National Policy Roundtable on Fiscal Federalism and India–EU FTA Readiness

Panel Discussion: "Building State Capabilities for India–EU FTA Implementation: Non-Tariff Barriers, Sustainability and Resilience"

SESEI | Seconded European Standardisation Expert in India
Enabling Europe-India Cooperation on Standards

SESEI: Local Representative

SESEI (**S**econded **E**uropean **S**tandardization **E**xpert in **I**ndia) ***is a local face for the European standardization community in India: Dinesh Chand Sharma***

Launched in Jan'13, currently in its sixth phase (Aug'24 to July'27)

Priority Sectors/topics: Aligned with EU-INDIA TTC & Connectivity Partnership

Digitization: Strategic technologies, digital governance, and digital connectivity

- Smart Cities, ITS, Quantum Technologies, Smart Grid/Meter, AI, 5G/6G, Open RAN, M2M/IoT, DECT, Data Privacy, Satellite Communication, Blockchain, Digital Signature, Smart Manufacturing, e-Accessibility, cybersecurity, digital skills and R&I etc.

Green & Clean Technologies:

- Clean Energy, Energy Efficiency (Green ICT), Environment, Circular Economy including Resource Efficiency, Waste Management, Energy storage technologies, Electric mobility, Green Hydrogen, Advanced biofuels including R&I etc.

Market access & Other topics of mutual interests:

- Rail, Ropeways, Machinery Safety etc.

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SESEI: Achievements 1(2)

- Permanent presence of Project SESEI expert in India since 2013 has provided considerable insight, access, alignment of Indian standardisation programmes and related strategies i.e. roadmaps and priorities.

Local presence:

- ✓ Database of 3000+ contacts: all partners can leverage to engage with stakeholders in India, either directly or with support of the SESEI expert.
- ✓ Contact with Ministries & admins and other CC and/or embassies
- ✓ Picks up queries from EU/Indian Industry/Legislators around Legislation, Standards and extended local support in pursuing Market Access Issues (Quality Control Orders)

Structural cooperation:

- ✓ MoU between BIS -CEN-CENELEC: Framework Copyright Agreement ongoing, Cooperation agreement between BIS – ETSI (Copyright Provisions Included)
- ✓ MoU between ISGF-CENELEC , BIF-ETSI , COAI-ETSI etc.
- ✓ BIS officials visited EU/EFTA as part of the study cum training visit organized by SESEI.

Information flow (both ways):

- ✓ Monthly Newsletter for both EU/EFTA and Indian stakeholders
- ✓ Industry Sector Profile Report on Digitalization and Green & Clean Technologies: India
- ✓ Reports on European Standardisation Initiatives: on the request of IN govt bodies
- ✓ Thematic Webinars & Workshops (Consumer IoT Security and Circular Economy and Eco Design, Eco Labelling, etc)
- ✓ Published articles on key emerging topics covering AI, Consumer IoT, EU-India collaboration etc.

SESEI: Achievements 2(2)

- Presence and involvement of SESEI expert in relevant associations, WGs in India is an invaluable asset to raise awareness of Europe's vision and approach to key challenges, Europe's standards, and best practices.
  - Member of many TC's /WG's of BIS, TEC, TSDSI , Niti Aayog, Trade/Tech Associations, and active participations in various forums has led to Considerable Impact on Indian regulatory and Standardisation system.

