

'Charter of the People 2009'

for

Inclusion in all political party manifestos



Parliamentarians' Group on Millennium Development Goals (PG-MDGs)
New Delhi

Parliamentarians' Group on Millennium Development Goals releases the 'Charter of the People 2009'

India's 2009 general election marks the final opportunity for political parties to commit to reaching the Millennium Development Goals (MDGs) which would see millions of people lifted from poverty and able to access healthcare, education and secure livelihoods. This is why the Parliamentarians' Group on the Millennium Development Goals (PG-MDGs) released the 'Charter of the People 2009', which makes 24 recommendations that should be included in all political party manifestos to highlight their commitment to achieving the MDGs and human development targets.

On 25 September 2008, the UN High Level Event on MDGs met to review the world's progress on MDGs. They acknowledged that India had made remarkable progress in several areas, however for the MDGs to be met; much more needs to be done to overcome challenges.

India is crucially important to the world achieving the MDGs. Ultimately, if India does not make progress on critical indicators the world as a whole will fail to achieve the MDGs. At present, 200 million people are malnourished and half the world's malnourished children live in India. However, India has the resources necessary to end this sad state of affairs and end hunger.

Over the last twenty years there has been virtually no movement on child and mother mortality rates. One out of every ten Indian children does not reach the age of five, due in part to India having one of the lowest child immunization rates in South Asia, and maternal death rate in India is the highest in the world. All these problems are compounded by the fact that India spends only 1% of GDP on public health. To improve public health there needs to be greater funding for the National Rural Health Mission, which can help curb the detrimental effects of TB, polio and HIV/AIDS.

Therefore, urgent steps need to be taken to ensure that poverty and hunger are eradicated, that universal primary education is made a reality, that gender equality and women's empowerment is promoted, maternal health is improved, HIV/AIDS, TB, malaria and other diseases are combated, prison, judicial and police reforms are articulated up the political agenda, and the RTI and NREGA Acts, both landmark and progressive pieces of legislation which can empower millions, are further strengthened and implemented.

The 'Charter of the People 2009' has been prepared after a series of consultations with civil society organisations from across India and also utilises or supplements the extensive research and policy recommendations made in the *Handbook for Parliamentarians on the MDGs*. This charter is crucial as it sets the tone for what the electorate expects from their representatives. It points to the pressing issues that need to be urgently tackled for development to be made all-inclusive and for the fruits of development to reach down to the most vulnerable sections of our population. An inclusion of this charter in different political party manifestos is an urgent priority so that all the political parties are committed to the sustained effort that is needed to realise the MDGs which will ultimately save lives and provide people with the equality and freedoms needed to improve their standard of living.

'Charter of the People 2009'

1. Eradicate extreme hunger and poverty

Poverty reduction must be treated as a fundamental human right that considers the causes, not only the symptoms, of poverty. Even given an overall decline in the proportion of people living below the official poverty line, inequality in India is heightening. By way of example, the per capita income in Bihar is a mere Rs. 6400, which makes it the most densely populated agglomeration of poor people anywhere in the world (World Bank, 2005). In 2005, 456 million Indians, 42% of the population, lived below the poverty line. In 1981, the numbers were 420 million and 60%. Despite the government's own estimates being lower, there is agreement that poverty in India is falling much too slowly. Poverty eradication in India needs to be seen as a self-perpetuating process, one that can only be dealt with by a combination of measures including extension of health care, drinking water and sanitation facilities, education and employment, which need to be improved urgently so that the vicious circle of poverty is broken.

Policy recommendations:

- i) Revitalise the agriculture sector through increasing public investment and agriculture credit, especially for small holder agriculture.
- ii) Bring minimum support prices in line with actual cultivation costs of specific crops and make them both region-specific and universally available to all.
- iii) Increase the BPL threshold from Rs. 24,200 to Rs. 49,284.
- iv) Address pilferage and corruption in the existing TPDS by making it compulsory for the police to file FIRs and investigate cases where instances of violation of the rules of the public distribution system are brought to light, as they will either involve blackmarketing or corruption.
- v) Take measures to prepare a comprehensive list every two years of all destitute people needing free or subsidized cooked food, by opening up midday meals and community kitchens.
- vi) Take measures to increase the investment in irrigation, power and roads in under developed regions.
- vii) Ensure functional drinking water and sanitation facilities for all rural and urban households.

