

# ***Coalition for Environmental Justice in India***

## **Statement on COVID-19 and India's Response**

**March 24, 2020**

The global pandemic of COVID-19 has reached a stage of a massive and unprecedented crisis in India. Evidence from previous historical research of epidemics suggests physical distancing, timely state action and communicating the truth are critical strategies to effectively tackle a pandemic. COVID-19 outbreak demands an immediate, comprehensive and humane response if we are to limit and arrest its devastating impacts on the lives and livelihoods of crores of people.

The 19th March 2020 televised address of the Prime Minister of India Mr. Narendra Modi to the nation explained the seriousness with which the country must respond to the pandemic. His call for collective action through a 'Janata Curfew' on Sunday 22nd March 2020 helped raise awareness. However, the public demonstration he called for at 5 pm that day, to acknowledge work of health workers and *safai karmacharis*, turned festive in several parts of the country and may well have aided transmission of infections. Just as did the panic buying and travel that preceded the observation of 'Janata Curfew'.

The Government has since taken steps to suspend train and metro services, and all forms of inter-state passenger transport, countrywide. The lockdown now enforced in over 80 COVID-19 affected districts, and across some states as well, and the suspension of domestic air travel from 25 March 2020, are indicative of emergency measures being adopted to contain a contagion.

While as a nation we must come together to tackle the pandemic and save lives, we must do this with deep humanism. This can only be possible if we ensure steps taken do not accentuate the struggles and suffering of poor and working classes, natural resource dependent communities, farmers, fishworkers and pastoralists, domestic workers and daily wagers, and small and marginal traders who constitute a majority of India's population.

The undersigned represent individuals and organisations working with environmental, public health, and social and economic justice concerns across India. Based on our diverse and deep experiences in working with complex realities nation-wide, we issue this statement in which we highlight steps we consider are essential to secure India's diverse and large population from the worst impacts of the pandemic. (Details in Annexure).

Broadly we suggest that the following steps be taken with urgency demanded of the situation:

**Transparency, Accountability and Federated Democratic Governance is key:** The Government of India must lead by example and ensure there is transparency and accountability in every step taken to tackle the contagion. There must be a comprehensive effort to build responses taking States and Local Governments into confidence in a spirit of federated governance. Information flows must be clear, effective and communicate to the diverse and large population, and through multiple means, why emergency measures are necessary.

People everywhere must know what the Government will do to ensure no suffers – particularly by addressing the needs of poor and vulnerable communities, and in a language of assurance, not fear. A bipartisan approach must be adopted in tackling the pandemic, reaching out to all political parties. For this is a time to save lives, not for political posturing. Pioneering initiatives taken by Kerala Government, and then by Orissa, Karnataka and West Bengal, are worth emulating nation-wide.

**Humane and Decentralised approach to tackling COVID-19:** A ground up strategy of tackling the contagion must be immediately put in place involving Local Governments and calling upon public and private sectors to step up to the challenge. MPLAD funds must be directed to build health facilities in all districts. A Corona Relief Financial Package must be put in place immediately in collaboration with State Governments. District/Metropolitan Planning Committees and District Disaster Management Cells must play crucial roles in guiding efforts to tackle the epidemic extending equitable attention to all human settlements.

Such a system will serve well in tackling future emergencies. Public Distribution and Health Systems must be strengthened, and food and health for all must become the norm as guaranteed in the Constitution. In particular, critical health systems need to be ramped up immediately in readiness to attend to the peak in infections expected in few weeks. There must be an immediate strategy developed to set up rapid response systems to collect samples for testing from home, paid for completely by the government, as a measure of containing the spread of the infections.

**Sensitive handling of travel restrictions:** Central and State Governments must ensure communication is immediately issued to prevent panic travel, and to take care of all who are in transit, so none suffer, and infection does not spread. All Indians stranded overseas must be facilitated to return home, with all due precautions in place. India must lead again in bringing together the SAARC region in tackling this epidemic.

**Protecting Universal Human Rights:** COVID-19 pandemic must be tackled with compassion and without compromising Fundamental Rights and Freedoms, and Civil and Political Rights. All vulnerable communities must be pro-actively extended protection and safety from becoming victims of the pandemic. Extensive evidence emerging about abuse of police power attacking anyone attempting to secure essential supplies is not

reassuring. The Prime Minister must own up to the situation and ensure police help the community and not terrorise them in this challenging time.

