

Autonomy of the election commission

- In contemporary times, that understanding is no longer dominant.
- It is now commonly accepted that healthy constitutional democracies need what are known as “fourth branch institutions” (or, alternatively, “integrity institutions”).
- The reason why a “fourth branch” in addition to the legislature, the executive, and the judiciary needs to exist is the following: many of the basic rights and guarantees that we enjoy cannot be effective without an infrastructure of implementation.
- “Fourth branch institutions” need to be functionally independent of the political executive. This is because they are the vehicles for implementing rights against the executive.
- The South African and Kenyan Constitutions have dedicated constitutional provisions for “fourth branch institutions” such as Human Rights Commissions, Election Commissions, and so on, calling these “integrity institutions”, and requiring them to be “independent.
- The Indian Constitution also provides for similar fourth-branch institutions. While the ECI is, obviously, an example, others include the Comptroller and Auditor General, the Public Service Commission(s), and the National Commission for Scheduled Castes.
- The problem, however, is this: while the Constitution goes to some degree to protect the independence of fourth-branch institutions while officials are in office (such as, for example, a high threshold on the removal of an Electoral Commissioner), the power of appointment lies exclusively with the executive.
- In the landmark Vineet Narain case, the Supreme Court likewise held that for the rule of law to prevail, the appointment of the CBI Director would have to be ratified by a three-member body that included the Prime Minister, the Leader of the Opposition, and the Chief Justice of India.

THE HINDU

Indo pacific contestation

- Indian strategic thinking is deeming Beijing as a bigger threat than that Islamabad.
- While the possibility of a two-front war persists, Pakistan’s strategic isolation, economic and political

fallout, and border and terror challenges emanating from Afghanistan have minimized the likelihood of its aggression.

- On the other hand, Beijing's larger strategic and diplomatic presence and grand ambitions have continued to trigger angst for New Delhi.
- In the Maldives, New Delhi is reciprocating President Ibrahim Solih's 'India First' policy with massive economic assistance, grants, and infrastructure projects and also cooperating on maritime security.
- In Nepal, Prime Minister Deuba's government has attempted to improve Nepal's overall bilateral relations with India.
- In crisis-hit Sri Lanka, India, this year alone, has provided economic and humanitarian assistance and investments worth \$4 billion.
- India's leading efforts in South Asia and the Indian Ocean have also attracted other Quad members (Japan, Australia, and the United States).
- Close cooperation has ensued among these partners to collectively push against China and offer genuine alternatives to the BR.
- Japan is also finalizing its talks with Sri Lanka on debt restructuring.

- In the Maldives, Australia and the U.S. have committed to opening their embassies and new areas of cooperation.
- In 2020, the U.S. signed a defense and security framework with the Maldives.
- Earlier this month, the Chinese surveillance vessel Yuan Wang-5 (it had docked in Sri Lanka in August), re-entered the Indian Ocean.
- A similar incident occurred last month when another vessel of the Yuan Wang series entered the Indian Ocean, coinciding with the test flight of the Agni series missile.
- Beijing also hosted its first- ever China Indian Ocean Region Forum, to institutionalize its presence in the region and challenge new initiatives such as the Quad and the Colombo Security Conclave.

THE HINDU

Colombo Security Conclave

- The CSC was formed in 2011 as a trilateral maritime security grouping of India, Sri Lanka, and the Maldives.
- It welcomed Mauritius as a fourth member at the fifth meeting of national security advisers.
- Bangladesh and Seychelles attended as observers and have been invited to join the group.

- The COVID-19 pandemic and Russia's invasion of Ukraine have continued to haunt the region.
- Nepal, the Maldives, and Bhutan are struggling with depleting forex reserves.
- Sri Lanka is yet to chart its way out of the economic crisis. Energy shortages, inflation, and negative or slow economic growth are also disrupting day-to-day activities in these countries.
- The Data Protection Authority of India (DPAI) will exercise excessive control.
- The DPAI will have great independent authority in a regulative area.
- The selection committee consisting of the Chief Justice of India or her nominee, the Cabinet Secretary, and one person with expertise and repute in the data technology field will have tremendous power.

