



The Indian EXPRESS

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RAMNATH GOENKA

BECAUSE THE TRUTH INVOLVES US ALL

Facts of life

India needs a more informed debate, a better policy design, to address population growth



C RANGARAJAN AND J K SATIA

THE SOVEREIGN TEST

WhatsApp breach violates rights of Indian citizens. Government must ensure those responsible are held to account

WILL CATHCART, THE global head of WhatsApp, wrote in *The Washington Post* on October 30, in the backdrop of the ongoing lawsuit by Facebook Inc against Israeli cyber security firm NSO, that "Governments and companies need to do more to protect vulnerable groups and individuals". He was referring to spyware attacks, like the one that the messaging platform succumbed to from Pegasus, a malicious software developed by NSO. As first reported in this newspaper, WhatsApp has disclosed that a "not insignificant" number of Indian journalists, rights activists and lawyers were targeted using Pegasus. Cathcart is right — especially in placing the responsibility on both tech companies and governments. WhatsApp has often claimed that its end-to-end encryption makes it a safe and private way to communicate. That claim is now being contested. How it responds will signal whether its invocation of privacy as a first principle is more than a mere marketing ploy. The proceedings of the ongoing lawsuit will be closely watched, to track the culpabilities and complexities of the actors involved.

Earlier this year, NSO severed its contract with Saudi Arabia after accusations by a journalist that its software was used to hack his phone, which allowed Saudi agencies to track journalist Jamal Khashoggi, who was assassinated in Istanbul. The fact remains that in the digital age, companies will emerge and operate in the grey areas of the intersection between technology and security to make a profit. But inviolable as it is, national security must not be used as a shield by either governments or private players to justify the violation of fundamental rights.

India is a constitutional democracy, where the courts have read the right to privacy in the right to life and liberty. In the government's first response after the Pegasus hack, Law and IT minister Ravi Shankar Prasad has said he has asked WhatsApp to explain the breach, while the home ministry has said it will take strict action against those violating the law. Earlier, the Indian government, and parliamentary committees, have summoned executives from Facebook and Twitter, and Indians continue to be the largest user base for WhatsApp. India also enjoys close ties with Israel. The government must leverage this to hold NSO to account. And it must deliver on its promise to punish anyone — whoever they may be — found guilty of unlawfully violating the privacy of Indian citizens. The current government has made it clear that it holds on to its sovereign right over the data of its citizens. But the idea of data sovereignty must include a citizen's right to her privacy. How the government deals with the aftermath of the WhatsApp hack will demonstrate its commitment to that principle, as well as to the rights enshrined in the Constitution.

ODD EVEN AGAIN

Delhi government's implementation of odd-even policy will be watched. Blaming it on neighbours is not a good beginning

IN SEPTEMBER, WHEN the Delhi government announced that it would ration roads for private cars over a 12-day period in November, the national capital was enjoying an unusual spell of clean air. But when the odd-even policy kicks in on November 4, it will be, for all practical purposes, an emergency measure. On Friday, the Supreme Court-mandated Environment Pollution (Prevention and Control) Authority declared a "public health emergency" in Delhi. Road rationing will be accompanied by other anti-pollution measures, including a ban on construction activity in the capital. However, given the importance attached to vehicular pollution in the discourse on the capital's air quality, the Delhi government will be watched for the way in which it implements the odd-even policy.

The AAP government will have to coordinate with the other environment management bodies in the capital — the EPCA, National Green Tribunal and Central Pollution Control Board — as well as the agencies responsible for the management of the capital's transport facilities. Its past record is underwhelming. In 2017, for example, the implementation of road rationing was stalled at the eleventh hour because the Delhi government and the NGT could not agree over exemptions to two-wheelers. The Kejriwal government had stated then that the shortfall in Delhi's public transport did not allow it to extend the policy to two-wheelers. The national capital's public transport fleet continues to fall well short of the city's requirements, two years later. The government has proposed to rope in private bus operators. However, private operators have not shown much interest in operating their vehicles under the Delhi government's public transport rubric.

The Delhi government followed up its September announcement on road rationing with other pollution control measures. In themselves, these initiatives — cleanliness drives, campaigns for a cracker-free Delhi — may not have made much of a dent in the bad air over. But they did signal that the government was alert to the city's pollution concerns. In the run-up to the implementation of the odd-even policy, that zeal seems to be fading. The Kejriwal government is laying the blame for Delhi's pollution on stubble burning in Punjab and Haryana. It would do well to not lose focus on matters that are under its own control.

BEST AND WORST OF TIMES

English sports is doing very well, in a Britain convulsed by political uncertainty

THIS SUMMER COULD be the greatest yet in English sports. The cricket World Cup came home for the first time ever in the most nerve-clanging of ways, two English clubs played the Champions League final in Madrid and the women's football team only stumbled in the semis to eventual champions USA. And on Saturday, they could be coronated the rugby champions of the world in Tokyo. A day later, Lewis Hamilton could, rather should, defend his Formula One crown in the US. England is shimmering in unprecedented sporting glory.

Ironically, this has come at a time when England is wading through uncertain times. As the Brexit irresolution drags on, there is an overwhelming sense of disillusionment. Firms are packing up from London, the unemployment rate is increasing, pound sterling is plummeting and anxiety is running high about London's future as a financial hub. An anonymous poet with a dark sense of humour tweaked TS Eliot's 'Journey of the Magi' to reflect the situation: "A cold shoulder we had of it/ Just the worst time of the year/ For a Brexit, and such a hard Brexit/ Warehouses full, the economy slow/ The 31st of October."

It's strange — and spectacular — how political unease often coincides with sporting glory, how sports can be a balm for political chaos. If England overpowers South Africa, it could turn out to be the most cherished of sporting memories this year, bigger arguably than the cricket world cup, which they started as favourites. Here, they fought the odds, muscled and scrapped past gnarled opponents. The team itself is diverse and a triumph could change perceptions of the game, which is still seen to be a white middle-class pre-occupation. This is a multicultural team comprising men from diverse backgrounds and classes. There are men of Samoan, Jamaican, Nigerian, Kiwi, Guyanese, Palestinian and Grenadian descent. It will be the ultimate triumph of England's cultural diversity. It could also be the most stinging metaphor for Brexit's flawed foundations.