**Environmental measures to be adopted:** An immediate moratorium must be imposed on environmental and forest clearances extended over the past five year that involve opening up forests and ecologically sensitive areas to 'development'. If COVID-19 has taught us a lesson, it is that we must subordinate our economic pursuits to nature's limits. In tackling the pandemic a variety of chemicals are being used to disinfect public and private areas. Ministry of Environment and Forests must work with Ministry of Chemicals and Fertilisers to communicate to the wide public use of approved chemical disinfectants so that irreversible health and ecological damage due to toxic pollution is avoided.

**Accountability of private sector and involvement of civil society:** Private sector and civil society must be actively encouraged to work in tackling the pandemic. The enormous financial resources and manufacturing capacities of the corporate sector must be tapped to secure the country from an impending disaster. Civil society organizations which have extensive community outreach experience need to be involved in responding to the pandemic.

**Safeguarding rights of workers and vulnerable communities:** Several State Governments have stepped up to the challenge and extended various packages to support the most vulnerable and poor communities for who no work translates to no food. The Government of India must immediately put together a package of economic measures that ensure access to food, health and shelter will be assured as a part of everyone's fundamental right. The 'oil bonanza' due to drop in oil prices must be used to shore up public health facilities across India with great urgency.

These are some measures we believe are essential immediately in tackling this pandemic. We urge the Prime Minister to ensure that his next message assures the people of India that they will have more support from the Government, and not, as was the message last time, merely asking people to support Governmental efforts. Most certainly we hope that further measures promoted are deeply democratic and respectful of the federated democratic governance that the Indian Constitution mandates.

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Submitted to the office of the President of India, Prime Minister of India, Union Ministries, Chief Ministers/Governors of all States/Union Territories, all Members of Parliament, to All State Agencies, Local Governments, Media, etc.

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## **Details of Steps Considered Essential to tackle COVID-19 effectively**

### **Commitment to transparency and accountability**

1. It is our considered view that the prevailing filtering of information from the Government of India is not a healthy strategy in tackling a pandemic of an unprecedented scale such as the COVID-19. People of India must be taken into confidence, and made comprehensively aware that the virus may possibly infect millions in the country in the weeks and months to come. This is not a time for political posturing, nor is it a time to guide action only through centralized mechanisms. This is a time for the federated governance of India, guaranteed in our Constitution, to be enacted and implemented deeply and democratically. For it is only through such federated governance that we have the most intelligent and optimal chance of marshalling necessary resources and public support to normalise the situation. People need to be made aware of the fact that it is likely to take several months - not merely weeks or days as is being projected.
2. India must learn from the colossal damage that has occurred globally due to lack of transparency in sharing COVID-19 information and must *suo moto* share information with the World Health Organisation (WHO) and other global public health networks, with openness and honesty, quintessential to a democracy. The country must lead by example in raising the horizon of life saving interventions beyond the boundaries of the nation state.
3. All state govts must immediately prepare and widely publicize clear and detailed information -- in all recognized languages -- about the medium term (two week) social distancing & other measures to contain community transmission. The Central Government must play a facilitative role in ensuring all relevant information towards tackling COVID-19 is communicated in local languages to all Ward level, block & taluka level offices, and to all Panchayats in the affected districts. These must include clear Dos & Don'ts and well laid out procedures in guiding responses to reported cases.
4. Central Government must consult with all State Governments before taking crucial decisions.

### **The immediate emergency measures**

5. **The Government of India should implement all WHO guidelines to tackle COVID-19 simultaneously, instead of adopting "stage wise" strategies to control COVID-19 spread.**
6. COVID-19 infection testing has to be undertaken extensively to appreciate the true scale of the pandemic. This will help develop and fine tune effective responses, interdisciplinary planning and strategizing so all affected areas are provided necessary support equitably.

