

1. Why are abortion laws in the spotlight again?**Why in news?**

A married woman 26 weeks pregnant has approached the Supreme Court seeking to terminate her pregnancy citing inability to take care of the child due to post-partum depression and other health issues. She has two other children. The Supreme Court on October 9 agreed to her plea, but two days later, a two-judge Bench of Justices Hima Kohli and B.V. Nagarathna delivered a split verdict when the government brandished a report from the All-India Institute of Medical Sciences (AIIMS) which said that the foetus was viable and had a heartbeat.

Aborting it at this stage would mean either putting a stop to the heartbeat or delivering the baby prematurely which might lead to severe complications both mental and physical for the child. The case was then referred to a larger Bench headed by the Chief Justice of India, which has observed that the highest court of the land cannot overlook the rights of an unborn child thus igniting a pro-life versus pro-choice debate.

What does the MTP Act say?

According to the Medical Termination of Pregnancy (MTP) Amendment Act 2021, opinion of only one registered medical practitioner will be required for the abortion of a foetus up to 20 weeks of gestation and of two for the termination of pregnancy from 20 to 24 weeks of gestation. The opinion of a state-level medical board is required for abortions over 24 weeks, in case of suspected foetal abnormalities.

How is the 2021 law different from the earlier 1971 MTP Act?

The 2021 Act increased the upper gestation limit from 20 to 24 weeks for special categories of women, including survivors of rape, victims of incest and other vulnerable women like differently abled and minors. A confidentiality clause was added which said that the name and other particulars of a woman whose pregnancy has been terminated cannot be revealed except to a person authorised by law. It also extended MTP services, under the clause of failure of contraceptive, to unmarried women to provide access to safe abortion based on a woman's choice, irrespective of marital status.

What is the global trend on abortion laws?

Globally, there has been a trend towards liberalisation of abortion laws and increased access to abortion services. Since the early 1990s, nearly 60 countries across the world have eased abortion laws to expand the grounds under which abortion is legal. Only four countries, namely the U.S., El Salvador, Nicaragua, and Poland have removed legal grounds for abortion during this time period. Most notably, the U.S. Supreme Court eliminated the constitutional right to abortion in 2022.

What arguments did SC judges give while delivering a split verdict on the case?

A two-judge Bench of Justices Kohli and Nagarathna first allowed the woman to end her pregnancy, then withdrew the verdict and differed on whether the abortion could go forward. This was following a medical report from AIIMS that said the foetal heart would have to be stopped as part of the procedure. To this, Justice Kohli said she would not proceed with the earlier decision wondering which court could ask to stop the heartbeat of a foetus that has life. However, Justice Nagarathna differed and said that the petitioner was determined about her decision to not proceed ahead with her pregnancy triggering a pro-life versus pro-choice debate. The petitioner through her counsel had argued that she was asking for her rights under Article 21 (protection of life and personal liberty), which overrides the MTP Act.

Is a foetus a living being? What does the law say?

According to experts, the Indian legal scenario is not clear on whether the foetus is a living being or not. A pro-choice discourse, according to experts, is not a materially and politically conducive argument for Indian society. Even if the Supreme Court takes a pro-choice view in this case, it will not be able to set a precedent for the future. The reason is that the Indian public health system is not geared up to address this and that private health care is very expensive. So, getting a safe abortion in India has become very precarious.

What were the observations by the CJI-headed Bench?

On October 12, the top court asked the woman to reconsider her decision to terminate the pregnancy and carry the foetus for a few more weeks so that the child isn't born with any deformities. The Bench observed that there are rights of the unborn child too and that a woman's autonomy is also important. The Bench said that the rights of the unborn child should also be balanced.

What is the way forward?

The petitioner's counsel and the Additional Solicitor General have both said that the 27-year-old woman was unwilling to continue with her pregnancy even after the AIIMS report. She has said that she was under medication for post-partum depression and other medical issues. The three-judge Bench, headed by the CJI, asked the AIIMS medical board to examine if there is any abnormality in the foetus. The apex court also asked the medical board to examine the health status of the woman, who says she is suffering from depression and severe post-partum psychosis. The government has also offered to take care of the child and put it up for adoption if the woman agrees to carry it full term.

