

# Editorial

## Narendra Modi will never play Nehru

Apprehension about the outcome of the Frame Work Agreement has once more haunted the people of Manipur. Back in 2001, Manipur was on flame, 18 lives lost, schools, colleges and even government offices remain shut for over 3 months as people upraised against the inclusion of three words - "without territorial limits", to the cease fire agreement signed between the government of India and the NSCN-IM, later known as the 'Bangkok declaration'. August, 1997, Manipur witnessed a mass rally here in Imphal, warning the central government about the probable consequences of any attempt to bifurcate the state of Manipur. If one recalls the pre-merger period, after the then Maharajah of Manipur signed the Instrument of accession, there was a strong opposition from the people of the state when the then government of India attempted to merge three region including Manipur to form Purbachand Pradesh.

To Manipuris, safeguarding their land inherited from their ancestors is the inborn duty. Loves for their motherland has run to the blood of every Manipuri.

Well, having known all this fact, Prime Minister Narendra Modi, will never commit another mistake to burn the state. Then Why is the people showing serious concerns to the Frame Work Agreement?

A rewinding of the history will definitely tell why. Of now, no persons, except the Prime Minister or perhaps the Home Minister and Mr. RN. Ravi the interlocutor of the India Government negotiating the NSCN-IM and the leadership of the outfit knows what the contents are in Frame work agreement.

However, one thing that is certain now is that the Frame Work Agreement is not going to make any change to the boundary of any states viz, Manipur, Assam, Arunachal Pradesh. This is being said as the whole country had heard Prime Minister Narendra Modi and other leaders of the Government of India have assured time and again that boundary of Manipur will not be affected while solving the vex Naga issue put up by NSCN-IM.

Then what could have been expected, if this Frame Work Agreement is finalized and settled.

Well, leaving aside all sort of terminology, definitely - a greater autonomy is likely as the only means in addition to some package.

Whatever it may be, if this solution for the NSCN-IM is tabled in the floor of the parliament for debate, it would be somewhat ok. But then, if Prime Minister Narendra Modi bypass the parliament and inked the agreement by a Presidential order then, Mr. Modi is playing the role of former Prime Minister Jawaharlal Nehru. Late Nehru signed an agreement with the then Prime Minister of Jammu and Kashmir Sheikh Abdulah called "Delhi Agreement" and added the article 35 A to the constitution of India. While adding this provision to the constitution of India; it was never presented to the floor of the parliament. That is why an NGO challenged the validity of this article to the Supreme Court in 2014 on the ground that it was not done under the purview of the Article 368.

The unity of India is threatened by the addition of Article 370, as Jammu and Kashmir exist as a more alike full-fledged country inside the country India. Kashmir is the only state in the country which has full autonomy in the whole of the country, but this state which is a part of India is also the only trouble state that gives India a big headache.

The sixteen point demand put up in the Naga Accord by the NNC also contain a similar autonomy structure in par with that of Jammu and Kashmir. But, except those contain in article 371 A the very demand of J&K like autonomy was never fulfilled.

In case of Manipur, Article 371 C has been incorporated for becoming the state of India, which has only a provision to safeguard the tribal people of the state.

The special provisions provided to J&K has now promulgated a movement of secession from the Union of India. Similarly, the privilege provided under Article 371 C has now promulgated an issue to bifurcate Manipur if not by dividing the territorial boundary then by separating the administration.

It is no doubt that the essence of patriotism and love for the nation still runs through the blood of Prime Minister Narendra Modi. And it is expected that Mr. Narendra Modi will never play Late Prime Minister Jawaharlal Nehru to the solving of the vex issue of NSCN-IM

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# National and International News

## US official to defend Trump stance at UN climate talks

**AFP Bonn, Nov 16:** An American official will address the UN climate meeting in Bonn today, where envoys have battled to make progress in the shadow of President Donald Trump's rejection of a global action plan.

On the penultimate day of the annual climate huddle, most countries will be represented by heads of state or cabinet ministers at a "high-level segment", but Washington sent an acting assistant secretary of state, Judith Garber.

She replaces Thomas Shannon, number three at the State Department, who pulled out because of a "family emergency". Garber will address delegates in the afternoon, just three days after White House officials drew the ire of conference-goers by hosting a sideline event defending the use of fossil fuels at a forum focused on reducing planet-warming emissions from burning coal, oil and gas.

"It will be very interesting to see both the content and the tone" of Thursday's speech," said Alden Meyer of the Union of Concerned Scientists.

