If you have a documented disability on record at Brandeis University and wish to have reasonable accommodation made for you in this class, please inform me immediately.

If you are absent for more than one class on account of illness, please provide the instructor with written documentation issued by physician/infirmry/clinic attesting to the necessity of your absence for that period of time.

If you are a student-athlete, please provide the instructor with a written document from the Athletics Department asking that you be excused from attendance due to your pre-game practice or meets.

COURSE INFORMATION BULLETIN

This publication—Course Information Bulletin—consists of the following:

Part I: Course Description & Assigned Textbook
Part II: Course Requirements
Part III: Syllabus: Weekly Calendar and Assigned Readings
Part IV: Table of Contents of Assigned Textbook

You are required to examine thoroughly the contents of this bulletin and a have copy with you in class. Intimate familiarity with its contents will give you a sense of what will be expected of you in this course. That understanding will help you determine realistically if—in view of your curricular or other commitments—you can meet the requirements of the course to your expectation or satisfaction. The syllabus and table of contents of the assigned textbook will give you some sense of the specific topics that will be covered in the course.

Note: In order to assess the volume of the assigned readings, please note, the textbook consists of 8.5 by 11-inch pages, in Times New Roman 11-point font; in places the text is in 10-point font.

Part I: Assigned Textbook & Course Description

from the instructor for the consideration of $45.00 payable in cash or by check. There will be no “buy backs” or refunds. Once you buy it you own it.

Course Description. This course is a seminar on the legal aspects of international economic relations, with a focus on the conduct of business in the international legal environment. The course will examine the source and substance of rules governing economic relations between private sector participants, between private sector and foreign public sector players, and between States. The role of supranational institutions, particularly in the area of trade and investment dispute resolution will be examined.

Method. The method of instruction is Socratic: it consists of class lectures and discussions around the topics covered in the readings. The emphasis is primarily on “problem-solving.” Keeping up with the assigned readings and participating in class discussion are central to the learning process.

Part II: Course Requirements

Attendance. Attendance will be taken at the pleasure of the instructor. Though not graded, it will be difficult to do well in this course without regular attendance.

Class Participation. Informed class participation is required. Students will be called upon at random—from day one—to answer questions and engage in discussion. Non-responsive demeanor or reluctance to engage is not an option. “Informed participation” means asking questions, answering questions—right or wrong—and making statements that evidence a healthy curiosity, informed cynicism, or intelligent insight—all contributing to the learning process.

Etiquette. The in-class use of laptops, cell phones and other communication devices are prohibited. The penalty of one point will be assessed against your final grade for every infraction of this rule. Sidebars, private conversations, talking over one another, and interruptions are not favored.

Tests. There will be two one-hour in-class closed-book tests during the semester, with the extra class time to be used by those who need extra time to deal with the tests. The questions will draw from lectures and readings and may be in the form of multiple choice, short answers, or true or false. There will be no long essay questions. These tests will be in lieu of “midterm” and “final” exams.

Simulation Exercise. There will be a directed simulation (role-playing) exercise toward the end of the semester. It will run for three to four class sessions. The details of the exercise will be made available in due course.

Grading. The grading system is on a points-earned basis, with a possible maximum accumulation of 100 points for the course. The individually-graded components of the course are as follows: Class Participation (10 maximum points), Tests (25 maximum points per test/50 maximum points in total), and Simulation Exercise (40 maximum points).

The final grade is based on the following points-to-letter scale: The range of 100-87 points corresponds to the letter grade A range; the range of 75-86.99 points corresponds to the latter grade B range; the range of 60-74.99 points corresponds to the letter grade C range (C+, C, C-); the range 50-59.99 points corresponds to the letter grade D range. Below 50 points is a failing grade.
Part III: Syllabus: Weekly Calendar and Assigned Readings


Week 1 – Session 1 (Tue, Jan. 13): Introduction to the course. **Required Reading:**
- Introduction

Session 2 (Thu, Jan. 115): **Required Reading:** Chapter 1 (The International Legal Order).

Week 2 – Session 3 (Tue, Jan. 20): **Required Reading:** Chapter 2 (Dispute Resolution Forums & Governing Law)

Session 4 (Thu, Jan. 22): **Required Reading:** Chapter 3 (Global Trade & Investment Architecture).

Week 3 – Session 5 (Tue, Jan. 27): **Required Reading:** Chapter 4 (Intellectual Property)

Session 6 (Thu, Jan. 29): **Required Reading:** Chapter 5 (Transnational Enterprises)

Week 4 – Session 7 (Tue, Feb. 3): **Required Reading:** Chapters 6 (Combating Corruption)

Session 8 (Thu, Feb. 5): **Required Reading:** Chapter 7 (Peace & Security Considerations). **Note:** This class, a participant in ‘DEIS Impact 2015, will be held at Sherman Hall, Hassenfeld Conference Center.

