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FACTORING THE SMART POWER IN THE INDIA-EUROPEAN UNION ENGAGEMENTS: A SCOPING REVIEW

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Abstract: *Power is a critical factor in several types of diplomacy. India-EU relations are a classic case of how changing geopolitics prompted diplomatic acumen. This scoping review assesses the changing relations of both partners as a manifestation of Smart Power. The dynamic relations from normative-based to pragmatic and inclusive interests based are evaluated. Their value-based relations are put under international relations theories. Their changing factors of cooperation are used to justify their smart diplomacy, where contemporary relations are less likely to be affected by multilateral interests. To solidify claims of smart power in their relations, the recent TRIPS waiver schism illuminated health diplomacy between the two regions. This health diplomacy discourse promotes smart power diplomacy between India and the EU, where new avenues of cooperation emerge despite pandemic disagreements. The article explores how hybrid power is better than soft and hard power in silos by systematically searching and selecting the existing knowledge in the contemporary context.*

Keywords: *Hard Power; Soft Power; Smart Power; European Union; Normative Power; Health Diplomacy*

INTRODUCTION

European Union (EU) is a regional organization with supranational characteristics placing norms and principles on its Member States. European Commission President Ursula von der Leyen's two-day visit (25-27 April 2022) to New Delhi for the first official visit amidst the Russia-Ukraine crisis and after the divergences over the Intellectual Property Rights (IPR) waiver proposal in the WTO had added much significance about the current scenario. The explicit aim of the visit was to further talks and cooperation on climate change after the COP26 conference, trade negotiations, and the security imperatives. European Commission President Ursula von der Leyen's opening address in Raisina Dialogue underlined the conventional negotiations viz. trade, sustainable development, and normative commitments, to the strategic cooperation envisioning democratic geopolitics in the Indo-Pacific region (ANI 2022).

Relations between India-EU date back to the 1960s, wherein the former is among the first countries to establish diplomatic relations with the European Economic Community (MEA 2013). Traditionally, the relations were characterized and manifested through political dialogues, parliamentary interactions, people-to-people contacts, and meager economic and trade relations with more tariff and non-tariff barriers. The relations were further upgraded to "Strategic Partnership" at the 5th India-EU Summit at Hague in 2004 (Council of EU 2004), by

which the two regions reiterated their strong commitment to democracy, pluralism, the rule of law, multilateralism with the strategic partnership in combating terrorism with deepened international consensus against terrorism.

Despite the strategic partnership, the relations between India and the EU vary diversely, which impedes the supranational characteristics of the latter. Scholars like Jain (2009, 173-188) metaphorized the relations driven by "small circles" in Brussels, dividing the whole member nations into three circles with a hierarchical setup based upon the stakes involved. The advantage of having strategic relations with multiple nations through the EU's tunnel seems unrealized. The deep impacts of colonialism still haunt the emotional connection for which Ashis Nandy uses the word "the intimate enemies" (Nandy 1989). This deep-seated emotion sometimes is coupled with the hegemony of Europe in the name of development, making their partnership political rather than collaborative. The EU's normative, ethical, and civilian power have greater penetrating impacts over communities with great admiring potential. Theorists like Galtung (1973) have discussed this value, and Galtung predicted that the European Community would eventually come to be known "just as Europe". However, the spread of these normative powers and impacts had been experienced by many post-colonial countries like India as interventionist policies violative of state sovereignty. This normative mission of the EU is seen as engaging itself in the "practice of othering", whereby it treats itself as superior to others in universal principles (Jain 2019, 173-188).

