

Current Affair (12 January, 2022)

(1) India's Appeal at WTO

News :- Recently, India has appealed against a ruling of the World Trade Organisation's (WTO) trade dispute settlement panel which ruled that the country's domestic support measures for sugar and sugarcane are inconsistent with global trade norms.

Earlier, China got the 'developing country' status at the WTO which became a contentious issue with a number of countries raising concerns against the decision.

Key Points

India's Appeal:

The appeal was filed by India in the WTO's Appellate Body, which is the final authority on such trade disputes.

India has appealed and requested the body to "reverse, modify, or declare moot and of no legal effect, the findings, conclusions, rulings and recommendations of the Panel", with respect to certain "errors of law or legal interpretation contained in the panel report.

India has sought review of the panel's finding that the scheme for providing assistance to sugar mills for expenses on marketing costs, including handling, upgrading and other processing costs and costs of international and internal transport and freight charges on the export of sugar for the 2019-20 sugar season (Maximum Admissible Export Quantity (MAEQ) Scheme), is within its terms of reference.

Complaint Against India:

Australia, Brazil, and Guatemala said India's domestic support and export subsidy measures appeared to be inconsistent with various articles of the WTO's Agreement on Agriculture and the Agreement on Subsidies and Countervailing Measures (SCM), and Article XVI (which concerns subsidies) of the General Agreement on Trade and Tariffs (GATT).

All three countries complained that India provides domestic support to sugarcane producers that exceeds the de minimis level of 10% of the total value of sugarcane production, which they said was inconsistent with the Agreement on Agriculture.

They also raised the issue of India's alleged export subsidies, subsidies under the production assistance and buffer stock schemes, and the marketing and transportation scheme.

Australia accused India of "failing" to notify its annual domestic support for sugarcane and sugar subsequent to 1995-96, and its export subsidies since 2009-10, which it said were inconsistent with the provisions of the SCM Agreement.

A panel was set up by the Dispute Settlement Body (DSB) of the WTO to look into the case and come up with its report.

WTO's Agreement on Subsidies and Countervailing Measures

The WTO Agreement on SCM disciplines the use of subsidies, and it regulates the actions countries can take to counter the effects of subsidies.

Under the agreement, a country can use the WTO's dispute-settlement procedure to seek the withdrawal of the subsidy or the removal of its adverse effects. Or the country can launch its own investigation and ultimately charge extra duty ("countervailing duty") on subsidised imports that are found to be hurting domestic producers.

WTO's Agreement on Agriculture

It is aimed to remove trade barriers and to promote transparent market access and integration of global markets.

The WTO's Agriculture Committee oversees implementation of the Agreement and provides a forum for members to address related concerns.

General Agreement on Tariffs and Trade

GATT traces its origins to the 1944 Bretton Woods Conference, which laid the foundations for the post-World War II financial system and established two key institutions, the International Monetary Fund (IMF) and the World Bank.

GATT signed by 23 countries in Geneva in 1947 came into force on Jan 1, 1948 with the following purposes:

to phase out the use of import quotas

to reduce tariffs on merchandise trade,

GATT became the only multilateral instrument governing international trade from 1948 until the WTO was established in 1995.

The provisions of GATT 1947 were incorporated into the GATT of 1994. The GATT 1994 is itself part of the WTO formation agreement.

The Uruguay Round of GATT, conducted from 1987 to 1994 culminated in the Marrakesh agreement, which established the WTO.

India's Stand:

India said that the “complainants have failed to meet their burden of showing” that India’s market price support for sugarcane, and its various schemes violate the Agreement on Agriculture.

It also argued that “the requirements of Article 3 of the SCM Agreement are not yet applicable to India and that India has a phase-out period of 8 years to eliminate export subsidies, if any, pursuant to Article 27 of the SCM Agreement.

Panels Findings:

The dispute settlement panel has found India's domestic support and export subsidy measures in the sugar sector to be in violation of international trade rules.

It found that for five consecutive sugar seasons from 2014-15 to 2018-19, India provided non-exempt product-specific domestic support to sugarcane producers in excess of the permitted level of 10% of the total value of sugarcane production.

India argued that its “mandatory minimum prices are not paid by the central or state governments but by sugar mills, and hence do not constitute market price support”, the panel rejected this argument — saying “market price support does not require governments to purchase or procure the relevant agricultural product”.

Panels Recommendation:

India brings its WTO-inconsistent measures into conformity with its obligations under the Agreement on Agriculture and the SCM Agreement.

India should withdraw its alleged prohibited subsidies under the Production Assistance, Buffer Stock, and Marketing and Transportation Schemes within 120 days.

