

Forest Act in north east

- The Mizoram Assembly unanimously passed a resolution opposing the Forest (Conservation) Amendment Act, 2023, “to protect the rights and interest of the people of Mizoram”.
- The amendment allows the diversion of forest land for roads, railway lines or “strategic linear projects of national importance and concerning national security” within 100 km of India’s international borders or lines of control, without a forest clearance under the Forest (Conservation) Act (FCA) 1980.
- Most of India’s Northeast falls in this 100 km range

Is FCA applicable to the Northeast?

- Special constitutional protections, such as Article 371A for Nagaland and 371G for Mizoram, prohibit the

application of any law enacted by Parliament that impinges on Naga and Mizo customary law and procedure, and ownership and transfer of land and its resources.

- Such laws can be extended to these States only if their Legislative Assemblies decide thus in a resolution.
- In 1986, Nagaland extended the application of the FCA “to government forests and such other forests and Wildlife Sanctuaries under the control of [the] State Government”
- Mizoram in 1986, the Union Territory became a State with the 53rd amendment of the Constitution, adding Article 371G to the Constitution.
- It stipulated that all Central Acts in force before 1986 are extended to the State, including the FCA.

What is RFA?

- In 1996, the Supreme Court expanded the term “forest land” in the FCA in the Godavarman case to “not only include ‘forest’ as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of the ownership”, thus extending the FCA to unclassified forests.
- These are recorded forests but not notified as forests. More than half of the Northeast is Recorded Forest Area (RFA).
- Of this, 53% are unclassified forests controlled by individuals, clans, village councils or communities, and governed by customary law and procedures.
- The remainder is notified forest controlled by State Forest Departments.

What is the FRA Act?

- In the Scheduled Tribes and Other Traditional

Forest Dwellers (Recognition of Forest Rights) Act (FRA) 2006, “forest land” includes unclassified forests, undemarcated forests, existing or deemed forests, protected forests, reserved forests, Sanctuaries and National Parks.

- This complied with the 1996 Supreme Court redefinition.
- While this benefits most northeastern States, due to the sizeable unclassified forests, the FRA also included a specific provision in the list of rights: “rights which are recognised under any state law or laws of any autonomous district council or autonomous regional council or which are accepted as rights of tribal under any traditional or customary law of the concerned tribes of any State.”
- Nothing prevents these States from taking suo

motu cognisance of these existing rights and obtaining the concerned Gram Sabha approvals for issuing titles.

- The Ministry of Tribal Affairs can also issue legally enforceable directions under Section 12 of the FRA, paving the way for this
 - It would add another layer of legal security to traditional community tenurial rights over forests.
 - However, none of the Northeast States have implemented FRA except for Assam and Tripura.
 - The reasons include the FRA being ‘irrelevant’ as communities, clans, chiefs and individuals own most of the land, that their rights are already being enjoyed and a lack of forest dwellers who are totally forest dependent.
 - How can forests then be protected?
 - The Environment Ministry mandated FRA
- implementation and prior informed consent of the Gram Sabha in 2009 to admit a forest diversion proposal.
- The responsibility was delegated to the District Collector, who ironically also headed the District Committee that issues FRA titles.
 - The Collectors’ certificate of FRA compliance in the inprinciple Stage I forest clearance was shifted to Stage II final clearance.
 - But the Ministry’s 2022 Forest Conservation Rules eliminated compliance with the FRA before final approval altogether.
 - Instead, it said that State governments “shall issue order for diversion, assignment of lease or dereservation as the case may be after fulfillment and compliance” with the FRA “including ensuring settlement of rights”.
 - Taking this further, States can formulate and take

legal measures to ensure mandatory fulfilment of the FRA before recommending a forest diversion proposal, and ensuring Gram Sabha consent before handing over forest land.

- The Ministry of Tribal Affairs can also issue legally enforceable directions under the FRA, or even enact a separate law, to recognise and settle forest rights when forests are diverted for other purposes and forest dwellers are relocated, as forest rights fall squarely within its Business Rules.

The Hindu

Vaccine diplomacy

- Vaccine diplomacy, a form of medical diplomacy, is the use of vaccines to improve a country's diplomatic relationship and influence of other countries.
- Meanwhile, vaccine

diplomacy also "means a set of diplomatic measures taken to ensure access to the best practices in the development of potential vaccines, to enhance bilateral and/or multilateral cooperation between countries in conducting joint R&D, and, in the case of the announcement of production, to ensure the signing of a contract for the purchase of the vaccine at the shortest term."

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Ecocide

- Ecocide thus: "Extensive loss, damage to or destruction of ecosystems such that the peaceful enjoyment by the inhabitants has been or will be severely diminished."
- Here, "inhabitants" applies to all living creatures.
- There is no accepted legal definition of ecocide, but a panel of lawyers in June 2021 for the Stop Ecocide

Foundation prepared a 165word articulation.