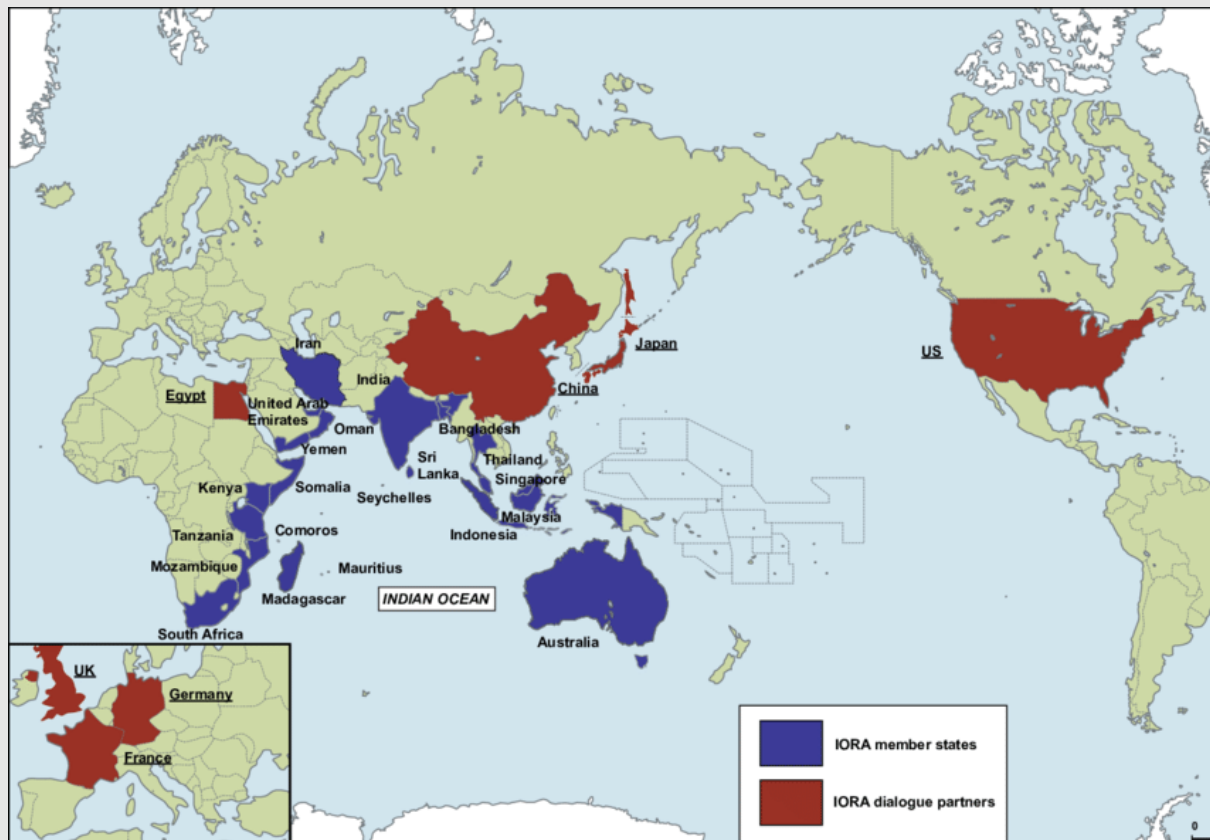
Relevance: GS Prelims & Mains Paper I; Social Issues

Source: The Hindu

2. How is the IORA a key bloc for India?

Why in news?

'Reinforcing Indian Ocean Identity' was the banner theme at the Indian Ocean Rim Association's (IORA) Council of Ministers (COM) held in Colombo on October 11, that was attended by foreign ministers and senior officials of the 23-nation grouping of countries.



What is the IORA and how was it formed?

The Indian Ocean Rim Association includes 23 countries from Africa, West Asia, South Asia, South East Asia, Australia and littoral states situated in and around the Indian Ocean. The grouping, whose apex body is the Council of Foreign Ministers that meet once a year, moves by rotation through members every two years. Sri Lanka took charge as Chair this year from Bangladesh, and India is Vice-Chair, meaning that the troika of IORA is within the South Asian region.