THE MENTION OF a population explosion by the prime minister in his Independence Day speech has rekindled debate on population growth and family planning. The responses have varied. Some have called for a law to limit family size; some others have asked for disincentives for large families. Some have attributed the problem to specific communities.

It is important to understand the dynamics of population growth for designing an appropriate response. There are two major factors leading to high population growth:

One, householders wanting larger families, particularly more than the replacement level of a total fertility rate of 2.1 where a mother is replaced by a daughter; two, the population momentum, that is, a larger number of people entering the reproductive age group of 15-49 years compared to those leaving this age group. This is the age-composition effect of earlier levels of high fertility.

As the Economic Survey (2018-19) has pointed out, fertility has been declining everywhere and in every community, although rates of decline vary. The national fertility rate is estimated to be 2.2 in 2016, very close to the replacement level and is projected to reach it around 2021. However, some states have fertility rates higher than the replacement fertility level. In particular, the states of Uttar Pradesh and Bihar have substantially higher fertility rates at 2.74 and 3.41 respectively, according to the National Family Health Survey (NFHS-4) 2015-16. In the 1990s, the fertility rate was higher in UP than in Bihar, but it has declined faster in UP. The Economic Survey (2018-19) has estimated that fertility will reach the replacement level in UP by 2021 and in Bihar by 2031. This may be somewhat optimistic and will need appropriate action.

To the extent the fertility decline can be accelerated, the population growth will decline faster. The desired fertility rate indicates the level of fertility that would result if all unwanted births were prevented. Although it is not a precise indicator of intentions, the gap between the actual and desired fertility rate in India has declined from 0.8 in 2005-06 to 0.4 in 2015-16. This gap is 0.9 in Bihar and 0.6 in UP. Therefore, family planning services, including effective behaviour change communication, choice of contraceptive method, and

good quality of care to the users of contraception to assuage their concerns regarding possible adverse health effects need to be strengthened, particularly in UP and Bihar. The government has identified 145 districts with high fertility under "Mission Parivar Vikas districts" and has instituted higher incentives for acceptors of sterilisation as well as sought to strengthen family planning services in these districts. Nearly two-thirds of these districts are in Bihar and UP and much more needs to be done there.

Do some communities have higher fertility than others? The total fertility rate for Muslim communities in 2015-16 was estimated to be 2.62 (NFHS-4), similar to the level of fertility in Hindu communities of 2.59 (NFHS3) in 2005-06; a lag of about a decade. Fertility has declined faster in Muslim communities compared to Hindu communities during the last decade and the gap has been narrowing over the years. The fertility rate has now reached near replacement rate in Hindu communities. Besides strengthened services, higher education level of women and other socio-economic factors may also lead to comparable levels in Muslim communities by 2025.

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Many seem to believe that population will not grow once replacement fertility is reached. However, most of the future population growth in India will now be because of population momentum. For instance, fertility rate in Tamil Nadu had reached near replacement level around the year 2000 but the natural rate of population growth in 2017 was still 0.83 per cent per year with birth and death rates of 1.49 and 0.66 per 100 population (Sample Registration System 2017).

Concerned with high fertility rate of 2.9 in year 1980, China instituted a one-child policy with some exceptions for specific population segments. Near replacement fertility was reached around 1991 with an estimated population of 115 crore. However, the population continued to grow, peaking to about 140 crore around now, nearly three decades later, and it will soon begin to decline. It should also be noted that once fertility declines to a lower than desired level, it is difficult to arrest its decline. For instance, China has recently relaxed the one-child policy but it is not clear that fer-

tility has begun to increase.

What can be done to reduce the momentum effect? To the extent couples delay their first child and space their second, the effect will be mitigated to some extent. Therefore, young couples need to be approached and encouraged to consciously and proactively plan their families. This requires special attention.

The government has two schemes for this purpose: Ensuring Spacing at Birth (ESB); Under this scheme, ASHAs' services are utilised for counselling newly married couples to ensure spacing of two years after marriage and couples with one child to have spacing of three years after the birth of first child. The scheme is operational in 18 states and has partially been expanded to a few others. ASHAs are paid Rs 500 for each couple delaying the first child birth by two years after marriage and Rs 500 for each couple spacing the birth of the second child by three years. The budget allocation in the National Health Mission for the above scheme in 2018-19 was meant to cover 10 lakh couples (National Health Mission Programme Implementation Plans). Considering an estimated 2.5 crore births in that year, this is meagre.

The UN Population Division estimates that the medium fertility variant, the most likely scenario, will result in a peak population of 165 crore in the year 2061 and a decline thereafter. In comparison, the low fertility variant is estimated to result in a peak population of 150 crore in the year 2041, a 9 per cent reduction.

What, then, are the relevant policy prescriptions for the future? First and foremost, special attention must be paid to UP and Bihar to bring down the fertility rate. India has now enough experience in family planning and we need to draw lessons from our own experience. Second, as mentioned earlier, spacing of children can moderate the momentum effect. This may be relevant particularly in the case of states which have already achieved the replacement level. However, legal actions or significant disincentives need to be carefully evaluated for their medium to long term consequences. Given the current scenario, these may best be avoided.

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HARSH VARDHAN

HEALTH OF A NATION

India is making long strides in eliminating Lymphatic Filariasis

NEGLECTED TROPICAL diseases (NTDs) affect the lives of people who are at the bottom of the pyramid with limited access to health services. The quest to achieve universal health coverage (UHC), leaving no one behind, is incumbent on eliminating NTDs. For long, these diseases have been neglected, but our government has pledged to bring change and ensure that diseases such as Lymphatic Filariasis (Hathi Paon) and Visceral Leishmaniasis (Kala-Azar) are eliminated from India. With a well-designed approach combining technology, research, human capital, innovation, strategic partnerships and financial commitments, we are well placed to fulfil this resolve.

Declared by the World Health Organization (WHO) as the second most common cause of long-term disability after mental illness, Lymphatic Filariasis (LF) is one of the biggest public health challenges that India faces today. The infection, spread by mosquitoes, is manifested in the form of painfully swollen limbs, and if left untreated, can incapacitate individuals during the peak of their productive years. Even today, a large section of the society remains unaware of the disease and the importance of taking preventive medication.

India is the first country in southeast Asia to adopt a game-changing drug regime to prevent LF. The triple drug therapy that administers a single dose of three anti-filarial drugs: Ivermectin, Diethylcarbamazine and Albendazole (IDA), is a radical step towards intensifying LF prevention efforts and the Government of India is committed to scale-

up these efforts across the country in 21 of 37 endemic states and UTs. Such progressive interventions are meant to ensure access to essential preventive services for the neglected and the worst affected members of the society.

