



N de Sadeleer  
Full Professor, Jean Monnet Chair

EUIndoPac Jean Monnet University Teaching  
Module

*The EU and the Indo-Pacific Region.  
Challenges and opportunities*

# Sino-Indian Global Ascent Reshaping legal systems

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## Rising global superpowers

**India:** from a "sleeping giant" to a system-shaping actor in geopolitics, economics, and technology

**China:** world's second largest economy





# Trade negotiations with India

On 17 June 2022, the EU launched negotiations with India for

- a **Free Trade Agreement (FPA)**,
- an **Investment Protection Agreement (IPA)**,
- and an **Agreement on Geographical Indications (GIs)**.

On January 27, 2026, India and the EU announced the conclusion of negotiations for a historic FTA..



# Objectives

Remove barriers;

Open up services and public procurement markets;

Ensure protection of geographical indications;

Pursue ambitious commitments on trade and sustainable development.



**Free trade agreement between the European Union and its Member States, of the one part, and India, of the other part**



## U.S. Embassy and Consular Districts in China



# Comparative elements

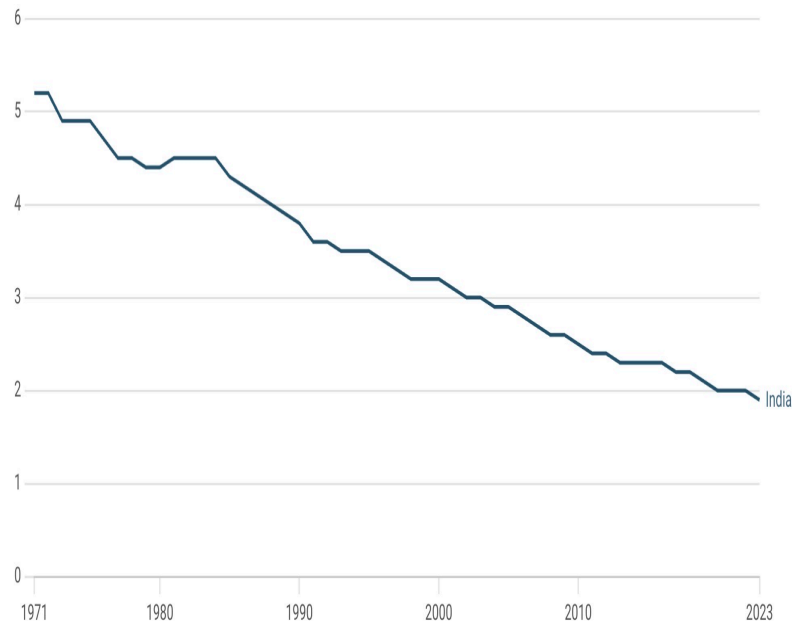
	India	China
<b>Landmass</b>	3,287,263 Sq km	9,596,961 Sq km
<b>Largest country in the world</b>	7th	4th
<b>Territorial Sea and EEZ</b>	India's EEZ covers over 2.3 million of maritime area	200 nautical miles from the baseline. China's claims overlap with neighbors in the Yellow, East China, and South China Seas,
<b>Population (2025/2026 projections)</b>	World's most populous country with an estimated population exceeding 1.46 billion	1.404 - 1.416 billion
<b>Population growth</b>	Rapid decline in fertility (1.9 to 1.98 ch./woman), largely driven by increased female literacy, urbanization, contraception,	Plumeting fertility rate (1,1 ch./wm.)
<b>Main religions</b>	Predominantly Hindu (79% to 80%) with a large Muslim minority ( 13% to 14.5%). 2% to 5% of the population is Christian	Budhism: The most practiced organized religion, with estimates between 16% and 35%.  Christianity: Growing, with estimates of around 5% to 7% of the population.  Islam: Roughly 1% to 2% of the population.
<b>Extreme poverty</b>	Significant progress in poverty reduction has occurred. 10% of India's total population (134 million) people in the poor category (earning less than \$2 a day).	As of early 2021, extreme rural poverty (below \$2.30/day) has been largely eliminated



## Plummeting fertility rate

Just four Indian states are yet to achieve replacement fertility

Select states [↗](#)