IORA's membership includes 23 countries: Australia, Bangladesh, the Comoros, France, India, Indonesia, Iran, Kenya, Madagascar, Malaysia, the Maldives, Mauritius, Mozambique, Oman, Seychelles, Singapore, Somalia, South Africa, Sri Lanka, Tanzania, Thailand, the UAE and Yemen. It also has 11 dialogue partners: China, Egypt, Saudi Arabia, Germany, Italy, Japan, South Korea, Russia, Türkiye, the U.K. and the U.S.

While the IORA was formed in 1997 (then called the Indian Ocean Region-Association for Regional Cooperation) in Mauritius, its genesis came from a speech Nelson Mandela gave in Delhi in 1995. He was invited by then Prime Minister P.V. Narasimha Rao as the guest for Republic Day, and said at a ceremony that India and South Africa should explore “the concept of an Indian Ocean Rim of socioeconomic cooperation and other peaceful endeavours” that could help developing countries within multilateral institutions “such as the United Nations, the Commonwealth and the Non-Aligned Movement”.

Why does the Indian Ocean Region matter?

A third of the world’s population (2.6 billion people) live in the region, and 80% of global oil trade, 50% of the world’s containerised cargo and 33% of its bulk cargo passes through it. The region produces a combined total of \$1 trillion in goods and services and intra-IORA trade is billed at around \$800 billion. India’s other regional organisations, like SAARC (South Asian Association for Regional Cooperation) and BIMSTEC (Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation), face their own challenges.

While the QUAD (Quadrilateral Security Dialogue), has made progress, it remains U.S.-led, along with military allies Australia and Japan. Meanwhile, China is actively trying to rope in India’s neighbours with groupings like the Belt and Road Initiative (BRI), China-Indian Ocean Region Forum on Development Cooperation, China-South Asian Countries Poverty Alleviation and Cooperative Development Centre, which exclude India. IORA, however, remains a “safe space” for India and other countries of the region that wish to keep out the constant challenge of big-power rivalries. IORA membership is based on consensus, and Pakistan has not been admitted to the grouping since it first applied in 2001, on the basis that it has not extended MFN (most favoured nation) status to India, making the IORA a less contentious space for India as well, compared to groupings like the Shanghai Cooperation Organisation (SCO).

What does IORA focus on?

According to its charter, the IORA’s seven priority areas are maritime safety and security; trade and investment facilitation; fisheries management; disaster risk management; academic, science and technology; tourism and cultural exchanges; and gender empowerment. The IORA also runs a special fund in addition, disbursing \$80,000-\$150,000 for project grants to members, and has a particular focus on climate change. It is clear that strategic issues and the importance of keeping a free and open sea lane, guarding against piracy, have become an integral part of the discussions.

Speaking at the conference this year, External Affairs Minister S. Jaishankar stressed the importance of maintaining the Indian Ocean as a “free, open and inclusive space” where there was “respect for sovereignty and territorial integrity” based on the UN Convention on the Law of the Seas, and in comments understood to be aimed at China,

warned of the dangers of “hidden agendas, unviable projects or unsustainable debt” to countries in the Indian Ocean Region.

Relevance: GS Prelims & Mains Paper II; International Relations

Source: The Hindu

3. Revival of India-Sri Lanka Passenger Ferry Service after 40 years

Ferry Service Resumes After 40 Years

High-speed passenger ferry service between Nagapattinam, Tamil Nadu, and Kankesanthurai, Sri Lanka, was flagged off on October 14, 2023, after a four-decade hiatus.

The high-speed craft Cheriyaipani departed Nagapattinam with 50 passengers and 12 crew members for a four-hour journey to Kankesanthurai, Sri Lanka.



Strengthening Cultural and Economic Ties

The ferry service aims to strengthen cultural, commercial, and civilisational ties between India and Sri Lanka, fostering connectivity and economic partnership.

The service is expected to ease the travel of pilgrims from Sri Lanka to religious places of significance in Tamil Nadu.

Ticketing and Operations

The Shipping Corporation of India partnered with a private agency to sell tickets for the ferry, which can accommodate 150 passengers. The service runs from Nagapattinam to Kankesanthurai and back, with specific departure and arrival times.

Temporary Suspension

The service will be temporarily suspended for two months due to rough weather conditions during the Northeast monsoon, with plans to resume in January.

Relevance: GS Prelims; Bilateral Relations

Source: The Hindu