In line with the government's will and vision to eliminate this threat, by the end of February 2019, IDA was rolled out in a phased manner across four pilot districts, namely Arwal in Bihar, Simdega in Jharkhand, Nagpur in Maharashtra and Varanasi in Uttar Pradesh. As a result, over 90 lakh beneficiaries have benefited across these four districts and are protected against this completely preventable NTD. By the end of 2019, an additional 4.5 crore people will receive IDA drugs.

The Sustainable Development Goals (SDGs) provide an effective framework for successful elimination of NTDs. SDGs emphasise the interrelated nature of health and development and encourage a broad, multi-dimensional approach that is essential to uproot NTDs. Importantly, the SDG framework ensures that our commitment to leaving no one behind facilitates a mind-set attuned to the needs of the society's most vulnerable. If we can end NTDs, it will show that we can meet the needs of the most marginalised and address the key factors that drive social, economic and health inequalities.

Prevention of the disease is one part of the LF story, managing the disease is another. The disability associated with the disease vanquishes those affected, both physically and mentally. There is a need to spread awareness that not only is the disease preventable but those affected by it can improve their quality of life.

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ventable but those affected by it can improve their quality of life. The Accelerated Plan for Elimination of Lymphatic Filariasis (APELF) provides free morbidity management and disability prevention services through kits and corrective surgeries. Our government's initiatives such as the Swachh Bharat Abhiyan (SBA) are already playing an important role in addressing the source of these vector-borne diseases.

We need to continue to expand our definition of partnership, and explore how NTD programmes can strengthen our health systems and benefit other disease programmes as well.

I appeal to the community leaders and elected representatives to raise awareness through a mass movement in their respective constituencies, and to help improve community compliance of these preventive drugs that are distributed free of cost under APELF. The Government of India is committed to provide adequate resources and is working with the states governments to ensure that these programmes are widely accepted and reach all individuals who are at risk of contracting such diseases.

We are committed, we are focused, and we are ready. The eradication of polio in India is a testimony to the feat that can be achieved once science and society join hands. Now, by accelerating the elimination of LF, India can lead the world towards securing a prosperous and healthy disease-free future.

The writer is Union minister for health and family welfare, science and technology, and earth sciences

NOVEMBER 2, 1979, FORTY YEARS AGO

IN NEED OF NEHRU
SPEAKERS AT A Delhi symposium on "the relevance of Nehru today" made an impassioned plea for the need to uphold the ideals and policies of Jawaharlal Nehru, particularly when attacks on this "great statesman have become more frequent and open." In fact, H N Bahuguna, leader of the Congress for Democracy, in an obvious reference to the Janata leader, Jagjivan Ram, who was present at the symposium, said that "time has come when all the defenders of Nehru should unite." The symposium was organised by the Krishna Menon Memorial Society.

CONG-LOK DAL TIES
THE QUESTION MARK over the Congress and the Lok Dal fighting the elections on a joint manifesto got a little shorter but did not look like getting deleted altogether. C Subramaniam, Chandrajit Yadav and Banke Behari Das — Congress leaders, had a one-and-a-half hour meeting with Prime Minister Charan Singh to iron out the manifesto kinks. An informed Congress source said that the two parties had agreed that the 27-point programme of the alliance government would form the basis of the joint manifesto. Narendra Singh, general secretary of Lok Dal, was also present at today's meeting.

CONG IRRELEVANCE
TALKING TO NEWSMEN at the Ram Manohar Lohia Nursing Home, Raj Narain, working president of the Lok Dal, said the Congress had become irrelevant in today's context. "If they cannot merge with the Lok Dal, the least they could do was to stay in the alliance by agreeing to a minimum programme without trying to find fault with it." Narain said that he could not prepare himself to accept Nehruism — "We dissociated ourselves with the Congress because of our opposition to Nehruism. Even Mahatma Gandhi had said that the role of the Congress was over with the attainment of independence".



The love triangle

India can counter China's strategic gains in Nepal by winning over the confidence of its people



ASHOK K MEHTA

FOR SOME THINKING Indians, President Xi Jinping flying straight from Chennai to Kathmandu was provocative, even an affront to India. This is incomprehensible. Nepal has been waiting for Xi since 2014, his trips being periodically postponed. He had been waiting for the right timing: For Nepal to have a full-fledged communist government with a massive and unprecedented electoral majority that would allow the Nepal Communist Party leader and prime minister, Khadga Prasad Oli, to pick Beijing over New Delhi, the dominant power for decades. India's marginalisation in Nepal — which is geo-strategically vital in its security calculus — is largely self-inflicted: Clumsy diplomacy. In his first term, Prime Minister Narendra Modi chose Nepal for his first visit, when he mesmerised Nepalis of all shades with his promise of re-setting India-Nepal relations. That never happened and the rest is history.

Then, Xi came calling. His visit was meticulously planned: Preceded by visits of foreign minister Wang Yi, a 40-member delegation of the Communist Party of China, carrying *Xi Jinping Thought* for exchanges with Nepal's Communist Party, and, a signed article by Xi which appeared in Nepali newspapers, tracing the historical and cultural links in the China-Nepal relationship which he wished to upgrade to long-term strategic and security cooperation. He pledged to safeguard Nepal's national sovereignty, independence and territorial integrity. The entire Nepal cabinet, led by Oli and president Bidya Bhandari, was present to give a reception to the foreign visitor who has received in recent times.

As in the past, the deliverables in the 18 agreements and two letters of exchange were not as spectacular as was expected. Boundary Management Systems — which helps insulate China's northern reaches with Nepal — is a perennial issue relating to the illegal passage of Tibetans. China's main security concern relates to anti-China activities by 20,000 Tibetans living in Nepal who are virtually under lockdown during such visits. Mutual legal assistance in criminal matters, which Beijing hopes will ultimately result in an extradition treaty, figured prominently. Xi also announced a financial assistance package of \$495 mn for the next two years which India will find difficult to match. Already China has overtaken India in FDI to Nepal which was about \$300 mn in 2018. The feasibility study for Cross Himalayan Connectivity Network of a railway from Kyirong to Kathmandu was approved. This will ultimately be extended via Pokhara to Lumbini in Terai as the China-Nepal Economic Corridor component of the Belt and Road Initiative. A preliminary study by China Railway First Survey and Design Institute Group Co Ltd has noted formidable technical, geological, scientific and engineering challenges to this, including its security along with high costs and risks that far outweigh the benefits. One estimate puts the cost of the Kathmandu-Kyirong section which includes a 28 km tunnel at \$2.7 bn. The question of funding invokes in the minds of the Nepalese, the Hambantota debt trap. A



CR Sasikumar

railway line from Lhasa to Kathmandu, unless it reaches the border with India, makes little commercial sense. On the other hand, it will raise strategic doubts and uncertainties between New Delhi and Beijing given the taut state of current relations.

