

OPEN LETTER ON LACK OF CONSULTATION WITH PEOPLE IN RCEP NEGOTIATIONS

To
The Honourable Minister,
Minister of Commerce & Industry (MOCI)
Government of India
New Delhi

14th September 2019

REF: Ministry list uploaded on 24 August, 2019, regarding stakeholder consultations

Dear Shri Piyush Goyal,

This is with reference to media reports, which mention that the Department of Commerce (DOC) of the Government of India held over 100 consultations across the country over the last six years to gather reactions to the proposed mega regional Free Trade Agreement – the Regional Comprehensive Economic Partnership (RCEP). This is misleading on two accounts, on the one hand, internal briefings and inter-ministerial consultations form a significant part of these so called stakeholder consultations, and on the other hand, the only stakeholder that has been consulted is the industry. The interactions give primacy to various industry representatives. There have been no consultations with trade unions, farmers' organisations, public interest groups, or any people's community that stands to be impacted by RCEP.

We, a network of concerned citizens, academics, researchers, farmer organisations, livestock keepers, fisher folk, labour unions, patient groups, women's collectives and other marginalised groups have been raising our concerns with respect to RCEP to the Ministry as well as to some of our trade negotiators. We had also met with your predecessor, Honourable Minister Nirmala Sitharaman. But there has not been any consultative process held by DOC, MOCI with civil society. Our earlier representations to you or to the line ministries with which we are directly concerned, to hold wider consultative processes, beyond big industry, have borne no fruit.

Even at the stakeholder consultations organised by the proposed RCEP participating countries together (including India), are tokenistic, without any engagement with what is being represented. Some of the members of our network have also participated in some of these stakeholder consultations held during the official negotiations of the proposed RCEP.

Further, there have been no real informed consultations, as the negotiating texts and governments detailed positions have not been made public. Thus public interest groups and civil society organisations still rely on leaked texts to form an opinion on the implications of RCEP. An opinion that they have not been invited to share with the government over the last 6 years.

The list of RCEP stakeholders' consultations on the Commerce Ministry's website shows that the consultations have been held by either DOC itself, or by organisations such as Federation of Indian Chambers of Commerce and Industry (FICCI), Confederation of Indian Industry (CII), which are the voice of industry. Even the organisations tasked by MOCI to do independent studies on RCEP, namely the Indian Council for Research on International Economic Relations (ICRIER), IIM Bangalore and Centre for Regional Trade (CRT), New Delhi ought to have been instructed to engage civil society organisations and community organisations. Even elected representatives have been left in the dark.

Yet, despite your responsibility to do so within India, no consultations have been held by you with representatives of the communities that stand to be affected or civil society organisations. Despite that there is evidence to show that the lives of people at large can end up getting traded away through FTAs such as the RCEP, their participation during the negotiation process has not been elicited.

Therefore, we demand that the DOC, MOCI at the earliest:

1. share the negotiating texts of RCEP;
2. conduct consultations with ordinary citizens and institutionalise the process for the same at gram sabha level, and state level, particularly from the constituencies that are most likely to be impacted by trade agreements and investment treaties/chapters, including trade unions, fishing communities, small farmers, dairy keepers, fruit and vegetable growers, women's groups, organisations/collectives of disadvantaged castes, tribal populations, and other marginalised sections of society;
3. make public the minutes and key representations made to the MOCI during the 100 consultations;
4. make the negotiating positions, including in vital sectors like food, farm and pharma, known to the people of India and
5. share the status of the talks as of date, particularly after the Bangkok 2019 meeting;
6. keep the negotiations on hold until an adequate informed consultative process is held, complemented by a democratic process that involves elected representatives and state governments, in respect of the federal structure of our country.

Anticipating your response.

Regards,

Sd/-

1. Forum For Trade Justice
2. IT for Change
3. Pradip Chatterjee, Convener, National Platform for Small Scale Fish Workers (Inland)]
4. Albertina Almeida, Advocate
5. Alliance for Holistic and Sustainable Agriculture (ASHA)
6. Rakesh Tikait, National Spokesman, Bharatiya Kisan Union
7. Yudhvir Singh, National Secretary, Bharatiya Kisan Union & All India Coordination Committee of Farmers Movements
8. Vijay Jawandhiya, Shetkari Sanghatana & All India Coordination Committee of Farmers Movements
9. Ratan Singh Mann, BKU, Haryana
10. Ajmer Singh Lakhwal, BKU Punjab
11. Vijender Singh, BKU, Haryana
12. Jagdish Singh, BKU, Madhya Pradesh
13. Virendra Dagar, BKU, Delhi
14. Subhash Chaudhary, BKU, NCR
15. Badagalapura Nagendra, President, Karnataka Rajya Raitha Sangha, Karnataka
16. Chamarasa Mali Patil, Karnataka Rajya Raitha Sangha, Karnataka
17. KT Gangadhar, Karnataka Rajya Raitha Sangha, Karnataka
18. KM Rajegowda, Karnataka Rajya Raitha Sangha, Karnataka
19. Chukki Nanjundaswamy, Karnataka Rajya Raitha Sangha, Karnataka and Amrithabhoomi
20. Nandini Jayaram, Karnataka Rajya Raitha Sangha, Karnataka

21. K. Sella Mutthu, President, Tamil Nadu Farmers Association, Tamil Nadu
22. Rajbir Singh Jadaun, State President, Bhartiya Kissan Union (BKU), Uttar Pradesh
23. Vidyadhar Olkha, State President, Bhartiya Kissan Union (BKU), Rajasthan
24. Sukhdev Singh Gill, State President, Bhartiya Kissan Union (BKU), Himachal Pradesh
25. Satnam Singh Cheema, State President, Bhartiya Kissan Union (BKU), Uttarakhand
26. Dhan Singh Sherawat, Bhartiya Kissan Union (BKU), Maharashtra
27. CK Janu, Adivasi Gothra Mahasabha, Kerala

28. Kannaiyan Subramaniam, South India Coordination Committee of Farmers Movements
29. MS Selvaraj, VTMS, Tamil Nadu
30. S Venkatesan, South Indian Sugarcane Growers Association, Tamil Nadu
31. KV Rajkumar, South Indian Sugarcane Growers Association, Tamil Nadu
32. Ravikumar, Kerala Coconut Farmers Association, Kerala
33. AK Devison, Kerala Coconut Farmers Association & South India Coordination Committee of Farmers Movements, Kerala

34. Nachiket Udupa, concerned citizen

35. Madhyam

36. TWN Trust

37. Prafulla Samantara, Lok Shakti Abhiyan
38. All India Drug Action Network
39. Dr Mira Shiva, Public Health Physician

40. Satyarupa Shekhar, Citizen Consumer and Civil Action Group (CAG)

41. Dr Biswajit Dhar, JNU

42. Focus on the Global South