▶ 1971 - 2023

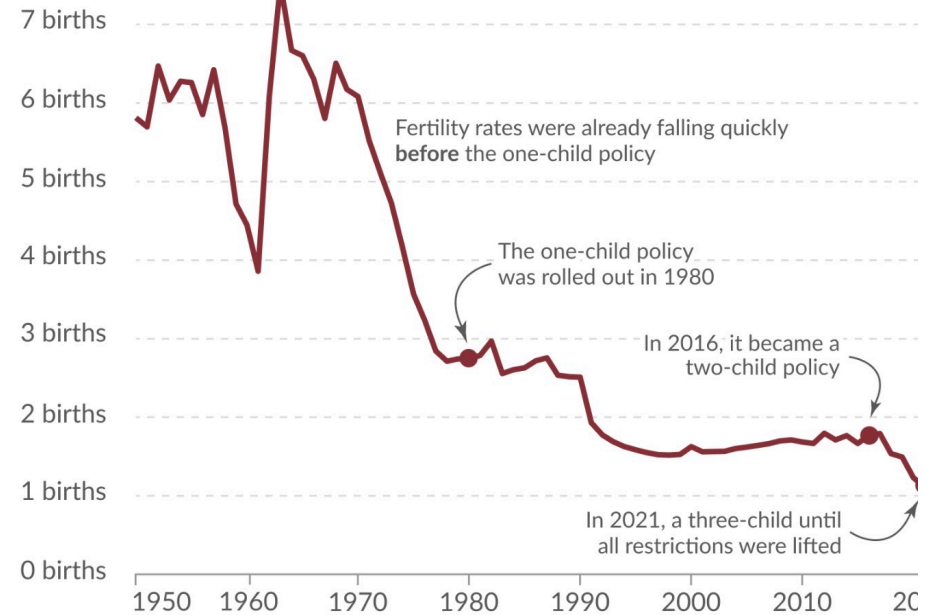
The Total Fertility Rate (TFR) is the average number of children a woman is expected to have in her lifetime.

Source: Sample Registration System Annual Statistical Reports, Registrar General of India

## China's fertility rate has fallen to one, continuing a long decline that began before and continued after the one-child policy

Our World in Data

The **total fertility rate** summarizes the total number of births a woman would have, if she experienced the birth rates seen in women of each age group in one particular year across her childbearing years.



Data sources: Human Fertility Database; UN WPP (2024)

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# 1. Trade and Investment with the EU

	<b>India</b>	<b>China</b>
<b>Nominal GDP</b>	4th-largest economy Around \$4 trillion	2nd-largest economy, projected to exceed \$19–20 trillion
<b>Year-on-year growth rate</b>	8.2% despite US punitive tariffs (on 2 <sup>nd</sup> Febr. 26 to 18% from 50%)	5% despite US punitive tariffs and a painful property-sector adjustment
<b>Total bilateral trade in goods between the EU and the third country</b>	India is the EU's 9 <sup>th</sup> largest trading partner €120 billion in 2024 or 11.5% of total Indian trade	China is the EU's second-largest trading partner for goods €732 billion (trade deficit with China, exceeding €300 billion in 2024) Critically unbalanced, due to a significant asymmetry
<b>EU Exports</b>	Machinery and appliances, transport equipment (automotive), and chemicals.	Machinery and vehicles (51%), other manufactured goods (20%), and chemicals (17%).
<b>EU Imports</b>	Textiles, metals, machinery and appliances, chemicals, and mineral products.	Machinery and vehicles (55%), other manufactured goods (34%), and chemicals (8%).

# Trade in goods EU-India

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India and the EU are already important trading partners.

Trade increased by 70% in the decade from 2009 to 2019.

