

TEACHER'S: CHAPTER 1: Introduction to International Trade Law - key terms

Course requirements, syllabus, literature, CJV (materials for students)

Getting-to-know you exercise:

- Form groups of 3
 1. Make guesses about your group members and jot them down (where from, reason for studying, subjects they are looking forward to, attitude to English)
 2. Compare your guesses with the reality
 3. Class share
- Class overview:
 - Do you use **English** in your **job**?
 - What do you **think** you need? (speaking, writing, reading, listening, specific vocabulary building, grammar reinforcement)

Created by the team of authors.

Feedback to Pre-session task:

video on youtube: <http://www.youtube.com/watch?v=JvcYpcsiJLQ>

- **content, language, (Teacher prepares before the lesson after the deadline for submitting the task)**
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Follow-up:

Useful vocab, what is international trade law? Analyze the following definition:

International Trade Law is an aggregate of legal rules of "international legislation" and new lex mercatoria, regulating relations in international trade. "International legislation" – international treaties and acts of international intergovernmental organizations regulating relations in international trade. (lex mercatoria - "the law for merchants on land")

International trade law should be distinguished from the broader field of international economic law. The latter could be said to encompass the WTO law, but also law governing the international monetary system and currency regulation, as well as the law of international development.

source: <http://encyclopedia.thefreedictionary.com/international+trade+law>

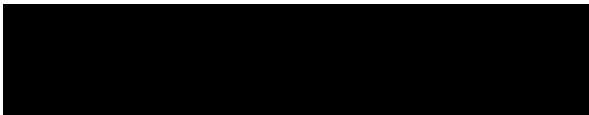
Working with Handout:

1. Defining the terms.

There are more terms worth mentioning in relation to International Trade Law, read the following definitions and in each part fill in the gaps with the phrases taken out:

PART I (gaps 1 - 5), Public International Law & Private International Law

local legal systems
duties and rights of states
conflict of laws



mutual dealings
containing a foreign element

Key:
Public International Law

Aspect of international law that deals with the **duties and rights of states** (and inter-governmental agencies) in their **mutual dealings**.

Private International Law

Part of **local legal system** that governs the selection of appropriate law, and validity of judgments and jurisdictions of local and foreign courts, in civil cases **containing a foreign element**, such as where a contract made locally has to be performed in another country. Also called **conflict of laws**.

Based on :
<http://www.businessdictionary.com/definition/public-international-law.html>
<http://www.businessdictionary.com/definition/private-international-law.html>

PART 2 (gaps 6 - 11), International Trade & International Trade Law

competition
supply and demand
rules and customs
goods or services
private sectors of different countries
consumers

International Trade

The **exchange of goods or services** along international borders. This type of trade allows for a greater competition and more competitive pricing in the market. The **competition** results in more affordable products for the consumer. The exchange of goods also affects the economy of the world as dictated by **supply and demand**, making goods and services obtainable which may not otherwise be available to **consumers** globally.

International Trade Law

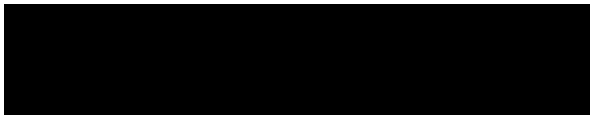
includes the appropriate **rules and customs** for handling trade between countries. This branch of law is now an independent field of study as most governments has become part of the world trade, as members of the World Trade Organization (WTO). Since the transaction between **private sectors of different countries** is an important part of the WTO activities, this latter branch of law is now a very important part of the academic works and is under study in many universities across the world.

<http://www.businessdictionary.com/definition/international-trade.html>
http://en.wikipedia.org/wiki/International_trade_law

PART 3 – Single Market

Make your definition of “Single Market”. You may use words from the box:

trade	tariffs	across	goods	free
nations	capital	barriers	currencies	



Sample definition:

- a market consisting of a number of nations, e.g. those of the European Union, in which goods, capital, and currencies can move freely across borders without tariffs or restrictions.

<http://www.collinsdictionary.com/dictionary/english/single-market>

2. Civil Procedure - basic technical vocabulary.

Pair Work - Student A reads Civil Procedure, Student B - Criminal Procedure They fill in their part of the chart and then share the answers.