- **Resulted in Adoption of EN's by Indian SDO's** :
  - Adoption of EN-115 standards as Indian Standard: BIS
  - Adoption of EN 301 549 (Accessibility requirements suitable for public procurement of ICT products and services): BIS
  - Adoption of E/Digital – Signatures: plans to adopt entire ETSI library
    - Total = 76 , Published = 5, Under Publication = 4, Preliminary Draft Stage = 3, Next Transposition: 3
  - TSDSI transposition of 3GPP for IMT-Advanced/4G/5G specifications adopted as National Standards by TEC: Indian 5Gi is aligned with 3GPP Specifications.
  - Adoption of OneM2M Release 2 and Release 3 Specifications as national Standards in India
    - BIS Standard on Smart Infrastructure has IoT reference Architecture standards and is based on oneM2M Reference Architecture, Other Indian standard also includes ETSI NDSI-LD as well.
  - Adoption of EN 303 645 - cyber security standard for consumer IoT devices: TEC Code of Practice
  - Standard for "Energy Consumption Rating and Energy Passport" for Telecommunications at TEC are based on ETSI Standards
    - EN 303 215, EN 202 706-1, EN 102 706-2, EN 303 470, ES 201 554 etc.
  - TSDSI adoption of ETSI Standards on NFV and IoT (Security).

- **Indo European Conference on Standards & Emerging Technologies**: a strong platform established by SESEI for effective and continuous dialogue between India and EU/EFTA to identify the key areas of collaboration: 4th Edition of the Conference was held on 7th December 2023 => The next (5th) edition of the Conference is to be held on 15-16 February 2027 in New Delhi=> AI, DPP, Digital Wallet, Digital trust and signature

EU/EFTA - India Relations

- **New Strategic EU-India Agenda towards 2030**

  - ✓ Building on the EU's Joint Communication in 2025 'New Strategic EU-India Agenda', Cooperation on research and innovation is a cross-cutting and integral part of Joint EU-India Comprehensive Strategic Agenda Towards 2030, adopted on 27 January 2026 at 16th EU-India Summit
    - Agenda will strengthen the cooperation on sustainability, technology and innovation, security and defence, connectivity, global issues, and people-to-people cooperation.

- During the summit, India and European Commission have signed and exchanged an **Administrative Arrangement on Advanced Electronic Signatures and Seals.**

- India and European Union concluded negotiations for a comprehensive **Free Trade Agreement (FTA)** on January 27, 2026
  - Expected by early 2027, FTA will reduce or eliminate tariffs on 99.5% of EU tariff lines and 92.1% of India's, covering 97.5% of trade value.

- **Trade Technology Council (TTC)** set up in February 2023

  - ✓ **Strategic Technologies** : Quantum and High-performance Computing, Trustworthy Artificial Intelligence, Semiconductor sector, Digital skills, 5G , IoT and enhance interoperability of respective digital public infrastructure.
  - ✓ **Green & Clean Energy Technologies**: Waste-water management, Recycling of Batteries for Electrical Vehicles, Standards in the Research Domain (Waste to Green Hydrogen, Marine Plastic Litter and Wastewater, E-Mobility – Circularity aspects of batteries & interoperability of Charging Infrastructure)
  - ✓ **Trade Investment and Resilient Value Chains**: Resilient Value Chains, resolve bilateral market access issues, exchange information on mechanism for FDI screening, address global and multilateral trade issues

- India-EFTA trade talks > Trade and Economic Partnership Agreement (TEPA) signed in March 2024

- At G20 held in India, creation of the India-Middle East-Europe- Economic Corridor was launched: Sep'23
  - EU-India Connectivity Partnership aligned with EU's Global Gateway

EU-India FTA

CHAPTER 6 - Technical barriers to trade

This chapter sets out provisions on technical measures with an impact on trade in goods, such as standards, technical regulations, and conformity assessment procedures.

Linked with WTO-TBT Agreement:

- **Incorporation of WTO TBT Agreement:** The bilateral FTA incorporates the WTO TBT Agreement, maintaining consistent rights and obligations globally and bilaterally.
- **Adoption of WTO Definitions:** Core concepts like technical regulations and standards retain their international meanings, ensuring clarity and predictability.
- **Promotion of Harmonization:** Encouraging use of international standards reduces conflicting requirements and supports smooth regulatory implementation.
- **Support for Global Trade System:** Embedding WTO principles reinforces the rules-based trading system and balanced trade governance.

