

R.V. Anuradha

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Summary

R.V. Anuradha is a Partner at Clarus Law Associates, New Delhi and heads her firm's practice in International Trade and Investment Law and Policy. She also advises on Environmental law and policy, including on carbon financing and renewable energy.

Anuradha has been recognized by Chambers and Partners as a leading practitioner in her field. She is a member of the Asia WTO Research Network and the Society for International Economic Law. She is also a member of the Trade Policy Committee of the Confederation of Indian Industries.

Anuradha advises companies, industry associations and the Government on issues arising under the WTO Agreements, Free Trade Agreements, and Bilateral Investment Protection Agreements, including disputes arising under such agreements. She also undertakes studies for the Commonwealth Secretariat, the International Trade Centre, Centre for WTO Studies and export promotion associations in India.

She also teaches at various training sessions and capacity building programs on trade law and policy, including at the Joint Academy on international trade law and policy conducted by the Centre for WTO Studies in collaboration with the World Trade Institute, Berne. She is an External Faculty at the World Trade Institute- Berne, National Law School of India University, Bengaluru, and the National Law University, New Delhi.

Educational Background

Master of Laws, Global Public Service Law Program, New York University School of Law, 2002. Awarded the Global Public Service Scholarship.

Master of Laws, Law and Development, University of London, 1996. Awarded the Felix Scholarship.

B.A. LL,B (Hons.), National Law School of India University, 1995

Selected Relevant Experience

Trade in Services & Investment

Advice on scheduling commitments on services under FTAs: Evaluation of legal framework in relation to service sectors; advice and drafting of both positive and negative list for services commitments, based on the best FTA commitments made by India so far.

Advice on negotiating trade in services as part of WTO Accession: Consultant to the International Trade Centre for capacity building and training of negotiators of Uzbekistan in respect of trade in services as part of the WTO accession process.

Multilateral Rules on Domestic Regulation & E-Commerce: Consultant to the Commonwealth Secretariat on Domestic Regulation and E-commerce negotiations at the WTO, to create awareness of opportunities & challenges among members of the Commonwealth Small States (CSS).

Trade and Investment Facilitation: Consultant to the Commonwealth Secretariat on Investment Facilitation negotiations.

WTO and FTA Compatibility assessment of Services regulations: Assessment of compatibility of domestic regulations in India and India's trading partners, with respect to their respective obligations under the WTO's GATS, and advice on legal strategies for addressing the same.

Evaluation of Service Sector Commitments: Advice to Ministry of Commerce, Government of India on services related laws and regulations impacting Indian service suppliers in specific countries, and assessment of whether such measures are consistent with the WTO commitments of such countries.

Trade Facilitation in Services: Advice to the Government of India on the pros and cons of an agreement on Trade Facilitation in Services, drafting of the agreement and rapporteur for the stakeholder consultation workshop organized by the World Bank.

Services under the EU-Cariforum EPA: Consultant to International Lawyers and Economists against Poverty, for a study on the scope of services liberalization under the EU-Cariforum EPA and its implications for EPA negotiations by African countries.

Trade in Goods including Agriculture

SPS and TBT Measures: SPS-TBT issues under the India-EU FTA, CPTPP Agreement; SPS Barriers to India's agriculture exports; WTO compatibility of conformity assessment measures adopted.

WTO Agreement on Agriculture: Advice on WTO negotiations on public stockholding for food security purposes, and domestic support.

Trade in Goods: Advice on regulatory frameworks governing various goods ranging from energy and natural resources to alcoholic beverages, sugar, textiles, apparel, iron and steel and rubber, including on WTO and FTA compatible policies and measures relating to quotas, pricing and subsidies.

Trade Facilitation: Gap analysis of the Indian legal framework and the WTO Agreement on Trade Facilitation.

Trade, Environment & Climate Change

Environment provisions in Regional Trade Agreements: Consultant to the World Bank for a study on Environmental provisions in Regional Trade Agreements.

Environmental Goods & Services: Consultant to the Government of India on the WTO negotiations on Environmental Goods and Services.

Trade and Climate Change: Consultant on various studies for examining issues relating to WTO compatibility of trade measures for combating climate change. This includes studies for the Ministry of Environment and Forests, Centre for WTO Studies and the Indian Council for Research in International Economic Relations.

