



COMÉRCIO INTERNACIONAL E CONCORRÊNCIA

Professora: Amanda Athayde

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PLANO DE CURSO PÓS-GRADUAÇÃO UNB 2021/1

1. Forma de comunicação:
 - o Grupo de whatsapp: XXX
 - o Equipe no Teams: XXX

2. Avaliação:
 - o **Artigo:** 6 pts – ao final, será organizado um livro da disciplina
 - o **Seminário:** 3 pts
 - o **Participação Ativa nas Aulas (PAA):** câmera ligada, perguntas e interação durante as aulas síncronas: 1 pt
 - o **Nota final:** 10 pts

CRONOGRAMA DO CURSO PÓS-GRADUAÇÃO UNB 2021/1

	DATA	TEMA
1	23/07/21	Apresentação do Programa de Curso e dos Alunos
2	30/07/21	Aula inaugural com Professora Convidada sobre Comércio Internacional – <i>Professor Convidado</i>
3	06/08/21	Aula inaugural com Professor Convidado sobre Concorrência – <i>Professor Convidado</i>
4	13/08/21	Apresentação de dois seminários pelos alunos (30-45 min cada), seguido de debates
5	20/08/21	Apresentação de dois seminários pelos alunos (30-45 min cada), seguido de debates
6	27/08/21	Apresentação de dois seminários pelos alunos (30-45 min cada), seguido de debates
7	03/09/21	Apresentação de dois seminários pelos alunos (30-45 min cada), seguido de debates
8	10/09/21	Apresentação de dois seminários pelos alunos (30-45 min cada), seguido de debates
	17/09/21	<i>Pausa pedagógica para elaboração inicial do artigo. Tira dúvidas de metodologia com a professora.</i>
9	24/09/21	Apresentação de dois seminários pelos alunos (30-45 min cada), seguido de debates
10	01/10/21	Apresentação de dois seminários pelos alunos (30-45 min cada), seguido de debates
11	08/10/21	Apresentação de dois seminários pelos alunos (30-45 min cada), seguido de debates
12	15/10/21	Apresentação de dois seminários pelos alunos (30-45 min cada), seguido de debates
13	22/10/21	<i>Pausa pedagógica para elaboração final do artigo. Tira dúvidas de metodologia com a professora.</i>
	29/10/21	Prazo para entrega dos artigos pelos alunos.
	12/11/21	<i>Lançamento das notas no sistema da UnB.</i>



CRISES NO COMÉRCIO INTERNACIONAL E NO DIREITO DA CONCORRÊNCIA

1. Crise do sistema de solução de controvérsias da OMC?

Leitura obrigatória (turma):

- MULTI-PARTY INTERIM APPEAL ARBITRATION ARRANGEMENT (MPIA) - World Trade Organization (WTO) *Statement on a Mechanism for developing, documenting and sharing practices and procedures in the conduct of WTO disputes*. 2020. Disponível em: https://docs.wto.org/dol2fe/Pages/FE_Search/FE_S_S009-DP.aspx?language=E&CatalogueIdList=263504;
- THE UNITED STATES TRADE REPRESENTATIVE (USTR). *Report on the Appellate Body of the World Trade Organization*. 2020. Disponível em: <https://ustr.gov/about-us/policy-offices/press-office/press-releases/2020/february/ustr-issues-report-wto-appellate-body>.

Leitura complementar (aluno do seminário):

- UNITED NATIONS (UN). *Investor-State Dispute Settlement and Impact on Investment Rulemaking*. United Nations Publication, 2007.
- WTO. *Informal Process On Matters Related To The Functioning Of The Appellate Body – Report By The Facilitator, H.e. Dr. David Walker (new Zealand)*. 2019.
- **PODCAST:** WIT - “WTO AB Crisis: Reflections for the future”. Disponível em: <https://marinaegydio.com.br/2021/06/wit/2-witcast-wto-ab-crisis-reflections-for-the-future/>;
- **PODCAST:** WITcast - “O Futuro Diretor Geral da OMC”. Disponível em: <https://open.spotify.com/episode/6cMnwDrxxsOW3b0GL10LGt>;
- **PODCAST:** WITcast - “O futuro da OMC”. Disponível em: <https://anchor.fm/womeninsidetrade/episodes/WITcast---O-Futuro-da-OMC---Vera-Thorstensen-e-Pablo-Bentes-efjgeu>.

2. Crise quanto aos objetivos do direito da concorrência?

Leitura obrigatória (turma):

- HOVENKAMP, Herbert. *The looming crisis in antitrust economics* (2021). Disponível em: <https://awards.concurrences.com/en/awards/2021/academic-articles/the-looming-crisis-in-antitrust-economics>;
- SCHREPEL, Thibault. Antitrust Without Romance. *NYU Journal of Law & Liberty* 326 (2020), May 28, 2019. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3395001.

