and Facts*, with Linda Linkins and Karl Tsuji, *Relevant Markets in Antitrust*, edited with Kenneth Elzinga, and *The Political Economy of Deregulation*, edited with Bruce Yandle.

Pierre Sauvé

Pierre Sauvé is Deputy Managing Director and Director of Studies at the World Trade Institute (WTI) in Berne, Switzerland, where he directs and teaches in the WTI's MILE programme and also leads a Swiss National Foundation research project on the evolving international regulatory framework in service industries. He is also a Research Associate in the International Trade Policy Unit at the London School of Economics and Political Science (LSE) in London, U.K., and holds visiting lecturer appointments in the International Relations Department at the College of Europe in Bruges, Belgium and at the University of Barcelona Law School, whose LL.M programme in International Economic Law and Policy (IELPO) he co-directs. Since 1999 he has taught in the Academy of International Law's annual Summer Academy on the Law and Economics of the WTO, held in Macau. He is a Senior Fellow of the European Centre for International Political Economy (ECIPE) in Brussels, Belgium, since its launch in October 2006. Professor Sauvé's research interests focus on the evolution of rule-making for services trade and investment and the impact that regional integration agreements exert on the design and operation of the multilateral trading system.

Craig VanGrasstek

“Craig VanGrasstek,” according to The Economist, “keeps a sharp eye on the politics of trade” (January 22, 2000). He has worked as a consultant in nearly four dozen countries on five continents, with expertise in the fields of trade negotiations, preferences and free trade agreements, WTO accessions, dispute settlement, trade in services and the trade policymaking process of the United States. His clients include the World Trade Organization, the Organization for Economic Cooperation and Development, the United Nations Conference on Trade and Development, the World Bank, and other international organisations, as well as government agencies and private firms. Dr VanGrasstek holds a doctorate in political science from Princeton University and a Master of Science in Foreign Service degree from Georgetown University. He has taught trade policy at the John F. Kennedy School of Government (Harvard University) and the School of International Service (American University), and also teaches an innovative course at the Edmund Walsh School of Foreign Service (Georgetown University) on foreign policy and literature.

Edwin Vermulst

Edwin Vermulst has practised international trade law and policy in Washington DC and Brussels since 1985 and is a founding partner of Vermulst Verhaeghe & Graafsma Advocaten. He is a member of the Brussels bar A-list. Mr Vermulst graduated from the University of Utrecht in 1983 and obtained LL.M and SJD degrees from the University of Michigan Law School in 1984 and 1986. Mr Vermulst specialises in the defence of multinationals, trade associations, exporters and importers in EC commercial defence and customs proceedings, for example in the on-going anti-dumping proceedings involving Footwear, DVDs and CD-Rs. Mr Vermulst was a WTO panelist and has been involved in WTO dispute settlement proceedings as a member of the delegation, most recently in EC-Certain customs matters. He has (co-)authored eight books, including landmark comparative analyses of the anti-dumping systems of Australia, Canada, the EC and the US with Professor John Jackson in 1989 and of rules of origin with Jacques Bourgeois and Paul Waer in 1994, as well as numerous articles. His last book on the WTO Anti-Dumping Agreement was published in 2006 by Oxford University Press. Mr Vermulst is a Member of the Faculty of the World Trade Institute in Berne. He is the Editor-in-Chief of the Journal of World Trade and the Global Trade and Customs Journal. Mr Vermulst is invariably selected as a top trade practitioner by publications such as Who's Who Legal, Legal 500, Chambers Global and the Rushford report.