

Current Affairs



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International Affairs

Kalapani dispute



Issue

India had said that new political map of the country did not revise anything as far as the border with Nepal is concerned.

The response came after Nepal's foreign ministry complained that the map depicted Nepali territory of Kalapani as part of the Indian state of Uttarakhand.

Background

The Kalapani territory is an area disputed between India and Nepal, but under Indian administration as part of Pithoragarh district in the Uttarakhand state. According to Nepal's claim, it lies in Darchula district, Sudurpashchim Pradesh.

Details

Kalapani is a 35 square kilometre area, which is claimed by both India and Nepal. River **Mahakali**, earlier known as river Kali, flows through Kalapani, which is situated on the eastern bank of the river.

Kalapani is also a **tri-junction point**, where the Indian, Nepalese and Tibetan (Chinese) borders meet. The region has been manned by the Indo-Tibetan Border Police since 1962.

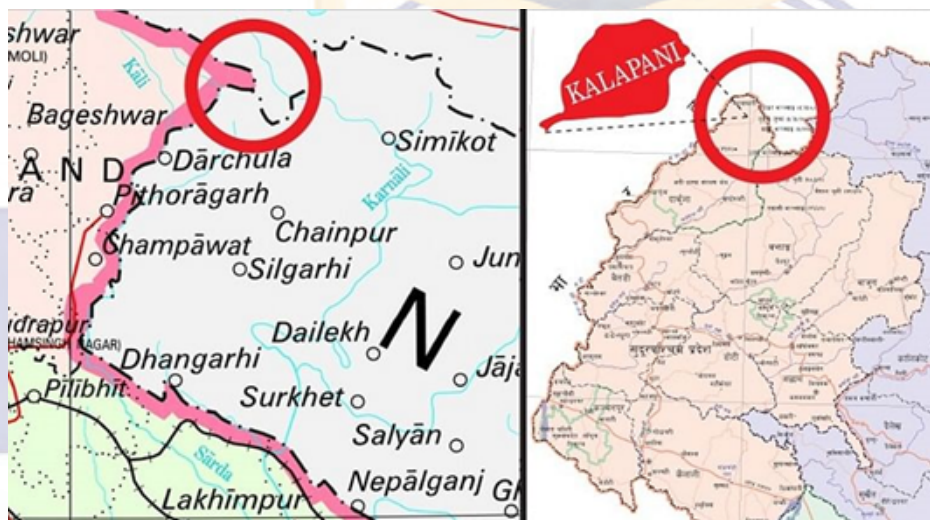
The **1816 Treaty of Segauli**, signed between British India and Nepal, defined river Mahakali as the western border of Nepal. River Mahakali has several tributaries, all of which merge at Kalapani.

India claims that the river begins in Kalapani as this is where all its tributaries merge. But Nepal claims that it begins from **Lipu Lekh Pass**, the origin of most of its tributaries.

Nepal has laid claim to all areas east of the Lipu Gad, the rivulet that joins the river Kali on its border, a tri-junction with India and China.

Lipu Gad is one of the major tributaries that merge into the main river at Kalapani. The Nepalese contention is that the Lipu Gad is, in fact, the Kali river up to its source to the east of the Lipu Lekh Pass.

The Indian side contends that river Mahakali begins where Lipu Gad meets the Kalapani springs and this is the extent of its territory.



Current status

The two countries had formed the Joint Technical Boundary Committee in 1981 to resolve the dispute. Though the committee managed to resolve a large part of the dispute, they failed to reach a final settlement.

Eventually, the issue was referred to the foreign secretaries of the two countries and they have been trying to find a resolution to the dispute.

America threatens to destroy Iran's cultural sites



Issue

President Donald Trump has said that if Iran strikes any Americans, or American assets in retaliation, the US would target 52 sites in Iran, some of which are important to Iran & the Iranian culture.

Background

Iran is home to one of the world's oldest civilisations dating back to 10,000 BC. Its rich heritage and culture is an amalgam of Arab, Persian, Turkish and South Asian cultures.

Details

Twenty-four Iranian sites are on UNESCO's World Heritage List, two of which are natural sites and the rest cultural sites.

