

Delegation of the Republic of India
Position Paper for the Human Rights Council

The topics before the United Nations (UN) Human Rights Council (HRC) are: Equitable Access to Safe Drinking Water as a Human Right; Human Rights of Unaccompanied Migrant Children and Adolescents; and The Human Rights Situation in the Occupied Palestinian Territory. The Republic of India is deeply committed to defending all Human Rights against any kind of violation, from physical abuse to unequal access to resources.

I. Equitable Access to Safe Drinking Water as a Human Right

There are 844 million people worldwide not having any access to safe drinking water. About 163 million of them live in the Republic of India. Having one of the fastest growing populations in the world, coinciding with a higher use of resources – also due to economic growth – the imminent threat of water shortage becomes more and more urgent. Despite notable achievements, for example in declaring India open defecation-free in October 2019, providing everyone with clean water, sanitation and hygiene remains to be one of the biggest challenges India has to face. Especially waterborne diseases and the scarcity of groundwater threaten the lives of people in rural areas. Furthermore, the access to water not only gets impeded by steadily vanishing groundwater, but also by a water-mafia, operating in both rural and urban areas, forcing farmers to buy water from them and thus making them get into debt.

The South Asia Conference on Sanitation (SACOSAN) is providing an advocacy and a practice forum on Water, Sanitation and Hygiene (WASH) for South Asian Member States, WASH networks, civil society members and further organisations. The aims of this biennial conference are finding solutions concerning sanitation and hygiene promotion, reiterating political commitment towards WASH-issues and sharing experiences. All this shall happen in the light of achieving the Sustainable Development Goals (SDGs), in particular SDG 6: Clean Water and Sanitation. During the last conference in 2018, the main focus was on financing the universal access to sanitation and hygiene and resulted in the agreement to focus on transparency and governance, increased finance, equity and sustainable services. In this light India highly appreciates the UN's project *Water Action Decade 2018-2028*, with which the UN has committed to focus on water-related issues for the next decade. The Republic of India willingly supports its plan of advancing existing programmes and projects. Furthermore, through the collaboration with organisations like *WaterAid*, new and adequate sanitary facilities and safe drinking water accesses have been established, what has already improved the situation in several cities and villages in the highly affected northern area of India.

In the Republic of India, especially rural farmers lack resources and knowledge on how to deal with the vanishing of groundwater. They often must buy water and, in the follow-up, drown in debts. Therefore, India sees the urgent need to support already existing educational programs, just as the *Water Action Decade 2018 - 2028* aims to. A collective behavioural change is key to making progress in not only solving this, but many more issues related to WASH. Hence, India highly encourages the expansion of regional training programmes for example those of the International Reference Centre on Community Water Supply (IRC). Additionally, farmers should receive financial support in form of microloans, funded by the World Bank's Rural Water Supply and Sanitation Project for Low Income States programme. There are many more issues of WASH the Member States must fight, but it needs to do it step by step, so that all actions are sustainable and really do make a positive change.

II. Human Rights of Unaccompanied Migrant Children and Adolescents

Children and adolescents enjoy the same human rights as any adult does. Nevertheless, most of them are more vulnerable than adults. They do need special care and protection by their parents or legal guardians, especially in extreme situations like when fleeing their home country because of war, terror, a lack of prospects. However, millions of underaged children face the doom of losing their guardians during this dangerous endeavour every day. Having lost this protection, they often must face worst human rights violations like sexual abuse, exploitation, trafficking or violence – reasons, that have actually led to their flight. With its generous refugee policy and open borders, India takes in thousands of migrant children from Myanmar, Bangladesh, Afghanistan, Tibet and other South Asian countries day by day. To ensure their safety, India is in need for increased support in managing the safe accommodation of those children and adolescents and in protecting them from any kind of threats to their wellbeing.