Dispute Redressal at WTO

According to WTO rules, a WTO member or members can file a case in the Geneva-based multilateral body if they feel that a particular trade measure is against the norms of the WTO.

Bilateral consultation is the first step to resolve a dispute. If both the sides are not able to resolve the matter through consultation, either can approach for the establishment of a dispute settlement panel.

The panel's ruling or report can be challenged at the WTO’s Appellate Body.

Interestingly, the appellate body of the WTO is not functioning because of differences among member countries to appoint members in this body. Over 20 disputes are already pending with the appellate body. The US has been blocking the appointment of the members.

(2) India-China-Sri Lanka Triangle

News :- Recently, the Chinese Foreign Minister (CFM) visited Sri Lanka.

At a meeting, CFM proposed a forum for Indian Ocean island nations and also asserted that no “third party” should interfere in China-Sri Lanka ties.

While the name of the third party was not revealed, it was a clear reference to India.

Key Points

Highlights of CFM Visit to Sri Lanka

The CFM visit envisaged launching celebrations marking the 70th anniversary of the historic Rubber-Rice Pact 1952 and the 65th anniversary of the establishment of diplomatic relations between China and Sri Lanka.

Under the Rubber-Rice Pact, China needed to import rubber and other supplies and Sri Lanka, for whom rubber was a key export, was facing a rise in the price of rice and a slump in the price of rubber.

CFM asserted that the two sides should make good use of “the two engines”, referring to the Colombo Port City in Colombo and the Hambantota Port (also in Sri Lanka).

He urged Sri Lanka to consider the prospects of the Regional Comprehensive Economic Partnership (RCEP) and restart talks on a free-trade agreement.

A “forum on the development of Indian Ocean island countries” to build consensus and synergy and promote common development, was also proposed.

About China-Sri Lanka Ties:

Largest Creditor to Sri Lanka: China is the largest bilateral creditor to the country.

Its loans to the Sri Lankan public sector amount to 15% of the central government’s external debt.

Sri Lanka heavily relies on Chinese credit to address its foreign debt burden.

Investment in Infrastructure Projects: China has invested about USD 12 billion in Sri Lanka's infrastructure projects between 2006-19.

Shifting Interests of Smaller Nations: Sri Lanka's economic crisis may further push it to align its policies with China's interests.

China's Pursuit in the Indian Ocean: China enjoys friendlier waters in South Asia and the Indian Ocean than it does in Southeast Asia and the Pacific.

China faces opposition from Taiwan, territorial disputes in the South China Sea and East Asia, and myriad frictions with the US and Australia.

India's Concerns:

Opposition to SAGAR Initiative: The proposed Indian Ocean island countries forum sounded in opposition to Prime Minister of India's SAGAR (Security and Growth for All in the Region) initiative.

SAGAR is India's strategic vision for the Indian Ocean Region (IOR).

Issues Emanating from Two Engines of Growth: China has formal control over Sri Lanka's Hambantota port as a part of a 99-year lease.

Sri Lanka has decided to establish a Special Economic Zone around the Colombo port city and a new economic commission, to be funded by China.

The Colombo port handles 60% of India's trans-shipment cargo.

Leasing of Hambantota and the Colombo Port City project makes it almost certain for the Chinese navy to have a permanent presence in the Indian Ocean which will be worrisome for India's national security.

This Chinese strategy to encircle India is referred to as the Strings of Pearls Strategy.

Influencing India's Neighbours: Other South Asian nations like Bangladesh, Nepal and the Maldives have also been turning to China to finance large-scale infrastructure projects.

Way Forward

Preserving Strategic Interests: Nurturing the Neighbourhood First policy with Sri Lanka is important for India to preserve its strategic interests in the Indian Ocean region.

Taking Advantage of Regional Platforms: Platforms like the BIMSTEC, SAARC, SAGAR and the IORA could be leveraged to foster cooperation in fields like technology-driven agriculture, marine sector development, IT & communication infrastructure etc.

Restraining Chinese Expansion: India will need to continue to work on the Kankasanturai port in Jaffna and the oil tank farm project in Trincomalee to ensure that China does not make any further inroads in Sri Lanka.

Both countries can also cooperate on enhancing private sector investments to create economic resilience.

Leveraging India's Soft Power: In the technology sector, India can create job opportunities in Sri Lanka by expanding the presence of its IT companies.

These organizations can create thousands of direct and indirect jobs and boost the island nation's service economy.

(3) Protecting Vulnerable Witnesses: SC

News :- Recently, the Supreme Court (SC) expanded the meaning of vulnerable witnesses to also include among others sexual assault victims, those with mental illness and people with speech or hearing impairment.

