

UPH GRADUATE LAW



PROGRAM IN TRADE, INVESTMENT AND COMPETITION LAW



INDONESIA'S GLOBAL LAW SCHOOL

Message from The Program Director

Indonesia's rise in the global economic and geopolitical arena, the emergence of ASEAN as an integrated community, the shifting balance of power towards Asia, and the global nature of trade and commerce demands a new mindset to legal education.

The Faculty of Law at UPH is committed to preparing students for the challenges of the real world. Our programs are designed to prepare students for cross-border and cross-cultural commerce and rapidly evolving laws, and ensuring that graduates are equipped with solid legal fundamentals and the capacity to fulfill the specialized needs of their chosen expertise. Thanks to our global team of distinguished faculty, experienced practitioners and legal experts, our graduates are uniquely positioned to understand both complex theoretical frameworks and practical insights into the reality of global economic governance.

We encourage and welcome you to be a part of this.



Dr. V. Henry Soelistyo Budi

Head of Postgraduate
Program, School of Law
Universitas Pelita Harapan

PROGRAMS

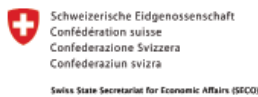
- **MTIC** (Masters of Law in Trade, Investment and Competition Law & Policy)

UPH Law also offers the following programs in the field of Trade, Investment and Competition Law (TIC):

- **PTIC** (Professional Certification in Trade, Investment and Competition Law & Policy) jointly awarded by the World Trade Institute at the University of Berne, Switzerland and UPH Law
- **Certificate of Completion** (CoC) for individual MTIC course modules



Program offered in collaboration with:



MTIC (MASTERS OF LAW IN TRADE, INVESTMENT AND COMPETITION LAW & POLICY)

The MTIC is a ground breaking, nine-month modular executive-format Masters of Law program (with a maximum candidature of two years) in the field of international trade, investment and competition law & policy.

Jointly developed with the World Trade Institute (WTI) at the University of Berne, Switzerland, and the generous support of the Swiss State Secretariat for Economic Affairs (SECO), the MTIC is taught by a global team of distinguished faculty, experienced professionals and legal experts.

Each course is taught over one-week, comprising 4 sessions of 4 hours each. Typically, a course is taught over 4 days—Monday through Thursday—with classes running from 5:30-9:30 pm. Classes will be held at the centrally located UPH Graduate Campus, Plaza Semanggi, in the heart of Jakarta's Central Business District (CBD).

The MTIC is engineered to enhance students' knowledge, skill and mindset, and help them serve the growing global demands in today's competitive global economic landscape. The program focuses on trade, investment and competition, the three pillars of regional economic integration.

PROGRAM STRUCTURE

The MTIC is comprised of legal foundational courses, the MTIC core and Law Electives. Students are required to complete a total of 40 credits before graduation.

Students without a prior law degree are required to enroll in a legal matriculation class. Alternatively, a Professional Certification does not require a prior law degree (see next section for more information).

MTIC CURRICULUM		
MODULE I	MODULE II	MODULE III
August - December	Jan - April	April - May
Legal Foundation Courses	MTIC Core	The Capstone
<ul style="list-style-type: none"> Theory of Law Intl Politics of Law History of Law Legal Research Philosophy of Law Sociology of Law 	<ul style="list-style-type: none"> Law of The WTO Dispute Settlement Trade Remedies Non Tariff Measures Investment Law Competition Law Economics Analysis of Law 	<ul style="list-style-type: none"> ASEAN and Global Governance The Practice of Trade and Investment Negotiations Elective Research Essay

ELECTIVES:

- Role of Law in Economic Development
- Agriculture and Food Security
- Trade Facilitation
- WTO Law and Domestic Legal Systems
- Intl Trade and Investment Arbitration
- Economics of Intl Trade
- Intellectual Property Rights
- Trade, Environment and Climate Change
- Trade Policy Formulation

*) Electives subject to change depending on current trends and level of student interest

PTIC (PROFESSIONAL CERTIFICATION IN TRADE, INVESTMENT AND COMPETITION LAW & POLICY)

The PTIC is an exclusive, three-month modular Professional Certification program in the field of trade, investment and competition law and policy jointly awarded by the World Trade Institute at the University of Berne, Switzerland and UPH Faculty of Law.

The PTIC is taught by a global team of distinguished faculty, experienced professionals and legal experts.

Each course is taught over one-week, comprising 4 sessions of 4 hours each. Typically, a course is taught over 4 days—Monday through Thursday—with classes running from 5:30-9:30pm. Classes will be held at the centrally located UPH Graduate Campus, Plaza Semanggi, in the heart of Jakarta’s Central Business District (CBD).

