

Introduction to International Trade Law

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Key concepts, institutions, and legal frameworks that govern the exchange of goods and services across borders.

1. Foundations of International Trade Law

Element	Description
Definition	The body of rules, agreements, and customs that regulate commercial transactions between sovereign states and private actors.
Purpose	- Promote economic efficiency and growth - Ensure fair competition - Protect public health, safety, and the environment - Resolve disputes peacefully
Sources	- Treaties & Multilateral Agreements (e.g., WTO Agreements) - Customary International Law (long-standing state practice accepted as law) - Domestic Legislation (national statutes that implement treaty obligations) - Judicial Decisions & Scholarly Writings (interpretation and guidance)

2. Core International Institutions

Institution	Mandate	Main Instruments
World Trade Organization (WTO)	Oversees global trade rules, monitors compliance, and provides a dispute-settlement system.	- General Agreement on Tariffs and Trade (GATT) - General Agreement on Trade in Services (GATS) - Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)
United Nations Conference on Trade and Development (UNCTAD)	Supports developing countries in integrating into the world economy.	- Trade and Development Reports - Investment Policy Reviews

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Institution	Mandate	Main Instruments
International Monetary Fund (IMF)	Maintains international monetary stability, which underpins trade.	• Articles of Agreement
World Bank	Provides financing for trade? related infrastructure and capacity building.	• Development Projects & Policy Advice • European Union (EU) – Single Market & Customs Union
Regional Trade Organizations	Manage trade among member states in a specific region.	• NAFTA/USMCA – North America • ASEAN Economic Community – Southeast Asia

3. The WTO Legal Framework

3.1. The Four Pillars of the WTO

1. **Trade Liberalization** – Reduction of tariffs and non-tariff barriers.
2. **Non-Discrimination**
 - **Most-Favored-Nation (MFN)**: Any advantage given to one WTO member must be extended to all.
 - **National Treatment**: Imported goods must be treated no less favorably than domestic goods.
3. **Transparency** – Publication of trade regulations, notification of changes, and opportunity for comment.
4. **Dispute Settlement** – Binding, rules-based process (DSB) to enforce obligations.

3.2. Key WTO Agreements (simplified)

Agreement	Subject	Main Obligations
GATT 1994	Trade in goods	Tariff bindings, quantitative restrictions, anti-dumping, subsidies
GATS	Trade in services	Market access, national treatment, progressive liberalization

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Agreement	Subject	Main Obligations
TRIPS	Intellectual property	Minimum standards for patents, copyrights, trademarks, enforcement
Agreement on Agriculture	Agricultural trade	Market-oriented reforms, domestic support limits, export subsidies
Agreement on Sanitary and Phytosanitary Measures (SPS)	Health & safety standards	Science-based regulations, no unjustified trade barriers
Agreement on Technical Barriers to Trade (TBT)	Standards & conformity assessment	Mutual recognition, non-discrimination, transparency