Naomi Ages, a Greenpeace climate campaigner, said Garber would "likely reiterate Trump's decision to withdraw, or try to bargain for better terms."

Announcing Garber's participation, the State Department emphasised that the Trump administration's position on the climate-rescue Paris Agreement "remains unchanged".

"The United States intends to withdraw from the Paris Agreement as soon as it is eligible to do so, unless the president can identify terms for engagement that are more favourable to American businesses, workers, and taxpayers," it said in a statement.

The United States ratified the hard-fought global pact, championed by former president Barack Obama, just two months before Donald Trump, who has called climate change a

"hoax", was elected to the White House.

Trump announced in June that America would abandon the pact, but the rules prescribe this cannot happen until November 2020.

The US, the State Department said, "is participating in ongoing negotiations... in order to ensure a level playing field that benefits and protects US interests."

The United States is the world's biggest historical greenhouse gas polluter, and second only to China for current-day emissions.

Its presence at the Bonn talks has not been universally welcomed, especially as it has taken a tough line on a demand from developing countries for a firmer commitment to climate finance.

The 2015 Paris Agreement, which took more than two decades to negotiate, commits countries to limiting average global warming to under two degrees Celsius (3.6 degrees Fahrenheit) over Industrial Revolution levels, and

1.5 C if possible, to avert calamitous climate change-induced storms, drought and sea-level rises.

Nations submitted voluntary emissions-cutting commitments to bolster the deal.

A report Wednesday said America's withdrawal will boost global temperatures, calculated on current country pledges, by nearly half a degree Celsius by 2100, for a total of 3.2 C.

UN chief Antonio Guterres, French President Emmanuel Macron and German Chancellor Angela Merkel led a diplomatic push Wednesday to reinvigorate the Bonn talks.

Labelling climate change "the defining threat of our time", Guterres said continued investment in fossil fuel would mean an "unsustainable future".

Macron described climate change as "the most significant struggle of our time", while Merkel said it was "a, if not the, central challenge of mankind."

### Contd. from yesterday

## Statement by the Special Rapporteur on the human rights to safe drinking water and sanitation Mr. Léo Heller

My particular concerns for the gaps in the application of the human rights framework in the Indian water and sanitation sector are illustrated in the following pivotal issues. The aim here is to provide insights on how to introduce a more human rights oriented approach in this sector. The normative content of the human rights to water and sanitation include the following elements: availability, accessibility, acceptability, affordability, quality/safety, privacy and dignity; as well as fundamental human rights principles: right to access to information, participation and remedy, accountability, equality and non-discrimination, progressive realization. In this connection, I would like to reiterate India's commitment as a State party to several international human rights treaties and India's support on the rights to water and sanitation at the international level.

1. "Open defecation free" mustn't be human rights free

The new paradigm initiated by Clean India Mission has provided considerable impetus to build infrastructure, particularly toilets. On my last day in India, the website of the Clean India Mission showed a striking number of 53 million toilets built in the last 3 years and one month, only in the rural area. During the visit, I had the opportunity to visit some rural communities in Uttar Pradesh, certified as open defecation free, and I was able to see and hear about the significant improvements in their sanitary conditions.

According to the responsible ministries, the protocol to certify an "open defecation free" area (e.g. city, village, ward) is not the same for rural and urban areas. I learned that in some places "open defecation free" certified areas are often not de facto open defecation free. In a certified "open defecation free" village that I visited (Chinhat ward, Naubasta Kalan, Lucknow), some elderly people reported that they continue to practice open defecation for personal preference and comfort. In Mumbai, the local authority identified 118 zones that were used for open defecation and built collective toilets within 500 meters of those areas. Yet, some residents in those zones still choose to defecate in the open due to habitual, cultural and practical reasons. From the human rights perspective, making areas open defecation free is more than checking off the criteria; the status of open defecation free is not "black

and white", but is a gradual achievement in line with the progressive realization of the human right to sanitation.

While some individuals choose to defecate in the open as a matter of preference, I visited areas where open defecation remained the only feasible option. This was particularly true in slums and in rural villages and in resettlements sites, where community toilets were often far away or nonexistent. In the non-notified slum Vinaykpuram (Lucknow), all dwellers defecate in the open. In my walk around the slum, I saw no functional community toilets close by and the only one dysfunctional toilet that was built two years ago. In Savda Chevras (Delhi), a resettlement site, I visited a community toilet that had no light or locks. Furthermore, in villages near the Thoubal Dam in Imphal, Manipur, local authorities had only partially constructed some household toilets and while the intended beneficiaries wait for them to be finished they have no choice but to defecate in the open.