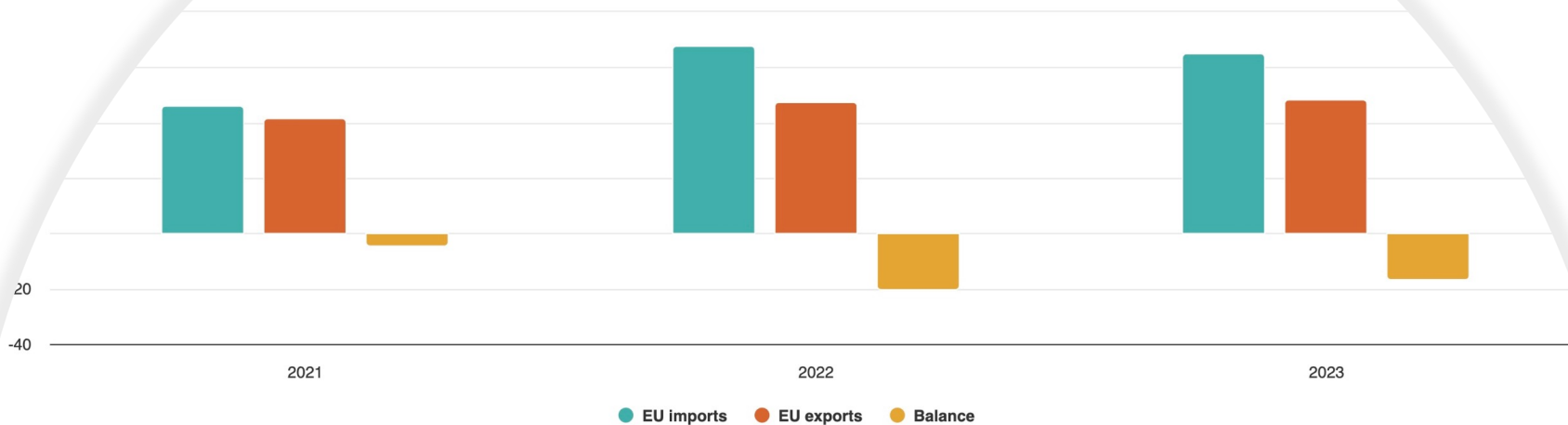
The EU is India's largest trading partner (12.2% of total Indian trade), accounting for €124 billion worth of trade in goods in 2023.

India is the EU's 9<sup>th</sup> largest trading partner, accounting for 2.2% of the EU's total trade in goods in 2023.

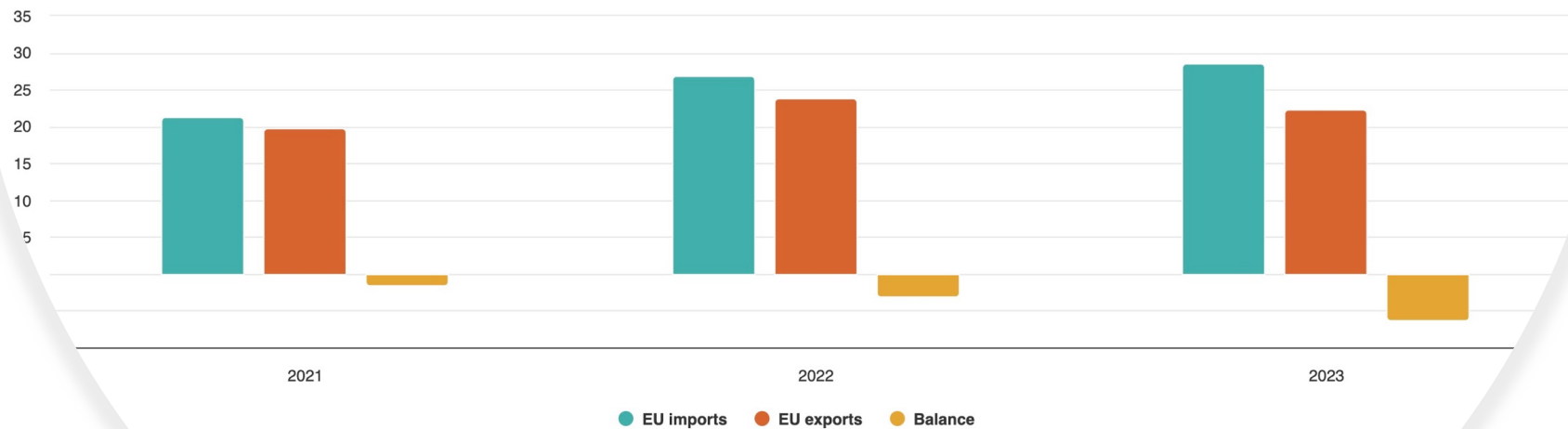
Trade in services between the EU and India reached €59.7 billion in 2023.



