



Directorate-General for External Policies
Directorate Regions
Unit for Asia, Australia and New Zealand

Briefing

Note for Members of the 8th Legislature (2014-2019)

on Parliament's Delegation for relations with India

(D-IN)

Date of closure: 28/07/2014

Delegation for relations with India (D-IN)



1. Brief history of the Delegation

There is no legal framework or institutional agreement covering relations between the European Parliament and the Lok Sabha, the lower chamber of the Indian Parliament. However, the Delegation for relations with India is one of the oldest of Parliament's delegations to third countries. The first meeting between Parliament and the Lok Sabha took place in 1981. For several years, parliamentary exchanges were channelled through Parliament's Delegation for relations with the countries of South Asia and the South Asian Association for Regional Cooperation (SAARC). In 2007 the SAARC Delegation was split and Parliament set up one delegation for relations with South Asia and one for relations with India, thereby satisfying a request from the Indian side. In 2008 the Lok Sabha established a Friendship Group for Relations with the European Parliament to act as counterpart to the Parliament delegation. After the 2009 elections in India, however, the new Lok Sabha did not re-establish the Friendship Group, despite several requests from the delegation. For this reason, the meetings since then between the two houses have not had the character of formally established inter-parliamentary meetings. In the absence of a specific counterpart in the Lok Sabha, the delegation has developed links with Indian MPs through bodies such as the Federation of Indian Chambers of Commerce and Industry (FICCI).

The delegation holds regular meetings in Brussels and Strasbourg to examine matters such as the economic, political and social situation in India. At present, the negotiations between the EU and India on a free trade agreement dominate the agenda, followed by human rights and development issues as well as issues of global interest, such as climate change and energy security. As a consequence, the rapporteurs on relevant subjects in the committees concerned, and the responsible officials from the Commission and the EEAS, are regularly invited to attend

delegation meetings and to inform Members on current developments in the bilateral relations with India.

Together with the other delegations concerned, the delegation also participates in the meetings of the Asia-Europe Parliamentary Partnership (ASEP), in which parliamentarians from Asia and the EU (including from national parliaments) gather in advance of the Asia-Europe Meeting (ASEM) Heads of State and Government summits, the next the next of which is to be held in Brussels in autumn 2014.

2. Summary of activities during the 2009-2014 parliamentary term

EU-India bilateral relations have been dominated by the on-going negotiations of an **EU – India Free Trade Agreement (FTA)**, albeit these ran into rough waters soon after they were launched in 2007. The negotiations now address sensitive areas such as **tariffs, services, procurement, sustainable development, investment and geographical indications**. The perception is that if market access elements on services and tariffs were to be solved, other parts of the FTA would also fall into place.

The EU aims at a comprehensive, ambitious agreement, and its key requests remain unchanged: **improved market access in goods** (e.g. cars/car parts, wines and spirits) **and services** (e.g. insurance, banking); **meaningful provisions for public procurement**; and **clauses on sustainable development and human rights**. The **human rights clause** foreseen for the FTA would be taken from the EU-India Cooperation Agreement. The FTA will oblige both parties to implement the core labour standards of the International Labour Organisation in an effective way. The form and content of the **sustainability clause** is still under discussion, as India has previously opposed including such clauses in trade agreements. In May 2011 Parliament adopted a resolution stating that an FTA would be beneficial to both sides and that the scope should be all-encompassing – reducing tariffs on goods, opening markets for services and investment, dismantling non-tariff barriers and including an ambitious sustainable development chapter.¹

India's key offensive interest is the services sector, and the country is also keen to achieve data protection adequacy, an issue that the EU does not wish to see on the FTA negotiation agenda. A recurrent issue raised by the Indian interlocutors was the threat posed to small-scale Indian farmers – particularly in the dairy sector – by 'subsidised' European agriculture. While India remains committed to finding solutions, this is not easy as this, in some cases, requires changes in laws and regulations.

The delegation has also discussed several **human rights issues**, such as the **situation of women** in India, **caste-based discrimination** and the **death penalty**, and has exchanged views with civil society organisations on these matters.

Following the tragic case of the gang rape and murder of a 23 year-old woman in Delhi in December 2012, the subject of **violence against women** has taken a prominent place on the delegation's agenda. The case has shocked India and sparked a debate about the treatment of women in the country, with calls for tougher rape laws. In January 2013, Parliament adopted a resolution calling on the Indian authorities to take a series of actions to tackle gender-based

¹ European Parliament resolution of 11 May 2011 on the state of play in the EU-India Free Trade Agreement negotiations (Texts adopted, P7_TA(2011)0224).

violence.² While the delegation acknowledged efforts to tackle the problem of **caste-based discrimination** (e.g. of Dalit communities) through legislative measures, it emphasised the need for a better implementation at grass-root level, and for greater awareness of the problem by the public administration, the judiciary and the police.³ The delegation has also been active in calling for an end to the **death penalty** in India, raising the issue during a 2013 visit to India and writing several letters to H.E. Mr Manjeev Singh Puri, the Ambassador of India to the EU.

In addition to these matters, the delegation has discussed **issues of strategic importance**. The EU and India are strategic partners since 2004, sharing common values and interests (such as democracy, human rights, the rule of law and market economics) and facing similar challenges (security, climate change and energy). Despite the lack of substantial progress in this partnership, and the failure to agree on a narrowed-down and manageable set of strategic priorities, the delegation has underlined the untapped potential of this partnership. In this regard, it has discussed issues such as **climate change** and **energy security**, in particular **renewable sources of energy**, considering India's enormous potential in the field of **solar energy**. It has called for joint projects on **research and technological development** and pointed out the positive role of the Erasmus Mundus Programme.

