# 07<sup>th</sup> Feb, 2025

## US G20 Move - A Signal to ICJ, A Diplomatic Challenge for India GS 2 (International Relations)

#### • Why in News:

US Secretary of State Marco Rubio announced he will **not** attend the G20 Foreign Ministers' meeting in
Johannesburg, criticizing South Africa for using the summit to push "DEI and climate change" under the
guise of solidarity and sustainability.

 President Donald Trump accused South Africa of land confiscation and mistreating certain groups, vowing to cut future funding until an investigation is conducted. US decision on G20: message for ICJ, diplomacy test for India

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Trump's ally Elon Musk has also claimed,
 without evidence, that South Africa follows an anti-white policy.

#### Rubio's Boycott: A Response to South Africa's Case Against Israel

- Marco Rubio's decision to skip the G20 meeting is primarily linked to South Africa's genocide case against Israel at the International Court of Justice (ICJ), which has been gaining international backing.
- o ICJ (International Court of Justice): A UN judicial body that handles disputes between states.
- Prominent Republicans leaders have condemned the ICJ, calling it biased against Israel.
- They even threatened sanctions against countries supporting potential ICC arrest warrants for Israeli leaders.
- o ICC (International Criminal Court): Established in 2002 under the Rome Statute, it prosecutes individuals for genocide, war crimes, and crimes against humanity.
- South Africa's Countermove
  - In response, South Africa and Malaysia launched a campaign to protect ICJ and ICC rulings, forming the nine-nation "Hague Group" to defend Palestinian rights and challenge US attempts to weaken international courts.

#### US Moves to Undermine The Hague Courts

- O During his first term (2017–21), President Trump imposed sweeping sanctions on the International Criminal Court (ICC).
- The Biden administration later reversed these sanctions, backing ICC investigations into Russian war crimes in Ukraine.
- US support for the ICC weakened after the court sought arrest warrants for both Israeli and Hamas leaders.
- o In response, the US House of Representatives passed a new ICC sanctions bill, now under Senate review.

## • Uncertain Future for the G20 Under Trump 2.0

- While Rubio's criticism appears directed at South Africa as G20 chair.
- However, it raises concerns about the new US administration's commitment to the multilateral platform if it chooses to disengage.

#### Upcoming G20 Meetings and US Participation

- The G20 Foreign Ministers' meeting is set for February 20–21, with the Leaders' Summit scheduled for November 22–23.
- President Trump, along with other global leaders, is expected to attend.
- South Africa holds the G20 presidency until November 2025.

#### Trump's Approach to G20

 During his first term, Trump's "America First" policies led to friction within G20 but also reshaped its agenda, shifting focus from free trade to "reciprocal trade" in line with his trade war against China.

Unlike his first term, where the US remained engaged despite tensions, a more radical secondterm agenda could see Trump deprioritizing the G20, potentially undermining cooperation within the group.

#### • India's Stakes in G20 and Possible Scenarios

- o India has positioned the G20 as a more effective platform than the UN for addressing global challenges.
- o Its leadership of the Global South has benefited from the G20's rising influence and India's active role in the group.

#### o US Support Under Biden vs. Uncertainty Under Trump

- The Biden administration backed India's G20 presidency in 2023, seeing India as a bridge between the Global North and South.
- However, Trump 2.0's priorities differ significantly, raising concerns about continued US engagement.

#### Worst-Case Scenario: US Disengagement from G20

• If the US skips the South Africa G20 summit or withdraws entirely, it would weaken the group and potentially increase Russian and Chinese influence, complicating India's strategic interests.

#### Alternative Scenario: Tactical Negotiations

- Rubio's tweet could be a pressure tactic, signalling a desire for negotiations.
- If South Africa adopts a more conciliatory stance, US participation may continue, reducing negative impacts on G20 and India.

#### India's Diplomatic Challenge with the Global South

- A transactional Trump administration may not value India's role as a Global South leader.
- If US-Western support for India's bridging role diminishes, India's diplomatic positioning could face new hurdles.

# 2. <u>India's Climate Strategy: A Shift Towards Adaptation and Economic Growth</u> GS 3 (Environment)

#### India's Changing Climate Strategy:

o India has subtly but significantly shifted its stance on the global climate crisis, prioritizing adaptation over stringent emission reduction targets.

- This policy change reflects the nation's focus on rapid economic growth as a defense against climate change.
- The government has increasingly questioned the international climate regime's fixation on achieving specific temperature goals.
- Instead, India argues that developing countries like itself must focus on resilience and adaptation rather than aggressive decarbonization, which could hamper economic progress.
- This stance is not entirely new, but it is now being articulated more clearly and assertively. By doing so, India is creating more flexibility in its climate policies, ensuring that its national interests remain paramount while contributing to global climate efforts on its own terms.



#### Economic Growth as a Climate Shield:

- o India's reassessment of its climate policy stems from a pragmatic understanding of global realities.
- O Despite international commitments, the world remains far from achieving its emissions reduction targets for 2030 and 2035. In fact, global emissions are still rising, largely due to inaction by developed nations.
- Given this scenario, India sees little incentive to divert its limited resources toward aggressive mitigation efforts.