Trade in goods, EUR billion

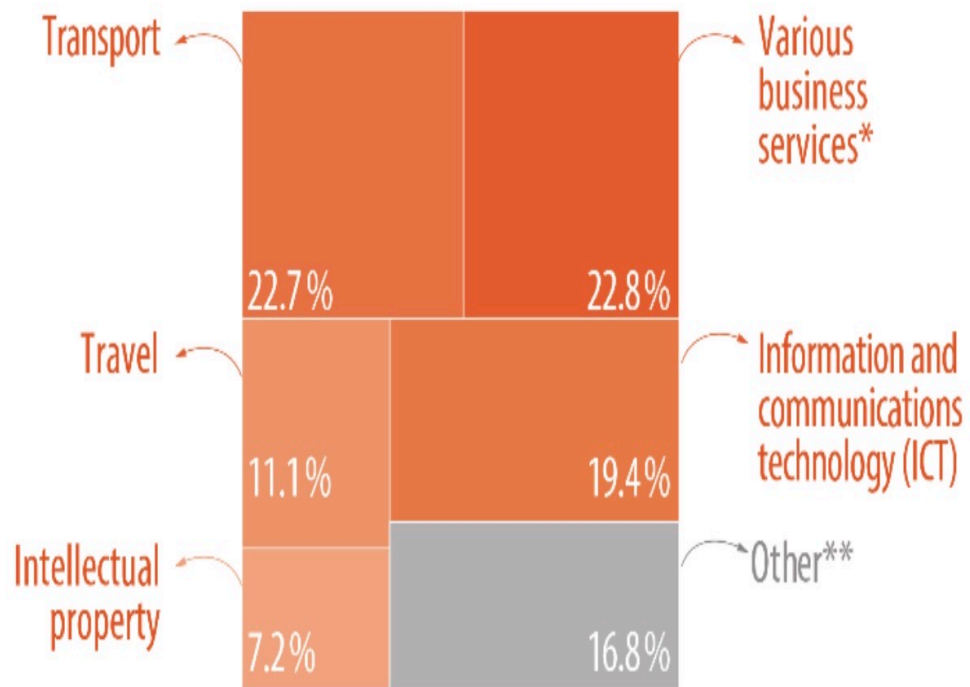


Trade in services, EUR billion

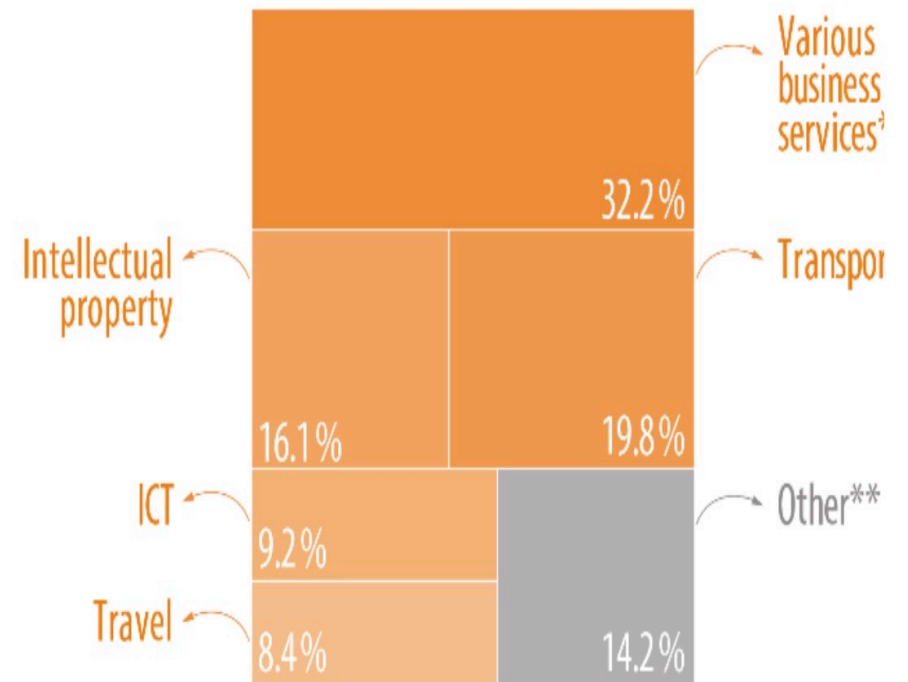


## Figure 2 – Trade in services with India

EU exports of services to India (2022)