The SC referred to a verdict of 1996 in which it had passed similar directions, then in 2004 and in 2017, when it had asked all the High Courts of the country to adopt the guidelines prepared by the Delhi High Court in 2017 for vulnerable witnesses.

Key Points

Vulnerable Witnesses: Vulnerable witnesses will not be limited to mean only child witnesses. It will also include

Age-neutral victims of sexual assault.

Gender-neutral victims of sexual assault, under section 377 IPC (unnatural offences).

Witnesses suffering from mental illness as defined in Mental Healthcare Act, 2017.

Witnesses with threat perception and any speech or hearing impaired individual or person suffering from any other disability.

Vulnerable Witness Deposition Centre (VWDC): The SC directed that all High Court's (HC) adopt and notify a Vulnerable Witness Deposition Centre (VWDC) scheme within a period of two months.

VWDC will provide a safe and barrier-free environment for recording the evidence of vulnerable witnesses.

The SC asked HC's to ensure that there is one VWDC in each district.

These VWDC should be established in close proximity to Alternate Dispute Resolution (ADR) centres.

Sensitising Stakeholders: The SC also pointed to the importance of conducting training programs to manage VWDC and sensitising all stakeholders including members of the bar, bench and staff.

The SC urged former Chief Justice of Jammu and Kashmir HC Justice Gita Mittal to act as Chairperson of a committee for designing and implementing an All India VWDC training program.

The SC also directed the Chairperson of the committee to engage with National and State Legal Services Authorities to provide an effective interface for schemes of training.

It also asked the Union Ministry of Women and Child Development to designate a nodal officer for coordinating logistical support to the Chairperson.

Witness Protection in India

In 2018, the SC approved the Witness Protection Scheme 2018 which aimed at enabling a witness to depose fearlessly and truthfully. Under the Judgement, SC held that:

Right of witnesses to testify freely in courts is part of Article 21 (Right to Life).

The scheme will be the law under Article 141/142 of the Constitution of India.

The bench has also asked all States and UTs to set up vulnerable witness deposition complexes.

While the scheme is pending in the Parliament, the SC had ordered to implement the scheme immediately in all the states and the scheme would be the law of the land.

The need to protect witnesses has been emphasised by Law Commission reports and court judgments for years.

The State of Gujarat v. Anirudh Singh (1997), 14th Law Commission Report and Malimath Committee Report has recommended a witness protection scheme.

Way Forward

The witnesses are “eyes and ears of justice”, and this scheme is a step in the right direction towards the effective justice delivery system of the nation.

However, until now, there have been ad hoc steps such as few dedicated courtrooms for vulnerable witnesses mostly child victims and concealing the identity of witnesses (in cases like anti-terrorism etc) have been unsuccessful to prevent witnesses.

Hence, legislative measures to emphasise prohibition against tampering of witnesses have become the imminent and inevitable need of the day.

(4) Quarterly Employment Survey

News :- The Labour Bureau, Ministry of Labour and Employment released the results of the Quarterly Employment Survey (QES) for the Second Quarter of 2021 (July-September).

Total employment generated by nine select sectors stood at 3.10 crore in the July-September 2021 quarter, which is 2 lakh more than that of the April-June period.

Key Points

About QES:

About: The Quarterly Employment Survey (QES) is part of the All-India Quarterly Establishment-based Employment Survey (AQEES).

It covers establishments employing 10 or more workers in the organised segment in 9 sectors.

These nine sectors are Manufacturing, Construction, Trade, Transport, Education, Health, Accommodation and Restaurant, IT/ BPO and Financial Services.

These sectors account for a majority of the total employment in non-farm establishments.

Objective: To enable the government to frame a “sound national policy on employment.”

International Commitment: The release of this survey emanates from India’s ratification of the International Labour Organization’s (ILO) Employment Policy Convention, 1964.

This requires the ratifying countries to implement “an active policy designed to promote full, productive and freely chosen employment.”

India does not have a National Employment Policy (NEP) yet.

Note

QES vs PLFS: While the QES provides a demand-side picture, the National Sample Survey or Periodic Labour Force Survey (PLFS) gives the supply side picture of the labour market.

Also, PLFS is conducted by the National Statistical Organization (NSO), MoSPI (Ministry of Statistics and Programme Implementation).

All-India Quarterly Establishment-based Employment Survey (AQEES):

The AQEES has been taken up by the Labour Bureau to provide frequent (quarterly) updates about the employment and related variables of establishments, in both organised and unorganised segments of nine selected sectors.

These sectors altogether account for a majority of the total employment in the non-farm establishments.

There are two components under AQEES:

Quarterly Employment Survey (QES) and

Area Frame Establishment Survey (AFES).

QES would provide the employment estimates for the establishments employing 10 or more workers.

