



Gloves off on trade

As India finally imposes retaliatory tariffs on U.S. goods, flexibility should inform policy

The government's decision to finally go ahead and impose retaliatory tariffs on 29 U.S. goods with effect from June 16, almost a year after it first announced them, unambiguously signals that on trade India has decided to join issue with President Donald Trump's protectionist administration. Clearly, the trigger for the move was the U.S. withdrawal of duty-free access to Indian exporters under the Generalised System of Preferences (GSP) from June 5. Mr. Trump chose to go ahead and proclaim on May 31 that he was terminating India's designation as a beneficiary developing country over Delhi's failure to assure the U.S. of "equitable and reasonable access to its markets", notwithstanding the fact that Prime Minister Narendra Modi and his new Council of Ministers had just been sworn in the previous day. This reflects an unwillingness to meet India halfway on trade. Not that there had been no warning lights flashing. On a visit to New Delhi in early May, U.S. Commerce Secretary Wilbur Ross had made no bones about the administration's perception of India being a "tariff king" that adopted "overly restrictive market access barriers". Mr. Ross had also threatened India with "consequences" were it to impose the retaliatory tariffs. Now, the government led by Mr. Modi and his key interlocutors on trade, including the new External Affairs Minister S. Jaishankar and Commerce Minister Piyush Goyal, have sent a strong message that India is not going to be compelled to negotiate under duress.

The change in tack on India's part also indicates that it is done, at least for now, with a more conciliatory stance after it had kept delaying the imposition of retaliatory tariffs over the past 12 months. During that period India had not only to contend with the withdrawal of GSP status but also had to, under a U.S. ultimatum, terminate its imports of vital crude oil from Iran, with which it has had a long-standing and strategic relationship. To be sure, India has much at stake in ensuring that economic ties with its largest trading partner do not end up foundering on the rocky shoals of the current U.S. administration's approach to trade and tariffs, one that China has referred to as "naked economic terrorism". Trade is not, and must not be viewed as, a zero-sum game. To that end, the government ought to review with flexibility some of its decisions such as the data localisation requirements and the new e-commerce regulations that have become a sore point with the U.S. side, including business investors. Indian trade negotiators also need to impress upon their American counterparts the importance of ensuring that market access for Indian services exporters remains free of new, restrictive visa curbs. The counter-tariffs have now lent the Indian side a bargaining chip that the U.S. Secretary of State, Mike Pompeo, will have to grapple with during his visit later this month.

The litchi link?

In Bihar, authorities failed at several levels in preventing deaths due to encephalopathy

The death of over 90 children in about a month in Muzaffarpur district of north Bihar due to low blood sugar level could have easily been prevented with some foresight and early care. Six years ago, a two-member team invited by the State government suspected that a toxin (methylenecyclopropylglycine, MCPG, also known as hypoglycin A) naturally present in litchi fruit was responsible for the mysterious deaths; a large Indo-U.S. team confirmed it in 2017. The two-member team found that undernourished children who ate the fruit during the day and went to bed on an empty stomach presented with serious illness early the next morning. In 2014, the team saved 74% of sick children through a simple intervention – infusing 10% dextrose within four hours of the onset of illness. The recommended prevention strategy – making sure that no child goes to bed without eating a meal – adopted from 2015 ensured a sharp drop in the number of children falling sick. It is appalling that this year the government failed to raise awareness on this strategy. Worse, some doctors came up with alternative explanations for the illness and even pointed to the heat wave.

While the most common causes of acute encephalitis syndrome are traced to a bacteria or a virus and it takes at least a few days before presenting serious symptoms and deaths, the toxin in litchi causes serious problems overnight. While well-nourished children who eat the fruit remain unaffected even if they go to bed on an empty stomach, the under-nourished ones are at grave risk. Blood glucose falls sharply causing severe brain malfunction (encephalopathy), leading to seizures and coma, and death in many cases. This is because under-nourished children lack sufficient glucose reserve in the form of glycogen and the production of glucose from non-carbohydrate source is blocked midway leading to low blood sugar level. This causes serious brain function derangement and seizures. While 5% dextrose infusion serves the purpose in cases of general low blood sugar, children suffering from acute hypoglycaemic encephalopathy can be saved only by infusing 10% dextrose within four hours of illness onset. Recovery is rapid and complete if 10% dextrose is infused within the golden hours. Infusing a higher concentration of dextrose is necessary to completely stop the attempt by the body to produce glucose from non-carbohydrate source. If encephalopathy was indeed the cause of death, this simple medical intervention could have saved many lives. Dextrose infusion could have been done even as children were being transported to hospitals in ambulances. The failures were at the stages of both prevention and care.