Technical Regulations

- **Use of International Standards:** Parties should base regulations on international standards like ISO, IEC, ITU, and Codex unless inappropriate for objectives.
- **Justification for Divergence:** When not using international standards, Parties must provide clear justification for their regulatory divergence.
- **Inclusive Public Consultations:** Stakeholders from all Parties should participate equally in public consultations ensuring transparency and fairness.
- **Periodic Regulatory Reviews:** Regulations should be periodically reviewed to integrate new scientific knowledge and industry practice changes.

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Standards Development and Use:

- **Active International Participation**: Encouraging parties to engage actively in global standardization to avoid duplicated efforts and enhance harmonization.
- **Reducing National Standard Divergence**: Reviewing and aligning national standards to minimize discrepancies that hinder trade and regulatory acceptance.
- **Bilateral Cooperation and Information Sharing**: Fostering cooperation between bodies to share how standards support technical regulations and enhance credibility.
- **Supporting Technological and Market Relevance**: Ensuring standards reflect current technology and market realities through improved alignment and active participation.

Conformity Assessment Procedures:

- **Risk-Based Approach**: Encourages applying risk-based assessment to tailor scrutiny levels for different products effectively.
- **Supplier Declarations and Accreditation**: Supports supplier declarations and reliance on international accreditation frameworks such as ILAC and IAF.
- **Independence and Transparency**: Emphasizes independent conformity bodies and transparency by publishing designated bodies and their scopes.
- **Reducing Costs and Building Trust**: Aims to minimize duplicative testing and lower compliance costs while fostering trust in certification systems.

Transparency Requirements:

- **Notification and Comment Period**: Parties must notify the WTO of proposed regulations and allow at least 60 days for written comments.
- **Publication and Transition**: Final regulations must be published online and a reasonable transition period must be provided before enforcement.
- **Stakeholder Engagement**: Authorities must respond to comments and enable stakeholder preparation to reduce trade disruptions and build trust.
- **Importance of Transparency**: Transparency promotes predictability, fairness, cooperation, and trust in the regulatory environment.

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Market Surveillance and Compliance

- **Market Surveillance Objectives**: Ensuring products comply with regulations protects consumers and maintains market integrity.
- **Cooperation and Information Exchange**: Parties collaborate on enforcement, recalls, and risk assessment through confidential information sharing.
- **Impartiality and Access**: Market surveillance authorities require impartial processes and access to compliance information to act effectively.
- **Use of Electronic Communication**: Developing electronic methods enables efficient communication and quicker response to safety risks.

Technical Discussions and Committees:

- **Structured Technical Discussions**: Forums allow parties to address regulatory concerns impacting trade within a 60-day timeframe, ensuring timely resolution.
- **Role of TBT Committee**: The TBT Committee monitors regulatory developments, facilitates cooperation, and reduces unnecessary compliance burdens.
- **Framework Objectives**: The framework aims for transparency, early concern resolution, dispute prevention, and strengthened regulatory relationships.

Cooperation and Contact Points

- **Collaboration Mechanisms**: Parties collaborate on standardization, accreditation, regulatory practices, and international body participation.
- **Technical Assistance and Capacity Building**: Technical help, capacity development, and information exchange are essential components of cooperation.
- **Role of Contact Points**: Designated contact points coordinate implementation, respond to inquiries, and improve communication efficiency.
- **Benefits of Cooperation**: Enhanced cooperation harmonizes regulations, reduces trade friction, and supports confident cross-border business.

CHAPTER 9 – Digital trade

This chapter establishes a facilitative framework to ensure a secure and trustworthy digital environment for electronic transactions, aimed at strengthening the growth of goods and services trade between India and the EU.

- **Facilitates digital trade** through electronic transactions, electronic contracts and paperless trading.
- **Promotes cross-border data flows** and addresses unjustified restrictions on data transfers.
- **Disciplines data localisation requirements**, while allowing legitimate regulatory measures.
- **Protects software source code** from unjustified mandatory disclosure.
- **Strengthens online consumer protection** and addresses unsolicited commercial electronic communications.
- **Promotes digital trust** through cooperation on digital technologies and secure digital transactions.
- **Preserves regulatory space** for privacy, personal-data protection and legitimate public-policy objectives.
- **Aligns with emerging international digital-trade rules**, including many provisions developed under the WTO E-Commerce Joint Initiative.