EU imports of services from India (2022)



	India	China
<b>EU's FDI stock</b>	€140.1 billion in 2023.	EU's FDI stock €232 billion in 2023 Trade surplus (€21.7 billion 2024)
<b>Bilateral service trade</b>	€59.7 billion in 2023 Trade deficit	€112 billion in 2024 China is the EU's fourth-largest services trading partner
<b>Trade &amp; Investment Cooperation with the EU</b>	Ongoing negotiations on a Free Trade Agreement with the EU aimed at eliminating tariffs on over 90% of products	EU-China Comprehensive Agreement on Investment (CAI), agreed in principle in December 2020 -frozen in May 2021
<b>Trade tensions</b>	FTA negotiations stalled in 2013 due to disagreements over tariffs, market access, IPRs, and regulatory standards (pesticides)	<ul style="list-style-type: none"> <li>• new tariffs on Chinese-made electric vehicle</li> <li>• €3 flat-rate customs duty on small, low-value parcels from outside the EU (including China)</li> </ul>

A row of wooden figures, resembling a line of people, with one red figure standing out in the center. The figures are arranged in a slightly curved line on a light-colored surface. The background is a soft, out-of-focus grey. The text "2. Political Contexts" is overlaid in white, bold font across the center of the image.

## 2. Political Contexts

	Union of India	People's Republic of China (PRC)
<b>Establishment</b>	Dominion (Indian Independence Act, 1947): 15 August 1947 to 26 January 1950 Union: 26 January 1950	October 1, 1949
<b>Partition and annexations</b>	Pakistan established on August 14, 1947	<ul style="list-style-type: none"> <li>• Separation of Taiwan from the PRC in 1949</li> <li>• Tibet (Seventeen Point Agreement (May 1951))</li> </ul>
<b>Ideology</b>	Sovereign, Socialist, Secular, Democratic Republic	Marxism–Leninism adapted to the historical context of China
<b>Main political parties</b>	Although India is multi-party system with over 2,500 registered political parties, Indian politics are dominated by the BJP (Bharatiya Janata Party) and the INC (Indian National Congress)	Chinese Communist Party (CCP) is the founding and ruling party of the PRC
<b>Allocation of powers</b>	Separation of powers	Power is centralized, with the CCP General Secretary acting as the top leader holding the positions of President and Chairman of the Central Military Commission.

# Two Main Antagonistic Visions of Democracy



## Union of India

A multi-party system with regular, high-turnout elections and a strong, independent judiciary, which is rooted in a constitutional framework



## People's Republic of China (PRC)

Socialist democracy with Chinese characteristics, departing from Western-style liberal democracy



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李长春



贺国强



周永康

# Geopolitical Overview

	Union of India	People's Republic of China (PRC)
GATT/WTO Membership	GATT member since 1948 And a founding member of the WTO (since Jan 1, 1995)	December 11, 2001
BRICS Membership	Foundational & permanent member in 2009	Foundational & permanent member in 2009
Military Strength	One of the world's largest armies	
Nuclear Warheads	~170–200	~500–600+



	Union of India	People's Republic of China (PRC)
Key Allies	USA, France, Russia, and Israel	Pakistan, North Korea, Myanmar, Russia South Asian Neighbours (Belt and Road Initiative)
Key Enemies	<ul style="list-style-type: none"> <li>• Pakistan (territorial disputes in Kashmir)</li> <li>• China (territorial disputes in Ladakh and Arunachal Pradesh, and its strategic influence in the Indian Ocean)</li> </ul>	<ul style="list-style-type: none"> <li>• Taiwan (sovereignty dispute)</li> <li>• India (border disputes)</li> <li>• Japan and the Philippines (territorial disputes)</li> </ul>
China–India Tensions	Tensions regarding China's strong relationship with Pakistan	Sino-Indian border skirmishes in 2018, 2020
Significant security threats	<p>Kashmir (wars of 1947, 1965, 1971, 1999)</p> <p>Risk of a nuclear conflict with Pakistan</p>	According to US intelligence the PLA should be capable of invading Taiwan by 2027