Leitura complementar (aluno do seminário):

- BOUSHEY, Heather; KNUDSEN, Helen. *The Importance of Competition in the American Economy*. The White House, July 9, 2021. Disponível em: <https://www.whitehouse.gov/cea/blog/2021/07/09/the-importance-of-competition-for-the-american-economy>;
- BROOK, Or; EBEN, Magali. *Abuse without dominance and monopolisation without monopoly*. in *Research Handbook on Abuse of Dominance and Monopolization*. Disponível em: <https://ssrn.com/abstract=3859916>;



- FOER, Albert Allen; DURST, Arthur Durst. The Multiple Goals of Antitrust. The Antitrust Bulletin. 2018; 63(4):494-508. <https://doi.org/10.1177/0003603X18807808>;
- GUIMARÃES, Marcelo C. O hipster antitrust seria realmente neo-brandeisiano? 2021. Disponível em: <https://www.jota.info/opiniao-e-analise/artigos/o-hipster-antitrust-seria-realmente-neo-brandeisiano-05062021>;
- HORTON, Thomas J. Rediscovering Antitrust's Lost Values. 16 U.N.H. L. Rev. 179, 2018. Disponível em: https://scholars.unh.edu/unh_lr/vol16/iss2/27/;
- HOVENKAMP, Herbert. Progressive Antitrust. U. Ill. L. Rev. 71, 2018. Disponível em: https://scholarship.law.upenn.edu/faculty_scholarship/1764/;
- KHAN, Lina M. The Ideological Roots of America's Market Power Problem. The Yale Law Journal Forum, June 4, 2018. Disponível em: https://www.ftc.gov/system/files/documents/public_comments/2018/08/ftc-2018-0048-d-0092-155250.pdf;
- JASPER, Eric Hadmann. Paradoxo Tropical: A Finalidade Do Direito Da Concorrência No Brasil. Revista de Defesa da Concorrência, v. 7, n. 2, 2019, Disponível em: <https://revista.cade.gov.br/index.php/revistadedefesadaconcorrencia/article/view/424>;
- LESLIE, Christopher R. Hindsight Bias in Antitrust Law. Vanderbilt Law Review, Vol. 71, No. 5, 2018. Disponível em: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3474679;
- POSNER, Richard. *Antitrust in the New Economy*. John M. Olin Program in Law and Economics Working Paper No. 106, 2000. Disponível em: https://chicagounbound.uchicago.edu/law_and_economics/58/;
- SACHER, Seth. YUN, John. Some reactions to "reactionary antitrust". 2020. <https://awards.concurrences.com/en/awards/2021/academic-articles/some-reactions-to-reactionary-antitrust>;
- STYLIANOU, Konstantinos; IACOVIDES, Marios. The Goals of EU Competition Law - A Comprehensive Empirical Investigation (December 4, 2020). https://privpapers.ssrn.com/sol3/papers.cfm?abstract_id=3735795&dgcid=ejournal_html_email_empirical:studies:ejournal_abstractlink;
- Textos Ana Frazão, série Jota: um antitruste para o Século XXI. <https://www.jota.info/opiniao-e-analise/colunas/constituicao-empresa-e-mercado/um-direito-antitruste-para-o-seculo-xxi-8-25112020>;
- WALLER, Spencer Weber. Antitrust and Democracy: Democracy in Antitrust. 46 Fla. St. U. L. Rev. 807, 2019. Disponível em: <https://lawecommons.luc.edu/facpubs/637/>;
- WRIGHT, Joshua D; et al. Requiem for a Paradox: The Dubious Rise and Inevitable Fall of Hipster Antitrust. Arizona State Law Journal [51:0293], 2018. Disponível em: <https://arizonastatelawjournal.org/wp-content/uploads/2019/05/Wright-et-al.-Final.pdf>;
- WU, Tim. The "Protection of the Competitive Process" Standard, Columbia Public Law Research Paper No. 14-612 (2018). Disponível em: https://scholarship.law.columbia.edu/faculty_scholarship/2290.