The EU is increasingly becoming a norms exporter with its missionary zeal to propagate social, economic, and ideological norms at the global level (Jain 2019, 173-188). Their principle of sovereignty-sharing with cooperative governance is believed to solve the problems of global governance aptly to be considered as their *moralpolitik.* The value of shared sovereignty for the mutual prospects of its members, which the EU possesses, is similar to the basis on which the multilateral institutions were established. For this, the constructivist thinkers in international relations theory are best suited. Alexander Wendt's emphasis on the importance of shared ideas and values in constructivist theory can be used to draw an analogy with EUs integration based upon democratic political association. Wendt stressed the values and norms as determinants of association with his dissension towards material forces. He does not deny the existence of material elements, but for him, these elements do not determine the human association, naming his assumption as "Rump Materialism" (Mengshu 2020; Wendt 1994, 388). Wendt's constructivist theory exemplifies its relations with India, where both partners have values parallelism on global governance with converging beliefs and a shared vision for global politics. Time and again, India has acknowledged that "a strategic relationship between the two is special because both share values and not only interests" (Jain 2019).

The relationship based upon norms convergence has limitations and frequently falters in India-EU relations. The repeated instances of the EU's concern for human rights for minorities in India revive the deep-rooted colonial hegemony of Europe among Indian policymakers, thinkers, commentators, etc. For many authors (Goodwin and Spittle 2002, 225-249; Kostakopoulou 2005, 233-267; Averre 2009, 1692), the EU is believed to follow the process of circulating the norms incrementally and then building the entire corpus of norms. Moreover, the norms not incorporated globally persist in being incorporated bilaterally in its quest to attain greater international recognition (Jain 2019). However, these attempts are sometimes construed as a

breach of sovereignty. Many EU countries have criticized India for not supporting the democratic transition or sometimes backing the authoritarian military regimes like in Myanmar despite its security concerns. Consequently, labeling India following *realpolitik* instead of *moralpolitik* commitments. For this, Tharoor argues that India does not need "ethical lessons" from Europe, which has "long coddled" military dictators in its neighborhood, notably in Islamabad (Tharoor 2007; Cheesman, Farrelly, and Wilson 2014).

In order to further heightened the relations between the two regions, the plan was to upgrade their relationship to a strategic level in the inaugural India-EU summit 2000 in June. To upgrade India-EU relations incongruence with its security strategy, the two partners endorsed the strategic partnership at the 5th India-EU Summit 2004 (Council of EU 2004). The Summit adopted political declarations and the Joint Action Plan (JAP) divided into four sections (politics, economic policy, trade and investment, and cultural and academic matters) (Council of EU 2004). This plan included several points with incrementally changing objectives according to need and time. The 15th India-EU Summit endorsed an "India-EU Strategic Partnership: A Roadmap to 2025" common roadmap for the next five years (MEA 2020). The strategic partnership is an elusive concept with varied meanings, making their strategic plan more accommodating of newer challenges and prospects. The augmenting security cooperation and exchanges exhibit the dynamic India-EU relations contrasting with the traditional norm-based relations.

In the theory of International Relations, to secure national interests, the concept of power becomes quintessential, leveraging diplomatic relations. The dynamic International Relations theory has ended the dichotomous nature of power, i.e., soft and hard power, with the advancement of smart power, a relatively novel concept used by Nossel (2004). India-EU relations used to exhibit the evolving nature of the relationship with changing diplomatic stances demonstrates the practice of smart power. From the long-established value-based relations to the existing strategic relations, smart power diplomacy is discernible. Both sides argue that evolution manifests the shared values or are the values in practice (Sautenet 2012, 123-146; Biscop 2016).

India-EU relationship building upon the directions of "India-EU Strategic Partnership: A Roadmap to 2025" presents a comprehensive cooperation document. Moreover, the launch of the European External Action Service (EEAS) (1 December 2010) is an embodiment of the EU's smart power with its non-EU counterparts (MEA 2020; EUEA 2020). Another instance of smart power manifestation was the recent dispute over the TRIPS waiver in the WTO between India-EU, which did not sever their relationship in other domains of cooperation (TNN 2020). This makes an important reason to discuss the health diplomacy between the two, which has bilateral consequences and global corollaries with thriving smart power impressions.