2. Achieve universal primary education

Recognition of the role of education in sustainable development needs to be followed by policies, which establish a tangible correlative link between the education imparted and the employability state of the person. Furthermore, issues of absenteeism and the lack of proper infrastructure need to be dealt with at the earliest so that the Indian state can move towards providing meaningful education to children, which has inbuilt exit routes and is linked to actual sustainable employment projects.

Policy recommendations:

- i) Pass the pending, the Right of Children and Compulsory Education Bill, 2008.
- ii) Include children from the 0-6 age group in the Right to Education Bill.
- iii) Ensure six per cent of the GDP investment in education.
- iv) Focus on strengthening the infrastructure and quality of 'formal' government schools.
- v) Introduce systems to improve learning levels of children in pre-primary, primary and secondary levels.
- vi) Increase budget allocation for the MDMS and extend the scheme to upper primary schools across the country.
- vii) Ensure effective community involvement in the management of government schools.
- viii) Increase the salaries and allowances payable to teachers in rural and semi-urban areas to attract better talent.

3. Promote gender equality and empower women

Gender inequality encompasses a range of interlinked issues and problems, including poor access to healthcare and education services, inadequate nutrition, lack of access to resources and, limited and undervalued employment opportunities. These issues need to be tackled immediately by the new government. Furthermore, the Indian state needs to protect the rights of women at every stage of their lives, starting by putting an end to sex-selection practices, ensuring a healthy sex ratio, access to education and public office, ensuring their participation in policy making processes etc. To this end, policies targeting women need to be adopted including affirmative action policies like reservation for women, better implementation of the ban on sex-selection procedures, stringent punishments for female foeticide and infanticide etc. A wider sensitisation programme also needs to be adopted to fight the struggle against psychological attitudes and cultural mindsets.

Policy recommendations:

- i) Pass the Constitution (One Hundred and Eighth) Amendment Bill, 2008, which reserves one-third of all Lok Sabha and state legislative seats for women.
- ii) Amend the Unorganised Workers Social Security Bill, 2008, and provide a specific coverage to women from the unorganised sector.
- iii) Effective Implementation of the Pre-Conception and Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, including introducing stringent punishment for violation.
- iv) Effective implementation of the Equal Remuneration Act in order to ensure that women get equal pay with men for the work they do.
- v) Adopt a comprehensive law to deal with sexual harassment at the workplace and include the private and unorganised sector as well within its ambit.

4. Reduce child mortality and ensure child survival

With one in ten children dying before the age of five, India has an embarrassingly high child mortality rate, along with chronic child morbidity: this is a very good indicator as to the status of public health care and infrastructure available to the general populace. Steps need to be immediately taken to ensure that pre and post natal care is provided, that pregnant women are given proper nutrition and incentives are provided to them for visiting the local health care centres for regular check-ups. Furthermore, systems need to be put into place to ensure that proper follow-up after delivery is done and that new born babies are vaccinated to ward off infections and other diseases.

Policy recommendations:

- i) Operationalise the commitment to universalise the Integrated Child Development Scheme (ICDS). Integrate the ICDS and the National Rural Health Mission to prevent and manage malnourishment.
- ii) Appoint additional Anganwadi worker to enable focus on 0-3 children, and take measures to promote breastfeeding through behavioural changes (breastfeeding should be done within one hour of birth and exclusively for the first six months of life before the timely introduction of complementary foods at six months old), nutrition counselling etc.
- iii) Set up counselling and support systems, available immediately after delivery.
- iv) Full immunisation and bi-annual vitamin A supplementation with de-worming.
- v) Frequent, appropriate, and active feeding for children during and after illness, including oral rehydration with zinc supplementation during diarrhoea.
- vi) Timely and quality therapeutic feeding and care for all children with severe acute malnutrition.

- vii) Bring out a comprehensive legislation on child sexual abuse.
- viii) Ensure effective community involvement in the functioning of health facilities.

5. Improve maternal health

India's abysmal maternal mortality rates are one of the most discussed anachronisms amongst the nation's social scientists. Currently, there are states which number amongst the worst performing regions in the world, and India as a whole has more maternal deaths than any other nation. The Indian state should commit to providing equal access to healthcare facilities to women of all childbearing age and especially target these women before the point at which they become sick mothers and yet another avoidable statistic.