TENSÕES POLÍTICAS NO DIREITO DA CONCORRÊNCIA E DA DEFESA COMERCIAL

3. Tensões políticas, acordos regionais e bilaterais: crise ao multilateralismo?

Leitura obrigatória (turma):

- ANDERSON, Robert. D. et al. Competition Policy, Trade and The Global Economy: Existing WTO Elements, Commitments In Regional Trade Agreements, Current Challenges And Issues For Reflection. Staff Working Paper ERSD-2018-12, 31 October, 2018. Disponível em: https://www.wto.org/english/res_e/reser_e/ersd201812_e.pdf;
- WANDEL, Jurgen. Do free trade agreements promote sneaky protectionism? A classical liberal perspective. International Journal of Management and Economics 55(3), December 2019. Disponível em: https://www.researchgate.net/publication/338190923_Do_free_trade_agreements_promote_sneaky_protectionism_A_classical_liberal_perspective.

Leitura complementar (aluno do seminário):

- "Plurilateral and Regional Approaches to Trade: An Alternative to Global Trade". Washington College of Law. Disponível em: <https://www.youtube.com/watch?v=duRNwZSquts>;
- RESENDE, Márcio. Mercosul assume presidência do Mercosul que se debate entre protecionismo. UOL Economia, 8 de julho de 2021. Disponível em: <https://economia.uol.com.br/noticias/rfi/2021/07/08/brasil-assume-presidencia-do-mercosul-que-se-debate-entre-protecionismo-e-abertura-ao-mundo.htm>;
- WTO. Regional Trade Agreements. https://www.wto.org/english/tratop_e/region_e/region_e.htm.

4. Concorrência, regulação e outras interfaces de concorrência em acordos de comércio

Leitura obrigatória (turma):

- OECD. Competition enforcement and regulatory alternatives. 2021. <https://www.oecd.org/daf/competition/competition-enforcement-and-regulatory-alternatives.htm>
- IOANNIS, LIANOS. Competition law as a form of social regulation. <https://awards.concurrences.com/en/awards/2021/academic-articles/competition-law-as-a-form-of-social-regulation>

Leitura complementar (aluno do seminário):

- DUBE, Cornelius. The role of competition reforms in unlocking international trade: Evidence from Africa's Proposed tripartite free trade area. 2021. <https://awards.concurrences.com/en/awards/2021/academic-articles/the-role-of-competition-reforms-in-unlocking-international-trade-evidence-from/>
- MORSE, Jacob; WALLEE, Spencer Weber. The political face of antitrust. 2020. <https://awards.concurrences.com/en/awards/2021/academic-articles/the-political-face-of-antitrust>;
- OECD. Competition provision in trade agreements. December 5, 2019. Disponível em: <https://www.oecd.org/daf/competition/competition-provisions-in-trade-agreements.htm>;
- TOWNLEY, Christopher; TAVARES, Mariana; GUIDI, Mattia. Influence in the International Competition Network (Icn): Who Seeks It, How Do They Do This and

PÓS-GRADUAÇÃO DIREITO UnB
COMÉRCIO INTERNACIONAL E CONCORRÊNCIA
SEMESTRE: 2021/1 (cursado entre julho/novembro 2021)
AULAS: Sextas-feiras, de 8h às 11h40, virtuais
(aulas online síncronas nas sextas)



AMANDAATHAYDE

Why?. King's College London Law School Research Paper Forthcoming, June 4, 2019.
Disponível em:
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3415067&dgcid=ejournal_html_email_antitrust&antitrust:law:policy:ejournal_abstractlink.



DESIGUALDADE, COMÉRCIO INTERNACIONAL E CONCORRÊNCIA

5. Desigualdade, pobreza e comércio internacional

Leitura obrigatória (turma):

- ACEMOGLU, Daron, ROBINSON, James A. Por que as Nações Fracassam? Capítulo 15, “Compreendendo a Prosperidade e a Pobreza”. pp. 331-357, Ed. Elsevier, 2012.
- STIGLITZ, Joseph; CHARLTON, Andrew. Fair Trade for All: How Trade Can Promote Development (Oxford Press, 2005) Chapter 7: Priorities for a Development Round, 107-114.

Leitura complementar (aluno do seminário):

- GANTY, Sarah. Poverty as Misrecognition: What Role for Antidiscrimination Law in Europe?. Human Rights Law Review (2021 Forthcoming), June 9, 2021. Disponível em: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3863671;
- MANGABEIRA UNGER, Roberto. Free Trade Reimagined: The World Division of Labor and the Method of Economics, Princeton University Press, 2007, pp. 77-100;
- SALOMÃO FILHO, C.; FERRÃO, Brisa Lopes de Mello; e RIBEIRO, Ivan César.
- Concentração, Estruturas e Desigualdade: As origens coloniais da pobreza e da má distribuição de renda. São Paulo, Idicid, 2006, pp. 13-50;
- SEN, Amartya. Desenvolvimento como Liberdade. São Paulo: Companhia das Letras, 2000. (Capítulo 5, “Mercado, Estado e Oportunidade Social” e Capítulo 6, “A Importância da Democracia”);
- STIGLITZ, Joseph. The Price of Inequality. Prefácio, 2012.