Among the main World Heritage Sites in Iran are the Meidan Emam and Masjed-e-Jame in Isfahan, the Golestan Palace in the historic heart of Tehran, Pasargadae and Persepolis, capitals of the Achaemenid Empire and the archaeological site of Takht-e Soleyman, which has the remains of an ancient Zoroastrian sanctuary.

Protection of cultural sites

Following the unparalleled destruction of cultural heritage in World War II, the nations of the world adopted at The Hague in 1954, The Convention for the Protection of Cultural Property in the Event of Armed Conflict, the first international treaty focussed exclusively on the protection of cultural heritage during war and armed conflict.

The Convention defined cultural property as “movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular, archaeological sites etc”.

The signatories, referred to in the Convention as “the High Contracting Parties”, committed themselves to protecting, safeguarding, and having respect for cultural property.

There are currently 133 signatories to Convention, including countries that have acceded to and ratified the treaty. Both the United States and Iran (as well as India) signed the Convention on May 14, 1954, and it entered into force on August 7, 1956.

The Rome Statute of 1998, the founding treaty of the International Criminal Court, describes as a “war crime” any intentional attack against a historical monument, or a building dedicated to religion, education, art, or science.

International Criminal court

The International Criminal Court started functioning in 2002 with jurisdiction over four main crimes: genocide, crimes against humanity, war crimes, and the crime of aggression.

122 countries are States Parties to the Rome Statute of the International Criminal Court. The United States is a signatory that has not ratified the Statute. India has neither signed nor ratified the Statute.

JUS COGENS

**Issue**

Following President Donald Trump's threat to attack sites that were important to Iran and Iranian culture, Iran's Foreign Minister Javad Zarif said that US threatens to commit new breaches of JUS COGENS.

Background

Most states and international organisations accept the principle of jus cogens, which dates back to Roman times. These norms cannot be offset by a separate treaty between parties intending to do so, since they hold fundamental values.

Details

JUS COGENS or ius cogens, meaning "compelling law" in Latin, are rules in international law that are peremptory or authoritative, and from which states cannot deviate.

The jus cogens rules have been sanctioned by the Vienna Conventions on the Law of Treaties of 1969 and 1986. According to both Conventions, a treaty is void if it breaches jus cogens rules.

Article 64 of the 1986 Convention, "Emergence of a new peremptory norm of general international law (jus cogens)", says: "If a new peremptory norm of general international law emerges, any existing treaty which is in conflict with that norm becomes void and terminates." So far, an exhaustive list of jus cogens rules does not exist. However, the prohibition of slavery, genocide, racial discrimination, torture, and the right to self-determination are recognised norms.

The prohibition against apartheid is also recognised as a jus cogens rule, from which no derogation is allowed, since apartheid is against the basic principles of the United Nations.

Vienna Convention on Law of Treaties

The Vienna Convention on the Law of Treaties (VCLT) is an international agreement regulating treaties between states.

Known as the "**treaty on treaties**", it establishes comprehensive rules, procedures, and guidelines for how treaties are defined, drafted, amended, interpreted, and generally operate.

The Convention was adopted and opened to signature on 23 May 1969, and entered into force on 27 January 1980. It has been ratified by 116 states as of January 2018. Some non-ratifying parties, such as the United States, recognize parts of it as a restatement of customary law and binding upon them as such.

The VCLT is regarded as one of the most important instruments in treaty law, and remains an authoritative guide in disputes over treaty interpretation. **India is neither a signatory nor has ratified the Vienna Convention on Law of Treaties.**

Notes

India to invite Pakistan for SCO summit in Delhi



Issue

India said that it will invite the heads of government of all member countries of the Shanghai Cooperation Organisation (SCO), including Pakistan, when it hosts the summit later this year.

Background

India and Pakistan became members of the SCO in 2017, and India usually sends its Foreign or Defence ministers to attend the SCO heads of government meetings.

Details

This would mean that Pakistan's representative, either Prime Minister Imran Khan or a Minister will be coming to India to attend the SCO heads of government meeting.

If Khan comes for the meeting, this will be the first opportunity for the Indian government to host him after he became Prime Minister in 2018. The government's announcement comes hours after Pakistan's efforts to raise J&K at the United Nations Security Council through China failed.