7. In all major Indian cities, completed but unsold/unoccupied residential blocks must be requisitioned and converted into isolation centres and hospitals to tackle the pandemic.
8. The Government should ask the manufacturing sector to immediately redirect part of their efforts towards manufacturing of medical kits, particularly respirators which India is woefully under-equipped with.
9. The Central Government must adopt emergency measures to procure testing kits in large numbers. Besides, it must amend testing criteria to include random sampling of large groups/clusters, in order to identify areas that need critical attention in tackling community transmission.
10. People with suspected symptoms are required to go to faraway designated labs (if they're not in cities). Private labs may not be able to offer testing services in the vast majority of cases. People with symptoms are also likely to be refused transport if they don't have their own, a situation worsened due to transport restrictions. Mobile testing units should therefore be dispatched in large numbers to all districts of India.
11. COVID-19 pandemic helplines should be widely publicised and effectively managed.
12. Mass media (electronic and print) must be required to contribute 10% of their air time and print space to exclusive public educational messaging on tackling COVID-19.
13. Ensure agricultural produce is stored in a manner that assures long term and sustained supplies. This is the time to fix on an emergency basis weaknesses in the Food Corporation of India, so we do not suffer from a food crisis due to weak supply chain management, poor storage and loss of grains, and also speculative pricing. Central, State and Local Governments, and agriculture departments in particular, must enable and extend assistance in harvesting, transportation and storage of food crops in the coming Rabi season.
14. Farmers, Fishers and Pastoralists movements and organisations from across India must be contacted to appreciate the scale of distress suffered by these communities and to plan effective responses to assist them out of crisis. Minimum support purchase pricing must immediately be announced for all agricultural products and commodities so farmers are reassured. As most farming and pastoral communities are largely constituted of relatively older population, reaching public health services to them must be prioritised.

### **Critical roles of Elected Representatives**

15. India does not have a policy to tackle pandemics like COVID-19, in particular the kind of action now being taken - movement to a country-wide lock-down. Some states, Kerala in particular, have taken very effective action involving the public at every step, and these measures can be adopted country-wide with due dispatch. A pandemic is a time for proactive action, and it is immediately essential that the

Government of India coordinate action with all State Governments and union territories towards developing a country-wide policy to democratically undertake actions needed in tackling situations such as the prevailing pandemic.

16. Parliament has been adjourned sine die, following the scare that several MPs may have been infected. Legislatures, Municipal Councils/Corporations and Panchayat Councils must also now be adjourned immediately, so that every elected representative will return to their constituencies and be stationed there for at least the next two weeks to assist efforts underway in tackling the pandemic. Only when critical to sustaining the functioning of government should legislative bodies meet on an emergency basis. The possibility that our elected representatives may become vulnerable to infections and add to the problem on hand must be avoided.

### **Humane and Decentralised COVID-19 outbreak management**

17. All MPs get a Rs.5 crores/year MPLADS fund, which is non-lapsable. The 2020 money of Rs. 5 crores must immediately be released by all MPs to create at least one well equipped Covid-19 response centre in every Parliamentary constituency, potentially at the district hospitals. Similarly, the MLA fund for 2020 should be immediately released to create a primary Covid-19 response centre in each Block/Taluka. These facilities must immediately be equipped with COVID-19 testing facilities so large populations can be surveyed for infections.
18. The Government of India must work with State Governments to develop a Corona Relief Financial package to reach millions of daily wage earners, almost all of who are in the unorganized sector. All governments, Central, State and Local, must ensure all families are sheltered from hunger and starvation, and can get health assistance when needed.
19. All district hospitals across India must be immediately equipped with COVID-19 testing facilities, isolation wards and treatment facilities and in a manner that no person suspected of infection has to travel outside the district for testing and treatment. In the meantime, COVID-19 testing facilities in all private hospitals must be requisitioned as though they are public facilities available for free public access. A listing of these facilities must be made available through the Press Information Bureau (PIB), all Government websites and also through public messaging services of mass media.
20. In the COVID-19 affected districts at every Taluk or Block level at least one hospital should be fully equipped to handle COVID-19 cases, completely equipped with all uninterrupted communication facilities.
21. In the event the community outbreak of COVID-19 is unmanageable, the Government of India must advise State Governments to take over any sports facility (including stadiums), hotels/resorts, hostels, training centres and such other facilities of public and private sector, so they may be immediately turned into COVID-19 Emergency centres.