Trade-enabling digital rules + consumer/business trust + preservation of regulatory space

CHAPTER 14 Good regulatory practices

This chapter establishes the commitment to good regulatory practices while preserving each Party's right to regulate and domestic regulatory autonomy.

- **Regulatory Processes and Mechanisms:** Promotes transparency of regulatory processes, including publication of procedures, guidelines and opportunities for public participation.
- **Early Information:** Provides for advance information on planned regulatory measures, including their scope, objectives, timing and consultation opportunities.
- **Public Consultations**: Promotes open, transparent and non-discriminatory stakeholder consultation on major proposed regulatory measures.
- **Regulatory Impact Assessment (RIA):** Consider the **need for regulation**, examine **alternative regulatory approaches**, and assess potential impacts before adopting regulations.
  - **Evidence-based regulation:** Encourage regulatory decisions based on **evidence, analysis and assessment of impacts**.
- **Retrospective Evaluation:** Encourages periodic review of existing regulations to assess effectiveness and reduce unnecessary regulatory burdens.
- **Regulatory Register**: Requires a publicly accessible, searchable and regularly updated register of regulations in force.
- **Exchange of Information**: Encourages sharing of information and experiences on good regulatory practices.
- **Regulatory Cooperation**: Provides a framework for voluntary regulatory cooperation, including information exchange, dialogue, workshops and sharing of experiences.
- **Dispute Settlement**: Clarifies that FTA dispute-settlement provisions do not apply to matters arising under Chapter 14.

ANNEX 14-A: Carbon border adjustment measures

Annex 14-A strengthens EU–India cooperation on greenhouse-gas emission reduction, including regulatory cooperation, technical assistance and mobilisation of financial resources, with particular support for MSMEs to meet CBAM-related requirements

- **Most-Favoured-Nation Treatment:** Ensures that goods from the other Party receive no less favourable treatment than like goods from other third countries with respect to any flexibility provided in implementing carbon border adjustment measures.
- **Technical Dialogue**: Establishes a technical dialogue covering product scope, embedded emissions, monitoring/reporting/verification (MRV), carbon prices actually paid, default emission values, and possible mutual recognition of accreditation bodies, along with technical assistance and exchange of expertise.
- **Cooperation & Support**: Provides for EU efforts to support India's emission-reduction and long-term industrial transformation, including financial resources, technical assistance, capacity building, technological innovation, and sharing of information, data and best practices.
- **Institutional Provisions**: Provides that the Rapid Reaction Mechanism under Article 18.8 applies to the Annex.

CHAPTER 8 Services

This chapter establishes a framework to liberalise and facilitate trade in services between India and the EU while maintaining each Party's right to regulate.

- **Market Access:** Provides market-access commitments according to each Party's schedule and disciplines limitations such as quotas, monopolies, economic-needs tests, legal-form requirements and foreign-capital limits.
- **National Treatment:** Requires services and service suppliers of the other Party to receive treatment no less favourable than that accorded to like domestic services and suppliers in committed sectors.
- **Most-Favoured-Nation Treatment:** Provides, in the sectors covered by the relevant schedule, no less favourable treatment than that accorded to like services and suppliers of non-Parties, subject to specified exceptions.
- **Additional Commitments**: Allows the Parties to undertake additional commitments on matters such as qualifications, standards and licensing, with such commitments recorded in their schedules.
- **Schedules of Specific Commitments:** Establishes the framework for each Party's sector-specific commitments, including market access, national treatment, additional commitments and implementation timelines.
- **Transparency:** Requires greater regulatory transparency, including prompt publication of relevant measures and international agreements and responses to requests for information.
- **Domestic Regulation:** Promotes reasonable, objective and impartial administration of service regulations and transparent, proportionate licensing and qualification requirements, including accessible information and application procedures.
- **Recognition:** Facilitates recognition of education, experience, licences and certifications and encourages mutual recognition arrangements for professional qualifications.

