

Course Profile

Course Name: Chinese Foreign Trade Law

Course Code: X190656

Course Credits: 2

Course Category: Required Elective

Terms Offered:

Fall _____

Spring 1-11 week

Summer_____

Course Pre/Co-requisites:

Public international law

Textbook:

The main textbook for the course is

1. Textbook or reading material:
Hu Jiayang: WTO and Its Dispute Settlement Mechanism, Zhejiang University Press, 2005
2. Reference books:
John Jackson: The World Trading System, The MIT Press, 1989
John Jackson: The World Trade Organization Constitution and Jurisprudence, The Royal Institute of International Affairs, 1998
3. Websites:
www.wto.org
4. Other reading materials and resources:
WTO cases

Instructor:

[Name] Jiayang Hu

[Email] jxhu@sjtu.edu.cn

[Office] 426

[Office Hours]: Tuesdays, 10-2 am and by appointment; at other times, just drop in and see if I have time for you. You are always welcome.

Course Description:

This course provides a focused treatment and analysis of the major legal, policy and business aspects of foreign trade in China. With respect to China's regulation of foreign trade, areas covered include: trade in goods, trade in services, protection of intellectual property rights in trading, China's participation in the WTO and China's commitments under the multilateral trading system, WTO dispute settlement mechanism and the relevant disputes concerning China. Specifically, China's regulations on foreign trade include tariff regulation and non-tariff regulation, trade remedies including antidumping measures, countervailing measures, safeguard measures.

Grading Policy:

Classroom performance: 20%

Mid-semester examination: 20%

Syllabus:

Chapter One Some Basic Issues

- I. Why international trade is necessary?
- II. The content of the term "trade"
- III. The protection of intellectual property rights
- IV. The differences between national law and international law in regulating foreign trade
- V. The means by which to regulate international trade have changed, from private law to public law, from national law to international law

Chapter Two Introduction to Chinese Foreign Trade Law

- I. A general view of the relationships formed in foreign trade
- II. II. What Governs These Relationships in Trade?
- III. III. The Trend of Harmonisation in Foreign Trade Law

Chapter Three Basic Law to Regulate Foreign Trade in China---PRC Foreign Trade Law

- I. Regulated Areas
- II. II. Treatment Offered in Foreign Trade
- III. III. Qualifications of a Foreign Trade Operator
- IV. IV. The Administrative Regulations in the Import and Export of Goods and Technology
- V. V. International Service Trade
- VI. VI. Foreign-trade-related Intellectual Property Protection

Chapter Four Chinese Foreign Trade Law---from a private law perspective

- I. Applicable International Conventions
- II. Relevant Domestic Laws

Chapter Five Chinese Foreign Trade Law---from a public law perspective

- I. Background: the GATT and the Major Achievements of the Uruguay Round Negotiations
- II. Basic Differences between the GATT and WTO
- III. The Legal Structure of WTO

IV. Remedies in Foreign Trade

China Six Trade in Service and the Dispute Settlement under the Multilateral Agreements

I. Basic Purpose and Concepts

II. Main Building Blocks: Agreement, Annexes and Schedules

III. A Closer Look at Domestic Regulations

IV. Disputes Concerning Trade in Services