6. Desigualdade, Pobreza e Concorrência

Leitura obrigatória (turma):

- HOVENKAMP, Herbert. Antitrust Policy and Inequality of Wealth. CPI Antitrust Chronicle, October 2017. Disponível em: https://edisciplinas.usp.br/pluginfile.php/4513507/mod_resource/content/1/Antitrust%20Policy%20and%20Inequality%20of%20Wealth.pdf;
- FOX, Eleanor. Economic Development, Poverty, and Antitrust: The Other Path, 13 SW. J. L. & Trade Americas 211, 212, 2007;
- SCHNEIDER, Ben Ross. *Big Business and the Inequality Trap in Latin America. - Taxes, Collusion, and Influence*. UNDP LAEC Working Paper Series, March 2021.

Leitura complementar (aluno do seminário):

- BORGES, Rodrigo Fialho. Descontrole de Estruturas: dos Objetivos do Antitruste às Desigualdades Econômicas. Tese (Doutorado) – Faculdade de Direito, Universidade de São Paulo. São Paulo, 2020. Disponível em: https://www.teses.usp.br/teses/disponiveis/2/2132/tde-24032021-163117/publico/6856660_Tese_Original.pdf;
- CRANE, Daniel A. Further Reflections On Antitrust And Wealth Inequality. CPI Antitrust Chronicle, October 2017. Disponível em: <https://repository.law.umich.edu/cgi/viewcontent.cgi?article=3004&context=articles>;



- ENNIS, Sean; GONZAGA, Pedro; PIKE, Chris. Inequality: A Hidden Cost of Market Power (2017). Disponível em: <https://www.oecd.org/daf/competition/inequality-a-hidden-cost-of-market-power.htm>;
-
- ENNIS, Sean F.; GONZAGA, Pedro; PIKE, Chris. The Effects Of Market Power On Inequality. *CPI Antitrust Chronicle*, 2017. Disponível em: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3487578;
- FOX, Eleanor. Antitrust Tracing Inequality – From The United States To South Africa. *CPI Antitrust Chronicle*, October 2017. Disponível em: <https://www.competitionpolicyinternational.com/antitrust-tracing-inequality-from-the-united-states-to-south-africa/>;
- FOX, Eleanor. Equality, Discrimination and Competition Law: Lessons from and for South Africa and Indonesia, 41 *Harvard. Int’L L. J.* 579, 593, 2000;
- FOX, Eleanor M. Economic Development, Poverty, and Antitrust: The Other Path. *Southwestern Journal of Law and Trade in the Americas*, Vol. 13, p. 211, 2007. Disponível em: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1002637;
- JESUS, Agnes Macedo. Concorrência e Pobreza: a política Antitruste e a Jurisprudência do CADE sob o olhar dos desfavorecidos. 2017. 151 f., il. Trabalho de Conclusão de Curso (Bacharelado em Direito)—Universidade de Brasília, Brasília, 2017. Disponível em: <https://bdm.unb.br/handle/10483/18813>;
- KUKOVEC, Damjan. Antitrust And Inequality – Time For A Paradigm Change. *CPI Antitrust Chronicle*, October 2017. Disponível em: <https://www.competitionpolicyinternational.com/antitrust-and-inequality-time-for-a-paradigm-change/>;
- LIANOS, Ioannis. The Poverty of Competition Law – the Long Story. *CLES Research Paper Series* 2/2018. Disponível em: https://www.ucl.ac.uk/cles/sites/cles/files/cles_2-2018.pdf;
- LYONS, Bruce. Inequality And Competition Policy. *CPI Antitrust Chronicle*, October 2017. Disponível em: <https://www.competitionpolicyinternational.com/inequality-and-competition-policy/>;
- MARCO COLINO, Sandra. The Antitrust F Word: Fairness Considerations in Competition Law. *Journal of Business Law*, Summer 2019. Disponível em: https://www.researchgate.net/publication/327527325_The_Antitrust_F_Word_Fairness_Considerations_in_Competition_Law;
- MEAGER, Michelle. Powerless Antitrust. *Competition Policy International. Antitrust Chronicle*, 2019. Disponível em: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3493181;
- RASLAN, Azza. Competition Policy And Inequality Developing Countries’ Perspectives. *CPI Antitrust Chronicle*, October 2017. Disponível em: <https://dev.competitionpolicyinternational.com/wp-content/uploads/2017/10/CPI-Raslan.pdf>;
- TREBILCOCK, Michael; DUCCI, Francesco. The Multifaceted Nature Of Fairness In Competition Policy. *CPI Antitrust Chronicle*, October 2017. Disponível em: <https://www.competitionpolicyinternational.com/the-multifaceted-nature-of-fairness-in-competition-policy/>;
- OECD. Policy Roundtables - Competition and Poverty Reduction 2013. *DAF/COMP/GF(2013)12*. Disponível em: <https://www.oecd.org/daf/competition/competition-and-poverty-reduction2013.pdf>;