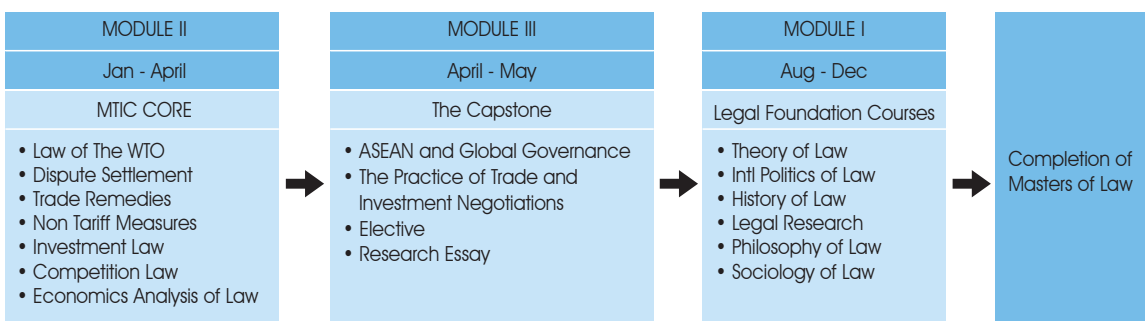
A prior degree or background in law is not required for students enrolling in the PTIC program.

The PTIC program runs from January to April, and students will complete Module II of the MTIC Program, which comprises the following courses:

PTIC - MODULE II
Jan - April
MTIC CORE
<ul style="list-style-type: none"> • Law of The WTO • Dispute Settlement • Trade Remedies • Non Tariff Measures • Investment Law • Competition Law • Economics Analysis of Law

The PTIC is engineered to enhance students’ knowledge, skill and mindset in key areas of international economic diplomacy and global governance, and to help them understand the growing complexity and practice of trade, investment and competition law and policy.

Our modular curriculum allows PTIC graduates to work towards a Masters of Law with an additional six months of study:



CERTIFICATE OF COMPLETION (CoC) FOR INDIVIDUAL MTIC MODULES

All courses under UPH Faculty of Law's trade, investment and competition law and policy program are available to external, non-degree participants on an individual course basis. Students who have successfully completed the courses will be awarded a Certificate of Completion (CoC).

A background in law is not required for students pursuing a CoC.

Each course is taught over one week, comprising 4 sessions of 4 hours each. Typically, a course is taught over 4 days—Monday through Thursday—with classes running from 5:30-9:30pm. Classes will be held at the centrally located UPH Graduate Campus, Plaza Semanggi, in the heart of Jakarta's Central Business District (CBD).

In partnership with the World Trade Institute at the University of Berne, Switzerland, the MTIC Core is taught by a global team of distinguished faculty, experienced professionals, and legal experts.

Students with CoCs who subsequently decide to enroll in the Professional Certificate (PTIC) or Masters of Law (MTIC) programs can earn credits for the courses that they have completed.

ADMISSIONS ELIGIBILITY

Our students come from a variety of professional backgrounds, whether it be practicing lawyers, government officials, academics, consultants, or recent college graduates who have exhibited a strong academic record.

A legal background is not required for students enrolling in the PTIC and CoC programs.

A prior law degree is required for students pursuing the MTIC degree. Students without a prior law degree will be required to take a legal matriculation class.

ENGLISH LANGUAGE PROFICIENCY

A minimum TOEFL score of 500 is recommended. Waivers will be given on a case-by-case basis for students with relevant work experience or other qualifications implying English proficiency.

APPLICATION

Applications can be submitted online at <http://klik.uph.edu/graduate/login.php> or directly at our Admission Office. Please refer to online application page at www.uph.edu for more information or contact us at **Telp. (021) 2553 5161/68**
E-mail: graduate.admission@uph.edu

Required Documents:

- 1 copy of Valid ID
- 1 legalized copy of Bachelor Degree Certificate from accredited university
- 1 legalized copy of Academic Transcript
- 2 recent colored photographs, size 3x4 cm and 4x6cm.

TUITION FEE

MTIC

Registration and Admission Fee	USD 800
Tuition Fee/module (total 3 modules)	USD 1,550
TOTAL FEES	USD 5,450

PTIC

Registration and Admission Fee	USD 50
Tuition Fee	USD 2,500 (Indonesian Citizens) USD 3,500 (Out of State Citizens)
TOTAL	USD 2,550 (Indonesian Citizens) USD 3,550 (Out of State Citizens)

CoC

Registration and Admission Fee	USD 50
Per Course Fee*)	USD 250
TOTAL	USD 300

Tuition waivers are available for either of the following categories:

- Full time Government Officials from the Republic of Indonesia who have letters of recommendation from the Secretariat General of the relevant Ministry /Department.
Per course fee: USD 100/student/course.
- Students from companies/organizations who have a total of 5 or more students enrolled in any one semester. Per course fee: USD 200/student/course.