Policy recommendations:

- i) Special provisions must be made for allocating a part of the health budget to women.
- ii) Increased and effective provision for normal deliveries in PHCs and emergency obstetric care in Community Health Centres, District Hospitals etc.
- iii) Improve food and nutrient intake for adult women, including during pregnancy and lactation
- iv) Have regular capacity building programmes for *Dais*.
- v) Appoint more women doctors, particularly Gynaecologists in the Government health system.
- vi) Enhance facilities for safe abortions in Government hospitals as unsafe abortions are an important cause for maternal mortality.

6. Provide universal food security and access to nutrition

In the face of inflation, the retail prices of essential food commodities like grain have increased at such a rate that the recession hit wages of the people at large can ill-afford. This means that the food security of 260 million people, who are already living below the poverty line, has been diminished. Malnutrition is a "not-so-silent" emergency in India. According to WHO estimates - approximately 49% of the world's underweight children, 34% of the stunted children and 46% of the wasted children, live in India. Malnutrition rates in India are amongst the highest in the world - these are six times those of China and twice the levels in sub-Saharan Africa.

Policy recommendations:

- i) Converge ICDS and NRHM so as to effectively prevent and manage malnutrition among children.
- ii) Make targeted investments so that, for example, mothers receive money not only when they give birth but during and after their pregnancies as well, so that pre and post natal care and breast feeding are taken care of.
- iii) In connection with the above, ensure the effective implementation of the Muthulakshmy Reddy Scheme of Tamil Nadu which has been identified for national extension in the 11th Plan
- iv) Ensure the setting up of crèches in the work sites of the unorganised sector workers to facilitate women in breast feeding and child care.
- v) Pay attention to pre-school education and provide nutrition and health services along the lines of the Mid Day Meals Scheme.

7. Combat HIV/AIDS, Malaria and other diseases

Policy responses to HIV/AIDS are critically limited by the lack of reliable statistical information, lack of proper physical healthcare facilities and fear of social repercussions. Tackling discrimination must therefore be an absolute priority for the government, not only to safeguard fundamental human rights amongst people living with HIV/AIDS, but also to enable a more extensive assessment of the scope of the epidemic and implement effective, targeted policy interventions. This means that the HIV/AIDS Bill needs to be passed and those identified as high risk need to be targeted with prevention materials. Access to high quality medical care needs to be enabled so that epidemics like that of TB are curbed. Furthermore, health, support infrastructure and systems of care need to be strengthened.

Policy recommendations:

- i) Pass the proposed HIV/AIDS Bill, which addresses the issue of discrimination in employment, healthcare, and education, informed consent for testing, treatment access and research.
- ii) Implement the proposed National and State Adolescence Education Plans in the schools.
- iii) Take measures to assess the performance of the National Vector Borne Diseases Control Programme and strengthen the programme quality to meet the challenges. Establish Drug Distribution Centres and Fever Treatment Depots in remote areas.
- iv) Community groups should increasingly be involved in HIV, TB, cervical cancer and malaria awareness. Treatment literacy materials should be provided to patients so that they can then be encouraged to take responsibility for their own treatment.
- v) Further laboratories need to be installed with equipment to detect drug resistant forms of TB. This will allow health bodies to better calculate the scale of the disease and resources can be focused on high risk areas.

8. Ensure environmental sustainability

According to the Human Development Report 07-08, “superimposing incremental climate change risks on this large human development deficit would compromise the ambition of inclusive growth set out in India's Eleventh Five-Year Plan”. Surface temperatures, across India, already increased by approximately half a degree centigrade during the second half of the twentieth century. The Intergovernmental Panel on Climate Change has emphasized that it is ultimately the poorest people who will be most affected by inadequate policies related to environmental sustainability. Therefore, urgent measures need to be taken towards achieving environmental security, which must consider both vulnerable populations and conservation, and not see them as conflicting poles.

Policy recommendations:

- i) Prioritise biodiversity and make substantial allocations to conservation efforts/research and development.
- ii) Amend the Forest Rights Act so that 'livelihood needs' refer to the sustainable use of resources for survival and basic livelihoods.