CONCEPTUALIZING SMART POWER

The concept of power in international relations holds a central position and is defined in multiple ways. This concept was core to realist theorists like Machiavelli (1993) and Morgenthau (1952), according to whom the power is the end and means itself. Power is employed to achieve national interests and is the objective of the nation-state as well. Thus, in international politics, power is the "ability to influence another to act in ways in which the entity would not have acted

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otherwise" (Morgenthau 1952). Power is a constituent of many elements with various determinants of power. By distinguishing between soft and hard power by Joseph Nye, soft power was more clearly elaborated. According to Nye (1990), hard power involves "the ability to use the carrots and sticks of economic and military might to make others follow your will" (p. 160). Soft power implies co-optive power, particularly "the ability to achieve goals through attraction rather than coercion" (Nye 1990, 153-171). However, due to the structural changes in International Politics with the inherent limitations of both these powers, the dichotomy between the two seems to be fading. This increased demand by various subject experts for the change in foreign policy conduct due to the mutually reinforcing nature of both these powers. The debate over the types of power and the need for their repair is flawed, according to Wilson III (2008). He believes that the proponents of both powers have some inherent reticence, whereas the proponents of soft power made their positions politically naïve and institutionally weak. In contrast, the hard power proponents have ignored or subsumed the national power outside their purview (Wilson III 2008, 117).

The dichotomous debate over the type of power resulted in badly served national interests. Various inherent anomalies of hard and soft power necessitated the evolution of Smart Power. The analogy of power evolution can be compared with the philosophy of Hegelian Dialectics, where the constant pursuit for the reduction of anomalies leads to the evolution of knowledge (Mueller 1958, 412). Figure 1 presents an analogy of dialectics and power evolution.

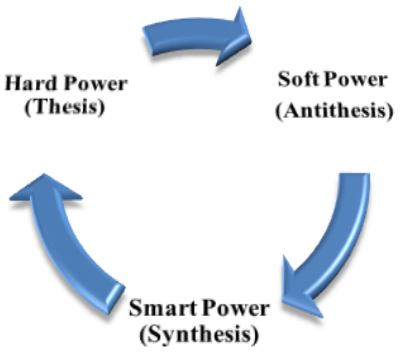


Figure 1: The Evolution of Power through Analogy of Dialects (Source: Authors' depiction)

The concept of smart power was first used by Suzanne Nossel, mostly in US foreign policy. For Suzanne Nossel (2004), smart power for the US is knowing that using one's hand as a tool for national interests is not always good. It can be furthered through alliances, international institutions, careful diplomacy, and the power of ideals (p. 131). In the CSIS Commission, Nye defines smart power as "the capacity of an actor to combine elements of hard power and soft power in mutually reinforcing ways such that the actor's purposes are advanced effectively and efficiently" (Nossel 2004, 153-171). Smith-Windsor (2000) also highlighted how the dichotomous division of power serves no purpose for countries like Canada. Wilson (2008) defines it as:

> A genuinely sophisticated smart power approach comes with the awareness that hard and soft power constitute not simply neutral 'instruments' to be wielded neutrally by an enlightened, all-knowing, and

> independent philosopher king; they themselves constitute separate and distinct institutions and institutional cultures that exert their own normative influences over their members, each with its own attitudes, incentives, and anticipated career paths (pp. 51-56).

Various manifestation of this power exists like the strategy followed by the People's Republic of China (PRC), where they pursue military rise by strategizing the historical discourses of "century-old humiliation" on the other hand pursuing relations with African nations due to the minerals imperatives by following the "charm campaign" Josh Kurlantzick (2007) or the "chequebook diplomacy".