Continue...

- **Monopolies and Exclusive Service Suppliers:** Requires monopoly and exclusive suppliers to operate consistently with the Party's commitments and prevents abuse of monopoly positions in covered services.
- **Disclosure of Confidential Information:** Clarifies that the Chapter does not require disclosure of information where this would impede law enforcement, prejudice public interest or harm legitimate commercial interests.
- **Business Practices:** Recognises that certain business practices may restrict competition and trade in services and provides for consultations to address such practices.
- **Denial of Benefits:** Allows a Party to deny the benefits of the Chapter in specified circumstances, including where services or suppliers are effectively from a non-Party or where ownership/control structures could circumvent applicable restrictions.
- **Safeguard Measures:** Provides for review of emergency safeguard measures in services in light of future WTO/GATS developments and allows consultations where implementation difficulties arise.
- **Subsidies:** Provides for review of disciplines on services-related subsidies and consultations where a Party considers that a subsidy adversely affects its services trade; disputes under this Article are excluded from FTA dispute settlement.
- **Payments and Transfers:** Ensures that, subject to specified exceptions, international payments and transfers relating to specific services commitments can be made without restrictions and in freely convertible currency.

ANNEX 8-B & Annex 8-D

Annex 8-B: Professional Services

- **Recognition:** Encourages professional bodies and authorities to exchange information and identify professions for potential Mutual Recognition Agreements (MRAs); also encourages temporary/project-specific licensing without requiring an additional written examination where feasible.
- **Collaboration on Regulated Professions:** Promotes cooperation between professional bodies on education, training, examinations, experience, ethics, professional development, scope of practice, local knowledge and consumer protection, including exchange of information and good practices.

ANNEX 8-D Telecommunication services

- **Regulatory and Dispute Resolution Authority:** Requires telecommunications regulatory and dispute-resolution authorities to be independent from service suppliers, impartial in their decisions and sufficiently empowered to regulate the sector.
- **Licence or Authorisation**: Requires transparent, objective and non-discriminatory licensing procedures, publicly available criteria and conditions, with reasons provided for licence refusals upon request.
- **Interconnection to be Ensured:** Requires suppliers to negotiate or provide interconnection with suppliers of the other Party, subject to applicable domestic laws and regulations.
- **Access to and Use of Public Telecommunications Networks and Services:** Ensures suppliers of the other Party have reasonable and non-discriminatory access to public networks/services, including leased circuits, subject to safeguards for public-service responsibilities and network integrity.
- **Dispute Settlement and Appeal:** Provides suppliers with timely access to regulatory/dispute-resolution authorities and independent judicial or administrative appeal mechanisms, with decisions and reasons made publicly available.

Continue…..ANNEX 8-D

- **Competitive Safeguards on Major Suppliers**: Requires measures to prevent anti-competitive practices by major suppliers, including cross-subsidisation, misuse of competitors' information and withholding essential technical/commercial information.
- **Interconnection with Major Suppliers:** Requires major suppliers to provide interconnection on transparent, reasonable, timely and non-discriminatory terms, including access to network elements on an unbundled basis and publicly available interconnection offers.
- **Access to Essential Facilities:** Requires major suppliers to provide access to essential facilities on reasonable, transparent and non-discriminatory terms, with the regulatory authority empowered to determine which facilities qualify.
- **Submarine Cable Systems**: Allows Parties to provide reasonable and non-discriminatory access to submarine cable systems and landing facilities where these are operated as public telecommunications services.
- **Allocation and Use of Scarce Resources**: Requires allocation of radio frequencies, numbers and rights of way through open, objective, timely, transparent and non-discriminatory procedures, while preserving each Party's spectrum-management policy.
- **Universal Service**: Preserves each Party's right to define universal-service obligations, while requiring their administration to be transparent, non-discriminatory and competitively neutral.
- **Mobile Number Portability**: Requires telecommunications suppliers to provide mobile number portability in a timely manner and on reasonable terms and conditions.
- **Transparency:** Requires public availability of information on tariffs, service conditions, technical interfaces, standards bodies, equipment attachment requirements and licensing/registration requirements.
- **Open Internet Access**: Requires internet access providers, subject to domestic laws, to enable users to access and distribute content and use applications, services and devices of their choice, subject to reasonable, transparent and proportionate network management.
- **Confidentiality of Information:** Requires protection of the confidentiality of telecommunications and related traffic data, while ensuring that confidentiality measures do not become arbitrary or unjustifiable discrimination or disguised restrictions on services trade.