Nepal, of course, does not view the CNEC as a threat but an opportunity for it to play the bridge between the two fastest growing economies, China and India. King Prithvi Narayan Shah, founder of Nepal, had said in 1770 that Nepal is a root vegetable between two big boulders, calling for balance and equidistance, which has never been possible. Given the great rise of China, and its involvement in Nepal's domestic politics, Kathmandu may be forced to make major strategic choices. In the past, former prime ministers, Pushpa Kamal Dahal Prachanda and Babu Ram Bhattarai, had sought to encourage India to join the triangular India-Nepal-China grouping. In 2016, at Kathmandu's behest, the three countries did discuss it. But India shied away, preferring to deal bilaterally with Nepal like other countries in the neighbourhood. After Wuhan, then Chinese Ambassador to India, Luo Zhaohui had mooted 'China-India-plus one' as a new model, as the two countries agreed to jointly train Afghan diplomats. He was aiming for India-China-Nepal: the idea re-gurgitated by Xi was to also include Pakistan as plus one.

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In his banquet speech, Xi emphasised that the Cross-Himalayan Connectivity Network will help Nepal become land-linked from land-locked with additional entry points, alluding to reducing dependence on India. According to Chinese media, Xi told Oli that anyone attempting to split China will have "crushed bodies and shattered bones", an unveiled message for "splittists" — Hong Kong included. Xi chose Nepal, a country which has sought to be a zone of peace, because it is regarded as a window to Tibet. Given its new pre-eminence in Nepal and deep pockets, Beijing has sought parity with India including enhanced defence and military cooperation as part of the new blueprint in Nepal-China relations, which, for the first time, have become strategic. The CNEC is more strategic than economic, especially its envisaged outreach to Lumbini which will breach India's red line on Chinese activities in Nepal. New Delhi has completed its feasibility study of a railway line from Raxaul to Kathmandu. How the Kathmandu-Kyirong rail will connect with the Indian section to the south, given the different railway gauges, is unclear. The Indian military still views a PLA challenge, both overt and covert, through Nepal to the strategic Indo-Gangetic plains, as very real. Very recently, a conference was held by the Army to consider the military implications of China's enhanced presence and influence in Nepal.

Xi's dream — to be the sole leader of the Asian century — is attainable: By keeping India anchored to the region using Pakistan, even as Beijing, assisted by Kathmandu, blocks New Delhi's traditional strategic space in Nepal. But, not all is lost for India. Geography, including the open border, for one, is in India's favour. Winning back Nepal and the confidence of its people is the challenge.

The writer is an Indian Army Gorkha regiment officer and has known Nepal since 1959

WHAT THE OTHERS SAY

"China itself would greatly benefit by opening up Xinjiang and letting the Uighurs and other Muslim communities take part in their religious and cultural practices freely." — DAWN

Pakistan, China and a grey area

Uighur terrorism brewing in Pakistan is drawing China's ire



KHALED AHMED

THE PARIS-BASED 39-member Financial Action Task Force (FATF), against money-laundering and terror-funding, strongly urged Pakistan last month to comply with its demands by February 2020 or face being included in the FATF "black list" — meaning sanctions. It said: "To date, Pakistan has only largely addressed five of the 27 action items, with varying levels of progress made on the rest of the action plan."

Pakistan has been on the "grey list" of FATF because many of its "non-state actors" used in proxy wars belonged to other states like Afghanistan, Uzbekistan and China. China is heading the FATF these days through Xiangmin Liu of the People's Bank of China, now the president of FATF. It's not only Afghanistan and Uzbekistan that complain about Pakistan keeping their terrorists on its territory; China too is a complainant. In 2017, China got together with Brazil, Russia, India and South Africa in the BRICS trading bloc to express "joint concern" about Pakistan-based terrorists listed as "Eastern Turkistan Islamic Movement, Islamic Movement of Uzbekistan, Haqqani Network, Lashkar-e-Tayba, Jaish-e-Muhammad, Tehreek Taliban Pakistan, and Hizbut Tahrir".

Pakistan has had to act on FATF's directions because of China. It can't afford to offend China and knows it has not been very mindful of the Uighur Muslims from Chinese Xinjiang on its soil engaging cross-border terrorism. Pakistan has, therefore, put the leaders of the major terrorist organisations under house-arrest and taken over their madrasas where hundreds of thousands of young men learn how to become "pious warriors" in the service of Islam. Much of this takeover is credible but a lot more remains to be done, as FATF observed; although, it remains doubtful if Pakistan can run the madrasas competently when its own schools are in bad shape.

Andrew Small in his book, *The China-Pakistan Axis: Asia's New Geopolitics* (2015), revealed that the Red Mosque of Islamabad was attacked by Pakistani commandos in 2007 after China warned that the mosque, a watering hole of al-Qaeda and its affiliated terrorists right in the heart of the capital city, was sheltering Uighurs from China who had attacked and captured some Chinese working in a massage parlour in Islamabad. When the assault on the mosque was over, 14 Uighur terrorists were

found among the dead. No one in Pakistan got to know that the attack on the mosque was triggered by a Chinese protest.

Ahmed Rashid in *Pakistan on the Brink* (2012), the third book of his trilogy on the same subject, observed: "China now faces the threat of Islamic militancy. Chinese Muslims, or Uighurs, from Xinjiang have long journeyed to Pakistan to trade and to perform hajj in Saudi Arabia along a route that was part of the ancient Silk Road. But in the 1980s, Uighurs went to study in Pakistani madrasas and then went on to fight the Soviets in Afghanistan. Now some are fighting along with the Taliban. Uighur nationalism is becoming much stronger in Chinese Xinjiang but the greater fear is that Uighur Islamic extremism will grow; it is still a minor threat, but China blames Islamic groups for unrest in its eastern province."