THE HINDU

Criticism of the data protection bill

- A major concern is a provision in the Bill that seeks to deny providing any personal information on administration officials under Section 8(1)(j) of the Right to Information Act,
- This poses a serious problem with the right of privacy-vis-à-vis the right to freedom of speech.
- It will affect the right to freedom of speech and expression guaranteed under Article 19(1) (a) of the Constitution and play havoc with the tenuous balance between freedom of speech and the exceptional restrictions delineated in Article 19(2).

- The unfettered power of the executive over the DPAI only serves to defeat the autonomy of the institution the DPAI also performs adjudicatory functions. The appellate adjudicatory officers are to be appointed by the board members of the DPAI who are solely appointed by the executive member.

THE HINDU

New global biodiversity framework

- Governments, supported by the U.S. and the Vatican, who are not a party to the Convention, adopted the Kunming Montreal Global Biodiversity Framework (GBF) that sets out four goals for 2050, and 23 targets for 2030, to save existing biodiversity and ensure that 30% of degraded terrestrial, inland water,

coastal and marine ecosystems come under effective restoration.

- The CBD states that only about 1.75 million species have so far been identified, including numerous insects, while there may be some 13 million species.

What does the Kunming- Montreal pact aim to achieve?

- It sets out targets for 2030 on protection for degraded areas, resource mobilization for conservation, compensation for countries that preserve biodiversity, halting human activity linked to species extinction, and reducing by half the spread of invasive alien species (introduced plants and animals that affect endemic biodiversity), cutting pollution to non-- harmful levels and minimizing climate change impact and ocean acidification, among others.
- GBF goals and targets do not prohibit the use of biodiversity, but call for sustainable use, and a sharing of benefits from genetic resources.
- Target five specifically states that the use, harvesting, and trade in wild species should be “sustainable, safe and legal, preventing overexploitation, minimizing impacts on non-target species and

ecosystems and reducing the risk of pathogen spillovers...”

- The GBF emphasizes respect for the rights of indigenous communities that traditionally protect forests and biodiversity, and their involvement in conservation efforts.
- It advocates similar roles for women and local communities.
- Agricultural practices also find a strong focus.
- Besides emphasizing sustainable practices in agriculture, aquaculture, fisheries, and forestry, the agreement calls upon members to adopt biodiversity-supporting methods such as agroecology and sustainable intensification.
- This acquires significance, since growing Genetically Modified (GM) crops are not favoured by agroecologists as they could contaminate nearby wild species of the same plants.
- One target also looks at turning cities into hosts of biodiversity, by expanding the area and improving the quality and access to urban green and blue spaces.
- Urban planning should also be biodiversity inclusive, “enhancing native biodiversity, ecological connectivity and integrity, and improving human health and

well-being and connection to nature.”

- Earlier, the CBD had launched the Aichi biodiversity targets for 2020, which included safeguarding all ecosystems that provide services for humanity’s survival, and the Nagoya Protocol which went into effect in 2014 to ensure sharing of biodiversity access and benefits.

What is the roadmap to 2030 and 2050?

- The key aspects of the four GBF goals for 2050 deal with maintaining ecosystem integrity and health to halt extinctions, measuring and valuing ecosystem services provided by biodiversity, sharing monetary and non-monetary gains from genetic resources, and digital sequencing of genetic resources with indigenous people and local communities, and raising resources for all countries to close a biodiversity finance gap of an estimated \$700 billion.
- Recognizing the challenging nature of the goals and targets, the GBF has specific provisions for implementing and monitoring.
- Member nations need to submit a revised and updated national biodiversity strategy and action plan at the conference to be held in 2024.
- Further, the parties to the CBD should submit national reports in 2026 and 2029 to help prepare global reviews.
- Countries would have to review existing laws relating to not just the environment, but areas such as industry, agriculture and land use, to ensure that the national strategy and action plan adequately protects biodiversity.
- For instance, businesses and industries, including transnational corporations would have to assess, monitor, and report the risks and impacts of their operations and portfolios.
- They must provide information for sustainable consumption and comply with the rules on benefit-sharing.
- Perverse incentives that affect biodiversity should be eliminated.
- Indigenous people, local communities, sub-national governments, cities, local authorities, intergovernmental organizations, multilateral environmental agreements, non-governmental organizations, women, youth, research organizations, and the business and finance community have been invited to voluntarily participate in

national biodiversity protection plans.

