Waiver for India unlikely on Russia sanctions

Strategic partner: The INS Vikramaditya aircraft carrier, purchased by India from Russia. AFPMINISTRY OF DEFENCE

A clean legislative waiver for India from anti-Russia sanctions looks extremely difficult, if not impossible, several people lobbying lawmakers for changes in the law have told *The Hindu*.

India is caught in the crossfire as a bipartisan law, Countering America's Adversaries Through Sanctions Act (CAATSA), requires the administration to impose sanctions on countries that have "significant" defence relations with Kremlin.

'Other routes'

"Nobody in the Capitol Hill has the appetite to do anything that would be remotely seen as helping Russia, though in this case we are talking about helping India," a Congressional staff member said. "A waiver appears out of reach. But there are other routes and we are hopeful of a resolution," a business lobbyist working on the issue said.

An attempt is being made to have language written into the National Defence Authorisation Act (NDAA) for 2019 that would enable the Donald Trump administration to protect India from sanctions. The U.S. House has passed NDAA 2019 already, the rules of which allows for waivers for 180 days, provided the administration certifies that the country in question is scaling back its ties with Russia.

This formulation in inadequate to resolve the Indian situation, sources familiar with ongoing conversations involving Indian diplomats, U.S defence companies and business bodies and lawmakers, told *The Hindu*. "A waiver linked to rolling back ties with Russia won't be seen as helpful by India," an executive with a U.S defence company said.

Efforts are, however, still under way to insert provisions in the NDAA in Senate that might give the Trump administration more leeway in dealing with the situation, short of a clean waiver.

Mattis's call

Apart from India, Vietnam, Turkey and Indonesia are also caught in the same situation.

Secretary of Defence James Mattis had called for waiver provisions at the Secretary of State's level.

"There are at least 2-3 different proposals under discussions with Senators still," an official said. The Senate and House versions of the NDAA will be reconciled through a conference mechanism later.

Rep Mac Thornberry, chairman of the House Armed Services Committee, who was in India recently, has returned with an understanding that the proposed conditional waiver could be a dampener in ties with New Delhi, a source who interacted with him said.

Aggressive enforcement

With the midterm elections scheduled for later this year, Democrats are trying to push the Trump administration to the corner on the Russia question.

On May 24, during a hearing, Senator Bob Menendez pressed Secretary of State Mike Pompeo for aggressive enforcement of CAATSA. Mr. Pompeo, countered with a question of his own: "Will you help Secretary Mattis get the waivers that he needs to make sure that these sanctions does not hit folks that I think were not intended to harmed by these sanctions?"

Mr. Menendez, the top Democrat in the committee, said he would consider the proposal.

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