22. Rapid setting up of neighbourhood clinics should be facilitated in every large town so as not to overburden the secondary and tertiary hospitals.
23. All District/Metropolitan Planning Committees must be activated and required to develop a Public Health Emergency Plan within a month. Based on these district/metropolitan plans, State Governments, through their Finance Commissions, must develop a state-wide health budget within a month thereafter, and the Centre must develop a strategy to secure necessary financial resources to support these demands on priority. The Centre should not hesitate any further in recovering public monies first from most high-value defaulters, and with urgency. The Centre must approach necessary judicial forums to secure support in closing demand-supply gaps in financial resources through such recovery exercises.
24. All District Disaster Management Authorities to revise the Disaster Management plan and revise the District response plan in the context of the Covid19. Services of District Disaster Management cells should be deployed in fighting COVID-19. At taluka/block and panchayat levels, there is an emergent need to form local preliminary response teams involving active social organisations who have community experience and geographical knowledge gained from working in the area. There is an emergent need to ensure all local Disaster Management Authority officers and employees are trained for the Covid19 response.
25. Panchayats and Ward committees must be strengthened to address immediate community concerns of each village and ward, and take necessary action for speedy implementation of 11th and 12th schedule functions as mandated in the Constitution, in dealing with the pandemic.
26. Encourage National Service Scheme, National Cadet Corps, and volunteers from the general public (not politically affiliated) to assist ongoing efforts in tackling the spread of the disease.
27. Follow the WHO guidelines and protocol to conduct safe and dignified burial/cremation of those dead from COVID-19 and train all those involved in the responding to the next of kin of the deceased.
28. All COVID-19 affected persons and the kin of those deceased from the disease, must be provided a financial compensation package.
29. Ministry of Women and Child Welfare must take proactive steps to set up special cells to help women and girls claim Gender equality, as discrimination could adversely affect them in the COVID-19 context.
30. Education Departments must compassionately communicate to students why classes are suspended and exams postponed, and that the Government will ensure their futures and interests are not jeopardised. Every school/education institution may also be encouraged to counsel students to ensure they are not stressed during this challenging period. There must be particular attention paid to ensure girl children return to school after this crisis.
31. It must be recognised that women form a large proportion of workforce responding to COVID-19 pandemic (Eg. health workers, sanitation workers,

domestic workers), and so their occupational needs, safety and security must be of paramount importance.

### **Safeguard rights of workers' and vulnerable communities**

32. As a result of large-scale shutdowns, millions of migrant workers have gone/are going back to their villages, and have no work and no pay. The MNREGA must now be strengthened & eligibility criteria temporarily loosened to help these people (most of them will have no job cards), so they can get MNREGA benefits.
33. For a large number of poor people, lockdown creates fear of when and where the next meal will come from. Therefore, the Public Distribution Systems (PDS) system must be made more effective. Now is the time to test this system and ensure its resilience to tackle this and any future emergency. PDS must be made fully functional, and access to food and essential supplies must be guaranteed nation-wide, particularly in inaccessible areas, as a matter of Fundamental Right to Life.
34. Proper food advisories must be given, ensuring access to meat and protein which are important to many non-vegetarian people.
35. Governments at all levels must repeatedly assure people that their jobs will be secure despite lack of work and due to lack of access to work facilities. This policy should remain till the COVID-19 crisis blows over.
36. Public sector, government employees and all employees involved with essential services should be adequately secured against risks as they carry out support work over the coming months. This could include extending them special health insurance packages covering dependent family members as well.
37. All pending vacancies in all government run facilities must be immediately filled so lighten the burden on existing staff.

### **Sensitive handling of travel restrictions:**

38. Panic travel has set in, especially for daily wage workers, from cities to rural areas. With the suspension of trains and other forms of inter-state public transport, millions are stranded. They must be attended to immediately and provided all necessary support. It is highly likely that this has caused unintended infection clusters and therefore these floating populations must be instantly screened for COVID-19 infections and treated, so the infection does not spread to far flung areas.
39. All Indian nationals in foreign countries must be allowed to return to India, especially if they are facing visa restrictions or cannot avail of medical services in the countries they are now in. Comfortable and sanitary facilities for their isolation and quarantine must be put in place with urgency.

