



International Trade in Services: Legal Framework, Negotiations, and Services Trade Policies

ONE CREDIT/CERTIFICATE COURSE

OFFERED BY NATIONAL LAW UNIVERSITY ODISHA(NLUO) CENTER FOR INTERNATIONAL TRADE LAW (CITL)

COURSE TEACHER: Mr. Sumanta Chaudhuri

Former Joint Secretary, Department of Commerce Government of India.

Currently Principal Adviser, International Trade Policy in CII.

INTRODUCTION

This Course will give students an insight into the growing relevance of the services sector, particularly the digital and online delivery - intensified even further by the Covid pandemic and the increasing importance of services trade policies for economic development and diversification, trade integration and even inclusiveness. The impact of the domestic regulatory environment in services sectors on market competition, privatisation and liberalisation and efficient delivery to the consumers would be highlighted.

The Course will elaborate the international legal framework for services trade and the resultant consequences for liberalisation of services sectors and development of domestic regulatory frameworks including substantially independent regulators. In this context, Services trade negotiation dynamics in both the WTO and regional/bilateral trade agreements will be analysed and the evolution and current status of such negotiations will be studied. Students will understand how to read, prepare and interpret services schedules of countries as well as the nascent jurisprudence on services trade related matters that has developed thus far in the WTO. The current raging and sometimes controversial debates on the rise and rise of E-Commerce would also be touched upon.

A prior basic course in International Trade Law is advisable, but not a prerequisite, to understand the overall global architecture for trade and the fundamental principles of the trading system.

Course Objectives

The main objectives of the course are the following:

1. To familiarise students with the rapidly evolving global Services Trade Architecture and Legal Framework
2. To deepen the understanding of the main provisions of the General Agreement on Trade in Services and their implementation
3. To provide better comprehension of the complexities and divergent issues in services trade negotiations

Course Outcome

At the end of the course the learner will

1. Be sufficiently informed about the nature of the General Agreement on Trade in Services under the WTO
2. Be able to analyse the impact of services trade policies for businesses, consumers, and the role of governments
3. Develop skill sets to advise the various stakeholders on strategic decisions to take advantages of the opportunities created or suitable responses to the challenges that arise

Course Structure and Lecture Plan

Session (2 hours each)	Topic	Readings
1	Trends in Services Trade Services Trade Policies and its role in Economic Development and Trade Integration Role in physical and digital connectivity	1) Trade in Services & Economic Diversification Discussion Paper for G-20 Trade and Investment Working Group by WTO Secretariat 2) World Trade Report 2019-WTO-The Future of Trade in Services
2	Legal Framework for Services Trade in WTO-GATS Introduction to the Structure and Fundamental Principles of GATS particularly MFN and its exemptions Four Modes of Supply of Services General and Specific Obligations under GATS Market Access and National Treatment obligations Schedules of Specific Commitments and Progressive Liberalization Reading and Understanding of Members' Schedules and their Preparation	1) GATS Legal Text 2) The General Agreement on Trade in Services (GATS): objectives, coverage and disciplines", WTO website, Link: https://www.wto.org/english/tratop_e/serv_e/gatsqa_e.htm 3) Chaudhuri, Sumanta, Aaditya Mattoo and Richard Self, (2004): Moving People to Deliver Services: How can the WTO help?, World Bank Policy Research Working Paper 3238.
3	Rulemaking in GATS Domestic Regulations and Recognition Issues Other Rules-Subsidies, Government Procurement and Emergency Safeguard Measures Classification issues Joint Sectoral Initiative on Domestic Regulations	1) Reference paper on services domestic regulation-WTO 26/11/211) 2) WTO/OECD-November21-Services domestic regulation in the WTO: cutting red tape, slashing trade costs, and facilitating services trade
4	Negotiations under GATS-Market Access – Liberalization Rules-Regulatory Frameworks, Disciplines on Domestic Regulations, Reference Paper on Telecom and other such issues Evolution of Negotiations , Level of Commitments and Current State of Play Negotiation dynamics and mock negotiations	1) Adlung, R. and M. Roy (2005), "Turning Hills into Mountains? Current Commitments under the GATS and Prospects for Change", Journal of World Trade 39 (6), pp. 1161-1194. 2) OECD (2018a), "OECD Services Trade Restrictiveness Index:

		Policy Trends Up to 2018", OECD Publishing, Paris.
5	Negotiation approaches, strategies in FTA's Liberalization commitments in FTAs Regulatory Issues and MRA's	1) Opening markets for trade in Services-Ed by Juan Marchetti and Martin Roy- WTO and Cambridge University
6	Some major Services disputes and jurisprudence in WTO Classification, Like Services	<i>US- Gambling;</i> <i>China- Electronic Payment Services</i>
7	India's approach, interests and commitments in trade agreements Both in WTO and FTA's	www.commerce.gov.in Consolidated FDI Policy Circular of India- October 2020- https://: dipp.gov.in Immigration Policy of India Mea.gov.in
8	Scheduling exercises , both Group discussions and individual exercise	

Resource Person

The course will be conducted by Mr. Sumanta Chaudhuri.

Mr. Sumanta Chaudhuri is a retired IAS officer, having two decades of experience in international trade issues. He was Joint Secretary as well as Director in the Department of Commerce, Government of India and handled Trade Policy Division dealing with WTO issues and Regional and Bilateral trade engagements



including the negotiations on Regional Comprehensive Economic Partnership (RCEP). He was also the Deputy Chief Negotiator for the India-EU as well as India-EFTA BTIA negotiations. Earlier, he handled trade relations with South East Asia and he was India's Chief Negotiator for the various bilateral and regional agreements in this region, including the India-Malaysia CECA and the India-ASEAN Agreements. He has handled several issues relating to WTO. He has served as Counselor, Permanent Mission of India to the WTO and was India's main negotiator on Services in the Doha Round. He was Secretary, Coal, Government of India.

Mr. Chaudhuri has been a resource person in many international forums including WTO, UNCTAD, World Bank, ESCAP, IOM. He has also published some articles on trade, particularly on Services issues and FTA's. Currently, he is Principal Adviser, International Trade Policy in CII.

COURSE -REQUIREMENTS

Attendance: 75%

Evaluation: Examination at the end of the course for 50 Marks

Exam Timing: 2 Hours

Mode of Teaching- Online through google meet.

Duration of the Course: The course will be conducted from **August 11 to August 21 on weekdays.**

Examination will be on **August 25, 2025** in online mode.

Declaration of Results- **by August 31, 2025**

Issue of Certificates- **by September 30, 2025**

Registration Fee- Rs. 1000/- (See payment guidelines for online payment)

https://docs.google.com/document/d/1GnXmGdC-ARKtaBGllZtq1d4eX8xLgCbWiysfbQmx_ZM/edit?usp=sharing

Last Date for Registration: **August 3, 2025**

Google form for registration:

<https://docs.google.com/forms/d/e/1FAIpQLSdFIbtLxoRRcP1W6Dc42P-bJOW5g8FP48JyF7ZcbqrcyYiQTg/viewform?usp=header>

Contact: sheelarai@nluo.ac.in, citl@nluo.ac.in

ABOUT NATIONAL LAW UNIVERSITY ODISHA

The National Law University Odisha (NLUO) has made a place for itself in the field of legal education in a very short time. It is ranked among the top 10 under the 'Top 10 Law Colleges' category in India Today's Best Colleges Ranking of 2022, being at no. 9. This category is for the highest-scoring colleges among those set up in or after 2000. NIRF Ranking for 2022 ranked the National Law University Odisha at twenty-fifth rank amongst all categories of law colleges of the country and Tenth among NLUs. University's faculty research output has always been of a very high standard. Faculty publications in several top-tier international publications bespeak their subject expertise and scholarship.

ABOUT NLUO CENTER FOR INTERNATIONAL TRADE LAW (CITL)

The Centre for International Trade Law is a research centre of the National Law University Odisha, established in 2015. The Centre is geared primarily towards research. The Centre strives to produce high-quality and cutting-edge research in the field of International Trade Law and International Investment Law. The Centre is regularly publishing books on issues relating to WTO and international trade. It is in the process of publishing an edited version of all the WTO Appellate Body decisions. Two volumes are already published. This work is unique and a valuable addition to the literature on WTO jurisprudence. Find about more about CITL <https://nluo.ac.in/centre/centre-for-international-trade-law/>.

CITL Publications