As settling disputes is a necessary area belonging to trade, we will have a look at some basic English vocabulary concerning the civil procedure compared to the criminal procedure. Read the text about the differences between civil and criminal procedures in England and complete the information below. Consult a dictionary if necessary.

In civil proceedings, it is generally the claimant¹, i.e. the party harmed, who sues the defendant. The claimant usually has to prove, on the balance of probabilities, that the wrong took place in the manner claimed. This is a lower standard of proof than in criminal cases. If the claimant proves their case, the court will make some kind of order. What this will be, will depend upon the kind of case and what the claimant has asked for. The basic choice before the court is whether to order the defendant to compensate the claimant for their loss by awarding damages, or to order the defendant to act, or refrain from acting, in some specific way in the future, or to make both kinds of orders.

In criminal proceedings a prosecutor prosecutes the defendant. The prosecutor will have to prove to the court, beyond all reasonable doubt, that the defendant committed the offence. This standard of proof is much higher than in civil cases. The court will have to determine whether or not the defendant is guilty. In Common law jurisdictions it can be for the jury to decide questions of fact and for the judge to decide questions of law. A finding of “not guilty” will lead to the defendant’s acquittal. A finding of “guilty” will lead to a conviction and may lead to a sentence of imprisonment or some other form of punishment such as a fine or probation.

Text adapted from: A.Bradney, V.Fisher, J.Masson, A.Neal, D.Newell, *How to Study Law*, Sweet & Maxwell 1991.

	CIVIL PROCEDURE	CRIMINAL PROCEDURE
What is the breach called?	(civil) wrong	Crime, offence

¹ it used to be plaintiff before

Who are the parties?	Claimant/plaintiff vs. Defendant	prosecutor vs. defendant
What is the standard of proof?	On the balance of probabilities LOWER	Beyond all reasonable doubt VERY HIGH
What are possible outcomes?	Court order: e.g. Awarding damages, Order to act in a specific way	Found guilty/not guilty (conviction/acquittal) Punishment: fine, imprisonment, probation
Useful verbs	To sue To claim To compensate To refrain from	To prosecute To commit To acquit To convict To sentence To punish

Created by the team of authors.

3. Work with the video - http://www.youtube.com/watch?v=LY2XVBIZ_nE

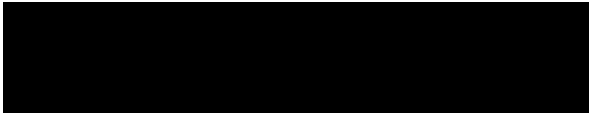
a) Listen and answer general questions the video:

- Who is speaking? Try placing the person – age, race, profession.
- What is it about? - *about the book on international trade law*
- What is the purpose of this video? - *to advertise the book :-)*

b) Answer questions and the textbook and the subject:

- What makes it different and unique from other textbooks?
- *It is neither Eurocentric nor American centric –*
- *it is non-western in approach,*
- *global book + user-friendly in explaining, elegant, clear*
- What are the trends in international trade law over the last few decades?
- *Deeper, technically more complex, broader,*
- *many new free trade agreements, export control,*
- *trade sanctions discussed, potential to bring people/nations together, interdisciplinary*
- Who uses the textbook? When was it first published?
- *Over 100 law schools, in 1996.*

c) Fill in the gaps according to the video:



International trade law is about **wealth** and **poverty**, development and **stagnation** in **war** and **peace**, and in its many technical details that are **intriguing** and **intricate** to figure out and understand, we see these grand issues - and that's very exciting.

Find synonyms for: fascinating and complex

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4. The whole-semester after session task – writing a vocabulary log/diary/notes

During this course, you are going to meet a lot of specialized terms and concepts. It is very useful to organize the vocabulary in such a way that you yourself find it helpful. Somebody prefers lists of words with translations and examples, somebody likes mind maps with comments, somebody else might choose writing a coherent text with their own ideas. Somebody prefers hand-written notes, another person will opt for an electronic log.

Choose the form which suits your needs and learning style and start as soon as possible 📅. At the end of the semester I will ask you to send me a proof that your log exists 📅 and, hopefully, it will help you with preparing for the final exam next Spring!

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