### **Safeguarding health of those who are directly exposed to the pandemic situation:**

40. All essential service workers – safai karamcharis (sanitation workers) , hospital and health workers, transport staff, police, etc., must be provided safety gear with due dispatch. Those handling waste governed by Solid Waste Management Rules 2016 must only be allowed to work if necessary safety gear is provided (essential are masks, gloves, shoes, boots and equipment to work with waste without any physical contact.)

### **Protecting Universal Human Rights:**

41. The Government of India must immediately suspend all efforts relating to the 2020-21 Census, NRC and NPR, and extend much needed assurance to the people of India now that there is no threat to their citizenship.

42. All civil and political rights and full internet connectivity must be restored in Kashmir immediately to ensure the region receives all the help and support that it deserves like the rest of India.

43. Ensure those facing violence and fleeing homes are given alternative options for social distancing. This includes those who are victims of human trafficking, sex workers and the LGBTQIA community.

44. Prisons, jails, detention centres, mental hospitals and other institutions that are on the margins must be given priority treatment to contain the spread of infections and also to secure necessary treatment. There must be concerted actions from Home Departments of every state to ensure those detained under non-serious charges are released, so prison systems are not burdened further during the crisis.

45. In many parts of the country Sec 144 has been imposed with the aim of securing social distancing. However, the Police in many cases have threatened to arrest people to enforce social-distancing. Given the crowded conditions in police stations and prisons, such reactive responses are likely to spread infections. The Police must find ways to discourage people from assembling in large numbers, without resorting to arresting ‘violators’.

### **Accountability of private sector and involvement of civil society**

46. The super-rich of India must be encouraged to donate generously in attending to the pandemic. To encourage them, increased tax benefits under Sec. 80G of the Income Tax Act could be extended. Besides, a special COVID tax may be imposed on very wealthy and large taxpayers to generate necessary resources to tackling the pandemic. This additional tax revenue must be apportioned exclusively to build public health facilities in every district of the country.

47. All bodies corporate, not being of municipal and governmental agencies, must be placed on notice to allocate at least 10% of their senior staff to work with emergency services as and when required.

48. All private hospitals with over 20 beds strength must be directed to provide a minimum 30% of their beds to COVID-19 affected persons on demand and at

government regulated pricing. District Commissioners/Collectors must be empowered to requisition any private health facility (including tertiary care facilities) as and when necessary.

49. Government of India must waive FCRA conditions that currently restrict NGOs from investing in health and relief work, and assist the voluntary sector to proactively reach out to most vulnerable sections across India.

### **Build harmonious relations with all neighbouring countries**

50. The positive initiative of Indian Prime Minister to develop a SAARC COVID-19 Emergency Fund must be further energised by building cooperative frameworks with all SAARC countries. The building of harmonious relationships with our neighbours will free up money now invested in defence to build health systems in all SAARC Countries. If anything, the virus teaches us the importance of building bridges across borders.

### **The necessary environmental courses of action**

51. There must be an immediate moratorium on all environmental clearances involving forests and ecologically sensitive areas, factoring in COVID-19 experience. The effort must be to ensure no transmission of epidemics occur from the wild to human populations and *vice versa*. The risk assessment and ecological security features built into the Forest Rights Act and the Biological Diversity Act, and related environmental, health and epidemiological laws, must be strictly implemented to ensure forests and forest dependent communities are protected for posterity.
52. There is a critical need to communicate which chemicals are safe to use in tackling the spread of infections. As it is, a variety of highly toxic chemicals are being used to disinfect across the country, and its residual impact could pollute soil and water irreversibly, and also be bio-accumulative, resulting in another serious problem. Ministry of Environment, Forests and Climate Change must pro-actively put out guidelines for use of chemical disinfectants while also taking necessary steps in collaboration with Ministry of Chemical and Fertilisers in tackling release of spurious chemicals into the environment.
53. Government of India must adhere to its international agreements to tackle climate change. The COVID-19 pandemic is yet another reminder of how economic and industrial progress unmindful of nature's limits will boomerang on humanity. Steps taken to tackle the pandemic can also be extremely useful in tackling climate change.
54. We urge the Government of India to promote a revival package for the industrial, agricultural and services sector post COVID-19 that is based on the principles of social, economic and environmental justice.

