

**June 15, 2015**

**Answers to Parliamentary Questions on Trade Mission India & Freedom for critical NGOs**

*Answers to Parliamentary Questions from the members Michiel Servaes and Jan Vos (both Labour Party) to the Prime Minister, the Minister for Foreign Trade and Development Cooperation and the Minister of Foreign Affairs about the trade mission to India and the request of a number of NGOs to advocate for freedom of organisation and speech*  
*[submitted June 3, 2015 - 2015Z10183]*

**Question 1**

Is it true that a number of civil society organisations (Greenpeace, the India Committee of the Netherlands, ICCO, FNV, Amnesty International) have written an open letter to the Prime Minister<sup>(1)</sup> in which they call on him to advocate for freedom of organisation and freedom of speech during the upcoming trade mission to India (4 to 6 June)?

**Answer**

Yes.

**Question 2**

Are you aware that the Indian Embassy indicated that no visa will be granted for a number of representatives of these organisations who were had the intention to travel with the delegation? What is your opinion on this decision?

**Answer**

The trade mission to India consisted besides the Prime Minister and two ministers of representatives from industry and from NGOs. It is not known to me that the Indian Embassy has indicated not to grant visas to a number of representatives of NGOs planning to join the mission. Prior to the mission it was decided to limit the participation of NGOs to their local representatives considering that this increases the chance of a constructive and effective dialogue with the Indian authorities on the role of the (Indian) civil society. This was also discussed with a number of NGOs.

**Question 3**

Are you aware that the Indian Ministry of Home affairs has put a number of NGOs, including Hivos, ICCO and Greenpeace, on a blacklist and has frozen the bank accounts of among others Greenpeace India?<sup>(2)</sup> Are you aware that also other international NGOs and a number of Indian civil society and human rights organisations are affected by the measures? What is your opinion about these measures?

**Question 4**

Do you share the concern about the deteriorating climate for (critical) social organizations in India? Do you recognize the image that the New York Times recently painted about Modi's ambitious agenda in the fight against poverty and for India's role on the world stage, which contrasts however with "a repressive social order"?<sup>(3)</sup> Do you share the opinion of the American ambassador Richard Verna who speaks in this context of "a potentially chilling effect of recent actions by the Indian government against charities and advocacy groups"?

**Answer**

Yes, I am aware that the Indian Ministry of Interior has taken measures making the work for a number of Dutch and other foreign NGOs in India more difficult and hindering the cooperation with local Indian NGOs. This trend has already been going on for some time. India sees an increasingly smaller role for foreign actors. That became clear with the discontinuation of development cooperation relations with donors in 2003. The previous government has already taken measures to limit foreign funding of local NGOs. At the same time India itself has a large civil society that plays an important role in the public debate in India.

The government is of the opinion that the public debate will benefit from the exchange of expertise, experience and knowledge between domestic and foreign NGOs and from the cooperation between civil society, governments and companies. This is also reflected in the new policy *Dialogue and Contradiction* (parliamentary document 33625, No. 104). In India, but also in other countries, the government observes that the space for international NGOs to operate is more and more limited. The government sees this as a worrying development.

**Question 5**

Are you prepared to heed the call of the Dutch NGOs not only to promote economic cooperation during the trade mission, but also to draw attention to the vital role of civil society organisations in India?

**Answer**

During the mission there was not only discussion on economic issues and opportunities for economic and political cooperation, but also attention was given to the role of NGOs in society.

I drew attention to the importance of cooperation between Dutch NGOs and Indian NGOs during my talks with Minister of State for Home Affairs, Mr Haribhai P. Chaudhary. During this talks I also have expressed my concerns about the reduced space for international NGOs to operate in India. It was agreed that in the coming months there will be a discussion on how international NGOs can contribute to social and economic development within Indian legislation and context.

During the launch of the India-Dutch CSR dialogue attention was being given to the role of NGOs (see also answer to question 7). I would further stress that the Dutch Embassy is also having discussions with the Indian authorities for some time already to ensure that NGOs from India and Netherlands can cooperate together in a good way.

**Question 6**

Are you prepared to specifically point out to the Indian authorities that the restrictions imposed on the aforementioned NGOs are in conflict with both the constitutional protection as well as with the right to freedom of expression, association and assembly as laid down in international conventions?

**Answer**

I leave the assessment whether the restrictions imposed on NGOs are in accordance with the Indian Constitution to the Indian High Courts and Supreme Court. I emphasized during my meeting with Minister of State, Mr Haribhai P. Chaudhary, that a free, independent, active and critical civil society can contribute a lot to inclusive growth and development by means of a dialogue with companies and governments. I also indicated that international cooperation between NGOs offers added value and can contribute to the efforts to implement the development agenda in India. Finally, I emphasized my concerns if restrictive legislation hinders this constructive cooperation.

**Question 7**

In what way is, during the preparation of the trade mission to India, the government policy to involve organisations in the field of corporate social responsibility and human rights, taken into account (parliamentary letter “CSR and economic missions”, July 2013)? To what extent are conversations with or participation of NGOs part of the trade mission itself?

**Answer**

Prior to the mission to India there has been contact with several Dutch NGOs and NGO representatives were part of the mission. As with other trade missions the Ministry of Foreign Affairs and Netherlands Enterprise Agency (RVO) organised a preparatory meeting for the participating companies and NGOs in which all elements of ICSR [International Corporate Social Responsibility] were included.

During the trade mission, I have opened, along with a representative of the Indian government, the first meeting of the India-Dutch CSR dialogue. In this dialogue companies and NGOs can exchange experiences on the implementation of CSR guidelines. The Indian counterpart is the Indian Institute of Corporate Affairs (IICA). India also believes that involvement of civil society is essential to the effectiveness of this dialogue. Civil society organisations can on the one hand critically address companies, but they can also assist with the introduction and implementation of socially responsible policies. So there were several NGOs attending the meeting: Women on Wings, Cordaid, ICCO India Ltd., Solidaridad and IUCN. In my opening speech, I emphasized the importance of the involvement of civil society.

**Question 8**

Are you prepared to indicate clearly in the report of the trade mission how and in which discussions attention has been paid on the above mentioned subjects? Can you also mention the reactions of the Indian counterparts?

**Answer**

In the quarterly report to the Parliament there will be, as usual, a report on the recent trade missions, including the mission to India. In this report, attention will also be paid to how the NGO issue was discussed with various counterparts in India and the agreements made.

**Question 9**

Are you prepared to answer these questions prior to the trade mission?

**Answer**

It was decided to answer these questions after the mission so that I could let you know immediately know at what moments I discussed the position of NGOs.

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- (1) <http://www.indianet.nl/pdf/br150529e.pdf>
  - (2) <https://www.amnesty.org.in/show/news/india-curbs-on-greenpeace-violate-rightto-freedom-of-expression>
  - (3) [http://www.nytimes.com/2015/05/07/world/asia/india-narendra-modi-ngos-fordfoundation-greenpeace.html?\\_r=1](http://www.nytimes.com/2015/05/07/world/asia/india-narendra-modi-ngos-fordfoundation-greenpeace.html?_r=1)