Week 5 – Session 9 (Tue, Feb. 10): **Required Reading:** Chapter 8 (Establishment Treaties)

Session 10 (Thu, Feb. 12): **Required Reading:** Chapter 9 (Trade Agreements)

**February 16-20:** Midterm recess.

Week 6 – Session 11 (Tue, Feb. 24): **Test No. 1**

Session 12 (Thu, Feb. 26): **Required Reading:** Chapters 10 (Bilateral Investment Treaties)

Week 7 – Session 13 (Tue, Mar. 3): **Required Reading:** Chapters 10 (continued)

Session 14 (Thu, Mar. 5): **Required Reading:** Chapter 11 (Commercial Relations)

Week 8 – Session 15 (Tue, Mar. 10): **Required Reading:** Chapter 12 (Nationalization & Privatization)

Session 16 (Thu, Mar. 12): **Required Reading:** Chapter 13 (Public Project Arrangements)

Week 9 – Session 17 (Tue, Mar. 17): **Required Reading:** Chapter 14 (Risks & Guarantees)

Session 18 (Thu, Mar. 19): **Required Reading:** Chapter 15 (Letters of Credit)

Week 10 – Session 19 (Tue, Mar. 24): **Required Reading:** Chapter 16 (Regulation of Competition)

Session 20 (Thu, Mar. 26): **Required Reading:** Chapter 17 (Securities Jurisdiction)

Week 11 – Session 21 (Tue, Apr. 2): **Required Reading:** Chapter 18 (Taxing Situations)

**Passover/Easter break April 3-10**
Week 12 – Session 22 (Tue, Apr. 14): **Test No. 2**  
Session 23 (Thu, Apr. 16): Simulation Exercise

Week 13 - Session 25 (Tue, Apr. 21): Simulation Exercise  
Session 26 (Thu, Apr. 23) Simulation Exercise

**Part IV: Table of Contents of Assigned Textbook**

**Introduction**  
1

What is International Economic Law? - International Economic Order: Permanent Sovereignty over Natural Resources; NIEO Declaration; Charter of Economic Rights and Duties of States - The Five Pillars of the International Economic Order

**PART I – GLOBAL FRAMEWORK & PLAYERS**

**Chapter 1. The International Legal Order**  
8


**Chapter 2. Dispute Resolution Forums & Governing Law**  
15

The International Court of Justice - The International Tribunal for the Law of the Sea - The WTO’s Dispute Settlement Body - The International Center for Settlement of Investment Disputes - The UNCITRAL Arbitration Rules - The Iran-United States Claims Tribunal.

**Chapter 3. Global Trade & Investment Architecture**  
24

The Bretton Woods Institutions - The United Nations Conference on Trade &Development (UNCTAD) - The General Agreement on Tariffs and Trade (GATT) - The World Trade Organization (WTO): Agreement on Technical Barriers to Trade; Agreement on Subsidies and Countervailing Measures; Agreement on Implementation of Anti-dumping Measures; Agreement on Implementation of Customs Valuation; Agreement on Rules of Origin; Agreement on Government Procurement; Agreement on Safeguards - International Chamber of Commerce(ICC) - National Trade and Investment Resources - Risk Insurance.

**Chapter 4. Intellectual Property**  
33

Intellectual Property in the United States: Copyrights; Patents; Marks; Trade secrets - International Architecture: TRIPS; Convention for the Protection of Industrial Property; Convention for the Protection of Literary and Artistic Works; Agreement for the Repression of False or Deceptive Indications of Source on Goods; Agreement Concerning the International Registration of Industrial Designs; Patent Cooperation Treaty; Others.

**Chapter 5. Transnational Enterprises**  
42

Forms of Doing Business - Nationality of Transnational Enterprises - International Accountability of Transnational Enterprises: The Bhopal Incident (India, 1984); Kutubu Oilfield (Papua New Guinea).
Chapter 6. Combating Corruption


Chapter 7. Peace & Security Considerations

Introduction (United Nations and European Union sanctions systems) - The Legislative Bases for US Restrictions of Trade and Investment - The US Restrictions on In-bound Foreign Investment.

PART II - FOUNDATION OF BILATERAL RELATIONS

Chapter 8. Establishment Treaties

What are Treaties and How are They Interpreted? - Sample No. 1(Finland and China) - Sample No. 2 (The United States and Iran) -

Chapter 9. Trade Agreements

Sample (Korea-United States).

Chapter 10. Bilateral Investment Treaties

Sample BITs: Azerbaijan-United States Treaty ; Finland-Iran Agreement - Sample of Investment Disputes - Recognition & Enforcement of Foreign Awards.

PART III - COMMERCIAL & FINANCIAL ARRANGEMENTS

Chapter 11. Commercial Relations


Chapter 12. Nationalization & Privatization

Nationalization and Compensation - Structural Adjustment – Privatization.

Chapter 13. Public Project Arrangements

Project Finance – Forms of Private Sector Participation - Sources of Finance - Build-Operate-Transfer: A Case Study.

Chapter 14. Risks & Guarantees

Types of Risk - Governmental Support & Guarantees - Guarantees by International Financial Institutions - Guarantees provided by export credit agencies and investment promotion agencies.

Chapter 15. Letters of Credit
PART IV - JURISDICTIONAL CONFLICT & COOPERATION

Note on Bases for Exterritorial Jurisdiction in International Economic Law 135

Chapter 16. Regulation of Competition 136

The United States - The European Union - The American Banana Case - The British Nylon Spinners Case - International Cooperation.

Chapter 17. Securities Jurisdiction 142


Chapter 18. Taxing Situations 146