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1. What's behind Israel's ban on the UN chief?

Background

On October 2, Israeli Foreign Minister Israel Katz announced that Israel had banned United Nations Secretary-General (UNSG) António Guterres from entering the country, accusing him of "backing" Hamas, Hezbollah, the Houthis, and Iran.



Why did Israel ban the UN chief?

According to Mr. Katz, the decision to declare Mr. Guterres "PNG" (persona non grata) was taken because he hadn't "unequivocally condemned" Iran's missile strikes on Israel earlier in the week, and thus the UNSG does not "deserve to set foot on Israeli soil". Mr. Katz also claimed that the UNSG had not denounced the terror attack by Hamas on October 7 last year, which left about 1,200 Israelis dead, and 250 taken hostage. The UNSG and UN bodies have, in fact, condemned the attack a number of times. In a statement in April, Mr. Guterres had condemned the use of "sexual violence, torture and kidnapping of civilians", calling the "horror unleashed by Hamas" unjustifiable. In the context of the latest escalation, which included Israel's strikes on Lebanon that killed hundreds and took out the top leadership of Hezbollah, as well as Iran's launch of 200 missiles targeting Israeli bases, Mr. Guterres named neither country, saying in a statement that he "condemned" the broadening of the West Asia conflict, calling for a

ceasefire. A day after the Israeli ban was announced, the UNSG issued a clarification, saying that he “strongly condemned” the “massive missile attack by Iran on Israel.” However, Israel has not withdrawn the ban.

Is there a history to Israel-UN tensions?

The ban on Mr. Guterres is part of a larger Israeli argument against the UN, which it claims is run by the “anti-Israel” bloc of Arab and Islamic countries and affiliated organisations like UNRWA that it alleges are involved with Hamas. At the UN General Assembly last week, angry at a number of UN resolutions backed by a big majority of countries that called for a ceasefire and criticised Israel, Israeli Prime Minister Benjamin Netanyahu called the UN an “anti-Semitic swamp”. Israel has in the past banned UN Special Rapporteurs and other senior officials accusing them of “bias” against Israel and in favour of the Palestinian side. Last year, outraged at Mr. Guterres’ remarks to the UNSC that the October 7 attacks had not occurred “in a vacuum” and that they followed “56 years of suffocating occupation” of Palestinian areas, Israel banned then-UN Under-Secretary General Martin Griffiths. Alongside his comments on Hamas, Mr. Guterres has also been consistently critical of Israeli bombardment of Gaza. More than 40,000 Palestinians have been killed thus far, including 15,000 minors, and a record number of 135 UN personnel working with Palestinian refugees, which the UNSG called a “moral stain”, referring to Gaza as a “graveyard for children.”

Has such a ban happened before?

According to former Indian Permanent Representative to the UN, Asoke Mukerji, the ban on the UNSG is “unprecedented”, recalling that the closest a country came to such an action was in 1950, when the then-USSR accused UNSG Trygve Lie of bias on the Korean crisis and threatened to veto his re-election. Citing the UN charter (Article 100, para 2), which says “each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities,” Mr. Mukerji told The Hindu, “we all need the Secretary-General for substantive and logistical reasons.” In 1987, the U.S. had banned Kurt Waldheim who had earlier been UNSG (1972-1981) and Austrian President (1986-1992), when it emerged that he had been complicit in Nazi war crimes during his time in the Austrian Army in the Second World War.

How has the world reacted to Israel’s ban?

A day after the ban was announced, the UN Security Council issued a statement, which is only possible with the concurrence of all P-5 members, that said “any decision not to engage with the UN Secretary-General or the United Nations is counterproductive, especially in the context of escalating tensions in the Middle East.” The U.S. State Department called it “not productive to improving [Israel’s] standing in the world.” Even the Ministry of External Affairs, that has taken care not to be over-critical of Israel, was dismissive. “Mr. Guterres is the UNSG for us. What somebody else says about it, what third person says is not our area of outlook or a matter to comment on,” said spokesperson Randhir Jaiswal on Friday.

Relevance: GS Prelims & Mains Paper II; International Relations

Source: The Hindu

2. Why is salt pan land being used for homes?

Introduction

The Maharashtra government has issued a GR (Government Resolution) allocating 255.9 acres of salt pan land, distributed over three land parcels in Mumbai's eastern suburbs, for the construction of rental houses in the Dharavi Redevelopment Project through a lease agreement.

What are salt pans?

Salt pan lands are ecologically important salt marshlands. They are low-lying areas around the shore that are used for salt cultivation. They act as holding ponds and work as a sponge for the absorption of rain. They are a coastal area's natural defence against flooding. They help intertidal activity, and are home to diverse flora and fauna.



What does the decision entail?

The government has allocated 255.9 acres of salt pan land distributed over three land parcels — 120.5 acres of Arthur Salt Works land at Kanjur, 76.9 acres of Jenkins Salt Works land at Kanjur and Bhandup, and 58.5 acres of Jamasp Salt Works land at Mulund — to Dharavi residents. Maharashtra has almost 13,000 acres of salt pan land, of which over 5,000 acres are in Mumbai. The DCPR-2034 (Development Control and Promotion Regulations) document says 1,781 acres of that land can be developed. The land parcels allocated for rental housing for the Dharavi project are under the ownership of the Central government. After the Maharashtra government sought these parcels from the Centre, the Union Cabinet approved the proposal in September 2024.

