

POST GRADUATE DEPARTMENT OF HUMAN RIGHTS AND DUTIES EDUCATION

THIRD SEMESTER - OPTIONAL PAPER V

SUBJECT: TRADE, ENVIRONMENT, DEVELOPMENT AND HUMAN RIGHTS

Objective of the Course

In the Twenty First Century trade and commercial activities work beyond trade barrier. The New International Economic Order (NIEO) helps in economic integration with that of the pragmatic approaches of the international trade regime. International Trade Agreements also encroach the arena of both environment and human rights arena. The Dispute Settlement Body of the World Trade Organisation is actively working in harmonizing the trade, environment, development and human rights issues. The Five units that it comprises deal with the role of human rights in development, general aspects of international trade and development, the role of TNCs, trade-related sanctions for human rights violations, the question of sovereignty, and human rights perspective in India.

Course content

1. Role of Human Rights in Development

- I. Theories of development
- II. Vision of the NIEO
- III. Development and trade off on human rights

2. International Trade and Development

- I. From ITO to WTO
- II. Unequal terms of trade imposed by the Uruguay Round of GATT negotiation
- III. Role of unfair terms of trade in human rights violation

3. Role of Transnational Corporations in trade/Development

- I. Monopolies and right to development
- II. National control over international trade
- III. Codes of conduct and TNCs and function
- IV. Destruction of environment by TNCs
- V. From consumer rights to human rights

4. Trade-related Sanctions for Human Rights Violations

- I. Debate on the social clause
- II. Sanctions imposed by unilateral/bilateral trade terms, blockade of Cuba, US sanctions on the Third World
- III. Trade related sanctions under the multilateral system
Human Rights standards and international trade

5. International Trade and Human Rights Perspective in India

- I. Impact of GATT-WTO on Sovereignty
- II. Sovereign states and peoples' rights: issues of economic sovereignty
- III. Human Rights Law and Institutions in India
- IV. Judiciary on Right to Development and Right to Environment

Recommended Books

- ❖ Author Krishen Koul - Guide to the WTO and GATT
- ❖ Anupam Goyal - The WTO and International Environmental Law Towards Conciliation
- ❖ Andrew F. Lowenfeld – International Economic Law
- ❖ John H. Jackson, Sovereignty, the WTO and the changing fundamentals of International Trade Law
- ❖ Day, D.M and Griffin, Bernardette - The Law of International Trade
- ❖ Philip Sands - Principle of International Environmental Law
- ❖ Indira Carr and Peter Stone - International Trade Law
- ❖ Petersmann, Ernest Ulrich - The GATT/WTO Dispute Settlement System: International Law International Organization and Dispute Settlement System
- ❖ Alan Boyle and Patricia Birnie - International Law and Environment.
- ❖ Julius Stone- Human Law and Human Justice.
- ❖ R.Dworkin-Taking rights Seriously