Shanghai Cooperation Organisation

The Shanghai Cooperation Organisation (SCO), or Shanghai Pact, is a Eurasian political, economic, and security alliance, which was created on 15 June 2001 in Shanghai, China by **China, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan**.

The organisation has expanded its membership to eight countries when **India** and **Pakistan** joined SCO as full members on 9 June 2017 at a summit in **Astana**, Kazakhstan.

The Heads of State Council (HSC) is the supreme decision-making body in the SCO, it meets once a year and adopts decisions and guidelines on all important matters of the organisation.

Military exercises are also regularly conducted among members to promote cooperation and coordination against terrorism and other external threats, and to maintain regional peace and stability.

Notes

Safe third country agreement: The US- Guatemala asylum deal



Issue

In July last year, Guatemala's Ex-President Jimmy Morales had signed a highly criticised asylum deal with the US which allowed Washington to send asylum seekers from third countries to Guatemala.

Background

In the 2019 fiscal year, Guatemala was the largest source of migrants (more than 2.64 lakh persons) detained at the US border. New President Alejandro Giammattei has not cleared his position on the pact, causing uncertainty over its future.

Details

Under the “safe third country” agreement, migrants have to apply for asylum in the first country they land in. If they fail to do so and proceed to the second country, they can be sent back to the first country.

In 2019, the Trump administration signed “safe third country” agreements with the Northern Triangle countries of Guatemala, El Salvador, and Honduras, making it more difficult for refugees to seek asylum in the US. A “safe third country” is supposed to mean a nation which is capable of offering protection to refugees. The Northern Triangle countries, which have signed these agreements, are known for high levels of crime, violence, and economic deprivation.

The deal with Guatemala has been criticised, given the risk that migrants might face when they are sent back here.

The US has increasingly adopted policies aimed at deterring refugee migration. Under the 'Remain in Mexico' policy, which came into force in January 2019, 55,000 asylum seekers to the US have been sent back to Mexico to wait out their asylum cases in that country.

Notes

STUDY IQ

Rohingya rehabilitation on emerged island



Issue

A Bangladeshi island regularly submerged by monsoon rains is ready to house 1 lakh Rohingya refugees, but no date has been announced to relocate people.

Background

Flood protection embankments, houses, hospitals and mosques have been built on **Bhasan Char**, or floating island, in the Bay of Bengal.

Details

The island is built to accommodate 1 lakh people, just a fraction of the million Rohingya Muslims who have fled waves of violent persecution in their native Myanmar.

About 7 lakh people came after August 2017, when the military in Buddhist-majority Myanmar began a harsh crackdown against Rohingya in response to an attack by insurgents.

The Bangladesh navy has been implementing a multimillion-dollar plan to bolster the swampy island, which is submerged for months during annual monsoon season.

International aid agencies and the United Nations have opposed the relocation plan since it was first proposed in 2015, expressing fear that a big storm could overwhelm the island and endanger thousands of lives.

Prime Minister Sheikh Hasina has repeatedly told the U.N. and other international partners that her administration will consult them before making a final decision on the relocation, and that no refugees will be forced to move.

The current refugee camps near the beach town of Cox's Bazar are overcrowded and unhygienic. Disease and organized crime are rampant. Education is limited and refugees aren't allowed to work.

Rohingyas

The Rohingya people are a stateless Indo-Aryan ethnic group who predominantly follow Islam with a minority following Hinduism and reside in Rakhine State, Myanmar.

Notes

STUDY IQ

US-France tariff disputes on tech firms



Issue

US President Donald Trump and French President Emmanuel Macron have agreed to postpone an increase in tariffs between the two countries.

Background

In July 2019, France imposed a 3 per cent tax on digital revenue earned in the country by tech firms having sales of more than EUR 750 million globally or more than EUR 25 million in France.

Details

American tech giants, such as Google, Amazon, and Apple were hit by the levies. In retaliation, the Trump administration threatened to place tariffs of up to 100 per cent on USD 2.4 billion of French imports including wine, cheese, and lipstick.

France has since buckled under US pressure and agreed to postpone the enforcement of the tax.