# The South China Sea Conundrum

- The South China Sea is a major shipping route (over 21% of global trade) + rich fishing grounds.
- The disputes involve the islands, reefs, banks, and other features of the region.
- **Vietnam** claims that it has actively ruled over both the Paracels (currently occupied by China) and the Spratlys since the 17th Century
- The **Philippines** invokes its geographical proximity to the Spratly Islands as the main basis of its claim for part of the grouping. In July 2016, an arbitration tribunal under the auspices of the UN Convention on the Laws of the Sea, backed the Philippines' case, adjudicating that China had violated the Philippines' sovereign rights.
- **Malaysia** and **Brunei** also lay claim to territory in the South China Sea that they say falls within their economic exclusion zones,

# UNCLOS Article 56. Rights, jurisdiction and duties of the coastal State in the exclusive economic zone

The EEZ involves defining a maritime area extending from a nation's coast, up to 200 nautical miles, or roughly 370 kilometers, seaward from its established baseline.

1. In the exclusive economic zone, the coastal State has:

- (a) **sovereign rights** for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds;
- (b) **jurisdiction** as provided for in the relevant provisions of this Convention with regard to:
  - (i) the establishment and use of artificial islands, installations and structures;
  - (ii) marine scientific research;
  - (iii) the protection and preservation of the marine environment; ...



# The China-Japan territorial conflict

The China-Japan territorial conflict centers on the uninhabited Senkaku islands in the East China Sea (known as Diaoyu in China), which are administered by Japan but claimed by China and Taiwan.



# The PRC - Taiwan sovereignty conflict

Taiwan's disputed status is a direct result of the Chinese Civil War, in which the defeated Kuomintang government fled the mainland and moved its government to the island in 1949.

Taiwan operates as a self-governed democracy.

The Democratic Progressive Party (DPP) is seen as the “pro-independence” party,

The PRC (mainland) claims Taiwan as an inalienable, breakaway province that must be reunified.

# The Sino-Indian border dispute

China and India claim their sovereignty over two relatively large albeit separated pieces of territory.


**Aksai Chin** is administered by China and claimed by India.

**Aranushal Pradesh** is administered by India in accordance with the 1914 McMahon Line Agreement between Britain and India and claimed by China.





# 3. Access to Natural Resources and Pollution





	Union of India	People's Republic of China (PRC)
<b>GHG Emissions %World Total in 2024</b>	8.22 % 4371.17 Mton CO2eq	29.20 % 15536.10 Mton CO2eq
<b>Carbon Neutrality</b>	2070	2030
<b>Green Technologies</b>	4th globally in wind power capacity, investment in battery energy storage systems	Global leader: solar panels, batteries, wind turbines, and EVs through strategic state support
<b>Water Scarcity</b>	The world's most shortage-stricken country. 200,000 deaths occur annually due to inadequate water	80 % of is unsafe for consumption 82% of China's glaciers have retreated since the 1950s
<b>Air pollution</b>	Worsening Division of power among central and state governments Judiciary accountability	Significant improvements in air quality Centralized target-setting and State implementation



# What about law?

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## PREAMBLE

**WE, THE PEOPLE OF INDIA**, having solemnly resolved to constitute India into a '[**SOVEREIGN SOCIALIST SECULAR DEMOCRATIC REPUBLIC**]' and to secure to all its citizens :