Smart power is defined differently by many diplomats, but the exact meaning is identified by its application, where its design and conduct vary based on the institutional and political setups. Soft power is less funded, less in proportion, and less institutionalized than hard power (Kearn 2011, 65-85). This makes the smart power's role essential as it formulates rational foreign policy. Smart power recognizes the limitations of each power and balances the complicated institutional structure which thwarts the asymmetry between hard and soft power. Political challenge to smart power exists as the supporters for the hard power are more making the asymmetry. For them, soft power is just wasteful and riskier investment with no tangible outcomes. Foreign policy must be efficient, robust, and dynamic (Brynteson 2014).

Smart power advocates the efficient use of both powers in a politically and institutionally compelling language. Smart power is a strategically formulated wielded power based upon information cognizance. Thus, smart power envisages that soft power advocates must advance national interests with their methods and some Machiavellian elements. In contrast, the hard power proponents must favor good or public diplomacy, which can prevent bloody conflicts.

SMART POWER: INDIA-EU PERSPECTIVES

Indian diplomacy has been a mix of both powers. However, the effectiveness of this received colored responses or the smartness by lumping elements of traditional Buddha's values, and the Kautilyan statecraft lacked the persuasiveness it aimed for (Singh and Singh 2019, 169-182). The maintenance of bilateral relations with various countries based upon the hyphenated foreign policy, at various times, proved costly as its failure to sail in two boats simultaneously (Taneja 2018). The hyphenated diplomatic relations with Iran-US, Israel-Palestine, and Gulf nations were manifestations of it. Bilateral relations with Nepal, where the soft power projection was an easily proven failure during the Madhesi's blockade (Pant 2018, 18-27). Despite using both smart and soft power, India conventionally applied these powers. The conventional application of these powers means it divided the global partners and allotted power suitability instead of making it a dynamic diplomacy. Like India- EU relations remained determined under the ambit of value convergence, whereas with EU Member States like France, the relations were more strategic and mutually cooperation-based (Jain & Sachdeva 2019). The multi-alignment, which goes beyond the non-alignment, is destined to succeed when it has dynamism instead of making a strict authoritative allocation of type of power (Chandra 2017, 98-117). In the case of India, it would be difficult to determine the beginning of the smart power

approach application; however, there are various instances where the existence of the same is applicable. India's diplomacy, which claims to be based upon strategic autonomy exemplified in its changing stances on the Israel-Palestine issue, Iran and the US following de-hyphenated foreign policy, is the application of smart power (Khalid 2019, 127-142). In the India-EU relationship, it is interesting to highlight various aspects where both players attempted to upgrade their relationship based upon myriad convergences in interests and values induced by the changing world order.

The EU, a supranational association aimed to prevent world war-type catastrophe with mutual development of the members, made it a politically normative association. This institution's normative and values base became the element of its soft power (Manners 2008). The heavy reliance on value-based diplomacy with the reluctance of security or hard power vision made it under the security umbrella of either NATO or the military giant of the Union (Telo and Ponjaert 2016). The one voice of the EU, which was the principle of the Union, got diluted either because of the power politics of the giant members or their premise of treating foreign policy as their preserve. This outcome came with the descending clout of EU power as the security and defense remained orphans for the EU. The humiliating weakness of the EU was seen during the genocide in Bosnia, which it failed to prevent. Many experts think the absence of the EU's smart power is the ignorance of the hard elements of power or the failure to devise a strategic foreign policy. Giles Merritt argues for "putting some muscles into Europe's soft power" (Merritt 2016, 175-201). He gave various examples when the hopes of EU's security power got revived with the Franco-British Declaration (1998), the publication of the European Security Strategy (ESS) in December 2003, and successful operations like "Operation Artemis" to the Democratic Republic of Congo (DRC) but with several failures like the Libyan crisis wherein the unanimity between the EU members were absent (Merritt 2016, 175-201). The economic crisis of 2008 and the strong public outrage against the defense budget again made the inclusiveness of varied power in foreign policy sidelined.

EU's soft power was slammed by experts like Anders Fogh Rasmussen (2013), who was NATO Secretary General and former Danish Prime Minister, who emphasized that: "Europeans must understand that soft power alone is really no power at all. Without hard capabilities to back up its diplomacy, Europe will lack credibility and influence. It will risk being a global spectator, rather than the powerful global actor that it can be - and should be".

