



RMLNLU-CTIL Conference on International Trade Law

JOURNAL

RML
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COMMITTEE

SCHEDULE

Wednesday, 5th February 2020

09 -10:00 AM	Breakfast
10:00 AM	Inauguration Ceremony
10:30 AM - 11:00 AM	Presentation on “Policy Proposals for Export-Led Growth in Compliance with WTO Law”
11:00 - 11:45 PM	Panel Discussion on “Policy Proposals for Export-Led Growth in Compliance with WTO Law”
12:00 PM - 12:15 PM	Presentation on “Legal Dimensions of Agrarian Distress and International Economic Law”
12:15 - 1:00 PM	Panel Discussion on “Legal Dimensions of Agrarian Distress and International Economic Law”
1:00 - 1:30 PM	Valedictory Ceremony
1:30 PM	Lunch

THEMES

1. Policy Proposals for Export-Led Growth in Compliance with WTO Law

Exports continue to be a significant part of the virtuous cycle of growth required to propel India to become a 5 trillion USD economy. This emphasis on export-led growth has manifested itself in many government policies such as the “Make in India” initiative as well as other “buy-local” provisions which stipulate local content requirements in government procurement. However, schemes which incentivise exports need to be consistent with India’s obligations as a member of the World Trade Organisation (“WTO”).

India’s measures have been and continue to be susceptible to challenges in the binding, automatic and rule-based Dispute Settlement system of the WTO. For instance, the terms of National Solar Mission, by which India had imposed a local content requirement on solar companies as a prerequisite for benefitting from the program, were held to violate the National Treatment Principle of the GATT 1994. Formulating innovative WTO-compliant solutions to incentivise Indian manufacturing is the need of the hour.

In this context, participants are invited to formulate and suggest broad contours of Indian policies which can help India achieve the goal of export-led economic growth.

2 Legal Dimensions of Agrarian Distress and International Economic Law

Agrarian distress has proven to be a persistent policy conundrum for the Government of India. The provisional data with the National Crime Records Bureau shows that 11,370 farmers committed suicides in the year 2016. In response to the public outcry, the Government has not released any data subsequently. Agrarian distress is a multi-faceted problem caused primarily due to lack of remunerative prices, poor rural infrastructure, absence of logistical support and regulatory restrictions on the free movement of agricultural goods. Unfortunately, the range of policy options that the Government of India can utilise is limited by the stringent conditions of the WTO's Agreement on Agriculture ("AoA").

The AoA limits the quantum of price support that can be provided by India and allows certain classes of domestic support. As India heralds into an age where it has achieved food security, the time has come to re-think the policy prescriptions for agriculture so that there can be a renewed focus on livelihood security of Indian farmers. This re-alignment is also incentivised by external factors. Indian agricultural policies have been under scrutiny at the WTO, in terms of disputes which have been initiated as well as counter-notifications in the Committee of Agriculture.

Further, depleting groundwater levels and the resource-intensive nature of Indian agriculture have raised serious environmental concerns regarding the sustainability of Indian agricultural practices. Early signs of change in policy by the Government are the emphasis in direct benefit transfer to Indian farmers as well as NITI-Aayog, India's premier research organisation, suggesting that archaic legislation which limit stocking and selling of agricultural products be repealed. At a broader level, the role of the government in fixing the price of many agricultural staples is being questioned due to market inefficiencies. In this context, participants are invited to formulate and suggest modifications to the current prevailing agricultural policies to meet challenges such as livelihood security of Indian farmers as well as climate change.

PANELISTS

Dr. James J. Nedumpara

James J. Nedumpara is Professor and Head of the Centre for Trade and Investment Law (CTIL) at the Indian Institute of Foreign Trade (IIFT). In this capacity he advises the Government of India on various aspects relating to international trade and investment law. He is currently on leave from Jindal Global Law School where he joined as a founding faculty. James has several years of experience in the field of international trade and economic law and has worked with leading law firms, corporate firms and also UNCTAD's India programme before joining academia. He was also part of the Indian delegation that appeared in the recent proceedings on India – Agricultural Products (Avian Influenza dispute) before the WTO Appellate Body. James has also taught as a visiting faculty at FGV Law School, São Paulo, Brazil, ITAM Mexico City, NLSIU Bangalore and the CWS-WTI Joint Summer Academy. He has also served visiting fellowships in a number of law schools and has published several books and journal articles in the field of trade and investment law. James is also an academic supervisor of TradeLab, a global network of legal clinics and practica spearheaded by Professor Joost Pauwelyn that seeks to establish and empower developing countries, SMEs, universities and civil society to build lasting legal capacity in international trade and investment law.

Mr. Prakhar Bhardwaj

Prakhar Bhardwaj is a Senior Research Fellow at CTIL. Before joining CTIL, Prakhar worked for two years at Khaitan & Co and one year at AZB & Partners, New Delhi. He graduated from National Law University, Jodhpur in 2015 with a specialization in International Trade and Investment Law. During his time at the law school, he was also a part of the Editorial Board of Trade, Law and Development, the flagship law journal of NLU Jodhpur as an Associate Editor, Senior Content Editor, and the Editor-in-Chief.

Ms. Priya Anuragini

Priya Anuragini is an Assistant Professor at Dr. Ram Manohar Lohiya National Law University, Lucknow. A Delhi University graduate, she did masters from National Law School, Bangalore. Prior to joining academics, she worked with an Intellectual Property (IP) based firm in Delhi and wrote extensively on a host of issues pertaining to IP. Her research interests include – IP and accessibility, third world and international trade law regime, corporate governance, human rights, state and international law, gender and law.

Ms. Manya Gupta

Manya Gupta is a Research Fellow at Centre for Trade and Investment Laws at Indian Institute of Foreign Trade. She has completed her graduation from Hidayatullah National Law University, Raipur in 2018. As a research fellow at CTIL, her work mainly involves advising Government on multilateral and bilateral negotiations, trade disputes and impact of international trade law on domestic policies. She has previously worked in the areas of trade remedies in domestic investigations and investigations conducted outside India for imposition of anti-dumping or countervailing duties. She has also worked in the representation of the Government of India in trade remedial investigations. She is an editor of Indian Review for Corporate and Commercial Laws Blog. She frequently writes on trade issues for various forums. Her interest lies in intersection between trade law and competition law, and trade remedies