- Ecocide, they proposed, constitutes the “unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long term damage to the environment being caused by those acts.”
- Ecocide is a crime in 11 countries, with 27 others considering laws to criminalise environmental damage that is wilfully caused and harms humans, animals, and plants.
- The European Parliament voted unanimously this year to enshrine ecocide in law.
- Most national definitions penalise “mass destruction of flora and fauna”, “poisoning the atmosphere or water resources” or “deliberate actions capable of causing an ecological disaster.

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Expansion of BRICS

- The 15th BRICS summit in Johannesburg announced that the five member grouping (Brazil, Russia, India, China and South Africa) had invited six new members: Iran, Saudi Arabia and the United Arab Emirates (UAE) from West Asia; Egypt and Ethiopia from Africa, and Argentina from Latin America.
- It was reported that 40 countries have shown interest in BRICS’ membership, with 22 having submitted formal applications.
- From 2009, BRICS has met annually at summit level, and is backed by several ministerial and expert conclaves.
- It has spawned two major institutions: the New Development Bank (NBD) to provide development assistance and the Contingent Reserve

Arrangement that supports countries facing short term balance of payments pressures.

- The NBD has already financed 96 projects valued at \$33 billion.
- BRICS members have been united in their dissatisfaction with the West dominated international institutions that had emerged after the Second World War the World Bank, the International Monetary Fund, the United Nations and its various bodies, particularly the Security Council, and more recently, the World Trade Organization.
- BRICS challenges this Westled world order: it promotes intra BRICS economic and political cooperation, builds institutions outside western control, and agitates robustly for wide ranging reforms to accommodate the presence and interests of emerging economies.
- The Johannesburg Declaration categorically asserts that the members' "strategic partnership" will be directed at achieving "a more representative, fairer international order".
- The recent expansion of BRICS's membership has shaped a grouping that is aligned in terms of global perceptions and interests, and collectively provides considerable economic clout to the enlarged conclave.
- BRICS will have 46% of world population, while its share of the global GDP will go from 31.5% in PPP terms to 37%, far ahead of the GDP of 30.7% of the G7.
- The five core members account for 23% of global exports and 19% of global imports; with the new members, these figures will be boosted by 3.7% and 3%, respectively.
- The major impact will be

on the energy sector: out of global oil production of about 90 million barrels per day (mbd) in 2022, the earlier five BRICS members had accounted for 20% of global output; this will go to 42%.

- An addition of geostrategic value
- The new BRICS members will bring considerable geo strategic value to the grouping.
- Those from West Asia are already closely tied to BRICS members: 35% of Saudi oil production goes to China and India; Russia, already a major oil supplier to China and India, is now looking at Brazil as a market.
- In the Johannesburg Declaration, while several paragraphs call for wide ranging reforms in international organisations, the bulk of the document focuses on intra BRICS cooperation and outreach to other

developing countries.

- Thus, members have agreed to “encourage the use of local currencies in internal trade and financial transactions” between BRICS and other trading partners.
- The Declaration also reflects the shared views of its members on several political issues: the centrality of the United Nations; the problems in West Asia, i.e., Syria, Yemen, Palestine, the Arab peace Initiative, and the Iran nuclear agreement; the war in Ukraine and global terror.
- From 2020, both Saudi Arabia and the UAE have shrugged off the U.S. yoke and shaped independent foreign policy paths for themselves. Saudi Arabia has pursued de-escalation and dialogue, ending the Qatar blockade in January 2021, engaging with Turkey, and opening interactions with Iran from

April 2021.

- These regional engagements culminated in the China brokered accord with Iran in March this year.
- The UAE has also normalised ties with Iran and is focusing on expanding its maritime footprint across the Gulf, the Gulf of Aden, the Red Sea and the Horn of Africa.
- Iran's entry into BRICS is propitious in that, besides its role in the energy sector, it opens up opportunities for accelerated regional economic cooperation, besides the revival of the moribund north-south connectivity projects through the Chabahar port with which India is associated.

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[Infra in Himalayan state](#)

- Bench headed by Chief

Justice of India D.Y. Chandrachud had suggested that an expert committee conduct a "complete and comprehensive" study on the carrying capacity of the Himalayan region.

- Following this, the Centre has proposed setting up a 13-member technical committee.
- "Carrying capacity" is a concept derived from population biology and generally refers to the quantity of a species that can thrive sustainably in a defined ecosystem.
- Generally, population exceeding capacity will lead to a natural decline in numbers, as witnessed when grasslands or overgrazed or invasive species throttle existing biomes.
- Applying these ideas in the context of hill stations and Himalayan States the challenge is between balancing rising

population, infrastructural needs and the precarious geography is bound to be a challenging enterprise.

- Following the devastating floods in Uttarakhand in 2013, the Supreme Court had appointed a committee of experts to evaluate the role of hydropower projects in the State.
- While the committee's reports did influence a reduction in the proposed hydro projects, they failed to restrict road widening projects and the carving up of mountainsides in ways that were deemed unsuitable for the topography.

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