

**Roll No.**  
**SAP ID**



**UNIVERSITY OF PETROLEUM AND ENERGY STUDIES**  
**End Semester Examination, July 2020**  
**Open Book – Through Blackboard Learning Management System**

**Course:** International Economic Law  
**Programme:** B. A. LL.B. Energy Laws

**Semester:** V111

**Time:** 03 hrs.

**Max. Marks:** 100

**Instructions:**

As this examination is in open-book format, the students are expected to demonstrate a very high degree of Academic Integrity and not copy contents from resources referred. Instructors would look for understanding of the concept by the students and any similarity found from resources online/ offline shall be penalized in terms of deduction of marks and even cancellation of paper in requisite cases. The online examination committee of the School would also look for similarity of two answer scripts and if answer scripts of two or more students are found similar, both the answer scripts shall be treated as copied and lead to cancellation of the paper. In view of the aforesaid points, the students are warned that they should desist from using any unfair means.

**All Questions are Compulsory**  
**Answer each question in not more than 500 words**

S. No.		Marks	CO
1	The India Model BIT, 2016 (“2016 India Model BIT”) is testimony to India’s significantly changed outlook towards investment treaty disputes. It contains 38 detailed articles divided into 7 chapters. It is a departure from generally structured BITs. The 2003 India Model BIT contained broad substantive provisions offering precedence to investment protection over the State’s right to regulate. However, the 2016 India Model BIT is drastically different in form, structure and content and accords increased latitude to regulatory powers of the State. Comment and examine India’s Model BIT in light of the above statement.	20	CO3
Ans.			
2	In view of the dramatic developments of the more recent past it may be difficult to understand that only a few years earlier the discussions among the experts almost completely were dominated by a deep concern about the possible lack of sufficient a volume of international liquidity. In fact, during the sixties the activities of the International Monetary Fund and of the Group of Ten were centered on designing new facilities which would permit a suitable extension of international liquidity when needed. The final solution adopted "to meet the need, as and when it arises, for a supplement to existing reserve assets" was the agreement on the introduction of Special Drawing Rights (SDR).In view of this do you think SDR has any inflationary effect.	20	CO3
Ans.			

3	The legal framework of antidumping in the GATT/WTO regime consists of GATT 1994 Article VI and the Antidumping Agreement. GATT 1994 Article VI is the general provision and the Antidumping Agreement is an implementation of Article VI. Predation is taking place in the form of dumping, as understood in GATT/WTO, it can be tackled under the Anti-Dumping Agreement. Can the Anti-Dumping Agreement (ADA) be used to combat international predation? Also comment on the Determination of material injury to a domestic industry.	20	CO2
Ans.			
4	The Agreement on Agriculture, the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement or SPS) deals specifically with both the risks for humans and animals from food, and with the risks that arise for humans, as well as the flora and fauna surrounding them, from pests and diseases. Critically examine the SPS Agreement in view of the above statement.	20	CO1
Ans.			
5	The panel in US- Section 3014 held that providing security and predictability to the multilateral trading regime is the central object and purpose of the system. Is WTO Dispute Settlement Effective in Assuring a Level Playing Field?	20	CO2
Ans.			

I, ....., understand that submitting work that isn't my own may result in failure in this paper and I may also be subject to Disciplinary Proceedings as per the Academic Integrity policy of the University.

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