China is most upset over the East Turkistan Islamic Movement (ETIM) — declared a terrorist organisation in 2002 by the UN. In October 2003, it got the Pakistan Army to kill ETIM leader Hasan Mahsum, and, in January 2010, his successor, Abdul Haq Turkistani — the latter, reportedly, by a US drone attack, both in Pakistan's tribal area, FATA. An earlier outfit not ousted by Pakistan is the Islamic Movement of Uzbekistan, that grew into a pan-Central Asian group and was ensconced in FATA recruiting Uighurs into terrorism. Another group upset China too: This was the Turkistan Islamic Party which, in September 2011, claimed responsibility for some attacks in Chinese Xinjiang.

In 2009, al-Qaeda in Pakistan too started attacking inside China. It called for attacks on Chinese interests after riots in Urumqi left 200 Han Chinese Uighurs dead. After that, one couldn't blame China for getting alarmed by the shadowy Uighur warriors taking refuge in FATA. The Pakistani military intelligence, the ISI, has regularly informed the Chinese about Uighurs operating out of Pakistan, which has helped its Chinese counterpart in fending off the attacks. The ISI finally captured and extradited to China 14 Uighurs in 1997, seven in 2002, nine in 2009, and five in 2011, "including a woman and two children".

In July 2011, the Uighurs attacked a police station in Hotan — or Khotan — inside China, killing 20, and thus leading *China Daily*, on August 2, 2011, to reveal that the attackers had taken their training at some ETIM camps in Pakistan. Ahmed writes: "This prompted ISI chief General Pasha to rush to Beijing, where he reassured the Chinese that Pakistan would counter the ETIM". And it was also in 2011 that China demanded the return of Uighurs settled in Malaysia, Thailand, Cambodia, Nepal and Kazakhstan.

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Call of the river

Bill for speedy resolution of water disputes should factor in recent SC verdicts



SRINIVAS CHOKKAKULA

THE LOK Sabha passed the long awaited amendment to the Interstate River Water Disputes Act 1956 in July. The Bill, yet to be discussed in the Rajya Sabha, proposes a permanent tribunal and several other measures to improve the settlement of interstate river water disputes. It has elements that convey the government's seriousness to look for out of the box solutions. Even then, the proposed piece of legislation makes one wonder if it has enough to fix the longstanding problem.

Policy making is an incremental process. That is particularly so in case of a matter as complex as interstate river water disputes — as enigmatic as the rivers themselves. The American poet Henry Longfellow's tribute to the River Charles captures this, "Half in rest, and half in strife".

The Interstate River Water Disputes Amendment Bill 2019 is a modified version of a piece of legislation that was placed in Parliament in 2017. It was referred to a Standing Committee. Put simply, the bill has three new elements — one, a permanent tribunal with exclusive benches for each dispute instead of separate tribunals in the principal act; two, a Disputes Resolution Committee (DRC) to attempt an ex-ante resolution through mediated negotiations, instead of the Centre's mediation; and three, a provision for appointing a technical agency for a data bank to support dispute resolution. The details of the first two elements have gone through extensive modifications in the Bill.

The rationale of a permanent tribunal mechanism is to reduce the delays in resolving interstate river disputes. It may now take six and a half years at most for the tribunal to arrive at a decision on an interstate river-water dispute. A permanent tribunal could also save costs compared to long-running individual tribunals. It is an opportunity to build a corpus of knowledge on particular approaches to interstate river water disputes resolution in India — and potentially transboundary river water governance in South Asia.

The Bill goes into much detail over the functioning of DRC. It has been given a year and a half to accomplish its task. Its role has been elevated from that of a perfunctory "techno-legal" body to an agency with a proactive role. An officer of secretary rank will head the DRC and the body will have senior officers from the states that are party to a river water dispute, as members. However, there are two concerns: First, is the DRC adequately empowered? We may recall the experience of the Cauvery Supervisory Committee (CSC) which had a similar composition. It did not have much success. Secondly, the DRC aims at a politically negotiated settlement, for river water disputes are deeply political at their core. Its raison d'être is to avoid legal adjudication, not to supplement it. Can the DRC — as conceived now — meet this expectation?

Further, the devil is in the detail. Will the DRC function as part of the Permanent Tribunal or will it work separately? Each dis-

pute will need to have a separate DRC. How will their processes be streamlined? How can we make sure that the DRC process is neutral and they ensure meaningful participation by states that are party to a river water dispute? Will it help to locate the agency under the Interstate Council — as Feroze Varun Gandhi suggested in the Lok Sabha debate?

The need for a credible databank has been long-felt. So, the ambiguity in the Bill about the agency performing this function is puzzling. Identifying the institution under this new piece of legislation may give it the necessary heft to engage with states.

The bill has at least three blind spots. One, it is oblivious to the recent landmark decisions of the Supreme Court. A December 2016 ruling effectively established the Court's jurisdiction over interstate river water disputes. The party states can now appeal against the decisions of the tribunal. The Court followed it up with another order in February 2018 where it modified the allocations of the Cauvery Water Disputes Tribunal Final award of 2007. The bill does not address the implications of these decisions. The bill has to resolve this conundrum first. In simple terms, the Supreme Court says it has jurisdiction over interstate river water disputes while the legislature says it doesn't.

The Supreme Court may have to deal with this contradiction next time a dispute escalates and is brought before it. The politicised nature of river water disputes makes the chances of such an escalation rife.

Two, the challenges around implementing the tribunal/Supreme Court's decisions persist. The power to create the mechanism remains with Parliament, as provided by the principal act. The last instance of creating a mechanism was under the Supreme Court's orders when the Centre created the Cauvery Water Management Authority. Will that be the model to replicate, and will such a model work?

Three, one cannot miss the inclusion of a committee to select the tribunal judges. The committee comprises the prime minister or a nominee as the Chairperson, the Minister of Law and Justice, the Minister of Jal Shakti and the Chief Justice of the Supreme Court. There may be good reasons for this, but the likely consequences do not bode well for effective resolution. States often thrive on politicising disputes. This composition will now risk states politicising not just the disputes, but their adjudication by the tribunal. This creates a situation where the dispute could escalate to the Supreme Court. Is the Court ready to do the permanent finisher's job?