- UNDP. Trapped: high inequality and low growth in Latin America and the Caribbean. New York, June 22, 2021. Disponível em: [https://www.undp.org/press-releases/trapped-high-inequality-and-low-growth-latin-america-and-caribbean.](https://www.undp.org/press-releases/trapped-high-inequality-and-low-growth-latin-america-and-caribbean;)
- “Should Wealth and Income Inequality Be a Competition Law Concern?” - Amsterdam Centre for European Law and Governance, May 2021. Disponível em: <https://acelg.uva.nl/content/events/lectures/2021/05/should-wealth-and-income-inequality-be-a-competition-law-concern-copy.html?origin=xNyJWD4XTAen%2FktuN2Zz%2FQThe&cb;>



MEIO AMBIENTE, SUSTENTABILIDADE, COMÉRCIO INTERNACIONAL E CONCORRÊNCIA

7. Meio Ambiente e sustentabilidade no comércio internacional: EU Green Deal e seus reflexos

Leitura obrigatória (turma):

- AMARAL, Renata. Spotlight on Brazil, trade and environment: Can the U.S. pressure Brazil without a trade deal?. European Centre for International Political Economy, July 2021. Disponível em: <https://ecipe.org/blog/can-the-us-pressure-brazil-without-a-trade-deal/>.
- DADUSH, Uri. *The EU's Carbon Border Tax is Likely to Do More Harm Than Good*. Policy Center for the New South. Policy Brief, June 2021, PB-21/22.
- EU Green Deal. https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal_pt

Leitura complementar (aluno do seminário):

- ESTY, Daniel. C. GATTing the Greens - Not Just Greening the GATT. *Foreign Affairs*, November/December 1993. Disponível em: https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1452&context=fs_papers;
- EUROPEAN COMMISSION. Proposal for a Regulation of the European Parliament and of the Council establishing a carbon border adjustment mechanism (COM(2021) 564 final). Brussels, 14 July, 2021. Disponível em: https://ec.europa.eu/info/sites/default/files/carbon_border_adjustment_mechanism_0.pdf;
- FRANCIS, Robert. Commission: CBAM “fully in line with international trade rules”. *Borderlex*: 14 July, 2021. Disponível em: <https://borderlex.net/2021/07/14/commission-cbam-fully-in-line-with-international-trade-rules/>;
- HILLMAN, Jennifer. To Address Climate Change While Protecting Workers, the United States Needs a Border-Adjusted Carbon Tax. Council on Foreign Relations, November 13, 2020. Disponível em: <https://www.cfr.org/blog/address-climate-change-while-protecting-workers-united-states-needs-border-adjusted-carbon-tax>;
- LEITE, Bruno Soares; et al. Comércio Internacional e Meio-Ambiente. Centro de Agronegócio Global do Insper, junho de 2021. Disponível em: <https://www.insper.edu.br/wp-content/uploads/2021/07/Com%C3%A9rcio-e-meio-ambiente.pdf>;
- MOREIRA, Assis. UE anuncia hoje taxaço de carbono sobre importados. *Valor econômico*, 14 de julho de 2021. Disponível em: <https://valor.globo.com/mundo/noticia/2021/07/14/ue-anuncia-hoje-taxacao-de-carbono-sobre-importados.ghtml>;
- NATTER, Ari; DLOUHY, Jennifer A.; WESTIN, David. Biden Exploring Adjustment Tax to Fight Climate Change. *Bloomberg Green*, April 23, 2021. Disponível em: <https://www.bloomberg.com/news/articles/2021-04-23/biden-exploring-border-adjustment-tax-to-fight-climate-change>;
- NEVES, Letícia e FONSÉCA, Rodrigo. Subsídios à Pesca: Sustentabilidade e Discussões na OMC. COMEX Do Brasil, 9 de julho de 2021. Disponível em: https://www.comexdobrasil.com/subsidios-a-pesca-sustentabilidade-e-discussoes-na-omc/?utm_content=172556081&utm_medium=social&utm_source=linkedin&hss_channel=lcp-2892615;