DEADLINES

We accept applications on a continual basis. Final deadline for applications is August 15, 2012.

SCHOLARSHIP & AWARDS

The UPH Law Faculty provides scholarships, grants and tuition waivers on a case-by-case basis.

Thanks to the generous support of the State Secretariat for Economic Affairs of the Swiss government, scholarships will also be made available for non-Indonesian participants (students and officials) from ASEAN member countries to the PTIC and CoC programs.

Special packages available for students who are full-time Government Officials from the Republic of Indonesia

FACULTY MEMBERS

The TIC Programs are taught by the following global faculty members:



Henry Soelistyo Budi
Head of Postgraduate Program, School of Law Universitas Pelita Harapan



Aleksius Jemadu
Dean, Faculty of Social and Politic Science Universitas Pelita Harapan



Heinz Walker-Nederkorn
Ambassador of Switzerland to the Republic of Indonesia, to the Republic of Timor-Leste and to ASEAN



Adolf Warouw
Head of the Masters Program on International Trade Law Universitas Indonesia



Arthur E. Appleton
Partner
Appleton Luff



Christian Häberli
Senior Research Fellow
World Trade Institute



Edmund W. Sim
Adjunct Associate Professor at the National University of Singapore and Partner, Appleton Luff



Hikmahanto Juwana
Member of the Board of Commissioners
PT Aneka Tambang Tbk



James Lockett
Chief of Party ASEAN-U.S. Technical Assistance & Training Facility
ASEAN Secretariat



John Riady
Chair of Center for Business Law Studies Universitas Pelita Harapan



Joseph Wira Koesnaldi
Managing Partner
JWK Law Office



Locknie Hsu
Associate Professor of Law
Singapore Management University



Michael Ewing Chow
Associate Professor and WTO Chair at the Faculty of Law, NUS & Head of Trade and Investment Law and Policy, Centre for International Law National University of Singapore



N. Hassan Wirajuda
Member of Presidential Advisory Council (Dewan Pertimbangan Presiden) Republic of Indonesia



Nandakumar Ponniya
Partner, White and Case Singapore and Adjunct Assistant Professor, Faculty of Law, National University of Singapore



Roy Vincentius Pratikno
Department Chair, International Relations, Faculty of Social and Politic Science Universitas Pelita Harapan



Stefan Amarasinha
Head of Trade & Economic Section, EU Office to Hong Kong and Macau
European Commission



Steve H. Hanke
Professor of Applied Economics
The Johns Hopkins University

Course Description

LAW OF THE WTO

This course covers the liberalization of trade in goods (GATT) and services (GATS). Non-discrimination principle is a core principle of the international trading system, and a detailed understanding of its meaning in international trade law will be of particular interest to all interested in WTO law, including government, NGOs, international lawyers and academics. The course involves an in-depth introduction into the scope and contents of the GATT and GATS and its key legal principles and obligations with a special focus on the relevant case law.

ECONOMIC ANALYSIS OF LAW

This course addresses the theoretical underpinning of international law. Why do nations comply with international law at all? Though some attention is given to traditional legal thought on the subject, for the most part, the course adopts a law and economics approach to the question, treating states as rational actors. This course will explore why international agreements look as they do, how states choose between hard and soft law (among other things), and the role played by international tribunals. The theoretical approach will be complemented with selected inquiries into the rules and practices of the WTO.

DISPUTE SETTLEMENT

This course aims to introduce students to the basic principles, institutions, and proceedings of the WTO dispute settlement system as well as on WTO dispute settlement practice to date. Case law relating to jurisdiction of and access to the system and rules of interpretation and burden of proof is extensively discussed. Also the rules of conduct, the remedies for breach of WTO law and the special rules and assistance for developing-country members are dealt with in detail.

TRADE REMEDIES

This course examines the provisions of the WTO Agreement on Subsidies and Countervailing Measures, their implementation and evolution. The course covers both substantive and procedural aspects from a practical perspective from government, industry, practicing lawyers and NGOs interested in development issues.

Legal and practical questions will be raised during the course, where appropriate with examples of dispute settlement cases.

NON TARIFF MEASURES (NTMS)

This course focuses on non tariff measures i.e tariffs, tariff restrictions, voluntary export restraints (VERs), tariff rate quotas and licensing regimes, the law of quantitative restrictions (methods, concessions, consolidation, bindings, compensation) of particular interest to private sector trading, agriculture and government negotiations and regulation.

INVESTMENT LAW

This course covers the economic principles behind international investment activities in the global economy and the role and implications of WTO law (TRIPs, GATS) for investment. Analysis of multilateral and bilateral rules on international investment, in particular with regard to investment protection and promotion in bilateral investment treaties (BITs) and at the multilateral level. A particular emphasis lies on problems related to investment arbitration and its implications for the development of rules and procedures in this field.