Chapter 16: Trade and Sustainable Development

Chapter 16 recognises sustainable development as comprising economic development, social development and environmental protection, and commits both Parties to promoting trade in a manner that contributes to sustainable development.

- **Right to Regulate and Levels of Protection:** Reaffirms each Party's right to determine its own sustainable-development policies and levels of environmental and labour protection, while seeking high levels of protection.
- **Multilateral Environmental Agreements and International Labour Standards:** Commits the Parties to effectively implement relevant multilateral environmental agreements (MEAs) and uphold internationally recognised labour principles and standards.
- **Climate Change:** Strengthens cooperation on climate action and implementation of the Paris Agreement, including measures related to emissions reduction, renewable energy and climate resilience.
- **Biodiversity:** Promotes the conservation and sustainable use of biodiversity, including implementation of relevant international commitments and addressing pressures on ecosystems.
- **Sustainable Management of Natural Resources:** Promotes sustainable management and conservation of forests, marine resources and other natural resources, including action against illegal logging and illegal, unreported and unregulated (IUU) fishing.
- **Trade and Sustainable Management of Forests:** Supports sustainable forest management, forest conservation and combating illegal logging and associated trade.
- **Trade and Sustainable Management of Marine Biological Resources:** Promotes the conservation and sustainable use of marine resources, including measures to combat IUU fishing.
- **Trade and Sustainable Agriculture:** Encourages cooperation and sustainable practices in agriculture and food production, including resource efficiency and environmentally sustainable production.

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- **Circular and Resource-Efficient Economy:** Promotes the transition towards a circular and resource-efficient economy, including sustainable production, consumption, recycling and waste reduction.
- **Trade and Climate-Friendly Goods, Services and Technologies:** Encourages trade and investment in low-carbon and environmental goods, services and technologies that support the green transition.
- **Trade and Workers' Rights:** Reaffirms commitments to fundamental ILO principles, including freedom of association, collective bargaining, elimination of forced and child labour, non-discrimination and a safe and healthy working environment.
- **Decent Work and Labour Conditions:** Promotes decent work, labour rights, labour inspection, social dialogue and effective enforcement of labour legislation.
- **Women's Economic Empowerment and Gender Equality:** Promotes women's economic empowerment and gender equality, including cooperation on relevant international commitments and policies.
- **Sustainable Development in Global Value Chains:** Encourages responsible business conduct and sustainable practices throughout global value chains, including information sharing and cooperation.
- **Trade and Sustainable Development Cooperation:** Establishes cooperation on environmental, climate, labour and gender-related issues, including exchange of information, expertise, capacity building and joint activities.
- **Civil Society and Domestic Consultative Mechanisms:** Provides for stakeholder participation, including civil society organisations, in monitoring and discussing implementation of the Chapter.
- **Institutional Mechanism:** Establishes dedicated institutional arrangements and dialogue mechanisms to oversee implementation and cooperation under the Chapter.
- **Dispute Settlement / Implementation Mechanism:** Establishes a dedicated, time-bound and transparent mechanism for addressing concerns regarding implementation, involving technical experts and political-level engagement.



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