- PRAZERES, Tatiana. Está na hora de uma discussão séria sobre comércio internacional e mudanças climáticas. Folha de S. Paulo, 15 de julho de 2021. Disponível em: https://www1.folha.uol.com.br/colunas/tatiana-prazeres/2021/07/esta-na-hora-de-uma-discussao-seria-sobre-comercio-internacional-e-mudancas-climaticas.shtml?utm_source=sharenativo&utm_medium=social&utm_campaign=sharenativo;
- UNITED NATIONS. LDCs and the proposed EU Carbon Border Adjustment Mechanism. LDC Portal, 4 May, 2021. Disponível em: <https://www.un.org/ldcportal/ldcs-and-the-proposed-eu-carbon-border-adjustment-mechanism/>;
- UNITED NATIONS. A European Union Carbon Border: Adjustment Mechanism: Implications for developing countries. UNCTAD - Division on International Trade and Commodities, 2021. Disponível em: https://unctad.org/system/files/official-document/osginf2021d2_en.pdf;
- **PODCAST:** WITcast - “O Green Deal Europeu e outras políticas ambientais” by WIT. Disponível em: https://open.spotify.com/episode/7kwzmAoAj4DKxKoAo22rdQ?si=BzqTQD3eRn6WdPOU2LTQAQ&dl_branch=1;
- **PODCAST:** WITcast -. Disponível em: https://open.spotify.com/episode/5duIzaQCzjywcOsI5iFix?si=JeWwhzz1SQCqtZjlsQiuQw&dl_branch=1.

8. Meio Ambiente e sustentabilidade na concorrência: Práticas ambientais anticompetitivas

Leitura obrigatória (turma):

- ACM, Autoridade de Defesa da Concorrência na Holanda. Guidelines ‘Sustainability Agreements’. Disponível em: <https://www.acm.nl/sites/default/files/documents/2020-07/sustainability-agreements%5b1%5d.pdf>;
- CINTRA DE MELO, Lílian. A relação entre antitruste e sustentabilidade. Conjur, maio/2021. Disponível em: <https://www.conjur.com.br/2021-mai-17/lilian-melo-relacao-entre-antitruste-sustentabilidade.>
- OECD. Sustainability and Competition, 2020. Disponível em: <https://www.oecd.org/daf/competition/sustainability-and-competition-2020.pdf>.

Leitura complementar (aluno do seminário):

- ANDREOLLI, Daniel O.; PUGLIESE, Paola; PINEDO, Paula. Concorrência e sustentabilidade: dá para conciliar. 2020. Disponível em: <https://politica.estadao.com.br/blogs/fausto-macedo/concorrenca-e-sustentabilidade-da-para-conciliar/#:~:text=Muitas%20dessas%20a%C3%A7%C3%B5es%20%E2%80%93%20na%20velocidade,fim%20em%20rela%C3%A7%C3%B5es%20de%20interdepend%C3%Aancia;>
- AKHAVAN, Ehsan; METWALLY, KHALED; WALLACE, Joshua. Driving Transformation & Sustainable Performance Improvement at a Leading Top 5 Global Petrochemicals Company, 2020;
- CARVALHO, Vinícius M.; KUHN, Tilman. A sustentabilidade no enforcement antitruste do Brasil e da União Europeia. 2021. Disponível em: <https://www.jota.info/opiniao-e-analise/colunas/fronteiras-concorrenca->



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DIREITO DO TRABALHO, COMÉRCIO INTERNACIONAL E CONCORRÊNCIA

9. Direito do trabalho e comércio internacional

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COMPRAS PÚBLICAS, COMÉRCIO INTERNACIONAL E CONCORRÊNCIA

11. GPA e Abertura comercial

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12. Cartéis em licitação, criminalização de cartéis, Compliance antitruste e Corrupção



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- BURNIER, Paulo e FERNANDES, Victor Oliveira. A defesa da concorrência nas licitações públicas: a experiência do CADE e os impactos para o acordo de compras governamentais da OMC, Diálogos Estratégicos. vol. 1. n. 3. Brasília, 2018. pp. 63-69;
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GÊNERO, COMÉRCIO INTERNACIONAL E CONCORRÊNCIA

13. Gênero e comércio internacional

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14. Gênero e concorrência

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CADEIAS GLOBAIS DE VALOR E GRUPOS ECONÔMICOS NO COMÉRCIO INTERNACIONAL E NA CONCORRÊNCIA

15. Cadeias globais de valor e grupos econômicos em comércio internacional

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- **VÍDEO**. Banco Mundial. *The Importance of Trade Policy for Global Value Chains*. Disponível em: <https://olc.worldbank.org/content/global-value-chains-basics#video13955>;
- **PODCAST**: WITcast - “Vaccine value chain, medical goods and international trade”. Disponível em: https://open.spotify.com/episode/0yi5TQonh4ZfaPtmOpozM?si=u8aT3lh0RsiOfld5J_T1g&dl_branch=1.