COMPETITION LAW

The course focuses on restrictive business practices of an international scope and how they may be addressed by trade and competition rules. It includes a detailed discussion of failures of the current multilateral trading system to address international competition law problems, options to regulate competition law in the WTO and through other means, and a review of international case law in the area.

ASEAN AND GLOBAL ECONOMIC GOVERNANCE

This course focuses on regional integration and the manner in which it is related to the disciplines of WTO law by adopting both an economic and a legal perspective. On the economic side, the course will cover the basic economics of preferential agreements, including the political economy of why countries join RTAs, the core ideas of trade creation and trade diversion, and the impact on competition and growth. This course is of interest to trade policy officials dealing with bilateral and regional

relations as well as practitioners confronted with preferential trade issues.

THE PRACTICE OF TRADE AND INVESTMENT NEGOTIATIONS

The course focuses on practical aspects of trade and investment negotiations. It will look at the challenges for national economic, trade and investment policy in the context of the globalized economy and discuss benefits and costs of trade and investment liberalization as well as the international regulatory framework. Against this background, the main elements of the negotiation process are presented and discussed, including stakeholders, organization and stages of the negotiation process, as well as fundamental negotiating skills. Teaching methods include lecture, group discussions, analysis of Trade Agreement texts and a simulation exercise.

ROLE OF LAW IN ECONOMIC DEVELOPMENT

This course will address the key policy linkage between trade and development. It will begin by exploring the key legal and economic issues arising from the enlarged role and voice of developing countries in trade governance. From there it will explore linkages between trade, growth and development, address issues of distributive fairness in trade rule-making, and highlight some of the concerns that developing countries have with the special and differential provisions in the WTO and the current status of the work programs in this regard.

ECONOMICS OF INTERNATIONAL TRADE

The lecture will introduce the students to the sweeping process of globalization and to its regulatory implications. Painting the big picture of globalization of firms, markets and regulation, it will focus on the latter and in particular on international economic law. Building upon regulatory theories, the lecture will illustrate the changes in regulatory design at all levels of governance, as globalization deepens and affects not only the economy but all facets of societal life.

AGRICULTURE AND FOOD SECURITY

This course explores the WTO Agreement on Agriculture and its application and implementation since its inception. Presents an overview of the trade and income implications of liberalizing agricultural trade in order to understand who might gain and who might lose from more open agricultural markets. Includes other issues also affecting international agriculture policies, such as sanitary and technical regulations and private standards, climate change, biofuels, water shortage, demography and the WTO impact on food security.

INTELLECTUAL PROPERTY RIGHTS

This course explores the general rules of the TRIPS Agreement as well as its negotiating history and interpretation up to the present. It offers an introduction into the main economic principles surrounding the protection of intellectual property. This course also focuses on the international rules applicable to industrial property and the specifics of this sub-field of intellectual property rights. Finally it gives an introduction to the World Intellectual Property Organization (WIPO), its relationship to the WTO and its rules on intellectual property, as well as the registration and enforcement of intellectual property rights.

TRADE FACILITATION

The course covers the many challenges of managing the border, drawing attention to the economics of trade costs and the economic underpinnings of the recent trade policy interest in issues of trade facilitation. The course also reviews the key legal and negotiating challenges arising in customs law, explores the complex area of rules of origin in both multilateral and preferential negotiation settings and concludes with an in-depth look at the negotiation agenda on trade facilitation in the WTO.

TRADE, ENVIRONMENT AND CLIMATE CHANGE

This course will tackle a range of issues of sustainable development and protection and preservation of the environment, including recent developments in international environmental law. The course explores domestic and international measures used to reduce greenhouse gas emissions and their interaction with the multilateral trading system. It also examines the ways in which the WTO contributes to environmental protection and preservation through its various bodies, while also looking at the legal interaction between trade law and multilateral environmental agreements.

TRADE POLICY FORMULATION

This course explores on the mechanics of trade policy formulation and its implementation in some countries. Trade policy formulation is best understood by considering it in several contexts: constitutional, legal, institutional, and political. It is also important to understand the way in which various players in the trade policy process interact with one another and with key stakeholders in the public, private and NGO spheres. This course also provides an introduction to the complex legal and institutional framework for the trade policy process, examines key tools available for influencing and implementing trade policy, and explores some strategic and political dimensions of the process.

INTERNATIONAL TRADE AND INVESTMENT ARBITRATION

This course provides an introduction to international arbitration in the areas of international trade and investment. The approach will be one from a practical perspective. Students will be expected to review international treaties, statutes and case law on the subject. The course will comprise five main topics: (1) an introduction to international arbitration; (2) the agreement to arbitrate; (3) the arbitral tribunal; (4) the arbitral process; and (5) the recognition and enforcement of the arbitral award.

UPH GRADUATE CAMPUS

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