



ALMA MATER STUDIORUM
UNIVERSITÀ DI BOLOGNA
DIPARTIMENTO DI SCIENZE GIURIDICHE

Dipartimento di scienze giuridiche *Alma Mater Studiorum – Università di Bologna*

Within the programme “**Visiting Professors 2022**”, the Department of Legal Studies of the University of Bologna has just financed the proposal by **Professor Olena Nihreieva**, from the Odessa I. I. Mechnikov National University, for a teaching module on “**Economic Sanctions and WTO Law**”.

The initiative has also the target of providing a first answer to the pressing needs of legal analysis, in particular under the perspective of International Law and International Economic Law, of the unprecedented wave of economic responses against Moscow, followed by countersanctions adopted by Moscow itself, which has been provoked by the Russian aggression of Ukraine.

Attached to this introductory note there is the programme of the lectures.

The special teaching module of Professor Nihreieva will be in the following days:

Monday	16 May 2022	h. 01:00 – 03:00 pm	Aula G Complesso Belmeloro Via B. Andreatta 8
Tuesday	17 May 2022	h. 01:00 – 03:00 pm	Aula G Complesso Belmeloro Via B. Andreatta 8
Thursday	19 May 2022	h. 01:00 – 03:00 pm	Aula E Complesso Belmeloro Via B. Andreatta 8
Friday	20 May 2022	h. 01:00 – 03:00 pm	Aula G Complesso Belmeloro Via B. Andreatta 8

The course will be held in presence, with the possibility to participate also through Microsoft Teams. For the link please write to: elisa.baroncini@unibo.it



ALMA MATER STUDIORUM
UNIVERSITÀ DI BOLOGNA
DEPARTMENT OF LEGAL STUDIES

PROGRAM OF TEACHING ACTIVITIES

FOR VISITING PROFESSORS 2022

Dipartimento di scienze giuridiche
Alma Mater Studiorum - Università di Bologna

Professor Olena Nihreieva

PhD in Law, Associate Professor in International Law at the Faculty of Economy and Law, Odessa I. I. Mechnikov National University (Ukraine)

Economic Sanctions and WTO Law: the Case of Ukraine

The topic of economic sanctions has become very relevant in the context of the sanction regime elaborated by many countries as a reaction to the Russian aggression against Ukraine. This course is primarily aimed at providing the students -but also PhD candidates and, more generally, interested UNIBO scholars- the necessary tools to understand the legal framework of economic sanctions under general international law and under the WTO law in particular. The concepts of sanctions (restrictive measures), countermeasures and retorsions will be considered. A special attention will be paid to the national security exception of Article XXI of the GATT that is often used as a justification for economic sanctions, both collective and unilateral. This article has gained a special attention and importance in the context of the “Russia – Measures Concerning Traffic in Transit” case considered by the Dispute Settlement Body of the WTO in 2019 in whose context the main notions of the article received a relevant interpretation that will be important for future WTO cases. In the course the issue of cryptoassets as a new tool to avoid economic sanctions will be addressed as well. The students will be welcome to participate into discussions dedicated to the elaboration of a possible unique legal regulation of cryptoassets circulation at the international level. In this regard different national approaches will be considered. Finally, we will dwell upon the recent sanction regime adopted by, inter alia, the European Union, the United States, and other major countries in response to the Russian invasion of Ukraine. The peculiarities of their implementation and enforcement, secondary sanctions included, will be analyzed.

Methodology

The course on “Economic Sanctions and WTO Law: the Case of Ukraine” will be held first by introducing all the relevant elements of public international law concerning economic sanctions adopted within the UN system and as countermeasures to counteract a violation of international law; then by illustrating all the relevant GATT 1947 and WTO practice, analyzing also the highly relevant WTO case law on security exceptions. Therefore, the current sanctions adopted against Russia because of the war in Ukraine will be considered. In particular, the case law will be analyzed with the students also involving them in developing legal strategies to support the claims of the litigators. Furthermore, the economic sanctions adopted against Russia will also be

assessed taking into consideration their impact on the economy of the countries imposing those sanctions together with the consequences they have on the Russian economy. The evaluation of the students will also be realized through a self-test at the end of each lecture, which will consist in multiple choice questions proposed through the UNIBO facility of Virtuale.

Expected Results

- The students should gain the following knowledge and understanding: the notion of sanctions; the notion of retorsions; the notion of countermeasures; the general legal framework for sanctions application; the characteristics of Article XXI of the GATT; the compatibility with International Law of the recent sanctions adopted against Russia because of the war in Ukraine.
- The students should gain the following skills and abilities: to learn and use specific terminology and sources of the WTO law; to develop practical abilities of legal research and analysis of customary law, treaties, case law, and doctrines; to use appropriate referencing and bibliographic methods; to read and correctly analyze case law (the practice of the WTO system).
- Students should gain the following competencies: to conduct legal research and correct identification of relevant judicial decisions and applicable law, which will be necessary for the fulfillment of their future scientific and professional tasks; to apply a systematic legal approach, also using comparative methods.

Calendar of the teaching activities: 16 – 20 May 2022
Complesso Belmeloro, Via Beniamino Andreatta 8, Bologna

№	Topics	Hours & Day
1	Economic sanctions as a means of international law enforcement: concept and classification	2 (Mon. 16 May h. 1 – 3 pm, Aula G)
2	Sanctions through the prism of national security exception of Article XXI of the GATT: “Russia – Measures Concerning Traffic in Transit” case study	2 (Tue. 17 May h. 1 – 3 pm, Aula G)
3	Cryptoassets as a new tool to avoid economic sanctions: is a unique international legal framework possible?	2 (Thu. 19 May h. 1 – 3 pm, Aula E)
4	Sanctions against Russia following the invasion of Ukraine: from implementation to enforcement	2 (Fri. 20 May h. 1 – 3 pm, Aula G)