Finally, the delegation has considered the possibilities of strengthening **security cooperation** with India, notably in the field of **maritime security**, in recognition of the problem of **piracy** and the importance of freedom of navigation in international waters both for the EU and for India. Other areas of possible cooperation are **counter-terrorism**, **cyber security** and **crisis management**. This is in response to concerns regarding China's growing influence in South and South-East Asia and the possibility of future instability in the wider region, particularly in Afghanistan.

3. Current issues and medium-term prospects

Relations between the EU and India remain at a level far below their potential, for a number of reasons:

- India still favours relations with individual Member States, such as the UK and Germany.
- The relationship is much too focused on the summits between the EU and India, at the expense of a necessary continuity.
- In the past year, India's attention has been fully focused on the campaign for the April/May 2014 national elections.
- Public communication is also an issue: the potential benefits for both sides of an EU-India partnership on trade, and on other issues, are not evident, especially not in India. Greater efforts need to be made to address this issue.
- Last but not least, the EU decision-making power in which Parliament plays an important role is not well-known in India, and the Lok Sabha needs to engage specifically with this.

In summary, better mutual understanding is required. Both the EU and India need to adopt a new attitude if their natural potential for partnership is to be realised.

² European Parliament resolution on violence against women in India (Texts adopted, P7_TA(2013)0031).

³ European Parliament resolution of 13 December 2012 on caste discrimination in India (Texts adopted, P7_TA(2012)0512).

A close parliamentary monitoring process can help overcome these difficulties. The inter-parliamentary dialogue should play a greater role in strengthening EU-India relations, considering that parliamentarians on both sides are accountable to their respective constituents. The role of this dialogue is, among other things, to provide an early-warning function by identifying possible obstacles in the relationship, thereby contributing to a better mutual understanding and to efforts to convince the respective constituencies.

This is particularly relevant to the on-going **FTA** negotiation process. Since negotiations have been stagnant for some time, Parliament – which will have to give its assent to the conclusion of the agreement – could reiterate its expectations for an ambitious and early outcome (as expressed in the 2011 resolution cited above). It should be mentioned that INTA is the lead committee in matters concerning the FTA, having the right to view sensitive documents during the negotiation process.

While India has refused to negotiate a PCA, rejecting clauses covering human rights and non-proliferation as ‘Western moral preaching’, there is no reason why the inter-parliamentary dialogue should not continue, allowing issues of common interest such as **climate change, energy, research and security cooperation** to steer the political agenda. This should include debates on the relationship between India and Pakistan, as well as on the changing geopolitical environment in the region, characterised by growing competition between the US and China for military primacy, and India’s reaction to this.

A key issue in the medium term concerns the consequences for the EU-Indian relationship of the newly-elected Bharatiya Janata Party (BJP) government in India. For the first time in 30 years, Indian voters have given a single party a majority in the Lok Sabha. The election of the Hindu-nationalist BJP, led by Prime Minister Narendra Modi, has been a great cause for optimism, particularly within India’s business community. During his electoral campaign, Modi briefly mentioned his interest in deepening economic relations with India’s partners. One might therefore expect a re-launch of the FTA negotiations. For the EU, the change of guard in Delhi provides an opportunity to strengthen the Union’s presence in India. European experiences in urbanisation, green technology and renewable energies could be put to good use in India. At the same time, however, the election of Modi is also reviving fears, especially among the country’s minorities. In particular, Muslims vividly recall the 2002 pogroms in Gujarat, when Modi – at the time the state’s Chief Minister – was accused of inciting communal hatred and violence. The delegation should therefore give particular attention to **civil liberties** and the **respect for minority rights**.

4. Suggestions for possible actions

Immediately following the constituent meeting of the delegation, the Chair should establish contact with Ambassador Puri. The ambassador could be invited to attend the next meeting, together with senior officials of the EEAS and the Commission. The delegation should also try and establish close links with the newly elected Lok Sabha. This could take the form of a visit of the delegation bureau to India in the beginning of 2015. The aim of such a visit should be two-fold: the delegation should make another attempt to convince the Lok Sabha to establish a Friendship Group for Relations with the European Parliament, and it should prepare the ground for a proper delegation visit later in the year.

5. Activities during the 7th parliamentary term (2009-2014)

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| – Visit of selected Chevening Gurkul Scholarship for Leadership and Excellence scholars | November 2009 | Brussels |
| – Bureau visit | March 2010 | Delhi |
| – 13 th interparliamentary meeting | April 2010 | Delhi and Hyderabad |
| – Visit of Indian MPs (with Konrad Adenauer Stiftung) | July 2010 | Strasbourg |
| – Visit of Mr Sam Pitroda, Adviser to the Prime Minister Public Information Infrastructure & Innovations | March 2011 | Brussels |
| – Bureau visit | March 2011 | Delhi |
| – Study visit of officials of Rajya Sabha (organised by OPPD) | March 2011 | Brussels |
| – EP Delegation visit | April 2011 | Delhi, Patna and Mumbai |
| – EP Delegation visit | April-May 2012 | Delhi and Chennai |
| – Study visit of officials of Rajya Sabha (organised by OPPD) | July 2012 | Brussels |
| – Study visit of officials Lok Sabha | October 2012 | Brussels |
| – EP Delegation visit | April-May 2013 | Delhi and Kolkata |

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