Longfellow's tribute continues: *Half in rest, and half in strife/ I have seen thy waters stealing/ Onward, like the stream of life/ Thou hast taught me, Silent River! Many a lesson, deep and long/ Thou hast been a generous giver/ I can give thee but a song.*

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LETTERS TO THE EDITOR

ABOUT DELHI'S AIR

THIS REFERS TO the editorial, 'Battle on air' (IE, November 1). Some doctors and residents have very rightly urged authorities in Delhi to shut schools and cancel outdoor sporting events in the capital as air pollution remained at the most severe level for the third day running on Thursday. Farm fires in Punjab and Haryana have sent clouds of smoke floating over the city, posing a health risk to its 20 million residents, according to the Central Pollution Control Board's (CPCB) air warning guidance. The CPCB AQI has exceeded 400, classified as "severe", which means it can seriously affect those with existing respiratory illnesses, and even those who are healthy. The governments of Delhi, Punjab and Haryana must resolve the issue of stubble burning.

Sanjay Chopra, Mohali

THIS REFERS TO the editorial, 'Battle on air' (IE, November 1). Pollutants do travel far. So, it should not be denied that pollution in Delhi's neighbourhood has a bearing on the city's air quality. Air quality in major cities of Punjab and Haryana is also not in a healthy state. It is, therefore, imperative that authorities in the region make collective efforts to control air pollution by monitoring various sources like vehicles, industries and construction activities.

Subhash Vaid, Noida

VIOLATION OF RIGHTS

THIS REFERS TO the report, 'WhatsApp confirms: Israeli spyware was used to snoop on Indian journalists, activists' (IE, October 31). Such spying is a violation of fundamental rights of privacy, freedom of speech and expression guaranteed under the Constitution. The lack of response from the Secretaries of Home, and Electronics and Information Technology is telling. Recently, the Supreme Court restrained the

LETTER OF THE WEEK

COARSE HUMOUR

THIS REFERS TO the editorial, 'Look who's joking' (IE, November 1). Are men really funnier than women? That is an interesting question. The study that suggests that men have higher humour fails to point out that most of this humour is cynical and risqué and stems from a sense of privilege and entitlement. It is not so uncommon to see boisterous men regale others with stories of their imagined romantic liaisons as they take digs at women in general. It is patriarchy at play. It's not that men have more humour, it's just that it is a lot coarser.

Sangeeta Kampani, Delhi

Chhattisgarh government from conducting such surveillance on IPS officer and their family members and friends.

LR Murmu, Delhi

A NEW VALLEY

THIS REFERS TO the editorial, 'Task in the Valley' (IE, October 31). Jammu and Kashmir has got a new identity from November 1. What really matters is if locals become part of mainstream. For that to happen, the release of state leaders from prison and more freedom to speak up will go a long way. Attacks on migrant workers are testimony that despite security and lock-down, the situation is not at all peaceful. People are as vulnerable as before August 5. It's up to the government to bring peace to the region.

Bal Govind, Noida

TELLING NUMBERS

Electoral bonds: Rs 6,128 crore sold so far, highest in Mumbai

THE STATE Bank of India has sold electoral bonds worth Rs 6,128 crore since their introduction in March 2018, according to the Association of Democratic Reforms (ADR).

Announced in the 2017 Union Budget, electoral bonds are interest-free bearer bonds that are used to donate money anonymously to political parties. The bonds are issued in multiples of Rs 1,000, Rs 10,000, Rs 1 lakh, Rs 10 lakh and Rs 1 crore; SBI is the only bank authorised to sell them. Buyers can donate the bonds to a party of their choice and these can then be cashed by the party through its verified account within 15 days.

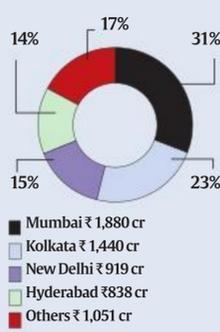
At the time of its announcement in 2017, then Finance Minister Arun Jaitley said the scheme was aimed at protecting the identity of donors who fear adverse consequences for contributing to one political party. However, the Election Commission and civil society have opposed the scheme and the opacity it has brought into political funding. A petition challenging the scheme is pending with the Supreme Court.

According to ADR figures, the largest value of electoral bonds (Rs 4,444 crore) was sold during the quarter coinciding with the Lok Sabha elections. The highest sale (Rs 2,256 crore) happened in the month of May. Among the cities, Mumbai topped the list with a sale of bonds worth Rs 1,880 crore, followed by Kolkata (Rs 1,440 crore) and New Delhi (Rs 919 crore).

PEAK IN APRIL 2019

Phase	Bonds sold
March 2018	Rs 222 cr
April 2018	Rs 115 cr
May 2018	Rs 101 cr
July 2018	Rs 33 cr
Oct 2018	Rs 402 cr
Nov 2018	Rs 184 cr
Jan 2019	Rs 350 cr
March 2019	Rs 1,366 cr
April 2019	Rs 2,256 cr
May 2019	Rs 822 cr
July 2019	Rs 45 cr
Oct 2019	Rs 232 cr

WHERE THEY WERE SOLD



FACT CHECK, GROUND REALITY

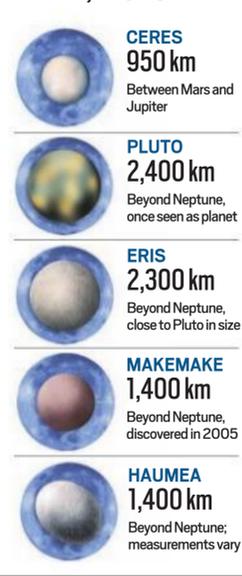
FIVE DWARF PLANETS AND A NEW CANDIDATE: HOW IS IT DECIDED?

AS OF today, there are officially five dwarf planets in our Solar System. The most famous is Pluto, downgraded from the status of a planet in 2006. The other four, in order of size, are Eris, Makemake, Haumea and Ceres. Now, there is a claimant for a sixth dwarf planet.

Called Hygiea, it has so far been taken to be an asteroid. It lies in the asteroid belt between Mars and Jupiter. Using observations made through the European Space Organisation's SPHERE instrument at the Very Large Telescope (VLT), astronomers have now found Hygiea may possibly be a dwarf planet. They have reported their findings in the journal *Nature Astronomy*.