Together with the Clean India Mission, other policy initiatives on ensuring access to water and sanitation in schools have been implemented but have evidently still not met their goals. For example, in 2015, the Department of Human Resources announced that schools should have separate toilets for boys and girls. The Government reports having built separate toilets "in every government school": 226,000 toilets for boys and 191,000 toilets for girls were apparently constructed from August 2014 to August 2015 under the Swachh Vidyalaya Campaign. Yet, in 2016, only 61.9 per cent of schools have available and useable girls' toilets (up from 32.9 per cent in 2010 and 55.7 per cent in 2014). Indeed, in Sarthara village (near Lucknow), I visited a school for primary and upper grades composed of 130 students where no functioning toilets are available; two small toilet facilities with 2 urinals and 1 toilet each are being built.

The Clean India Mission does possess an explicit component on Information, Education and Communication (IEC) and the central government—but not all State governments—is apparently spending the expected budget to such activities. Be it due to insufficient financial resources or inadequate methodology adopted for these activities, it is likely that this fundamental aspect of the program is not achieving its desired

outcomes: the sustainable and safe usage of toilets.

The results of assessments on sustainability, safety and usage of toilets vary largely and depend on the methodology.

According to surveys conducted in 2016 and 2017 by the Quality Council of India, approximately 91 per cent of toilets that had been built were being used. An assessment conducted by WaterAid suggests a different scenario, highlighting that usage may be susceptible to decreasing very soon without continued efforts to make infrastructure sustainable. In the survey, "only 33 per cent of toilets were deemed sustainably safe (eliminating risks of contamination in the long term); 35 per cent were safe, but would need major upgrades to remain safe in the long term; and 31 per cent were unsafe, creating immediate health hazards". Indeed, I observed several cases of abandoned or poorly maintained toilets. Toilets may also be installed with doors that do not have locks, which negatively affect users of privacy. Conversely, I observed and heard of several cases where functioning toilets exist in public places but are left locked.

Talking with government officials, community representatives and residents, it became clear to me that open defecation is often an ingrained personal and social practice and that it can be difficult to persuade people to end this practice. In several States challenges were reported in achieving behaviour change in their communities, particularly for the elderly. At the same time, I met many individuals in villages who enthusiastically explained their satisfaction with the benefits that come with having an individual household toilet. Many, including government officials, expressed doubts that behaviour change can be done in a short time period and would be sustainable in the long term for all those recently "converted" to using toilets.

The Clean India Mission is heavily target- and performance-oriented, with a very short time frame given the scale of its desired outcomes. Implementation of the program involves strong competition at all levels (villages, districts and states). However, likely as an unintended consequence of the desire to obtain rewards, some aggressive and abusive practices seem to have emerged. In the interest of achieving the targets and obtaining the corresponding rewards, I have

received several testimonies that people are being coerced—sometimes through public authorities—to, on the one hand, quickly construct toilets and, on the other, stop practising open defecation. For instance, individuals could have their ration cards revoked, which directly impacts on their right to food. Households with overdue energy bills, hitherto tolerated by the authorities, could have their service cut off. In others cases, individuals defecating in the open are apparently being shamed, harassed or otherwise penalized. In response to such cases, the Ministry of Drinking Water and Sanitation recognized the existence of abuses associated with the Clean India Mission implementation and issued at least two advisories to all local States underlining that such practices must stop. In my view, these abuses require a continuous monitoring and accountability by the several tiers of government for the achievement of open defecation free and, at the same time, upholding the dignity of all persons and without violating other fundamental rights.

Another key concern is related to the level of sanitation services that has been provided in India. Under the Sustainable Development Goals (SDGs), the target and the indicator for universal access to sanitation (target 6.2) adopts the definition of "safely managed services", meaning that people should use improved sanitation facilities not shared with other households. This requires providing individual households facilities to those who currently rely on community toilets. Applying this concept also indicates the need for improved management of greywater, which commonly flows into open drains in India. This standard will also require an effective faecal sludge management for excreta stored in latrines, as well as a massive increase in wastewater treatment plants for the sewage collected by sewerage systems, mostly in cities.

2. Efforts for water at a slower pace than sanitation

While the Clean India Mission has raised sanitation to the top of the country's agenda, access to improved water has received less attention. This raises serious concerns: in India, unsafe water is responsible for 68 per cent more diarrhoea deaths than unsafe sanitation. (To be contd.....)