What are the terms for allocation of land?

Four conditions have been put forth for the allocation of the land which will be given at a concessional rate of 25% of the prevailing rate. The State government will collect the land revenue from the Dharavi Redevelopment Project Private Limited (DRPPL), the special purpose vehicle (SPV), and pay it to the Central government. The DRPPL will bear the cost of resettlement of the labourers working on the land, and other incidental costs for the

acquisition of the land. But the court cases and other legal matters will be handled through the Dharavi Redevelopment Project (DRP), a government body. The land will be used for rental housing, slum rehabilitation, and affordable housing for economically weaker sections. The DRPPL is an SPV in which an Adani Group entity holds 80% stake and the State government has a 20% stake. The land will be leased to the Maharashtra government for a period of 99 years, and it cannot be used for commercial activities.

What are the concerns?

Urban planners and environmentalists say that an impact assessment study needs to be done before opening up large packs of land for intensive activities like housing. They also say that the salt pan lands on the Eastern Express Highway have played an important role in keeping the eastern suburbs free from flooding. The most important demand with respect to the Dharavi project has been for in-situ rehabilitation. Urban planners point out that handing over land parcels in different parts of the city for a developer will lead to formation of ghettos. They also say that the impact of hyperactivity on ecologically sensitive areas needs to be studied.

What lies ahead?

The Centre will hand over the land to the State government, which will give permission to DRPPL to go ahead with the construction after their plans are approved. For that, the DRPPL will have to seek an approval from the Ministry of Environment, Forest and Climate Change. Environmentalists claim that the entire process from here on can be challenged in the court of law. As per the GR issued by the government of Maharashtra, the litigation will be taken care of by DRP, the government body. The Bureau of Indian Standards (BIS) has begun the process of formulating a National Agriculture Code (NAC), on the lines of the existing National Building Code and National Electrical Code. What is the NAC, and why is it needed?

Relevance: GS Prelims & Mains Paper III; Environment

Source: The Hindu

3. Why did Supreme Court strike down discriminatory rules across state prison manuals?

Introduction

The Supreme Court recently struck down a series of rules in several state prison manuals which "reinforce caste differences" and target members of marginalised communities, especially those dubbed "criminal tribes" in the colonial era for violating the fundamental rights of the prisoners.

Why did SC strike down these rules now?

The decision follows a plea filed by journalist Sukanya Shantha, highlighting a series of rules and provisions in prison manuals from states including Uttar Pradesh, West Bengal, Andhra Pradesh, Madhya Pradesh, Odisha, Kerala, Tamil Nadu, Maharashtra, Karnataka, Rajasthan and Himachal Pradesh. The rules deal with the classification of prisoners and the assignment of work based on such classifications.

According to the 148-page decision authored by Chief Justice of India D Y Chandrachud, these manuals assigned prison work in ways that “perpetuate(s) caste-based labour divisions and reinforce social hierarchies”, violating the fundamental rights of prisoners.



For instance, under the Madhya Pradesh Jail Manual, 1987, prisoners from the ‘Mehtar’ caste — a Scheduled Caste community — are specifically assigned latrine cleaning work. They are required to “empty the contents of the small receptacle into large iron drums and replace the receptacles in the latrine after having cleaning them” during routinely conducted ‘latrine parades’.

Similarly, under the West Bengal Jail Code Rules, 1967, some work

is explicitly divided based on caste. Rule 741 dealing with ‘Sickness in cells’ states, among other things, that “Food shall be cooked and carried to the cells by prisoner-cooks of suitable caste, under the superintendence of a jail officer”.

The Supreme Court has declared all the provisions and rules in question unconstitutional, and directed states and union territories to revise their prison manuals within three months. It has also directed the Centre to make necessary changes to address caste discrimination in the Model Prison Manual 2016 and the draft Model Prisons and Correctional Services Act, 2023 within the same period.

How do the prison manuals reinforce caste and colonial stereotypes?

The Criminal Tribes Act of 1871 allowed the British Raj to declare any community as a “criminal tribe” if they were deemed “addicted to systematic commission of non-bailable offences”. With this declaration, these tribes were forced to settle in designated locations, subjected to constant checks and the threat of arrest without a warrant, and more draconian restrictions “based on a stereotype which considered several marginalized communities as born criminals”. After multiple amendments and iterations, the Act was repealed in 1952 and the former ‘criminal tribes’ became known as ‘denotified tribes’. However, according to the apex court, “The manuals/rules also reinforce stereotypes against denotified tribes” through the classification between habitual and non-habitual criminals.