A blinkered understanding of migration

The draft emigration Bill is more about managing the export of human resources than being a humanitarian framework



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India has been home to one of the longest and largest episodes of emigration in the world, from the Second Century BC, when Alexander the Great took back Indians to Central Asia and Europe, to the present times where Indians, moving out on their own volition, form one of the world's largest populations of emigrants. This population is also diverse in every aspect, from its geographical presence and skill sets to their purposes for migration and migration strategies.

A large emigrant population has many benefits for India: the much-discussed international remittances (which touched \$80 billion in 2018), and also a positive impact on foreign direct investments, trade and foreign relations. The Indian diaspora also provides much needed philanthropic activities in health and education to help achieve the Sustainable Development Goals. Of course, they do fund political parties of their choice during the elections.

There is another side to the Indian emigration story, which is characterised by information and power asymmetries in the global labour markets to include exploitation, inhuman living conditions, violence and human rights violations.

Lost focus

Since Independence, a steadily increasing number of low-skilled emigrants moved to destinations in West Asia. In order to safeguard their rights and welfare, the government enacted the Emigration Act, 1983. Perhaps it was an Act

that was 'formulated with the mindset of the 19th century, enacted in the 20th century and implemented in the 21st century'.

In the last 35 years, to cite the government, "the nature, pattern, directions, and volume of migration have undergone a paradigm shift". So, in an effort to update and upgrade this framework, a draft Emigration Bill, 2019 was released. Almost a decade in the making, it aims to move from the regulation of emigration to its management.

Unfortunately, its provisions fail to match the ambitions of its objectives. They continue the post-1983 ad hoc approach towards emigration, relying on the regulation of recruiting agents/employers and the discretion of the government. In fact, the bulk of it focusses on establishing new statutory bodies and giving them broad and vaguely defined duties.

Crucial exclusions

What is most positive about the draft Bill is the inclusion of all students and migrant workers within its purview and the abolishment of the two passports (emigration clearance required and emigration clearance not required, or ECR and ECNR) regime based on a person's educational qualifications. This will significantly improve the collection of migration flow data when compared to the current system, which excludes most migrants leaving India. Despite these developments, most trajectories of migration from India continue to be excluded.

For instance, Indians reuniting with family members abroad (who can be Indian emigrants, non-resident Indians and/or foreign nationals) constitute a major chunk of out-migration from India. Studies show that each member of emigrant families often contributes towards remittances sent back home. Many family migrants often convert their immigration



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status and become workers, which is a factor not given thought in the 2019 draft Bill.

In an increasingly hostile political environment for migrants globally, these "dependent migrants" have increasingly little economic or political freedom at their destinations, an example being the recent attempt by the Trump administration in the U.S. to repeal the employment eligibility of spouses of high-skilled H1B immigrants (a majority are from India). Also alarming are numerous instances of Indian spouses being 'lured' abroad in marriage and then stranded or exploited. Between January 2015 and November 2017, the government received 3,328 such complaints.

Another excluded category is that of undocumented migrants. The perception is that undocumented migrants are those persons who leave India through informal channels, but most migrants become irregular on account of expired visas/permits. In West Asia, when migrant workers flee their employers to escape exploitation, a single police complaint can make them 'undocumented' for no fault of theirs. Data from the U.S. and Europe reveal a dramatic rise in the number of Indians being apprehended for immigration-related crimes. These migrants live in incredibly precarious situations, with many living in poverty.

Family migrants and irregular migrants abroad are as vulnerable,

if not more, as workers and students and warrant at least equivalent protection and promotion of their welfare.

Regulation of intermediaries

The draft Bill incorporates many already established ad hoc regulations and obligations for recruiting agents. It also includes subagents (often a relative or friend of the potential migrant) and student enrolment agencies into its regulatory purview. These intermediaries play an instrumental role in minimising information asymmetries and migration costs. Thus, any regulatory framework needs to balance strong disincentives for migrant welfare-destroying practices with the efficient supply of affordable intermediary services for prospective workers and students.

However, in the past decade, while emigration from India to West Asia has been decreasing, emigration from Bangladesh to this region has increased in the same period, which is attributed to a more liberal emigration policy. This suggests that the prescribed regulatory process in India has inadvertently created barriers to migration – for instance, nurses can be recruited only through government recruitment agencies – and increased the cost of emigration.

Further, given that student enrolment agencies have a different business model and a completely different customer base, i.e. students applying overseas, it is unclear why they are prescribed the same regulations as recruitment agents.

