

Last chance to prevent onslaught on people's rights and livelihoods! Civil society groups call for an immediate halt to the India-EU trade negotiations

We, signatories to this letter, are deeply concerned that the ongoing negotiations for a free trade agreement (FTA) between India and the European Union (EU) will fuel poverty, inequality and environmental destruction, and call for an immediate halt to the trade talks.

From 6-8 October 2010, negotiations will continue with a new full round of closed-door negotiations in New Delhi. The time to act is now. So far, negotiators on both sides of the talks have persistently ignored and sidelined analyses and protests by civil society, pointing out the detrimental impacts of the proposed FTA on people's livelihoods and on the lack of social, ecological or gender-just economic development. Instead, the negotiating agenda generally reflects big business interests and demands.

Research suggests that just about every aspect of the negotiations, including the liberalisation of trade in goods and services, the extension and strict enforcement of intellectual property rights and the liberalisation of government procurement and investment will destroy people's livelihoods and undermine their rights. The proposed FTA will also erode government policy space that is essential to manage trade and investment in the interest of pro-development, social and gender-just and environmentally sustainable outcomes.

Our key concerns are:

- **Extension and enforcement of Intellectual Property Rights** through provisions that go beyond what is required under World Trade Organisation agreements. TRIPS+ provisions such as data exclusivity, patent extension, and border protection measures would severely affect India's ability to provide affordable medicines for the treatment of AIDS, malaria and cancer, not only for Indian patients but worldwide; they would contribute to hunger and malnutrition by denying small scale and subsistence farmers' rights to seeds and sharing of knowledge. This would undermine people's basic rights to livelihoods, to food and access to healthcare, education and research.
- **Increased market access for European businesses** would expose farmers, fisherfolk, street vendors and small businesses to crushing competition and lead to massive job and livelihood losses. In addition, tariff reductions would create a major loss of import duty income for the Indian government, with a potentially higher risk of further cuts in social spending including for education, health and food security.
- Further **liberalisation of investment** would incapacitate governments, removing policy tools that protect and build domestic industries; that foster domestic value-addition and shield vulnerable sectors of society specifically in times of crisis. For example, Indian street vendors and small shop owners would be pushed out of the market if European supermarket giants are allowed to enter the Indian retail sector. Liberalising foreign direct investment in land, fisheries and other natural resources will deprive millions of people of access to the resources they depend on for their livelihoods. Provisions on investor protection and on investor-to-state dispute settlement would grant corporations the right to challenge the Indian government and the EU over any regulatory measures that diminishes their returns.

- Further **liberalisation of financial services** would have a detrimental effect on lending to socially disadvantaged sectors like small farmers and small and medium sized enterprises (SMEs), and would lead to a dramatic decline in rural credit and services. Financial sector liberalisation would reduce government policy space to respond to financial crises and would further destabilise the financial system.
- Opening **government procurement markets** would undermine the role and scope of the government to advance equity and social justice by boosting domestic production, supporting SMEs and marginalised regions and groups.
- Seeking reckless **access to raw materials**, including a ban on export taxes and other export restrictions, would undermine governments' rights to regulate the use of raw materials and natural resources in favour of their people; it would exacerbate ongoing land displacement struggles and undermine people's rights for their habitats and produce.
- The **lack of transparency, public debate and democratic process** surrounding the negotiations and **the privileged access granted to business interests** must be resolved. Up until now, the trade talks have been conducted behind closed doors, with no negotiating text or position made available to the public. Requests for access to meaningful information by parliamentarians, state governments and civil society in India and the EU have repeatedly been turned down. Instead, business interests have been granted privileged access to policy makers on both sides, allowing them to effectively set the FTA agenda.

Both the EU's and India's current corporate-driven, export-oriented trade strategies are fundamentally flawed. These strategies prioritise the interests of global capital and profit maximisation over people's right and livelihoods.

WE THEREFORE CALL FOR AN IMMEDIATE HALT TO THE FTA NEGOTIATIONS BETWEEN INDIA AND THE EU UNTIL THE FOLLOWING DEMANDS ARE FULLY ADDRESSED:

- **The deal must not infringe on the policy space and regulatory capacity of governments to shape economic and social policies that serve the most vulnerable of their people and enable governments to intervene in markets for the public interest.**
- **The deal must desist from accelerating de-regulation of the kind that would increase market concentration while undermining access to essential services and public goods.**
- **Negotiators must end the privileged access of big business to trade policy-making in India and the EU.**
- **Negotiators must ensure transparency, public debate and a democratic process in relation to EU and India trade policy-making. They must release all existing information, including negotiating texts, and conduct broad consultations with the most affected groups in India and Europe such as workers farmers, street vendors, women, dalit, adivasi and people's organisations, including, cooperatives and trade unions.**
- **Ensure pro-development alternatives to corporate-driven FTAs that put sustainable livelihoods, food sovereignty, environmental, social and gender justice at the core. Such alternative approaches support sustainable, fair and peaceful relations between the countries and the regions instead of promoting competitiveness and a race-to-the-bottom in terms of working conditions, standards and wages.**

First signatories to this letter (as of 3 October 2010):

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27. Comhlámh, Dublin, Ireland
28. Consumers' Guidance Society, Vijayawada, India
29. Corporate Europe Observatory, Brussels, Belgium
30. Corporate Frauds Watch, Vijayawada, India
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32. CRTD.A, Lebanon
33. DAWN (Development Alternatives with Women for a New Era)
34. Deep Welfare, New Delhi, India
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50. Federation of Madras Merchants & Manufacturers Association, Chennai, India
51. Federation of Sadar Bazar Traders Association, Delhi, India
52. Federation of Trader's Organization (F.T.O.), West Bengal, India
53. FIAN Germany
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55. FinnWID, Finland
56. Focus on the Global South, India
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70. International Presentation Association, USA
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75. Kerala Swathantra Matsyathozhilali Federation, India
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79. Maharashtra Jan Jagran Manch, Nagpur, India
80. Madras Broadway Bustand Small Merchants Association, Chennai, India
81. Minchu Ideas, Bangalore, India
82. MISEREOR, the German Catholic Bishops' Organisation for Development Cooperation
83. Monitoring Sustainability of Globalisation (MSN) - Malaysia
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86. NOIDA Market Association, Uttar Pradesh, India
87. Norwegian Trade Campaign
88. One World Action, UK
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90. Pawanputra Rehri-Patri Khomcha Sangh, Delhi, India
91. Peoples First, Delhi, India
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93. Philipinenbuero e.V. Im Asienhaus, Germany
94. Poorvi Delhi Vyapar Bachao Morcha, Delhi, India
95. PowerShift, Berlin, Germany
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105. Siddhant, West Singhbhum, India
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108. Timarpur Shopkeepers Association, Delhi, India
109. Third World Network
110. Tractors & Agricultural Parts Merchants Welfare Association, New Delhi, India

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- 113.Traidcraft Exchange UK
- 114.Transnational Institute, Amsterdam, The Netherlands
- 115.UNI, Bangalore, India
- 116.Udaan Trust, Mumbai, India
- 117.Udyog Vyapar Mandal, Gaziabad, India
- 118.Uttar Pradesh Udyog Vyapar Pratinidhi Mandal, Lucknow, India
- 119.Vegetables & Fruits Wholesale Merchants Association, Bangalore, India
- 120.Vidarbha Hawkers Welfare Association, Nagpur, India
- 121.VIP Market Association, Kolkata, India
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- 123.WEED, Berlin, Germany
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