16. Cadeias globais de valor, grupos econômicos e responsabilidade no direito da concorrência

Leitura obrigatória (turma):

- ANDREOLI, Daniel e FONSECA, Marco Antonio. A formiga ou o formigueiro? A responsabilidade solidária concorrencial. Fevereiro, 2021. Disponível em: <https://outline.com/mJgejX>;
- FRAZÃO, Ana, *Joint Ventures* contratuais, RIL Brasília a. 52 n. 207 jul./set. 2015, pp. 187-211. Disponível em: http://professoraanafrazao.com.br/files/publicacoes/2017-04-23-Joint_ventures_contratuais.pdf;
- JAIN, Nitish; HASIJA, Sameer. NETESSINE, Serguei. Supply Chains and Antitrust Governance (November 16, 2018). Disponível em: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3290658;
- KOENIG, Carsten. *Comparing Parent Company Liability in EU and US Competition Law*. *World Competition*, Vol. 33, Issue 4, 2010, pp. 595-614. Disponível em: https://awards.concurrences.com/IMG/pdf/final_version_woco_41_0104.pdf?46958/d0e4290339eb01ddc9dc2667f12ec1680d52817f;
- OLIVEIRA, Renan Cruvinel de. *A responsabilidade solidária entre sociedades empresárias de um mesmo grupo econômico por infrações ao direito da concorrência*. *Revista de Defesa da Concorrência*, vol. 6, n. 2, 2018. Disponível em: <https://revista.cade.gov.br/index.php/revistadedefesadaconcorrenca/article/view/381>

Leitura complementar (aluno do seminário):

- ARCHER, Caroline *et al.* *The Future of Merger Review: New Perspectives for “Associative Agreements”*. In BROLIO, Priscila e FARINA, Elizabeth (ed.). *The Future of Antitrust*, 2020. Disponível em: https://ibrac.org.br/UPLOADS/Eventos/519/The_Future_of_Antitrust.pdf;
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- BINOTTO, Anna. Cooperação e Concentração: o Empreendimento Comum e a Nova Disciplina dos Contratos Associativos. Revista de Defesa da Concorrência, v. 6, n.1, 2018. Disponível em: <https://revista.cade.gov.br/index.php/revistadedefesadaconcorrenca/article/view/377> ;
- CAIXETA, Deborah. Contratos associativos: características e relevância para o direito concorrencial das estruturas. Dissertação de mestrado. UNB, 2015. Disponível em: https://www.repositorio.unb.br/bitstream/10482/18696/1/2015_DeborahBatistaCaixeta.pdf
- BINOTTO, Anna. Poder de Portfólio em Concentrações Econômicas: Preocupações e Desdobramentos. Revista IBRAC, n. 24, 2018. Disponível em: <https://ibrac.org.br/UPLOADS/PDF/RevistadoIBRAC/Revista do IBRAC 24 N. 2-2018.pdf>;
- BOTELHO, Ricardo e DELUCA, Patrícia. *Associative Agreements Under Brazil's Control of Concentrations: The Search for Meaning*. In RIBAS, Guilherme (org.). *Brazilian Antitrust Law (Law No. 12,529/11): 5 years, 2017*. Disponível em: https://ibrac.org.br/UPLOADS/Livros/arquivos/Brazilian_Compition_Law_-_5_years_Preliminary_Version.pdf;
- FORGIONI, Paula. A Evolução do Direito Comercial Brasileiro: Da mercancia ao mercado, 4ª edição revista e atualizada, 2ª triagem, 2019. Capítulos II.19 e II.20.
- FRAZÃO, Ana. Grupos societários no direito do trabalho e a reforma trabalhista. Revista do Tribunal Superior do Trabalho, São Paulo, SP, v. 83, n. 4, p. 31-68, out./dez. 2017. Disponível em: https://juslaboris.tst.jus.br/bitstream/handle/20.500.12178/128070/2017_frazao_ana_grupos_societarios.pdf?sequence=1&isAllowed=y;
- LAZZARINI, Sergio. Capitalismo de laços. Os donos do Brasil e suas conexões. Bei, 2018.
- MARTINS, Matheus. Grupo econômico e a Lei 12.529/2011: uma análise da utilização do instituto no direito concorrencial. 2018. Trabalho de Conclusão de Curso (Bacharelado em Direito), UNB, 2018. Disponível em: <https://bdm.unb.br/handle/10483/22016>;
- MARSSOLA, Júlia. Contratos associativos: do desafio conceitual à dificuldade de enquadramento pelo Cade. In MACEDO, Agnes et al. (Org.). *Mulheres no Antitruste*, Vol. 1, Singular, 2018. Disponível em: <https://bit.ly/3iQwZVv>;
- PAUER, Mag e Nada Ina. The Single Economic Entity Doctrine and Corporate Group Responsibility in European Antitrust Law. Tese de doutorado. Universidade de Viena, 2013. Disponível em: http://othes.univie.ac.at/27637/1/2013-02-18_0500766.pdf;
- SANJUAN, Enrique. The Contamination of the Liability of the Parent Company to Its Subsidiaries in European Competition Law (March 3, 2019). Disponível em: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3345964.