What about return migrants? To effectively ensure their welfare, any emigration policy framework needs to be considerate of the complete migration cycle: the pre-departure, journey, destination and return. The 2019 draft Bill addresses only the first three parts of the cycle while completely ignoring return migration. Globally, one

in four migrants today is a return migrant. In fact, most Indian migrants in West Asia return home – the current estimate of return migration in Kerala alone ranges between 1.2 and 1.5 million according to the Kerala Migration Surveys conducted by the Centre for Development Studies since 1998.

Rights-based approach for all Many of the oversights in the draft Bill reiterate the government's restricted understanding of migration from India; there is no complete database number of Indian migrants abroad. There is also an erroneous assumption that Indian migrants in a developed destination country have sufficient protection and welfare. The draft Bill personifies the government's primary view of emigration policy as a means for managing the export of human resources rather than a humanitarian framework to safeguard Indian migrants overseas.

Migration is a complex and highly dynamic process with constantly evolving profiles of migrants and their destinations. Only an ex ante-migrant rights-based approach that is inclusive of all Indian migrants abroad can be considered of this and provide them adequate security and welfare. There are a whole host of multilateral migration-related treaties and conventions which can provide the necessary guidance for a truly visionary and future-proof Indian emigration policy framework.

Without drastic changes to the draft Bill's approach, we will miss the opportunity to fulfil the hard-fought shared objectives of the Global Compact for Safe, Orderly and Regular Migration.

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Serious concerns over Bt brinjal

There is no evidence that genetically modified brinjal will benefit farmers



ANIKET AGA

A month ago, Bt brinjal genetically modified (GM) to resist the brinjal fruit and shoot borer (an insect), was found growing illegally in Haryana. This was a different Bt brinjal from the one developed by the Indian company, Mahyco, in which Monsanto has a 26% stake. Mahyco's Bt brinjal has been under a moratorium since 2010. Even as the government clamped down on the illegal GM crop, some farmer groups have demanded the release of Mahyco's Bt brinjal and other GM crops in the regulatory pipeline. It is true that the moratorium was imposed by the then Environment Minister Jairam Ramesh, despite being cleared by the Genetic Engineering Appraisal Committee (GEAC), the apex regulatory body for GM crops. But is Bt brinjal actually ready for release?

The impacts

Before imposing the moratorium, Mr. Ramesh had sought comments from a range of experts and concerned groups on environmental impacts and implications for consumers and farmers. Despite demands from activists and social scientists, the Ministry of Agriculture has not offered evidence that

Bt brinjal will benefit farmers. Ironically, the National Institute of Agricultural Economics and Policy Research anticipates that if Bt brinjal performs as Mahyco proposes, brinjal output will increase and retail prices will fall, benefiting consumers far more than farmers. The report ignores the scenario that companies might charge premium prices for Bt brinjal seeds, in which case farmers may not benefit at all.

On biosafety issues, scientific opinion is divided down the middle. While some scientists such as Deepak Pental of Delhi University were in favour of releasing Bt brinjal, others such as the late Pushpa Bhargava, entomologist David Andow of the U.S., and the then Vice-Chancellors of the Acharya N.G. Ranga Agricultural University and the Dr. Y.S.R. Horticultural University highlighted crucial deficiencies in the characterisation of Bt brinjal, and in the environmental impacts assessment. The ecologist, Madhav Gadgil, warned of contamination of India's diverse brinjal varieties. Biodiversity is critical for nutrition and sustainability, and the government's own task force on biotechnology (2004) had recommended that no GM crop be allowed in biodiversity-rich areas.

Further, a majority of the technical expert committee appointed by the Supreme Court (in the public interest litigations over GM crops), recommended a ban on genetically modifying those crops for which India is a centre of origin



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or diversity. Brinjal happens to be such a crop.

Nutrition issues

In terms of nutrition, there seem to be some significant differences between Bt and ordinary brinjal. Many health researchers and professionals, and scientists such as immunologist David Schubert of the Salk Institute, U.S. and Suman Sahai of Gene Campaign have argued that Bt brinjal poses risks to human health. M.S. Swaminathan and V.M. Katoch, then the Director General of the Indian Council of Medical Research, asked for long-term (chronic) toxicity studies, before taking any decision on Bt brinjal. Further, they asked that these be conducted independently, instead of relying exclusively on Mahyco data.

Bt brinjal found no support from State governments. Kerala and Uttarakhand asked for a ban on GM crops. States with substantial brinjal cultivation, i.e. West Bengal, Odisha, Bihar opposed the release pending rigorous, extensive testing. As did Chhattisgarh, Tamil Nadu, Karnataka, Madhya Pradesh, and undivided Andhra Pradesh. These States were ruled by parties across the political spec-

trum. In 2012 and 2017, respectively, the Parliamentary Standing Committee on Agriculture and the Committee on Science & Technology, Environment and Forests assessed the GM controversy. Both committees expressed grave concerns about lapses in the regulatory system. In fact, the Committee on Agriculture was so alarmed by the irregularities in the assessment of Bt brinjal, that it recommended "a thorough probe by a team of eminent independent scientists and environmentalists", which never happened. Further, both committees endorsed labelling GM foods to protect a consumer's right to know. However, since retailing is largely unorganised, enforcing truthful labelling is a logistical nightmare, and the Ministry of Agriculture believes it is impractical. The Food Safety and Standards Authority of India has only recently begun putting labelling rules into place.