AFES covers the unorganised segment (with less than 10 workers) through a sample survey.

(5) African Swine Fever

News :- Recently, Thailand has detected African Swine Fever in a surface swab sample collected at a slaughterhouse.

Key Points

About:

It is a highly contagious and fatal animal disease that infects and leads to an acute form of hemorrhagic fever in domestic and wild pigs.

Other manifestations of the disease include high fever, depression, anorexia, loss of appetite, hemorrhages in the skin, vomiting and diarrhoea among others.

It was first detected in Africa in the 1920s.

Historically, outbreaks have been reported in Africa and parts of Europe, South America, and the Caribbean.

However, more recently (since 2007), the disease has been reported in multiple countries across Africa, Asia and Europe, in both domestic and wild pigs.

In 2021, cases were also detected in India.

The mortality is close to 100% and since the fever has no cure, the only way to stop its spread is by culling the animals.

ASF is not a threat to human beings since it only spreads from animals to other animals.

ASF is a disease listed in the World Organisation for Animal Health (OIE) Terrestrial Animal Health Code and thus, reported to the OIE.

Classical Swine Fever:

CSF, also known as hog cholera, is an important disease of pigs.

It is one of the most economically-damaging pandemic viral diseases of pigs in the world.

It is caused by a virus of the genus Pestivirus of the family Flaviviridae, which is closely related to the viruses that cause bovine viral diarrhoea in cattle.

Mortality is 100%.

Recently, the ICAR-IVRI developed a Cell Culture CSF Vaccine (live attenuated) using the Lapinized Vaccine Virus from foreign strain.

The new vaccine has been found to induce protective immunity from day 14 of the Vaccination till 18 Months.

World Organisation for Animal Health

OIE is an intergovernmental organisation responsible for improving animal health worldwide.

It has 182 Member Countries. India is one of the member countries.

OIE develops normative documents relating to rules that Member Countries can use to protect themselves from the introduction of diseases and pathogens. One of them is the Terrestrial Animal Health Code.

OIE standards are recognised by the World Trade Organization as reference international sanitary rules.

It is headquartered in Paris, France.

(6) World Hindi Day

News :- World Hindi Day (WHD) is celebrated every year on 10th January to promote the Hindi language all around the world.

This year (2022) on the occasion UNESCO's World Heritage Centre (WHC) has agreed to publish Hindi descriptions of India's world heritage sites on WHC website.

WHC was established in 1992 to coordinate all matters related to World Heritage. The Centre organises the annual sessions of the World Heritage Committee and its Bureau, and provides advice to States Parties in the preparation of site nominations.

Key Points

About:

It was first celebrated in 2006 to commemorate the anniversary of the first World Hindi Conference which was held in Nagpur on 10th January, 1975. It is different from Hindi Divas(National Hindi Day).

It is also celebrated by Indian embassies located in various parts of the world.

The World Hindi Secretariat building was inaugurated in Mauritius in 2018.

National Hindi Day:

Hindi, written in the Devanagari script, was adopted as the official language of the Republic of India on 14th September, 1949. Therefore Hindi Divas is celebrated on 14th September every year.

Kaka Kalelkar, Maithili Sharan Gupta, Hazari Prasad Dwivedi, Seth Govindadas made important contributions to make Hindi the official language.

Hindi is also an eighth schedule language.

Article 351 pertains to 'Directive for development of the Hindi language'.

Government Initiatives to Promote Hindi:

The Central Hindi Directorate was established in 1960 by the Government of India under the Ministry of Education.

Indian Council for Cultural Relations (ICCR) has established 'Hindi Chairs' in various foreign universities/institutions abroad.

LILA-Rajbhasha (Learn Indian Languages through Artificial Intelligence) is a multimedia based intelligent self-tutoring application for learning Hindi.

E-Saral Hindi Vakya Kosh and E-Mahashabdkosh Mobile App, both initiatives of the Department of Official Language, aim to harness information technology for the growth of Hindi.

Rajbhasha Gaurav Puraskar and Rajbhasha Kirti Puraskar recognise contributions to Hindi.

Hindi Language

Hindi got its name from the Persian word Hind, meaning 'land of the Indus River'. Turk invaders in the early 11th century named the language of the region Hindi, 'language of the land of the Indus River'.

It is the official language of India, English being the other official language.

Hindi is also spoken in some countries outside India, such as in Mauritius, Fiji, Suriname, Guyana, Trinidad & Tobago and Nepal.

Hindi in its present form emerged through different stages, during which it was known by other names. The earliest form of old Hindi was Apabhramsa. In 400 AD Kalidas wrote a romantic play in Apabhramsa called Vikramorvashiyam.

The modern Devanagari script came into existence in the 11th century.