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International Trade

Session 6

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Welcome to the course on International Trade.

The sixth session of the course provides an introduction into three important issues of WTO law: **special treatment for less developed members, general exceptions and the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement), dumping, subsidies and countervailing duties.**

WTO law also contains an agreement on the technical barriers to trade (The **Technical Barriers to Trade or TBT Agreement**). This **aims to** ensure that technical standards and regulations are not discriminatory and are not unreasonable, that is, they do not erect unnecessary obstacles against trade.

The TBT Agreement recognizes WTO members' **right to regulate**. The use of **international standards** is highly recommended, as they may facilitate trade.

Please watch the short e-learning video prepared by the WTO e-Campus on the **special treatment for less developed members**. This is part of the WTO e-learning courses prepared for government officials from developing members and observers and is available at https://www.youtube.com/watch?v=u_MeVuEGpPY

Please watch the short e-learning video prepared by the WTO e-Campus on WTO law's **general exceptions**. It is available at <https://www.youtube.com/watch?v=7o0jjajYcnk>

Please read Csongor István Nagy, Clash of Trade and National Public Interest in WTO Law: The Illusion of 'Weighing and Balancing' and the Theory of Reservation, 23(1) Journal of International Economic Law 143-163 (2020). It is available at

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3572398

This paper presents the WTO case-law on the general exceptions. When applying the general exceptions, the WTO Dispute Settlement Body needs to **compare the trade-restriction caused by the state measure to the public interest benefits it generates**. The paper showcases how difficult it is to make this comparison and apply the general exceptions in an **objective and balanced manner**.

Please watch the short e-learning video prepared by the WTO e-Campus on the **SPS Agreement**. It is available at <https://www.youtube.com/watch?v=7o0jjajYcnk>

Please watch my video about **dumping (antidumping duties), subsidies and countervailing duties under WTO law**.

At the end of the session, please answer the following questions:

- What special treatment do developing countries receive in the WTO?
- What are the general exceptions in WTO law?
- What is the TBT Agreement?
- What is the SPS Agreement?