No scientific consensus

In sum, there is a moratorium on Bt brinjal because there is no scientific consensus on its safety and efficacy, and because the States and Parliament have profound misgivings about the regulatory system. In recent years, pests have developed resistance to Bt cotton, forcing farmers to spray lethal pesticides. This led to over 50 deaths by pesticide-poisoning in Vidarbha in 2017. A GM-based strategy of pest control is unsustainable, all the more so since farmers, already pressed for land,

ignore the government's recommendation to plant refuge crops.

We cannot wish all these concerns away simply because some farmers want to try Bt brinjal, or farmers in Bangladesh have been cultivating Bt brinjal since 2013. Farmers do not and cannot assess long-term impacts on ecology and health, which needs more rigorous and sensitive studies than those conducted so far. Yet, in the nine years since the moratorium, there has hardly been any progress toward addressing these issues. If anything, the problem of sustainable, remunerative farming has become more acute, and alternative strategies such as organic and zero budget natural farming, which do not allow GM seeds, are gaining ground.

At the very least, the government must detail the steps it has taken since 2010 to address the scientific lacunae, clarify precisely how Bt brinjal will benefit farmers, put the infrastructure to ensure labelling into place, and demonstrate how Bt brinjal fits in with sustainable farming and biodiversity conservation. As things stand, Bt brinjal runs counter to the framework for agricultural development and farmers' well-being devised by parliamentary panels and the government's own task forces and expert committees.

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LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

Dispel the war clouds

When there is scant evidence to prove that Iran is involved in the attacks on tankers in the Gulf of Oman, it is clear that the U.S. will use anything as an excuse to attack Iran ("World", "U.S. does not want war with Iran", June 17). If, indeed, the U.S. does not want war with Iran, then its aircraft carriers already deployed in the region should be sufficient to oversee the free passage of oil tankers through the Strait of Hormuz. There is no need for America to threaten Iran by saying that it will send additional strike forces with bombers and missiles to the region. For its part, Iran must declare

that it will not bottle up oil tankers in the Strait of Hormuz.

As war clouds loom large over the region, the leading powers of the world, including India, must urge the U.S. and Iran to sit at the diplomatic high table and scale down tensions.

KANGAYAM R. NARASIMHAN, Chennai

The 2019 outcome

A number of opinion page writers assume that the entire population in the country cast their votes, especially in the 2019 election, purely based on religion or caste (Editorial page, "The Gujarat model, nationally", June 17). What a biased assumption. There

is hardly a word about schemes benefiting the poor and the downtrodden such as gas connections, bank accounts, provision of toilets, a decisive leadership and, most importantly, a corruption-free government. The Opposition is always portraying the ruling party as having the sole aim of creating a majoritarian nation where the minorities have to suffer. An objective article will show otherwise.

S. NATARAJAN, Bengaluru

ICC World Cup

After India's 336, Pakistan's innings began on a disastrous note, at Manchester. But for a

century stand between Fakhar Zaman (62) and Babar Azam (48) there was nothing to write home about. Kuldeep Yadav ensured Pakistan's misery. It was an emphatic win for India in the end ("Sport" page, June 17).

ANANDAMBAL SUBBU, Navi Mumbai

■ The ICC Cricket World Cup 2019 is turning out to be a sham, getting decided more on point sharing than a proper game because of rain-affected matches. One can understand a game or two getting washed out but what is happening seems to be the order of the day. Teams sharing points with known weaker teams will

lose out while the ones with very few wins might enter the semi-finals. The ICC's point that reserve days or alternate venues cannot be arranged needs a critical review.

We live in modern times and solutions must be got to ensure 50 overs to each side. The winner should feel that the World Cup was earned and not gained as a lottery.

GOPAL SUTAR, Bengaluru

CORRECTIONS & CLARIFICATIONS:

A front-page report, "Indian batting juggernaut crushes Pakistan by 89 runs" (June 17, 2019), erroneously said that Fakhar Zaman and Babar Azam added 114 for the second wicket. Actually, the duo had added 104 for the second wicket. The same mistake was found in the Sports page story headlined "Rohit leads the charge as India asserts superiority over Pakistan."

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