9. Put police, prison and judicial reforms on the political agenda

a. Police reforms: The cutting edge of policing is the constabulary, which is the most neglected component of the police hierarchy but certainly the overwhelmingly largest and the hardest working. Rarely is their voice heard in the context of the debate on police reform or community policing. Coordination between the intelligence gathering, patrolling and quick action teams should be strengthened. Similarly the coordination between various law enforcing agencies controlled by the

central government should be improved with greater participation for the senior members of the constabulary in such mechanisms.

b. Prison reforms: measures need to be taken to reform current prisons and create better conditions for inmates, including medical aid, legal redress, fair and speedy trials. The serious violation of people languishing in jails as undertrials, for instance, can be addressed through the proper implementation of Section 436A, inserted into the Code of Criminal Procedure in amendments made in 2005. There should be better monitoring of prisons from officers vested with such responsibility in the judiciary and the district administration.

c. Judicial reforms: The judiciary is required to be accountable to the law and to the people in just the same way as other State organs. The fact that the judicial terrain is not neutral, and that class, caste, and gender have a role to play needs to be taken seriously. The process of appointment and transfer of judges in the High Courts and the Supreme Court should be made more transparent. All judges should be required by law to declare their assets at the time of joining duty and thereafter regularly every year until they demit office for whatever reason. These declarations should be available to people in the public domain. Concerns of discrimination and marginalisation raised by social movements need to be taken seriously and in the face of these charges, judicial reforms should not be restricted to enabling access to legal redress, which needs to be definitely ensured but should be extended to improve the quality of justice. The process of setting up benches of the Supreme Court in different parts of the country should be set in motion in order to make the apex court more accessible to people. A reliable mechanism should be set up for investigating allegations of corruption in the higher judiciary.

10. Uphold basic human rights for all

The Indian state, if it is serious in its pursuit of equality and justice, needs to uphold the human rights of each and every one of its citizens. This includes, the state strengthening its laws against discrimination on the basis of given or assumed identities, affording everyone an equal opportunity to educational institutions, public offices etc., ensuring legal redress, and extending equal respect to all human beings. Access to a set standard of living, with provision of clean, drinking water and proper sanitation facilities and the opportunity of leading a dignified life need to be enabled and extended so that the right to life can actually become a real attainment for every citizen.

Policy recommendations:

- i) Setup special courts to settle dalit land disputes and recognise the right to land of every dalit citizen in India.
- ii) Implement the Land Reforms Act and distribute the surplus land equally amongst dalits.
- iii) Allocate 23 per cent of the budget to social welfare schemes specifically addressing dalit needs and concerns.

11. Ensure easy and affordable access to medicine

Every individual in this country has a right to a basic health cover at an affordable rate and it is in this context that patents cannot be extended to private pharmaceuticals producing essential drugs, which need to be made available through the public health sector, which has a greater coverage. Law and policy needs to be strengthened so that everyone has access to available and safe drugs.

Policy recommendations:

- I) Formulate a national list of essential drugs in consultation with civil society organization and adopt it uniformly across India.
- ii) Make these essential drugs available generically so that issues of health care are not sacrificed at the altar of profit incentives and no lives are lost because of the non-affordability of these drugs.
- iii) Measures need to be taken for the public provisioning of drugs.

12. Ensure greater participation in budget making processes

Budget making processes need to be made more open and participatory so that budgetary allocations reflect the concerns of sectors that are actually in need of financial help. Systems of joint governance should be setup so that people become important stakeholders in processes of budget formulation and their needs and aspirations are met. The budget furthermore needs to pay special attention to women and children and their concerns need to be adequately reflected. It is also important that women in budgets are seen as independent and the faulty presumption of women being the sole beneficiaries of all schemes relating to child development, family planning or contraception removed. The efforts already initiated towards child budgeting need to be further strengthened and taken forward.

13. Strengthen the Right to Information Act

The Right to Information (RTI) Act was a landmark legislation, which opened avenues for people to demand information of their representatives and enforce accountability. However, the implementation of the RTI has caused some frustration as State level governments have tampered with how it is implemented. Therefore the implementation needs to be strengthened so that information can be readily made available to people without waiting for them to ask for it. This is the intention of the Act also as spelt out in section 4(2). Uniformity in appeal fees and format of the application, proper enforcement of penalties imposed on public officials, wider information dissemination about the RTI Act, including making it part of the school curriculum, with practical lessons, are some of the ways in which the current Act can be strengthened and used by the wider public to ensure accountability, transparency and good governance.