IPRs and Technology Transfer: Consultant on IPR and technology transfer to achieve climate change goals, and trade related implications.

Regulatory framework for Renewable Energy and Energy Efficiency in South Asian countries. Consultant to the World Bank for a Project on policy and regulatory framework in five South Asian countries (India, Sri Lanka, Pakistan, Bangladesh & Nepal) for Renewable Energy & Energy Efficiency.

WTO/ FTA Compatibility Assessments and Dispute Settlement

Compatibility of regulatory measures under the Agreements of the World Trade Organization and Free Trade Agreements: Advice on WTO compatibility of regulatory measures in a range of sectors (such as financial services, pharmaceutical sector, chemical sector, renewable energy sector), and recommendations on approach to dispute settlement.

India Sugar Dispute: Advice to an industry association on the vulnerabilities in India's sugar related regulatory framework and recommendations on measures to be taken to ensure WTO compatibility.

India-US Solar Dispute: Counsel representing the Government of India at the WTO panel and Appellate Body proceedings in the dispute initiated by the United States against India's solar policies (India: Certain Measures relating to Solar Cells and Solar Modules, WT/DS/456).

India-US Dispute on Trade in Services relating to Non-Immigrant Visas: Counsel representing the Government of India at consultations against the United States in relation to certain measures relating to non-immigrant visas maintained by the United States (United States: Measures Concerning Non-Immigrant Visas, WT/DS/503).

Legal framework for Government Procurement: Assessment of policy implications of commitments on Government Procurement on Indian legislative framework, and respect of the chapter on government procurement under FTAs.

Trade and Sustainable Development Goals

Developing a Sustainable Development Chapter in FTAs for developing countries: Consultant for Centre for WTO Studies on review of U.S. and EU approaches for SDGs and the best possible outcome for developing countries; drafting and negotiation of a possible Chapter on Sustainable Development between India and EFTA countries.

Labour Laws in India: Consultant to the International Labour Organization (ILO) on labour regulatory reforms in India.

Trade and Labour: Consultant to Centre for WTO Studies on Study on Trade and Labour issues, and identification of options for consideration by India in FTA negotiations.

Digital Trade and Electronic Commerce:

Digital Services Tax: Advice on S.301 proceedings initiated by the U.S. against Digital Services tax; legal implications legal text for Electronic Commerce in FTAs, including the RCEP agreement, keeping in view India's regulatory framework; scheduling commitments on E-commerce in FTAs.

Recent Publications (Select)

Ensuring that Trade and Sustainable Development are Equitable, Hindustan Times, November 22, 2021

Beyond Rules and Agreements: Reading the Tea Leaves (2019) 14 Global Trade and Customs Journal, Issue 7/8, pp. 352–358.

EU's CBA, US Carbon Tax undermine International Trade & Climate Laws, Hindustan Times, July 22, 2021

As new trade arrangements evolve, India is not in the room, Hindustan Times, August 5, 2021

Of Trade Wars and Paper Victories, Financial Express, Sept. 29, 2020

Aatmanirbharta and the WTO, Financial Express, May 19, 2020

Emerging New Technologies: Implications for Services Commitments, Commonwealth Trade Hot Topics, No. 152, Commonwealth Secretariat, London

Investment Facilitation & the WTO: Points to Ponder, Commonwealth Trade Hot Topics, No. 150, Commonwealth Secretariat, London

Petrificus Totalus: The Spell of National Security, (2018) 13 Asian Journal of WTO and International Health Law & Policy 311.

WTO to the TPP: Evolution of Environmental Provisions in Trade Agreements, In: Chaisse J., Gao H., Lo C. (eds) Paradigm Shift in International Economic Law Rule-Making. (Springer, Singapore 2017)

Environment, Preferential Trade Agreements: Policies for Development (World Bank, 2011).

Speaking Engagements (Select Recent)

- ICRIER-KAS Webinar on Formulating New Approaches to Strengthen Multilateral Trade - YouTube
- TPCI Webinar on India-EU Trade Negotiations: A New Era for Collaboration
- Can the MPIA save the WTO, organized by Shridath Ramphal Centre, University of West Indies