The crisis in Ukraine and the declining NATO influence since Trump's reiteration of budget sharing necessitates the EU to reinvigorate its foreign policy, not to a hardcore military strategy but to make it smarter with wielding power. Thus, the excessive reliance upon the value-based power of the EU seems ineligible for the smart power criterion.

The European External Action Service (EEAS) launch by the EU on 1 December 2010 demonstrated their focus on smart power. Despite a silent start, the initiative was an innovation in the history of the supranational union, which envisages giving a single diplomatic voice to the EU, aiming at coordinating, shaping, and enacting the entire body of EU foreign policy under a single command. EEAS embodied the unifying value of the EU with the process of cultivating a distinctive institutional identity (Cross 2011). Mai'a K. Davis Cross argues that the invention of EEAS, compared with the Lisbon Treaty (13 December 2007) and its various offshoots, demonstrates the commitment to smart power. The EEAS aimed at coordinating the foreign

policies of Member States and the EU more closely, giving one voice to the EU's foreign policies. The use of hard power by the Member States by increasing defense spending and soft power used by the EU, i.e., its normative leverage, are hoped to be coordinated under the plan of EEAS. The 27 Member States have much at their disposal with over half a billion people, the largest economy, and a contributor to global research, aids, development, etc., making it a stronger global actor (Cross 2011). In a nutshell, EEAS would give the EU a stronger and more coordinated foreign policy, lumping hard and soft power and making the EU a smart power actor.

SMART POWER FACTOR: INDIA-EU ENGAGEMENTS

The 15th India-EU Summit (15 July 2020) marked an epochal moment in their relationship by endorsing "India-EU Strategic Partnership: A Roadmap to 2025". The roadmap mentions more than 100 points with six major identified areas of cooperation. From the traditional value convergences and political connections to the rising economic and security imperatives, the roadmap is an ambitious document that illustrates the emerging reset of their relationship. The area of foreign policy and security cooperation dealt with the need for an expanded dialogue mechanism. Security agreed upon cooperation against rising threats like terrorism and its allied activities. Both partners acknowledged the need for intelligence cooperation and aimed to conclude and implement a working arrangement between Europol and the Central Bureau of Investigation (MEA 2020). The document envisions a comprehensive vision to strengthen India-EU relations based upon the strategic aims and concern for the dilution of rule-based order. The India-EU leaders meeting of 2021 held online with the PM of India and 27 EU Member States not only pushed the stalled FTA but also made a serious attempt to maneuver the opportunities.

Similarly, the EU president's address in the Raisina Dialogue attempted to use the value convergence of India and the EU to make their relationship more strategic by highlighting the existing threats and competition. The President highlighted the need to rethink possible asymmetry in interdependence, which is leveraging strategic gains. The shifting power balance towards the Indo-Pacific was also mentioned, focusing on China's actions and calling it an economic competitor and a systemic rival. However, despite sharing common views on various contemporary issues, the EU's views on India's response to Ukraine's crisis were seen as appeasements to Russia. The EU's special envoy on the Indo-Pacific, Gabriele Visentin, expressed displeasure over India's abstention in the UNSC resolution against Russia and said that the EU was not pleased with India's vote but believed both have been sharing common values.

