Georgetown University Law Center
Spring 2017 Seminar:

Trade and Integration in the Americas

Professor Mario A. Umaña
Inter-American Development Bank (IDB)

Professor Cesar Parga
Organization of American States (OAS)

Professor Ernesto Fernandez
Organization of American States (OAS)

Seminar Syllabus

LAWG-785 (CRN #: 10137)
LAWJ-785 (CRN #: 10624)
Wednesdays 5:45 PM - 7:45 PM
Room # 587 McDonough Hall
I. **Subject of the Seminar: Trade and Integration in The Americas**

The seminar offers an opportunity to analyze the network of regional trade agreements in the Americas, as well as the major developments in trade policy in Latin American and Caribbean countries.

The discussions in class will focus on regional integration agreements such as MERCOSUR (South America), CACM (Central America), CARICOM (Caribbean), the Andean Community, and the most significant Free Trade Agreements such as NAFTA, Canada-Costa Rica, US-Chile, Mexico-Central American Countries, US-Central America/Dominican Republic (DR-CAFTA), U.S.-Peru, U.S-Panama and U.S.-Colombia, including the new generation of agreements such as Pacific Alliance, TPP, TAFTA. The topics that will be analyzed include market access for agricultural goods, dispute settlement systems, competition policy, trade remedies, investment, intellectual property, US and EC trade policy, among others. In addition to Professors Umaña, Fernandez and Parga, other experts in some of these topics may be invited as guest speakers to enrich the discussion.

Students will be evaluated with a take-home exam. Class attendance and participation will be part of the overall evaluation.

II. **Organization, Required Materials**

The seminar is designed to encourage and facilitate discussion between the professors and a select group of students with special interests in regional trade agreements and the Western Hemisphere. The professors will not be “teaching,” but jointly analyzing the subject with the students and guest speakers. Each student will be expected to participate actively in all sessions, including the sessions during which the seminar papers will be presented.

The first part of the seminar will be devoted to the analysis of various trade and integration subjects in Latin American countries. Guest speakers (including government officials) may join us for some sessions.

In the second part of the seminar students will have the opportunity to make short presentations on specific trade areas of interest. Students will select their subjects in consultation with one of the professors. Each student will also be “the expert” on his/her topic during the presentation and in class discussion.

Course materials:

a) This Syllabus, and its Appendices.

b) Materials distributed in class from time to time for this seminar.

*Canvass Site:* Handouts, this Syllabus, and other pertinent documents will always be posted on the canvass site. Please check it often to check for new postings. The Canvas Quick Link can be accessed through the main Georgetown Law Student Portal. You will be prompted to login using your **username** and **password**.

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2. On the Canvas portal, look for **Spring 2017** “Trade and Integration in the Americas” Click on the link (“Trade and Integration in the Americas”) to access the Canvas site.

**Other useful websites for the seminar:**

- SICE/OAS: [www.sice.oas.org](http://www.sice.oas.org)
- IADB: [www.iadb.org/intal](http://www.iadb.org/intal)
- SIECA: [www.sieca.org.gt/SIECA.htm](http://www.sieca.org.gt/SIECA.htm)
- MERCOSUR: [www.mercosur.org.uy](http://www.mercosur.org.uy)
- Andean Community: [www.comunidadandina.org](http://www.comunidadandina.org)
- CARICOM: [www.caricom.org](http://www.caricom.org)
- All WTO documents (fully downloadable): [www.wto.org](http://www.wto.org)
- WTO Dispute Settlement (reports and commentaries): [http://www.worldtradelaw.net/](http://www.worldtradelaw.net/)

### III. The Take Home Exam

1. The method of grading is a final written OPEN book take-home exam. The exam presents a case featuring a set of facts and questions based on the trade issues and materials covered during the course. Students are expected to produce a legal memo, no longer than 10 pages, addressing and arguing the case from the point of view of a Trade Minister, the Legal Representative of a developed or developing country, an NGO, or any other relevant actor involved in trade policy.

2. The exam must be downloaded and submitted using the guidelines and procedures. The exam will be available during the examination period, starting on May 2 and ending on May 16, subject to confirmation by the Faculty. Once the exam is downloaded, it must be submitted within a deadline of 24 hrs. Students are permitted to use personal computers to complete their take-home examinations. Access is also permitted to class materials, documents, outlines, notes, files, etc., and the Internet. However, students may not consult one another or any other person during the exam.