If it qualifies, Hygiea will be the smallest dwarf planet in the Solar System. The International Astronomical Union sets four criteria for a dwarf planet, and Hygiea already satisfies three — it orbits around the Sun, it is not a moon, and it has not cleared the neighbourhood around its orbit. The fourth requirement is that it have enough mass that its own gravity pulls it into a roughly spherical shape. According to the new study, VLT observations now show Hygiea satisfied that condition, too. This is the first time astronomers have observed Hygiea in high resolution to study its surface and determine its shape and size.

DWARFS, THEIR DIAMETERS



A new SPHERE/VLT image of Hygiea. European Space Organisation

What it means to host COP

Chile has pulled out as hosts of annual climate change event, citing unrest at home, and Spain has now stepped in. How is the host decided, and why are some countries not enthusiastic about that role?

SIMPLY PUT

AMITABH SINHA
PUNE, NOVEMBER 1

CHILE, THE designated host for this year's UN climate change conference, has said it would not be able to organise the December event because of political unrest at home. Spain has stepped in and offered to host it on the same dates, December 2-13. Spain's offer was accepted on Friday evening, and Madrid now faces the herculean task of making arrangements for the two-week event, which has over 20,000 delegates and attendees every year. The year-end conference, called COP (Conference of Parties to the UN Framework Convention on Climate Change), have been held since 1995, and never been postponed.

The event

The signatories to the 1992 UNFCCC (UN Framework Convention on Climate Change) meet to discuss and decide on steps that countries need to take to fight climate change. This will be the 25th edition of the meeting, hence COP25. It is the same meeting that, at COP3, delivered the 1997 Kyoto Protocol, the first international agreement to fight climate change. The Kyoto Protocol was later deemed to be inadequate, and after several years of negotiations, COP21 in 2015 delivered the Paris Agreement.

In subsequent years, countries have been trying to finalise the rules and procedures that will govern the implementation of the Paris Agreement. One of the most important tasks at the upcoming COP is to complete the negotiations over the rulebook.

Hosts by rotation

The venue for the COP meeting is rotated among the five UN-identified regions — Africa, Asia-Pacific, Eastern Europe, Latin America and Caribbean, and Western Europe and Others. The countries in the region have to propose a candidate, and a host is usually decided at least two years in advance. If no one else agrees to do it, Bonn in Germany, as headquarters of the UNFCCC secretariat, has to step in and host the event.

The rotation cycle has not been followed very strictly. The first and second COPs were both held in western Europe (Berlin and Geneva), and so were the fifth and sixth (Bonn and the Hague). After the 2012 COP in Doha, the event has not returned to Asia. That is because Fiji, the host in 2017, lacked the resources to organise an event of this scale; as a compromise, the event had to be held in Bonn under the Fijian presidency.

Reluctant hosts

Even before the ongoing unrest, Chile had been a reluctant host. It had agreed to host the event after much persuasion, and Santiago could be named the COP25 venue only towards the end of COP24 in Katowice, Poland, last year. Chile had been arguing that as hosts of the Asia Pacific Economic Conference this year, it had to organise year-round meetings, including leaders' summit in November, and that it would be difficult to organise another big event in December. Those APEC meetings too have been put off now.

The only other contender from the region to host COP25 was Costa Rica, but it lacked the resources. And UNFCCC was not very enthusiastic about another event at its headquarters. The host city incurs huge expenditure on the event, not all of which is reimbursed. Apart from the over 20,000 participants, the city has to make arrangements for visits by heads of states and governments, and other personalities. Side events and demonstrations invariably come with the conference, and the host city has to brace for such disruptions for more than two weeks. The event does help local economy, and tourism, but many countries do not see that as adequate incentive.

Climate leadership

There is another reason why some countries do not seem very enthusiastic about hosting the event. The host country presides over the conference, and as such is expected



Rioting and police action with teargas in Concepción, Chile, on Thursday. Reuters

What's happening in Chile?

OM MARATHE
NEW DELHI, NOVEMBER 1

THE "difficult circumstances" — fiery street protests, mob violence, arson, and looting — cited by Chile's President Sebastián Piñera to back out of hosting the COP25 and APEC Summit have surprised the world, which has long regarded the country as a remarkable example of prosperity and political stability in generally turbulent Latin America.

How did the protests start and spread?

The trigger was a modest 4% increase in subway fares announced on October 1. On October 7, the day after the new fares came into effect, school students launched a campaign to dodge them, jumping turnstiles on the Santiago Metro in civil disobedience, and trended #EvasionMasiva, or 'Mass Evasion' on social media.

As the campaign spread, there were violent incidents, and several Metro stations were shut on October 15. Three days later, the entire grid was shut down, and Piñera announced a 15-day curfew. However, the rioting continued, and spread from Santiago to Concepción, San Antonio, and Valparaíso. The government cancelled the fare hike on October 19, but the protests did not cease. On October 26, over a million people marched in the streets of Santiago.

At least 20 people have died in the demonstrations and violence so far; prosecutors said on Wednesday that they were investigating a total 23 deaths believed to be linked to the protests. Many Metro stations have been destroyed, supermarkets set afire, and stores have been looted. The protests have been described as the most tumultuous of the last 30 years, since the country returned to democracy at the end of General Augusto Pinochet's dictatorship. Interior Minister Andrés Chadwick has called the situation "more violent and barbaric than anything in (his) memory".

On Thursday, thousands of protesters wearing Halloween masks and alien costumes swarmed Santiago's Plaza Baquedano in response to a leaked recording of First Lady Cecilia Morel saying it seemed as though aliens had invaded Chile, while other groups clashed with police at the presidential palace.

would raise employer contributions. "We have listened with humility to the powerful voice of the people and their legitimate demands for urgent solutions to problems which we all know have dragged on for many decades," he said last week. However, the protesters remain unmoved, and want Piñera, one of the richest people in the country who has been President since 2018, to go. Opposition parties too, have indicated that they would not simply rubber-stamp the government's attempts to fast-track pension reform.

But why are Chileans so angry?

The protesters represent the voices of those left out of the economic growth and prosperity that most non-Chileans have come to identify the country with. Discontent against broad income inequality is the key provocation. People are angry about low incomes from salaries and pensions, and are unsatisfied with public healthcare and education.