- There are specific indicators for countries to report their progress, as part of a transparency and reporting arrangement.

What funding arrangements are planned?

- By 2030, the GBF hopes to see at least \$200 billion raised per year from all sources domestic, international, public, and private towards implementation of the national action plans.
- In terms of international funding, developing countries should get at least \$20 billion a year by 2025 and at least \$30 billion by 2030 through contributions from developed countries.
- The Global Environment Facility (GEF), a multilateral body that partners with countries and agencies, has been asked to establish in 2023, and until 2030, a Special Trust Fund to support the implementation of the GBF.
- Complementing this, the GBF envisages that there will be access to justice and information related to biodiversity for indigenous peoples and local communities, respecting their cultures and rights over lands, territories, resources, and traditional

knowledge, as well as by women, children and youth, and persons with disabilities, and ensure the full protection of environmental human rights defenders.

- The GBF is aligned with UN Sustainable Development Goals, three of which directly deal with the environment and thus with biodiversity: Goal 13 on climate action, Goal 14 on life below water, and Goal 15 on life on land.

What are the challenges to protecting biodiversity?

- The major challenge to protecting and expanding biodiversity conservation, says Prof. Partha Dasgupta, is the use of GDP as the chief determinant of development.
- The economist says in the Dasgupta Review report that GDP is based on a faulty application of economics that excludes the “depreciation of assets” like nature which is degraded by the relentless extraction of resources.
- He calls for an appreciation of nature, and measuring “inclusive wealth”, which captures not just financial and produced capital but also human, social, and natural capital.

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Price cap on Russian oil

- The Group of Seven (G7) countries, the European Union, and Australia have imposed a price cap on Russian sea-borne oil to make it harder for Russia to fund its war against Ukraine.
- Under the plan, which took effect on December 5, western companies that dominate the global oil shipping and insurance business will be banned from offering their services to ship or insure Russian oil that is purchased at more than \$60 per barrel.
- The price cap is an attempt by the West to cut Russia's oil revenues without affecting oil supplies
- The price cap could be seen as an attempt by the West to make buyers of Russian oil pay less for the oil they purchase, thus preventing the Kremlin from profiting too much from its oil sales.
- Russia has already had to sell its oil at discounted rates, which the West sees as a partial success in its efforts to choke Kremlin's revenues by refusing to purchase Russian oil.
- It should also be remembered that in the long run production decisions are based not merely on the cost of production but also on the potential rate of return from other investments.

- If investments in oil do not offer returns at least equal to or better than other sectors, Russia may well decide to cut its oil investments, and this would affect supplies adversely.

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Three more sites added to UNESCO

- Gujarat's Vadnagar town, the iconic Sun Temple at Modhera, and the rock-cut sculptures of Unakoti in Tripura have been added to the tentative list of UNESCO World Heritage Sites
- The Sun Temple at Modhera which is dedicated to the sun god is the earliest of such temples which set trends in architectural and decorative details, representing the Solanki style at its best.
- A multi-layered historic town, Vadnagar has a recorded past stretching back to nearly 8th century BC.
- The town still retains a large number of historic buildings that are primarily religious and residential in nature.
- Unakoti is an ancient holy place associated with Shaiva worship.
- The site is a massive gallery set in a forested area displaying a number of towering low-relief images in a unique style, making it a

masterpiece of human creative genius.

THE HINDU

Vagir

- The fifth Scorpène-class conventional submarine, Vagir, was delivered to the Navy by Mazagon Dock Shipbuilders Ltd. in Mumbai
- Vagir was launched into water on November 12, 2020, and commenced sea trials on February 1, 2022.
- The sixth and last of the Scorpène-class submarines, Vagsheer, was launched into water in April 2022 and is expected to be delivered to the Navy by 2023-end.
- The first submarine, INS Kalvari, was commissioned in December 2017, the second INS Khanderi in September 2019, the third INS Karanj in March 2021 and the fourth INS Vela in November 2021.

Air-independent propulsion (AIP)

- Air-independent propulsion (AIP), or air-independent power, is any marine propulsion technology that allows a non-nuclear submarine to operate without access to atmospheric oxygen (by surfacing or using a snorkel).

- AIP can augment or replace the diesel-electric propulsion system of non-nuclear vessels.

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