Policy recommendations:

- (i) Remove the blanket ban on information relating to security organisations and admit applications relating to administrative and financial matters.
- (ii) Persuade States to withdraw appeal fees as this is against the Act.
- (iii) Persuade the High Courts to withdraw restrictive rules that defeat the spirit of the Act.
- (iv) There should be no specific format to an RTI application as this is being used as a way for applications to be rejected.
- (v) No fee should be levied at the initial stage of an RTI. Only if a printed answer is requested should a charge be levied.
- (vi) Strengthen mechanisms of enforcing penalties on public officials.
- (vii) Develop user friendly methods of filing RTI applications by harnessing the post office network and the IT know-how developed in India.

14. Improve the implementation of the NREGA Act

The NREGA Act was the first piece of legislation that saw the state provide a safety net for impoverished rural households. Up until now the scheme has covered 330 districts across different States; it is due to cover 596 districts in 2008 ahead of schedule. The adoption of a rights-based approach

to work, including the payment of minimum wages, should contribute to enhancing the quality of life for the rural poor. NREGA has immense potential to be progressive, not only in creating employment, but also food security, workers' rights and social security, community and resource development etc. Under the scheme, women are now entitled to equal and minimum wages. Steps should be taken to strengthen the NREGA Act. Its potential to regenerate the village economy and for ecological regeneration needs to be utilised. The Act, which currently focuses on the creation of jobs and employment opportunities, needs to take into account the difference it can make to the economies of rural areas and move towards the realisation of making these economies sustainable in the long term. The days of employment should be increased from 100 to 365 days and mechanisms should be built to ensure the delivery of wages on time.

Policy recommendations:

- i) Increase the days of employment from 100 to 365 and ensure the delivery of wages on time.
- ii) Ensure work under the NREGA Act is not directed to non-productive sectors.

15. Ensure primary health care

Comprehensive primary health care still remains a goal to be achieved in this country, where rates/numbers of child mortality, deaths during childbearing, HIV positive patients, TB patients etc. are very high. In this context, in 2008, WHO recommended that the following be paid attention to: a) Universal coverage ensuring universal access to healthcare, b) Service delivery more responsive to community needs, c) Public policy integration of public health with the primary care, d) Leadership to shift to decentralised systems nearer to the community. The simple fact of the matter is that India only spends about 1% per cent GDP in health. The pressing need of the hour, therefore, is that a long-term commitment to public healthcare and nutritional services be made.

Policy recommendations:

- (i) Take measures to ensure 3 per cent of GDP investment in health by 2010.
- (ii) Take measures to launch proposed national urban health mission.
- (iii) Ensure that primary health can reach remote areas, including urban slums.
- (iv) Improve systems and capacity building for enhanced community management of Primary Health Care through PRIs.

16. Mainstream sexual rights

Sexuality needs to be recognised as an important part of the human experience and sexual rights, now enshrined in the human rights discourse, need to be seen as part of social justice. There is an emerging consensus on the need to recover the positive aspects of sexuality and see it as an end in itself rather than a means to combating HIV/ AIDS, STDs etc. Towards this end, proper information dissemination mechanisms, which are age appropriate and counselling services, need to be put in place so that individuals can make informed sexual choices free of fear of discrimination.

Policy recommendations:

- i) Recognise every individual's right to a sexuality of his/her own choice.

17. Stop the widespread use of torture

The widespread use of torture by military and paramilitary organisations needs to be stopped, especially in conflict areas.

Policy recommendations:

i) The Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment and Punishment, of which the Indian State is a signatory since October 1997 needs to be ratified as soon as possible. This is essential so that changes can be made to the existing laws, and inhuman and degrading treatment that is meted out routinely to those 'captured' by the police or any other organisation responsible for maintaining law and order is stopped.

18. Recognise the rights of people with special needs

People with special needs are citizens and need to be recognised as rights bearing individuals, capable of making autonomous choices based on their free and informed consent as well as being active members of society. The Persons with Disabilities Act, 1995, focuses on helping people with special needs with the pressures of mainstream education, the focus should rather be on building their capacities and making schools and their premises accessible to all. The welfare based approach, which is inherent in this Act needs to be abandoned in favour of positive rights based language and measures.

Policy recommendations:

- i) Bring laws relating to disability in line with the Convention for the Rights of Persons with Disabilities, which has been signed and ratified in 2007.
- ii) Amend the Right to Education Bill, so that it expands its current working definition of 'disability' to include learning 'disabilities' like dyslexia etc.

19. Amend the Unorganised Workers Social Security Bill

Even though the Bill in its current form provides social security benefits like benefits of health, life, old age pension, disability insurance, it faces many shortcomings.