A major driver of the protests has been the fear of poverty in old age, which has seen many elderly Chileans marching alongside the youth. Chile has a defined contribution pension scheme in which workers pay at least 10% of their wages each month to for-profit funds, called AFPs. Over the years, these AFPs have come to hold an enormous corpus — \$216 billion, or about 80% of the nation's GDP at present — and have huge investments in Chile and overseas.

However, not all Chileans benefit from the pension scheme. Many can't contribute enough regularly, and end up with small payouts. A third of Chileans who work in informal jobs, as well as those who don't have jobs, and women who quit to raise children, lose out too. In essence, critics say, the AFPs have helped fuel an economic boom that has been visible in impressive skylines and apparent prosperity, but has really benefited only a relatively small elite.

What is the government doing?

Piñera has acknowledged most of the protesters' demands. He has offered a reform package that includes higher taxes for the rich, and multiple policies of redistribution of wealth. This week, he fired several ministers against whom the public has expressed anger. He has said he would increase the state's contribution to basic pensions by 20% for the poorest Chileans, and

Is there a counter-argument?

The AFPs argue that the problem does not lie with the pension scheme, but rather with low wages, a weak job market, and the country's ageing population. There are many in the country who do not sympathise with the protesters, or who disagree with their violent methods.

The Santiago-based Spanish language daily *La Tercera* said in an editorial on October 24 that it was "essential to be clear on the origin of these happenings and those who are responsible... This violence must be very clearly distinguished from peaceful protests... (The violence) only seeks the destabilisation of the country, and has nothing to do with the demands of the marches." In its editorial of the previous day, *La Tercera* had praised Piñera's reforms package as "effectively taking care of the needs most felt by the people, particularly the most vulnerable sections, and allowing for a new political and social dialogue".

A letter to the editor in *La Nación* said: "Chile has 9% poverty, 2.3% destitution. Since the return of democracy, the GDP has multiplied 5 times. Inflation is below 5%. There is a high level of employment. There is access to credit, and interest rates are around 2%. Although there exists the problem of distribution, the country continues to be rich and orderly. The complaints of the middle classes do not justify the setting ablaze and destroying of a nation that is a model of development for the region."

to demonstrate leadership in taking individual steps to combat climate change. For countries with smaller greenhouse gas emissions, this is not much of a problem, but such expectations explain why the US, China or Russia have not shown much interest in hosting the event. Neither have countries like Japan, Australia or Canada, generally consid-

ered climate laggards. Japan hosted the 1997 event that produced the Kyoto Protocol, but it also happened to be the first country to walk out of it in 2011. Canada hosted it in 2005. Australia, which too withdrew from Kyoto Protocol, has never hosted it. Spain will now host it for the first time, and so will the UK, in Glasgow next year.

India, the third largest emitter, hosted the 2002 COP in New Delhi, much before climate change became this big.

The European Union, which has a relatively strong climate change action plan, has hosted the most COP editions — 11 of 24 COPs, with Madrid now the 12th of 25. Germany and Poland have been hosts three times each.

Naga flag: what is its history, how significant has it been earlier and now?

ESHA ROY
NEW DELHI, NOVEMBER 1

THE DEADLINE for a final Naga peace accord passed on Thursday, amid assertions from both sides that peace talks would continue. Among the issues that have been contentious are the demand for a separate Naga constitution and use of the Naga flag, for decades a symbol of Naga nationalism.

The Nagas & the Indian Union

In a memorandum to the Simon Commission in 1929, representatives of Naga tribes demanded that Nagas be left free after Independence and not be included in the Indian Union. Ahead of Independence, a nine-point agreement was signed between the Government of India and the Naga

National Council which included "an experimental coexistence with India for a period of 10 years" to be reviewed at the end of that period. While the Nagas saw this provision as temporary, with a right to self-determination after 10 years, Naga historians say the Indian government has interpreted the "trial period" as accession to the Indian Union.

The tallest leader of the Naga struggle, Dr AZ Phizo, met MK Gandhi in Delhi on July 19, 1947. According to Naga historians, Gandhi agreed that the Nagas would celebrate their independence a day ahead of India, on August 14, 1947. To this day, Nagas across Nagaland, Manipur, Assam and Arunachal Pradesh celebrate August 14 as Independence Day.

The Naga flag's history

On August 14, it is not just the National Socialist Council of Nagalim (Isak-Muivah),



Th Muivah at an NSCN(I-M) event at Camp Hebron, near Dimapur. Express Archive

or NSCN(I-M), that hoists the now contentious Naga flag. It is also hoisted in camps of various insurgent Naga groups, and even at homes of civilians who are often chased away by police who take the flag down. This year, in the backdrop of the Naga peace talks, a fresh burst of Naga nationalism saw large gatherings of Nagas hoisting the flag and taking it out in processions, especially in the Naga-inhabited Ukhrul district of Manipur, where NSCN(I-M) chief Th Muivah's village is located.

In the Naga narrative, passed down generations by word of mouth, the Naga flag was not designed by a mortal but is of divine origin. As Naga groups battled the Indian armed forces, the legend goes, Phizo and his closest colleagues had a vision — a rainbow, in a startlingly blue sky that had appeared after a storm. "The Naga flag was

a gift from God," said an NSCN(I-M) leader. A woman of the Rengma tribe, one of the tribes under the Naga umbrella, was commissioned to weave the flag. It was hoisted for the first time in Parashen in Rengma on March 22, 1956.

The flag has a blue background, representing the sky. A red, yellow and green rainbow arches across the centre. The Star of Bethlehem adorns the top left corner of the flag; Nagas are predominantly Christian.

The Naga flag today

The flag remains a symbol of the Nagas' "struggle" for over 60 years, of their religious faith, of the aspirations of the Naga people, and of their identity. It helps bind all the different Naga tribes together. Outside Nagaland state, in particular, the flag continues to elicit strong emotions of iden-

tity from Nagas.

Inside the state, common citizens are today divided on its importance. Certain sections believe that with secession from the Indian Union no longer possible, the Naga flag has lost some of its relevance. The moderates have supported a complete inclusion in the Indian state, for access to the latter's development project, infrastructure, and its education and health facilities. But a large section of the Nagas still hold dear the idea of the Naga identity and of their tribal roots.

The Naga struggle claimed thousands of lives over decades and devastated countless homes, all over the idea of a sovereign Naga nation. If the NSCN(I-M) accedes to economic and political packages alone, without a separate flag and constitution, it remains to be seen whether it will be seen as a solution, or as a defeat.