Efforts have been underway to find out ways to tax tech revenues, since tech companies often pay little tax in countries in which they are not physically present, thanks to older tax regimes.

Policymakers across the world have had difficulty in taxing the US-based giants who dominate their sectors internationally, but who often route their revenues and profits via low-tax jurisdictions to reduce their liabilities.

Apart from France, other countries such as Austria and Italy have introduced plans to tax online sales and advertising revenues. Canada and the UK have also been exploring possibilities to reform their policies.

GAFA Tax

France has been pushing hard for a new so-called "GAFA tax", named after Google, Apple, Facebook and Amazon, to ensure the global giants pay a fair share of taxes on their massive business operations in Europe. The Organisation for Economic Cooperation and Development, which groups major world economies, is working on a proposal for a new international scheme that would regulate taxation on tech firms.

Notes

STUDY IQ

India and Brazil to sign Strategic Action Plan



Issue

India and Brazil will upgrade their strategic partnership with an action plan and sign a Bilateral Investment Treaty (BIT) when Brazilian President Jair Bolsonaro visits as the Chief Guest of the Republic Day celebrations.

Background

The two countries hope to take their partnership to the next level and build on the relationship between Prime Minister Narendra Modi and President Bolsonaro.

Details

The Strategic Partnership Action Plan will serve as an “umbrella agreement”, for plans between the two countries to increase defence cooperation, technology sharing and a logistics agreement.

Brazil and India will also exchange a Social Security Agreement (SSA), first signed in March 2017, to allow investments in each other's pension funds, to help business processes and encourage the flow of investment.

Among about 20 agreements set to be exchanged, are the Strategic Partnership Action Plan, along with the BIT, a Mutual Legal Assistance Agreement (MLAT) on crime, agreements on double taxation avoidance, bio-energy or ethanol production, cybersecurity, health, mining, oil and gas exploration and investment, and animal husbandry.

Bilateral Investment Treaty

A bilateral investment treaty (BIT) is an agreement establishing the terms and conditions for private investment by nationals and companies of one state in another state. This type of investment is called foreign direct investment (FDI). BITs are established through trade pacts.

Most BITs grant investments made by an investor of one Contracting State in the territory of the other a number of guarantees, which typically include fair and equitable treatment, protection from expropriation, free transfer of means and full protection and security.

The distinctive feature of many BITs is that they allow for an alternative dispute resolution mechanism, whereby an investor whose rights under the BIT have been violated could have recourse to international arbitration.

Notes

STUDY IQ

ICJ ruling on Rohingya issue



Issue

The International Court of Justice (ICJ) in The Hague has asked the government of Myanmar to immediately take all measures within its power to prevent atrocities against members of the minority Rohingya Muslim community.

Background

The Gambia, which is predominantly Muslim, went to the ICJ in November 2019, accusing Myanmar of genocide, which is the most serious of all international crimes. The Gambia was backed by the 57-member Organisation for Islamic Cooperation (OIC).

Details

The ruling of the court is binding on Myanmar, and cannot be appealed. However, no means are available to the court to enforce it.

The Gambia and Myanmar are parties to the Genocide Convention that allows a party to move the ICJ for violations.

Proving genocide has been difficult because of the high bar set by its 'intent requirement', that is showing the genocidal acts were carried out with the specific intent to eliminate a people on the basis of their ethnicity. So far, only three cases of genocide worldwide have been recognised since World War II: Cambodia (the late 1970s), Rwanda (1994), and Srebrenica, Bosnia (1995).

Even with the stepping in of the Security Council, there are several hurdles in enforcement of ICJ decisions. Any one of the five permanent members of the Security Council with veto powers can block the enforcement of an ICJ decision against itself or its ally.

ICJ statement

Myanmar shall ensure that its military or any irregular armed units within its control, do not commit any of the acts described above, or conspire to commit, direct, attempt to commit, or be complicit in genocide.

Myanmar shall take “effective measures to prevent the destruction and ensure the preservation of evidence related to allegations of acts” of genocide.

Myanmar shall submit a report to the ICJ on all measures taken to give effect to the order within four months, and thereafter every six months, until a final decision is passed.