The court uses the example of Madhya Pradesh, where “any member of a denotified tribe may be treated as a habitual criminal, subject to the discretion of the State Government” (Rule 411). It also mentions rules in Andhra Pradesh, Tamil Nadu and Kerala where a person can be designated as a ‘habitual criminal’ if they “are by ‘habit’ a ‘robber, housebreaker, dacoit, thief or receiver of stolen property’... even if ‘no previous conviction has been proved, that he is by habit a member of a gang of dacoits, or of thieves or a dealer in stolen property’”.

The West Bengal Jail Code Rules classify prisoners into 'B' or 'A' classes based on whether they are 'habitual' criminals or not respectively.

Upholding the fundamental rights of prisoners

The apex court detailed how the rules flagged by Shantha violate a host of fundamental rights under the Constitution of India:

RIGHT TO EQUALITY (Article 14): The court held that caste can only be used as a ground for classification "...as long as it is used to grant benefits to the victims of caste discrimination". It also stated that "Segregating prisoners on the basis of caste would reinforce caste differences or animosity that ought to be prevented at the first place" and that such classification "deprives some of them of equal opportunity to be assessed for their correctional needs, and consequently, opportunity to reform."

RIGHT AGAINST DISCRIMINATION (Article 15): The court held that the manuals both directly and indirectly discriminate against marginalised communities. "By assigning cleaning and sweeping work to the marginalized castes, while allowing the high castes to do cooking, the Manuals directly discriminate" it held. Further, "By assigning specific types of work to marginalized castes based on their supposed "customary" roles, the Manuals perpetuate the stereotype that people from these communities are either incapable of or unfit for more skilled, dignified, or intellectual work" which the court held results in indirect discrimination.

ABOLITION OF UNTOUCHABILITY (Article 17): The court reproduced a series of rules and held that they were representative of untouchability being practised in prisons. In Uttar Pradesh, a convict "shall not be called upon to perform duties of a degrading or menial character unless he belongs to a class or community accustomed to perform such duties". To this, the court held that "The notion that an occupation is considered as "degrading or menial" is an aspect of the caste system and untouchability".

RIGHT TO LIFE WITH DIGNITY (Article 21): The court held that the right to life with dignity under Article 21 "envisages the growth of individual personality" and "provides for the right to overcome caste barriers as a part of the right to life of individuals from marginalized communities". These rules in prison manuals, it held, "restrict the reformation of prisoners from marginalised communities" and "deprive(s) prisoners from marginalized groups of a sense of dignity and the expectation that they should be treated equally", violating this right.

PROHIBITION OF FORCED LABOUR (Article 23): Referring to how work is distributed such that some communities perform 'honourable' work while marginalised communities are relegated to 'undesirable' work, the court held "Imposing labour or work, which is considered impure or low-grade, upon the members of marginalized communities amounts to "forced labour" under Article 23".

Relevance: GS Prelims & Mains Paper II; Governance

Source: Indian Express

4. Bilateral Investment Treaty between India and the United Arab Emirates, giving continuity of investment protection to investors of both the countries, comes into effect

Introduction

The Bilateral Investment Treaty (BIT) signed on 13th February, 2024 at Abu Dhabi, UAE between the Government of the Republic of India and the Government of the United Arab Emirates (UAE), entered into force with effect from 31st August, 2024. The enforcement of this new BIT with UAE gives continuity of investment protection to investors of both the countries, as the earlier Bilateral Investment Promotion and Protection Agreement (BIPPA) between India and UAE signed in December 2013 expired on 12th September, 2024.



Bilateral Investment

UAE is the seventh largest with a share of 3% in the total Foreign Direct Investment (FDI) received in India, with cumulative investment of approximately \$19 Billion from April 2000-June 2024. India also makes 5% of its total Overseas Direct Investments in UAE to the tune of \$15.26 Billion from April 2000 - August 2024. India – UAE BIT 2024 is expected to increase the comfort level and boost the confidence of the investors by assuring minimum standard of treatment and non-discrimination while providing for an independent forum for dispute settlement by arbitration. However, while providing investor and investment protection, balance has been maintained with regard to State's right to regulate and thereby provides adequate policy space.

Purpose of BIT

The signing and enforcement of the BIT reflects both nations' shared commitment towards enhancing economic cooperation and creating a more robust and resilient investment environment. The Treaty is expected to pave the way for increased bilateral investments, benefiting businesses and economies in both countries.

Some of the key features of the India-UAE BIT 2024 are: -

1. Closed asset-based definition of Investment with coverage of Portfolio Investment
2. Treatment of Investment with obligation for no denial of justice, no fundamental breach of due process, no targeted discrimination and no manifestly abusive or arbitrary treatment
3. Scope carve out for measures such as those related to taxation, local government, government procurement, subsidies or grants and Compulsory license.
4. Investor-State Dispute Settlement (ISDS) through arbitration with mandatory exhaustion of Local remedies for 3 years
5. General and Security Exceptions
6. Right to Regulate for State
7. No investor claim in case investments is involved with corruption, fraud, round tripping etc.
8. Provision on National Treatment,
9. Treaty provides for protection to investments from Expropriation, provides for Transparency, Transfers and Compensation for losses.

Relevance: GS Prelims & Mains Paper II; International Relations

Source: PIB