Name: **Enrolment No:**	

UPES
End Semester Examination, December 2025

Course International Economic Law **Semester: IX**
Program: BA/BBA/B.com LLB **Time : 03 hrs.**
Course Code: CLCC5016 **Max. Marks:100**
Instructions: ***Attempt all questions.***

SECTION A
(5Qx2M=10Marks)

S. No.		Marks	CO
Q 1	Define SPS measures under WTO law with a short example	**2**	**CO1**
Q 2	What is the Fair and Equitable Treatment (FET) standard?	**2**	**CO1**
Q 3	Define Indirect expropriation.	**2**	**CO1**
Q 4	State the meaning of MFN treatment in services (GATS) using a example.	**2**	**CO1**
Q 5	Explain the any two core principles of the TRIPS Agreement.	**2**	**CO1**
	SECTION B **(4Qx5M= 20 Marks)**		
Q 6	State the relation between National Treatment and Government procurement under Article III of GATT & evaluate why procurement measures receive differential treatment under WTO law.	**5**	**CO2**
Q 7	Explain the necessity test under GATT Article XX(b) and how it balances regulatory autonomy with trade obligations	**5**	**CO2**
Q 8	Differentiate between SPS and TBT measures using risk, scientific justification, and regulatory design as parameters.	**5**	**CO2**
Q 9	Enumerate Mode 4 under GATS regulate? (mention one category covered by it).	**5**	**CO2**
	SECTION-C **(2Qx10M=20 Marks)**		
Q 10	Critically analyze the jurisprudential principles governing Safeguard Measures under International Economic Law, with reference to the GATT 1947 ruling in US – Fur Felt Hats (1951) and explain its continuing relevance under WTO Safeguards law.	**10**	**CO3**
Q 11	Distinguish between Countervailing Duty and Anti-Dumping Duty as trade remedy instruments under International Economic Law, with	**10**	**CO3**

	reference to their legal basis, triggering conditions, investigative tests, injury and causation assessment		
SECTION-D **(2Qx25M=50 Marks)**			
Q 12	Ironclad Republic, a WTO Member, launches the Strategic Resilience Industrial Subsidy Programme (SRISP) 2025, providing: • 70% capital grant for domestic manufacturers of telecom transmission chips, • 10-year full tax holiday, and • assured annual procurement contracts from public sector firms. Ironclad notifies the programme to the WTO Committee on Subsidies, categorizing it as a national security initiative for essential telecom infrastructure, arguing that domestic chip independence is vital to protect "essential security interests during emergency in international relations." No sunset clause is prescribed, and benefits are available only for firms with minimum 85% domestic value addition. Shortly after, Ironclad blocks all SCM Agreement consultations and review requests, invoking GATT Article 21(b)(iii), asserting that: The country is facing a severe cybersecurity crisis linked to foreign-manufactured telecom components, amounting to an "emergency in international relations," • The subsidy is therefore self-judging and non-reviewable, and • WTO scrutiny of chip procurement or subsidy design would require disclosure of classified industrial capacity data. A group of WTO Members challenges Ironclad, alleging that: The programme is a prohibited import-substitution subsidy under SCM Article 3, The 85% domestic VA requirement is discriminatory in competitive conditions, and Article 21 cannot be used to impose a complete litigation shield against subsidy law disciplines. Analyze and argue on the following: 1. Can a telecom-chip subsidy qualify as protection of "essential security interests" under Article 21, even if it exhibits import-substitution characteristics?	**25**	**CO4**

	2. To what extent is Article 21 self-judging, and what scope of review (if any) can WTO panels exercise over plausibility, good faith and existence of qualifying emergency?		
Q 13	Servicia, a WTO Member, undertakes new regulatory reforms in 2025 affecting service imports. The measures trigger concerns from foreign service suppliers and governments: A. E-Med Consultation Rules 2025 Servicia allows foreign doctors to provide online medical consultation via its national digital health portal. However, it: • requires doctors supplying services from abroad to partner only with Servicia-registered local platform intermediaries • Prohibits independent foreign medical platforms from operating directly in Servicia's market, and • Mandates patient consultation data to be stored in Servicia's government cloud servers for regulatory monitoring. *Foreign suppliers argue this restricts cross-border service trade.* B. Foreign Hospital Presence Licensing Order 2025 Servicia permits foreign hospitals to set up branches but: • caps foreign equity at 49%, • limits the number of licenses per year to three, and • grants automatic license renewal only to hospitals that agree to share proprietary treatment protocols and anonymized AI-driven diagnostic data with Servicia's Ministry of Health. Australia, the EU, and Brazil jointly argue the measure violates both Mode 3 (Commercial Presence) and Mode 4 (Movement of Natural Persons) commitments, and that conditioning market access on data-sharing breaches the spirit of GATS. You must analyse and argue: Whether Rule A regulates Mode 1 (Cross-Border Supply) or Mode 2 (Consumption Abroad), and if Servicia can impose platform-partnering restrictions in absence of specific scheduled commitments on digital infrastructure or data storage. Analyse and present arguments, for the following issues: 1. Whether Rule A regulates Mode 1 (Cross-Border Supply) or Mode 2 (Consumption Abroad), 2. Whether Measure B violates, Market Access obligations under Article XVI & National Treatment under Article XVII.	**25**	**CO4**

	3. Whether proprietary data-sharing and local intermediaries can be justified as permissible Domestic Regulation under GATS Article VI, or whether they amount to unnecessary or disguised barriers in digital service integration. 4. Whether limiting foreign doctors to local platforms interferes with scheduled commitments on Mode 4, especially when doctors are employed by hospitals operating under Mode 3.		