Notwithstanding the disruption caused by the Ukraine crisis, both sides maintained a more determined political will without disturbing the tempo of moving towards rapid formalization of their relationship. New Delhi and Brussels have remained determined over their position on the Ukraine crisis, with several strong arguments by India against their alleged bankrolling of the crisis by cheaper Russian oil imports and its hypocritical response for violation of rule-based order. External Affairs Minister S Jaishankar responded that Europe advises making more trade whenever such a conflict occurs in Asia. During the Galwan confrontation, the EU signed a Comprehensive Agreement on Investment with China. He added that the crisis in Ukraine could be a wake-up call for Europe to look at Asia (Talukdar 2022). This exchange of

views did not sever the ongoing strengthening of the relationship, which is unusual in their traditional relationship where the diktat over human rights by the EU used to ebb in their partnership. PM of India's visit to three EU Member States when the region is engulfed in a war crisis with divergent responses illustrates the well-calibrated diplomatic stances of both companions. Starting his visit from Berlin, where the intergovernmental consultations (IGC) were held, security, economic and financial policy, scientific and social exchanges, and climate and sustainable development were major areas of partnership. After Berlin, the visit to Copenhagen hosted the Second India-Nordic Summit with points of deliberation, including post-pandemic economic recovery, the climate crisis, innovation and technology, renewable energy, the evolving global security scenario, and cooperation in the Arctic region (Laskar 2022). In the last leg of the visit to Paris, India's significant EU strategic partner considered taking their strategic relations to the next level as both partners share similar visions and values. These developments show the varied nature of collaboration between India and European members, unlike the previous engagements with only the major European nations - numerous instances of their collaboration point towards an inclusivist approach in their diplomatic relations to secure national interests. However, securing national interests is not always spearheaded by strategic calculations; the elements of public diplomacy, like health diplomacy, promote goodwill, which in turn catalyzes national interests. This makes diplomacy derived from smart power. Similar parallels can be drawn in health diplomacy efforts in the EU-India case.

INDIA-EU HEALTH DIPLOMACY

Public health promotion and protection through multilevel and multi-actor negotiations are at the heart of health diplomacy, a subfield of Global Health Diplomacy (Kickbusch 2021). Health diplomacy describes incorporating health policy and negotiation into broader international relations. Health-related issues, such as patent waivers, pooling, sharing of technical health know-how, etc., are central to ongoing diplomatic negotiations. The pandemic, however, served as a "black swan" event in health diplomacy, reviving this field of study that had been passed down until now. The health diplomacy efforts between India and the EU have manifested themselves in many agreements, plans, and negotiations in which both state and non-state actors have taken part. Rupa Chanda connected the dots between the General Agreement on Trade in Services (GATS) between India and the European Union, from international consumption to the free flow of services across borders (Chanda 2011, 1-13). The India-EU proposed free trade agreement or the stalled Bilateral Trade and Investment Treaty (BTIA) contains various health cooperation and their commitment towards intellectual property rights, where the major area of divergence exists. Several partnerships aimed at preventing disease and promoting wellness are also included in the 2025 strategic roadmap.

The EU-India Joint Working Group on Pharmaceuticals, Biotechnology, and Medical Devices facilitates regulatory dialogue with India and allows the formation of specialized sub-groups, one of which focuses on pharmaceuticals per the India-EU Cooperation Agreement on Partnership and Development from 1994 (European Commission 1994). In 2005, a Joint Action Plan for the India-EU Strategic Partnership was adopted, and within it, a working group on pharmaceuticals was supported. Their work began in 2006, and they have consistently met each

year. Through capacity-building and regulatory contacts, the European Medicines Agency (EMA) aids India in adopting international best practices in pharmaceutical GMP and clinical trial activities (EMA 2006). As part of this capacity-building partnership, Indian regulatory authorities will be represented at conferences and training events, and Indian invitees will be allowed to participate in inspector training. Ayurvedic medicine is being considered for European use by the European Medicines Agency (EMA Committee) for Herbal Medicinal Products. The In Silico Trial for Tuberculosis Vaccine Development (STriTuVaD) project aims to create and clinically validate an in-silico trials technology that can predict the effectiveness of therapies for active tuberculosis based on novel therapeutic vaccines (STriTuVaD 2019). The project is supported by the Department of Biotechnology of the Government of India and the EU's Horizon 2020 Research and Innovation Programme through the exchange of experts. Peter M. Haas characterizes epistemic communities like STriTuVaD as a network for the promotion of collective amelioration. This collaboration is the best example of what epistemic communities can look like in practice. A "network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue area", as defined by Peter M. Haas (1992), is an example of an epistemic community (p. 23). Information and communication technology's long-term plan is focused on advancing cutting-edge fields like artificial intelligence and blockchain to improve healthcare delivery. Antimicrobial Resistance (AMR) is among many emerging health concerns that call for international collaboration. In the long run, the sustainable food system is envisioned as a healthcare promotion effort. The pandemic threat has prompted new medical research and development cooperation forms to better prepare for and respond to pandemic crises.

