

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS
RAJYA SABHA
UNSTARRED QUESTION NO-1837
ANSWERED ON- 16/03/2023

BILATERAL INVESTMENT TREATIES

1837. SHRI K.C. VENUGOPAL

Will the Minister of EXTERNAL AFFAIRS be pleased to state :-

- (a) The total number of Bilateral Investment Treaties (BITs) that have been signed and ratified between India and other countries across the globe;
- (b) The number of BITs in force under the Model BIT of 1993;
- (c) The reasons as to why BITs signed under the Model BIT of 1993 have not yet been renegotiated to the Model BIT of 2015; and
- (d) The details of steps taken in furtherance of the Standing Committee of External Affairs (SCEA) Report on India's involvement with bilateral investment treaties (BITs)?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS

(DR. RAJKUMAR RANJAN SINGH)

(a to c) Till 2015, India has signed Bilateral Investment Treaties/Agreements with 83 countries/regions based on the Model BIT of 1993, and as amended in 2003. Out of these, 74 were ratified. Among these 74 Bilateral Investment Treaties/Agreements, notice of termination has been issued to 68 countries/regions with request to re-negotiate based on the Model BIT 2015 and 6 BITs are still in force. After the model BIT of 2015 was approved, India has signed four agreements of which two are in force.

The Ministry has been playing an active role in facilitating investment treaty negotiations. The Ministry has been coordinating between foreign governments, foreign missions and other departments/ministries of the Government of India for BIT negotiations.

(d) The Ministry has considered the various recommendations of the Standing Committee of External Affairs (SCEA) Report on India's involvement with bilateral investment treaties (BITs).

Government has signed a Host Country Agreement with Permanent Court of Arbitration (PCA) for establishing a Regional Office in India.

For capacity building in India in the field of investment treaties, the Ministry of External Affairs along with reputed institutions and International Organisations like the PCA, have been organizing capacity building workshops on investment treaties for government officials and legal fraternity.

The Ministry has also set up an Arbitration Cell within the Economic Diplomacy Division with the aim of developing in house expertise to handle issues pertaining to investment treaties, UNCITRAL, the PCA and other international arbitration related issues.
