



Title	International Trade Law
Sector of discipline	IUS 13
Accademic year of course	3° year – Second semester
Teaching language	Italian
Training credits	7 CFU
Professor	Stelio Campanale
Expected learning outcomes	<p><i>Knowledge and ability to understand</i></p> <p>The main object of the course is to introduce the students to the study of the International Trade Law with specific regard to: The role and the scopes of the WTO; The development of international business relation among companies; The rules, practises and usages applied to the international trade of goods; The negotiation, conclusion and management of an International commercial agreement; The international instruments of payments and warranties; The methods for settling commercial conflicts between companies operating under different jurisdictions.</p> <p><i>Capability to apply knowledge acquired through the course</i></p> <p>At the end of the course of study, the student will have acquired basic and institutional knowledge of the International trade law and, in general, of the main factors of the commercial agreements and of commercial disputes between States or companies. In particular, the student will have acquired knowledge of the principles and contents of international conventions which rules the international trade of goods and services and the purposes of the WTO, as well as of type of agreements, rules, principles and practices applied between companies in the field of international trade.</p> <p><i>Autonomy of judgment and application</i></p> <p>By virtue of knowledge acquired during the course, the student will be able to understand and to explain to any counterpart an overview of problems and topics of the international commercial relations and of the remedies envisaged by the competent International Organization, governmental or not. At the end of the course of study, the student will have acquired basic and institutional knowledge of the contractual instruments that an enterprise can apply according to the type of business relationship that it wants to develop with a foreign counterpart. Furthermore, the student will have learned about: researching the sources of law from which to draw the most common rules or practices to be applied in the "international contracts"; choosing the instruments of payment and protection to guarantee the successful completion of a contract of sale and of an international</p>



	<p>contract; deciding the applicable law and proper jurisdiction to a business relation.</p> <p><i>Communication skills</i></p> <p>Through the theoretical knowledge acquired by studying and the practical examples provided to him during the lessons, the student will be able to understand and, therefore, to orientate itself in adopting or proposing to an interested party the types of agreement, articles or contractual clauses more appropriate in view of the international deal to be concluded.</p> <p>The know-how acquired in this matter of law will be of fundamental importance for those who, after graduation, will become: a business consultant; an officer of international trade organizations or of business chambers/ exhibitions; an arbitrator; an export manager; an employee in marketing, or sales or financial department of a export/import oriented company; a business consultant, or otherwise undertake the activity of a business man in the field of import-export.</p>
Course syllabus	<p>The General Agreement on Tariffs and Trade (GATT – GATTs-TRIP's).</p> <p>The World Trade Organization.</p> <p>The sources of the International Trade Law: domestic law, customary rules, international conventions, model laws, Unidroit principles of law in the international trade.</p> <p><i>Lex mercatoria</i> vs. National regulations.</p> <p>Letter of Intent and Memorandum of Understanding.</p> <p>The negotiation and drafting of an international commercial agreement: Applicable law and competent venues. Alternative Dispute Resolutions instruments.</p> <p>The rules and principles mainly applied in the business -to- business contracts.</p> <p>The purpose of the general/special terms and conditions of sale/purchase.</p> <p>The 1980 Vienna Convention on the International Sale of Goods. Incoterms CCI 2020.</p> <p>The various types of international distribution agreements (distributorship, agency, franchising).</p> <p>Bond agreements (Bid Bond-Advanced Payment Bond- Performance Bond-Retention Payment Bond-Maintenance Bond)</p> <p>International payment instruments (CAD-COD-Letter of credit).</p>
Course structure and provision of training	<p>The teaching, of 7 CFU, will be organized in lessons of 3 hours each according to the academic calendar. The lessons will be structured in theoretical lessons and reading and comment of real contractual forms.</p>



Learning assessment methods	<p>The exam shall be oral; questions asked in an open-answer method. The students are requested to study all the program.</p> <p>The criteria to evaluate the outcome of the study are the student capacity to express in a clear, complete and appropriate way: the main scope, goal and content of International agreements and conventions regarding the free trade of goods and services, the functions and operational structure of WTO; the role of UE in the organization and development of international trade; the sources of the International trade law; terms and conditions to be applied to commercial agreements; the proper method of payment; the differences between the various INCOTERMS CCI 2020; the appropriate bond according to the specific interest to be ensured; the criteria for the choice of the applicable law to a contract and the competent Court or alternative dispute resolution system.</p>
Exam marking	<p>Marking in thirties; from 18 to 30/30 <i>cum laude</i> taking in consideration: answer to all questions asked; clarity and completeness of answer; fluent expression.</p> <p>Wrong or lack of responses to more than half of the questions determine the failure of the exam.</p>
Requirements	To have passed the examination of private law
Teaching and didactic materials	S. Campanale, Diritto degli scambi internazionali, Giuffrè Francis Lefebvre Editore, 2019. Draft of agreements, subject of the course programme.