As a result of their differing perspectives on intellectual property rights, India and the EU's health diplomacy, which aims for a "health for all approach" and takes into account the pharma bases of India and the scientific leverages of the EU, is often watered down. Because of this discrepancy, the Bilateral Trade and Investment Treaty (BTIA), also known as the Free Trade Agreement (FTA) between India and the European Union, was put on hold. The BTIA, a broad picture of relations between India and the European Union, is unbalanced because it ignores trade, strategic imperatives, and humanitarian obligations. Prior to 2005, no patents were issued for Indian medicines, leading to the proliferation of generic medicines that have been instrumental in the treatment of many life-threatening illnesses, including HIV/AIDS, tuberculosis, and others. However, because of its dedication to the WTO's Trade Related Intellectual Property Rights (TRIPS), India has weakened its pharmacy infrastructure, making it more difficult for the poor to access the care they need.

Furthermore, there are examples of productive health partnerships between the two countries, such as the case of Thailand, which supplies roughly 45% of India's antiretroviral drugs. As more people look to India for its low-cost, high-quality medical services, various EU regulations have begun to restrict such travel out of concern for patient safety. One such measure was taken by the UK, a former member of the EU, which limits patient travel to countries more than three hours away. After the public outcry and initiation the WTO complaint, it was deemed inappropriate to seize lawful generic medicines manufactured in India and destined for markets outside Europe (Mehdudia 2010). The European Union proposed changing Measure 1383/2003 of the Border Regulations to intercept goods suspected of violating certain

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intellectual property rights (EUR-Lex 2003). These rules are being contested because they are unconstitutional in several respects, including their inappropriate application of the law of the transit country, the lack of a meaningful opportunity for parties and consumers to be heard, and the absence of adequate remedies for the harm caused by the rules (Baker 2012). This seizure also ran counter to several central principles of the Doha Declaration. Since both India and the EU focus on improving their domestic business climate and research returns, the more ambitious India-EU FTA, which includes trade liberalization and patent obligations, is unlikely to come to fruition. They are very dedicated to protecting patent rights, but this could hurt India's pharmacy industry, which has both commercial and social responsibilities.

Both regions can attest to their "health for all approach" and their FTA patent compromises during the pandemic, which was a significant event. The two sides, however, have been unable to resolve the conflict amicably despite the terrible mortality caused by the pandemic and the lack of vaccines due to strict patent regulations. The COVAX vaccine pool ensured that vaccines were distributed fairly and without discrimination. The EU's continued call for compromise without agreeing to a full waiver, in response to India's stronger accusations that the EU was preventing equal access to vaccines, prevented any unanimity. Furthermore, to calm the commotion caused by the vaccine waiver's refusal, a partial waiver that only covers vaccines was recently accepted. It was a crucial time for New Delhi and Brussels to resolve the issue of patent compromises and support their universal health goal. The relationship between India and the EU on health diplomacy has more promises than results. Both partners demonstrate diplomatic ingenuity despite disagreements regarding patent regulations, the FTA's stalling, and the current attitude toward the Ukraine crisis.

Both domestic and international imperatives are present in the two partners' engagements in health diplomacy. In the cases of India and the EU, health diplomacy is not only positioned as a component of public diplomacy but also has a number of humanitarian responsibilities. The proposed BTIA, if adopted, would fulfill these requirements. However, it also contains provisions that could endanger India's industry for low-cost generic medications while enhancing trade relations and increasing scientific research. After the TRIPS agreement, the manufacturing of generic medicines grew less rapidly due to the strict patent obligations.