SUBSÍDIOS TRANSNACIONAIS E STATE AID NO ANTITRUSTE

17. Subsídios no comércio internacional e subsídios transnacionais

Leitura obrigatória (turma):

- EU. White Paper on Levelling the Playing Field as Regards Foreign Subsidies, 2020. <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM:2020:253:FIN>
- EU Proposal for Regulation on foreign subsidies distorting the internal market, 2021. https://ec.europa.eu/competition/international/overview/proposal_for_regulation.pdf

Leitura complementar (aluno do seminário):

- Precedentes EU aplicando medidas compensatórias a terceiros países receptores de subsídios transnacionais.
- Consulta Pública sobre a portaria de Subsídios e Medidas Compensatórias do Brasil.
- **PODCAST:** WITcast - "Foreign Subsidies and the EU". Disponível em: https://open.spotify.com/episode/3ikt6UjRH44OVUf2ZTZvOp?si=7OZjc6HgRhiWaml-H7IDSw&dl_branch=1;
- **PODCAST:** WITcast & SDCOM - "Subsídios e Medidas Compensatórias". Disponível em: https://open.spotify.com/episode/4YipSdDUZPY9EXC0gfwSTT?si=x0gOpE6gScOIRCK08iz9Xw&dl_branch=1.

18. Empresas estatais, *State Aid* na disciplina concorrencial europeia

Leitura obrigatória (turma):

- CREMIEUX, Pierre; AUDENRODE, Marc Van; MISHOL, David. State Aid Investigations in the EU: Are US Firms Being Unfairly Targeted? (2017). Disponível em: <https://awa2018.concurrences.com/articles-awards/business-articles-awards/article/state-aid-investigations-in-the-eu-are-us-firms-being-unfairly-targeted>;
- NG, Wang. State Interest and the State-Centered Approach to Competition Law in China. The Antitrust Bulletin, March 20, 2020, Volume 65, Issue 2. Disponível em: https://awards.concurrences.com/IMG/pdf/state_interest_and_the_state-centred_approach_to_competition_law_in_china.pdf?67189/95416eb302108887e29d0891e5a30100acb27091;
- OECD. Competition law and state-owned enterprises. 2018. Disponível em: <https://www.oecd.org/daf/competition/competition-law-and-state-owned-enterprises.htm>.

Leitura complementar (aluno do seminário):

- Arts. 107, 108 e 109 EU Competition Law Treaty. Disponível em: https://ec.europa.eu/competition-policy/antitrust/legislation/competition-law-treaty-articles_en;
- CATALAN, Maria J.; CLAYTON, Marianne; NOWAK, Anna. Third Party Rights and the State Aid Procedures Revisited by the European Courts: An Ever-Sounder State Aid Control. Journal of European competition law & practice, 2019, Vol. 10, No. 4, pp. 212-223. Disponível em: https://lawprofessors.typepad.com/antitrustprof_blog/2019/09/third-party-rights-and-the-state-aid-procedures-revisited-by-the-european-courts-an-ever-sounder-sta.html?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+typepad%2FFFBhU+%28Antitrust+%26+Competition+Policy+Blog%29;



- COLINO, Sandra. The long arm of state aid law: Crushing corporate tax avoidance. 2020. Disponível em: <https://awards.concurrences.com/en/awards/2021/academic-articles/the-long-arm-of-state-aid-law-crushing-corporate-tax-avoidance>;
- DUSO, Tomasp; NARDOTTO, Mattia; SELDESLACHTS, Jo. A Retrospective Study of State Aid Control in the German Broadband Market. Tomaso Duso, Mattia Nardotto, Jo Seldeslachts. CESifo Working Paper No. 8892, 2021. Disponível em: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3788714.