Rohingya case

An estimated 7.3 lakh Rohingya have fled to Bangladesh since 2017 when the Myanmar military launched a brutal crackdown on Rohingya villages in the country's coastal Rakhine state. In August 2019, the UN said the army's action was carried out with “genocidal intent”.

Notes

Choosing India's Republic Day Chief guest



Issue

Brazilian President Jair Bolsonaro is the chief guest at India's Republic Day celebrations. This will be the third occasion that a Brazilian leader will be the chief guest at the Republic Day.

Background

The Chief Guest at the Republic Day parade is accorded India's highest honour in protocol terms. The process of extending the invitation to a Head of State or Government starts around six months ahead of Republic Day.

Details

For choosing a guest, the Ministry of External Affairs (MEA) considers several issues, most importantly the nature of India's relationship with the country concerned.

The MEA considers, political and economic relations, commercial relations, and military cooperation, and the strong emotional attachment with the Non Aligned Movement (NAM).

The Prime Minister's approval is sought, followed by a clearance from the Rashtrapati Bhavan. India's ambassadors in the countries concerned then try to ascertain discreetly the potential chief guests' programme and availability for Republic Day.

The Indian Chief of Protocol (CoP) and his counterpart in the concerned country work out a detailed plan chalking out the logistics, security, and medical requirements of the programmes as the ministry works towards agreements between the two nations.

It is also learnt that the chief guest is also decided on the basis of the other country's interest and availability of the dignitary.

Apart from the main event of reviewing the Republic Day parade with the President of India, the Chief Guest's visit includes the ceremonial guard of honour at Rashtrapati Bhavan, an evening reception hosted by the President, laying of a wreath at Rajghat, a banquet in the Chief Guest's honour, a lunch hosted by the Prime Minister, and calls by the Vice-President and the External Affairs Minister.

Notes

STUDY IQ

New shipping laws for Arctic region



Issue

Environmental activists have called for a ban on the use of new low sulphur marine fuel in the Arctic region. They have cited new research which shows that blends of very low-sulfur fuel oil (VLSFO) contribute to highly polluting black carbon emissions in the environment.

Background

Recently, International Maritime Organization (IMO), the shipping agency of the United Nations, issued new rules aiming to reduce sulphur emissions, due to which ships are opting for newer blends of fuels.

Details

The IMO has banned ships from using fuels with a sulphur content above 0.5 per cent, compared with 3.5 per cent previously.

Sulphur oxides (SOx), which are formed after combustion in engines, are known to cause respiratory symptoms and lung disease, while also leading to acid rain.

The new regulations, called **IMO 2020**, have been regarded as the biggest shake up for the oil and shipping industries in decades. It affects more than 50,000 merchant ships worldwide.

The new limits are monitored and enforced by national authorities of countries that are members of the International Convention for the Prevention of Pollution from Ships (**MARPOL Annex VI**).

Only ships fitted with **sulphur-cleaning devices**, known as **scrubbers**, are allowed to continue burning high-sulphur fuel. Alternatively, they can opt for cleaner fuels, such as **marine gasoil (MGO)** and very low-sulfur fuel oil (VLSFO).

Many are reportedly choosing VLSFO, which has better calorific properties and other technical advantages. There are complaints against VLSFO as well, as testing companies have claimed that high sediment formation due to the fuel's use could damage vessel engines and also release **Black Carbon**.

Black carbon, which is produced due to the incomplete combustion of carbon-based fuels, contributes to climate change. Increase in black carbon emissions would accelerate the melting of Arctic sea ice and impact the earth's climate.

International Maritime Organisation (IMO)

IMO is a specialised agency of the United Nations responsible for regulating shipping. The IMO was established following agreement at a UN conference held in Geneva in 1948 and the IMO came into existence ten years later.

Headquartered in London, United Kingdom, the IMO currently has 174 member states and three associate members.

The IMO's primary purpose is to develop and maintain a comprehensive regulatory framework for shipping and its remit today includes safety, environmental concerns, legal matters, technical co-operation, maritime security and the efficiency of shipping.

IMO is governed by an assembly of members and is financially administered by a council of members elected from the assembly.