Having ratified the *Convention on the Rights of the Child* (CRC) and the optional protocols to it, the Republic of India has shown its dedication to support children's rights. Therefore, in collaboration with

several international aid agencies like ChildAid and also in the light of the *Right of Children to Free and Compulsory Education Act* by the Indian Parliament from 2009, several school programmes have been established. Within those programmes, unaccompanied migrant children find a place to stay and where they receive adequate education. An important report providing information on refugee-related matters in our country is the *Destination Delhi* report by the United Nations High Commissioner for Refugees (UNHCR). It reviews the implementation of UNHCR's urban refugee policy in our capital and sets impulses on what issues our government has to focus on. Several points of this review highlight the situation of unaccompanied and separated migrant children and mainly focus on the provision of adequate education for them. Furthermore, the Republic of India is deeply committed to the six goals and practical suggestions of the United Nations Children's Fund (UNICEF) report *Uprooted: The growing crisis for refugee and migrant children* (2016) and its Agenda for Action; mainly to the provision of support to unaccompanied migrant children through the systematic appointment of qualified guardians.

In this regard, the Republic of India highly encourages to further support UNICEF's Agenda for Action, taking on the six goals of the *Children uprooted* programme. Especially the expansion of child-friendly spaces should receive increased support. Based upon regional circumstances and regional legal frameworks, India suggests the establishment of special reception centres in collaboration with the Global Fund for Children. They shall provide as an accommodation for unaccompanied migrant children until they hopefully reunite with their families or find a new home. During their time in those centres they shall be supervised to be safe from any harm and be given access to information regarding their own situation and the management of their cases, maybe even access to legal assistance. We want to give all children new and promising perspectives and provide them with what they need for a better life.

III. The Human Rights Situation in the Occupied Palestinian Territory

The human rights situation in the occupied Palestinian territory (oPt) and the role of the State of Israel in it have been on the agenda of the HRC and other UN bodies repeatedly. The Republic of India has a clear policy towards the situation in the oPt, which is that it fully supports the Palestinian cause and is aware the ongoing human rights violations there, while maintaining its friendly relations with Israel. Since the Republic of India has friendly relations with both parties, it does not want these to be impacted negatively by any kind of reference, which could be considered as discourteous. The Republic of India therefore highly encourages the diplomatic and peaceful revision of the Israeli-Palestinian peace process, since the pacification of the conflict will hopefully result in the end of any kind of human right violation. Recalling India's policy not to antagonize any party and in consideration of the states' right to sovereignty, it believes that the issue should be resolved bilaterally. Nevertheless, India offers support to both nations in solving this crisis and encourages all Member States to do so, too.

One important event serving as an opening forum for further peaceful negotiations was the *Madrid Conference* of October 1991. The Republic of India strongly supported the peace conference, where Israel and the Palestine, together with further delegations from the League of Arab States, came together to discuss several bilateral and multilateral matters. The outcome were several peace treaties and new diplomatic relations, which served as basis for further negotiations. Since India is also cultivating its diplomatic and economic relations to Israel since this conference, it will continue to abstain from resolutions, which accuse Israel for committing several war crimes. However, the consistent support to the legitimate right of the Palestinian people to their own state, as well as the disaffirmation of the human rights violations happening in the oPt will be maintained. Hence the Republic of India especially recalls Article 13 of the *United Nations Declaration of Human Rights* (UNDHR), regarding the freedom of movement, which is a fundamental human right and gets considerably restricted through the borders around the oPt and extreme supervision by the Israeli government; as well as Article 3, concerning the right to security, which is extremely endangered through the disproportionate use of force by the Israeli military in the oPt, and which is emphatically asked to be stopped.

The Republic of India strongly believes that it is of utmost importance to settle the conflict in the oPt as soon as possible, since this would lead to an end of the human rights violation occurring. The resumption of the diplomatic relations between Palestine and Israel, coinciding with the full reconsideration of the Middle East peace plan by the United States of America is advised as a next step. In this regard, particularly the end of the expansion of the Israeli settlements, as well as less restrictions by the Israeli government on the free movement of persons and goods within the oPt are crucial for pacification. Whilst still trying to maintain a relatively neutral position, India suggests that the solution to this conflict could be based on the Arab Peace Initiative, an outcome of subsequent events of the *Madrid Conference*, and be implemented with diplomatic assistance of the *Madrid Quartet*.