**JUSTICE**, social, economic and political;

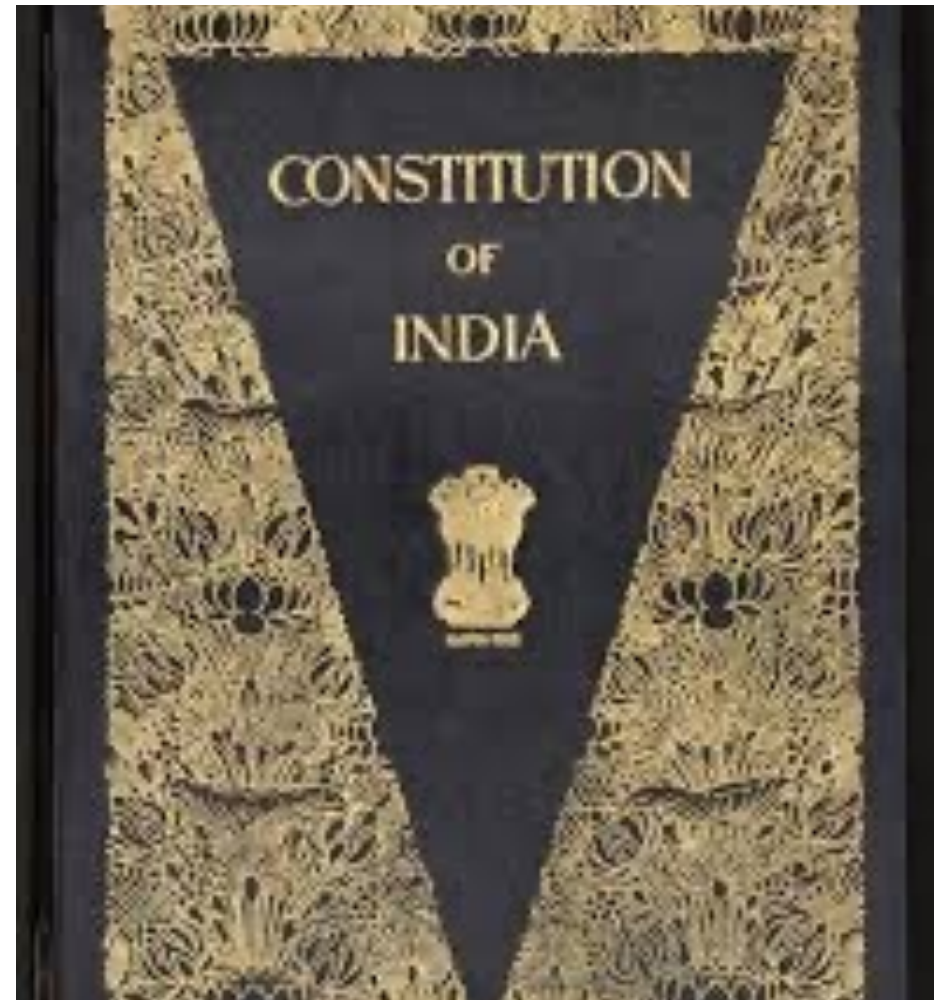
**LIBERTY** of thought, expression, belief, faith and worship;

**EQUALITY** of status and of opportunity and to promote among them all:

**FRATERNITY** assuring the dignity of the individual and the 'unity and integrity of the Nation';

**IN OUR CONSTITUENT ASSEMBLY** this twenty-sixth day of November, 1949 do **HEREBY ADOPT, ENACT AND GIVE TO OURSELVES THIS CONSTITUTION.**

1. Sub. by the Constitution (Twenty-second Amendment) Act, 1971, Sec. 2, for "Sovereign Democratic Republic" (w.e.f. 1.2.1.1971)
2. Sub. by the Constitution (Twenty-second Amendment) Act, 1971, Sec. 2,



中文 / English

宪法



**Constitution  
of the People's  
Republic of China**

English / Chinese



中华人民共和国  
宪法

	<b>Union of India</b>	<b>People's Republic of China (PRC)</b>
<b>Family</b>	Common Law	Civil Law
<b>Entry into effect of the constitution</b>	26 January 1950	20 September 1954 adopted by the 1 <sup>st</sup> National People's Congress
<b>State Structure</b>	'Union of States' (Art. 1 Const.) comprising 28 states and 8 union territories Distinct from a federation as no state can separate from the Union.	Unitary State comprising 23 provinces (including Taiwan), 5 autonomous regions, 4 municipalities (Beijing, Tianjin, Shanghai, Chongqing), and 2 special administrative regions (Hong Kong, Macau)
<b>Nature of the constitutional order</b>	Constitutional supremacy with an independent judiciary	Parliamentary sovereignty (National People's Congress) where the judiciary is subservient to legislative and party supervision
<b>Diverging Conception of the Rule of Law (RofL)</b>	Fundamental, non-derogable pillar of the Constitution: the law is supreme, all citizens are equal before it, and government action must be non-arbitrary and authorized by law	Socialist RofL with Chinese characteristics
<b>Separation of powers</b>	Multi-party parliamentary democracy	One-party socialist state governed by the Communist Party of China (CPC) which holds absolute authority over the state



सत्यमेव जयते



# The Rise of Superpowers

# Contrasting political systems

## India

- Multiparty parliamentary democracy
- Powers are divided between the central government (Union) and the state governments

## PRC

- One-party socialist state
- Top-down governance