MARPOL 73/78 (Marine Pollution 1973- 1978)

MARPOL is one of the most important international marine environmental conventions. It was developed by the International Maritime Organization with an objective to minimize pollution of the oceans and seas, including dumping, oil and air pollution.

All ships flagged under countries that are signatories to MARPOL are subject to its requirements, regardless of where they sail and member nations are responsible for vessels registered on their national ship registry.

Annex VI

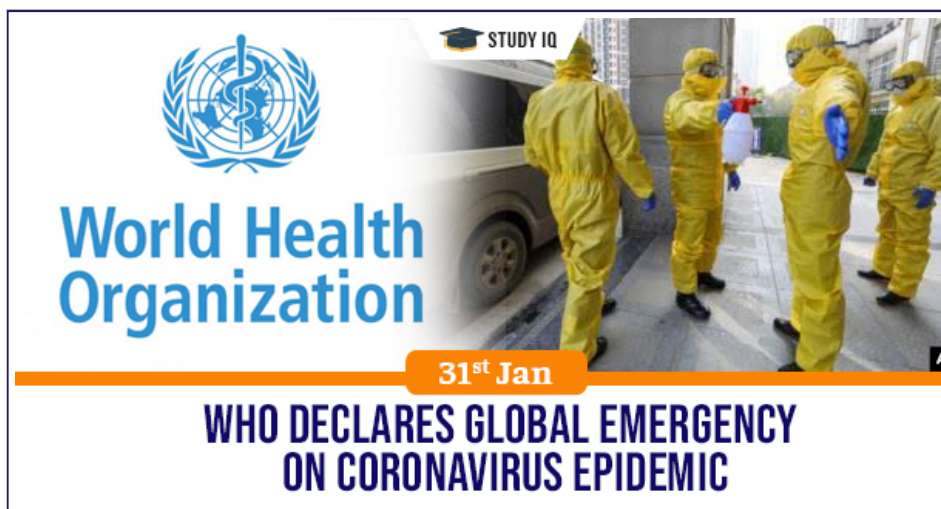
It introduces requirements to regulate the air pollution being emitted by ships, including the emission of ozone-depleting substances, Nitrogen Oxides (NO_x), Sulphur Oxides (SO_x), Volatile Organic Compounds (VOCs) and shipboard incineration.

It also establishes requirements for reception facilities for wastes from exhaust gas cleaning systems, incinerators, fuel oil quality, for off-shore platforms and drilling rigs and for the establishment of SO_x Emission Control Areas.

Notes

STUDY IQ

WHO declares global emergency on Coronavirus epidemic



Issue

The World Health Organisation (WHO) has declared an international emergency over the deadly coronavirus from China.

Background

The World Health Organisation defines a global health emergency, also known as a Public Health Emergency of International Concern (PHEIC), as an event where disease has the risk to spread internationally.

Details

The WHO's Emergency Committee, an advisory body of international experts, said that evidence had shown that restricting movement of people and goods during public health emergencies may be ineffective and may divert resources from other interventions.

The WHO said there have also been 82 confirmed cases in 18 other countries, including cases of onward transmission in Germany, Japan, the United States and Vietnam.

The designation, which is reviewed every **three months**, allows the WHO to issue global recommendations that the international community is expected to follow.

The WHO has called a public health emergency of international concern only five times since the relevant legislation took effect in 2007 - for swine flu, polio, Zika and twice for Ebola outbreaks in Africa.

The declaration is often referred to by its initials PHEIC (Public Health Emergency of International Concern), pronounced “fake” but it gives the WHO real capabilities to affect the course of an epidemic.

Implications of Global Emergency

The declaration sends the message that a health emergency is serious.

It encourages nations to cooperate as much as possible by coordinating personnel, funds and other resources, with the WHO at the helm.

By underlining the dangers, the designation can be used to help persuade citizens of infected countries to follow health and hygiene recommendations.

A PHEIC gives the WHO's Emergency Committee authority to recommend travel advisories for cities, regions and countries.

While the recommendations aren't enforceable, there's considerable pressure for countries to abide by the WHO's advisories. Member states are bound by the WHO's 2005 International Health Regulations.

Notes

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