The National List of Essential Medicines (NLEM), created by the Indian Ministry of Health and Family Welfare, partially addressed the issue of the domestic population's access to affordable medications. The Essential Medicines List (EML) is a model list based on priority, affordability issues, etc. Another tool to lower the cost of medications is compulsory licensing, which is governed by the Indian Patent Act of 1970 and is recognized internationally by the TRIPS agreement and Doha Declaration. In addition to domestic healthcare access, healthcare equity globally is still precarious. The pandemic was the best example of how a lack of agreement regarding the vaccine IPR endangered Article 3 of the Universal Declaration of Human Rights (UDHR). As a result, the two partners' health diplomacy has a variety of global and bilateral spillovers in addition to serving as a tool for projecting their soft power. Their partnership would become more legitimate if conducive health diplomacy could be achieved, which would only be possible if both parties increased the use of smart power while giving up a variety of provisional interests for a lasting and solid partnership.

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CONCLUSION

Since their interests are so closely aligned, the contours of India-EU relations have shifted from limited democratic and normative commitments to more commercial and strategic ones. Due to rising threats from overly dependent nations creating asymmetric dependence, leading to strategic leverage, their relationship is a manifestation of smart power, in which both partners project their soft power of norms and values with their hard power of strategic balance. The precarious state of their relationship can be seen in the many times when they have severed ties in protest of EU normative diktats. Because of the uneven development of EU cooperation in other areas, the Union's normative strengths were frequently cited as a reason for disagreement. Due to shifting global politics and convergent interests, diplomacy has expanded beyond the narrow traditional areas of cooperation. Because of increased cooperation in many fields with several EU member nations, the European External Action Service was able to project smart power.

Contrary to the limited norms and trade, the India-EU strategic roadmap 2025 includes various areas for cooperation. The diplomatic smarts of both players are on display in the ever-expanding scope of their partnership. With the passage of its provisions in pieces, the free trade agreement, i.e., the Bilateral Trade and Investment Treaty (BTIA), aimed at liberalizing trade relations, is still pending, preventing any conflicting provision from severing their relations. Since neither side is ready for such radical reforms, it will be difficult to maintain the "peace by pieces" in FTA rather than agree in a knee-jerk instance. Both sides had a chance to air their grievances over patent waiver and the ensuing furor over allegations that the EU had anti-global South policies; India had voiced strong opposition to the EU's position on securing a patent for the Covid-19 vaccine. These responses demonstrated that their fundamental chasm had reemerged during the pandemic. The EU viewed India's response to the Ukraine-Russia crisis as reckless, with both sides accusing the other of funding the unrest. Despite these obstacles, the European Commission's President's Address at the Raisina Dialogue highlighted the commitment to long-term stabilizing their relations, which helped to make their relationship smarter.

Despite their fundamental disagreements, the two have completed several health-related programs, initiatives, and plans. When two countries with such a strong pharma base as India and a scientific high ground as the EU work together on health issues, it garners a soft power diplomatic interest and widespread respect worldwide. Despite greater promises settled by lesser deliverables and many disagreements, diplomatic negotiations and development kept their relationship strong during the pandemic because they recognized the importance of working together to combat it. During the pandemic, it became clear that India and the European Union's commitment to health diplomacy extends beyond international borders. India and the EU's health diplomacy is an example of diplomatic dexterity. It has led to widespread international praise for the two countries and ensured their differences have not derailed their ability to work together in other areas. The trend of eschewing international commitment and favoring strategic priorities does not work between India and the EU. Their relationship will grow stronger as they continue to uphold this commitment, and the opposite is also true since their relationship is aligned with global values. As a result, they require hybrid or smart power to maintain the normative relationships between them that have existed for a long time.

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