

**GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA**

UNSTARRED QUESTION NO:1063
ANSWERED ON:12.08.2013
BILATERAL INVESTMENT TREATIES
Natarajan Shri P.R.

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) the details of Bilateral Investment Treaties (BITs) and Free Trade Agreements (FTAs) or Economic Partnership which have been signed by the Union Government till date;
- (b) whether the above said agreements have a certain clause relating to Bilateral Investment Protection and legal action by the foreign investing companies and if so, the details thereof;
- (c) the number of cases filed by investing companies against India for breach of such clauses;
- (d) the reaction of the Government thereto; and
- (e) the details of treaty signed between India and its neighbour countries including Pakistan, China, Nepal and Bangladesh to improve trade between them during the last three years?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. D. PURANDESWARI)

- a) Government of India has signed Bilateral Investment Promotion and Protection Agreement (BIPA) with 82 countries out of which BIPAs with 72 countries have already come into force. The details are available at http://finmin.nic.in/bipa/bipa_index.asp. Details of Free Trade Agreements(FTAs) or Economic Partnership are at Annex-I.
- b) Every BIPA has provisions relating to Investor State dispute settlement mechanism. The details of the provisions are also available at http://finmin.nic.in/bipa/bipa_index.asp
- c) As per the information available, nine foreign investors/companies have served notices on the Government of India invoking provisions of the various BIPAs.
- d) The Government has decided to handle various disputes through the mechanism of an Inter-Ministerial Group (IMG) chaired by the Secretary of the Administrative Ministry/Department concerned.
- e) India has signed an Memorandum of Understanding (MoU) on 23rd October, 2010 with Bangladesh for Establishment of Border Haats across the border between India-Bangladesh aimed at restoring the traditional border trade and encouraging people to people contacts between the two countries.