Policy recommendations:

- i) Expand the current working definition of the unorganised sector to include the members of cooperative societies, as also retired unorganised workers.
- ii) Set up a grievance redressal system to address the grievances of workers and penalise the violators.
- iii) Ensure community participation in the management of the government supported Micro health insurance Scheme for Unorganised Sector Workers.

20. Adopt stringent pictorial warnings for tobacco products

Tobacco use is the single largest preventable cause of disease and death across the world. Each year, 9 lakh Indians die because of tobacco use. Scientific evidence from across the world proves that pictorial health warnings on tobacco packs can protect vulnerable users from the hazards of tobacco use. The governments of several countries have implemented stringent pictorial health warnings for tobacco products to safeguard the health of their citizens. Even though the current graphic warnings in India (scorpion and lung x-ray) are untested and unproven for their effectiveness in any country or region, they need to be speedily enforced in the face of lack of any such warnings. In the next round of notifications of warnings, however, explicit pictograms, which have been methodically tested, need to be put in place to desist consumers from buying tobacco.

Policy recommendations:

- i) Direct specifications for pictorial warnings for all forms of packaging: irregular bidi packs, gutka pouches, small boxes of snuff, zarda tins etc.

21. Recognise the right to adequate and safe housing

The Supreme Court of India has repeatedly interpreted the right to life to include the right to adequate housing, shelter and livelihood. In the face of slum dwellers being forcibly evicted, in preparation for the upcoming Commonwealth Games, this interpretation should be used to mount arguments for providing everyone with adequate housing facilities and recognising it as a constitutional obligation of the state. Homelessness as a condition needs to receive the urgent attention of the state and a housing and land rights approach needs to be adopted to bring about systemic change.

Policy recommendations:

- i) Provide land for housing the urban poor within city limits by making changes to the Urban Land Ceiling Act, Public Land Encroachment and Regularisation Act.
- ii) Provide easy access to affordable housing finance schemes.
- iii) Slum dwellers should not be evicted without alternative accommodation being provided.

22. Amend the Scheduled Tribes (Recognition of Forest Rights) Bill

The Bill, which is being hailed as an important, historic policy response to decades of struggle of forest dwellers, leaves much to be desired.

Policy recommendations:

- i) Include communities, which depend on forests for survival and livelihood but are not traditional forest dwelling communities.
- ii) Even though the eligibility date has been set as 25 October, 1980, the Bill remains equivocal about the documents that need to be furnished in order to meet this eligibility criterion. The Bill needs to stipulate these conditions in their specificities so that the implementation is not delayed.

23. Climate change needs to be taken up as an urgent issue of concern

There is general apathy towards the issue of climate change, which needs to be turned on its head, so that policies of sustainable development, which take into account environmental concerns, are pushed forward and adopted. Enhancing afforestation, improving the air quality, increasing the use of renewable sources and decreasing the use of fossil fuels like coal, which are contributing to climate change at a growing rate, are some of the ways through which climate change can be dealt with. As far as the carbon crediting rating is concerned, the Indian government needs to make sure that the carbon credits which are sold to foreign companies investing in projects on Indian soil, do so in an environmental friendly manner and don't, in their bid to earn carbon credit finance projects, cause more harm than good.

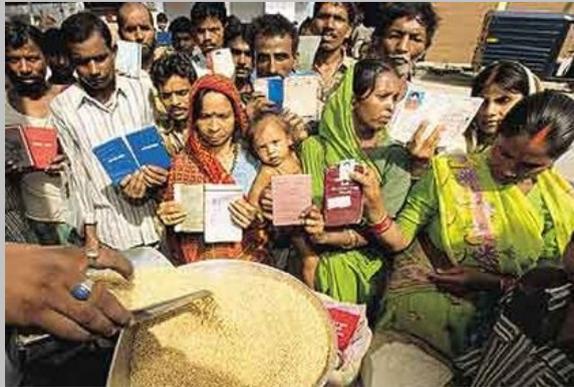
24. Boosting trade in South Asia

Intraregional trade makes up less than 2 per cent of GDP, compared to more than 20 per cent for East Asia. The cost of trading across borders in South Asia is amongst the highest in the world, and energy trade in the region is virtually non-existent with only India, Bhutan and Nepal currently trading electricity. One recent study concluded that India's roads were amongst the worst in the world. India needs to take responsibility for boosting trade in the region. This will be particularly important as global energy prices rise.

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