3. Grading is based on the quality of the analysis and arguments presented as well as the level of information provided on the different legal issues and questions included in the exam.

4. Class attendance and participation throughout the semester will be factors in determining the final grade as well as class presentations on selected topics.

5. Professors will discuss the take-home exam format, dates and guidelines during the first week of classes and again prior to the end of the semester. Students are encouraged to ask questions requiring clarification about the take home exam and the procedures.

6. The professors return students’ examination papers to the Office of the Registrar, including a notification of the best examination paper. The exam questions and a copy of the best exam are kept on file in the Office of the Registrar and are made available to students for review during each semester’s exam review period.

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APPENDIX A: TENTATIVE SEMINAR SCHEDULE
(Subject to revisions)

The tentative schedule (first few sessions are fairly definite) is as follows. The Seminar meets each Wednesday from 5:45 PM to 7:45 PM, The following are subject to changes to be announced at the first session:

Session 1. Jan 18  Introduction to International Treaty Law, the Multilateral Trading System and Regional Trade Agreements (RTAs); class discussion about the global trends of international trade policy across the Americas and beyond

Session 2. Jan 25  Relationship between RTAs and the WTO Agreement: interpretation and application of Art XXIV of GATT and V of GATS

Session 3. Feb 1  Evolving Landscape of RTAs in the Americas and Integration blocs (Mercosur, Andean Community, CARICOM, CACM)

Session 4. Feb 8  New Forms of Integration in Latin America and Asia Pacific: The Next Generation of Trade Agreements: Pacific Alliance, TPP, Free Trade Area for Asia Pacific (FTAAP) and the Regional Comprehensive Regional Partnership (RCEP)

Session 5. Feb 15  US Trade Policy in the Americas: The Future of NAFTA in Light of the New Political Landscape


Session 7. March 8  Services and Investment: Special Attention to EPA CARIFORUM-EU, US-Colombia and US-Peru FTAs

Session 8. March 22  Intellectual Property Rights, Innovation and Advanced Manufacturing Platforms; Shifting Trends of Investment, Technology Transfer and Services

Session 9. March 29  Competition Policy in Trade Agreements in Latin America and Developments at the National Level in Mexico, Brazil and Chile.

Session 10. April 5  Labor and Environmental Issues: Special Attention to CAFTA-DR, US-Colombia

Session 11. April 12  Dispute Settlement Mechanisms in NAFTA and MERCOSUR: Case Studies

Session 12. April 19  Trade Remedies Under RTAs: Practices in NAFTA and Selected Countries in the Americas.

Session 13. April 26  Wrap-up Summary
APPENDIX B: SEMINAR STUDENT QUESTIONNAIRE

We would appreciate learning from every person attending the Seminar the following: (PLEASE FILL OUT AND HAND IN TO PROF AT THE SECOND CLASS)

Your Name: _________________________________________________
Class in Law School (2d yr., 3d yr., Grad., LL.M., auditor, etc.): __________________________
Other Status: ________________________________________________
Are you taking the seminar for course credit? __________________________
Undergraduate Major: ___________________ College/University: __________________________
Do you have a law degree from another institution/country? ______
Law school/country________________________
Address in DC Area: __________________________________________
Telephone number: ______________________________ E-mail address: __________________________
Country you are from: __________________________________________
What experience in international economic law have you had? ______________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
Have you taken (either in law school or other programs) or are now taking:
1. Courses in Economics? _______ How many? ______________________
2. Courses in International Economics? __________ How many? __________
3. Courses in International Law? ______________ How many? ______________
4. Course in Conflict of Laws? ________________________________
5. Course in Corporations? __________________________
6. Tax I? __________ and/or Tax II (Corporations)? ______
7. International Taxation Course or Seminar? ______________
8. EEC Law? ______
9. Civil Law? ______________
10. Other international legal seminars or courses in this law school? _________________________

What is your principal reason or interest in taking this seminar?
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
What are your career plans upon completion of your J.D. or LL.M program?
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
Which subjects related to this course particularly interest you?
____________________________________________________________________________

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Do you have interest in studying or working outside the United States after you complete your J.D./LL.M./S.J.D. degree?

Languages other than English: ________________________________

How much have you traveled outside the United States/your country?

Have you authored papers or conducted research on specific trade issues?