- The benefits of emission reduction are only realized when the entire world cuts emissions significantly, and even then, the impact is not immediate.
- On the other hand, adaptation offers direct and local benefits. Strengthening infrastructure, improving water management, and enhancing disaster resilience can protect communities from climate change's immediate effects.
- Additionally, economic prosperity plays a crucial role in resilience, reinforcing India's argument that development is the best shield against climate risks.

#### • The Economic Survey 2024-25: A Blueprint for Growth and Sustainability

- The Economic Survey 2024-25 strongly supports this approach. It advocates that India must first reach the standards of a developed nation by 2047 before focusing aggressively on achieving net zero emissions by 2070.
- This recommendation aligns with India's efforts to balance rapid industrialization with long-term sustainability.

#### Lessons from China:

- India appears to be following a trajectory similar to China's, which prioritized economic expansion and industrialization over emission concerns.
- Since the mid-1990s, China's emissions have quadrupled, yet it has simultaneously built the world's largest renewable energy infrastructure.
- Now, as its emissions approach their peak, China is in a position to transition to clean energy at an unprecedented pace.
- India aims to replicate this model, ensuring that economic development is not compromised while also preparing for a future shift towards cleaner energy.

#### Reduced Global Pressure on India's Energy Choices:

- Another factor influencing India's climate stance is the declining global focus on climate action. Despite 2023 and 2024 setting new temperature records, international priorities have shifted due to geopolitical tensions, economic challenges, and technological conflicts.
- o Additionally, developing nations have grown increasingly frustrated with the international climate framework's shortcomings.
- At the COP29 summit in Baku, Azerbaijan, the financial commitments made to assist developing nations in combating climate change were disappointingly low. This has further eroded trust in the global climate process, as developing countries feel their concerns are not being adequately addressed
- Moreover, the decision of U.S. President Donald Trump to withdraw from the Paris Agreement in January 2025 and his push for increased fossil fuel production have significantly altered the global climate landscape.
- With major economies prioritizing their energy needs over climate commitments, India faces reduced pressure to phase out coal and other conventional energy sources.

#### • A Unique Climate and Energy Pathway:

- Despite this shift, India is not abandoning its decarbonization efforts. The government recognizes that long-term economic growth must align with low-carbon development to remain competitive in the global clean energy market.
- India asserts that its transition to cleaner energy should be determined by its own policies rather than external pressures.
- However, achieving this goal requires significant advancements in domestic clean energy manufacturing and technology.
- If India does not develop its own capabilities in renewable energy, nuclear power, and green hydrogen, it risks continued dependence on foreign supply chains, limiting its ability to make independent energy choices.

#### • The Role of Nuclear Energy in India's Future:

- One of the key areas where India is looking to expand its energy portfolio is nuclear power.
- The country has been relatively slow in scaling up nuclear energy capacity despite having the necessary international agreements in place, such as the India-U.S. civil nuclear deal and the Nuclear Suppliers Group waiver.

- o To accelerate nuclear energy adoption, India is now focusing on Small Modular Reactors (SMRs).
- Even with ambitious targets of achieving 100 GW of nuclear power by 2047, nuclear energy would still constitute less than 10% of India's total electricity capacity.
- Therefore, India must also scale up other renewable energy sources like solar, wind, and hydrogen to meet its clean energy goals.

#### **Balancing Development and Climate Responsibility:**

- India's evolving climate stance is a strategic recalibration rather than a retreat from its commitments. By prioritizing adaptation and economic growth, the country aims to build resilience while maintaining flexibility in its approach to emission reduction.
- At the same time, India recognizes that transitioning to clean energy is inevitable and must be integrated into its long-term development strategy.
- In essence, India's climate policy shift is about exercising sovereignty over its developmental choices while ensuring that its long-term growth aligns with sustainability goals.
- o The challenge ahead is to strike the right balance between economic prosperity and environmental responsibility, a task that will shape India's future in the global climate landscape.

# 3. Governor's Assent to Bills GS 2 (Governance)

- Why in News: The Supreme Court of India addressed the delay by Tamil Nadu Governor R.N. Ravi in assenting to 12 Bills sent by the State government. These Bills, primarily related to higher education and the appointment process of Vice-Chancellors in State Universities, had been pending for over What was 'gross' about the three years.
- What is the process of granting assent?
  - Assent of the Governor or the President is necessary for a Bill passed by the legislature to become law. After a Bill is passed by both Houses of the State Legislature, it is presented to the Governor for assent.
  - **Governor's Options (Article 200):** The Governor has the power to:
    - Grant Assent: The Bill becomes law.
    - Withhold Assent: The Governor can withhold assent, but it must be returned to the Legislative Assembly for reconsideration.
    - Return for Reconsideration (except Money Bills): If the Governor returns the Bill, the Legislature can amend it. If re-passed, the Governor must assent.
    - Money Bills are automatically deemed assented to by the Governor.
  - Reserve for President's Consideration (Article 201): If the Governor believes the Bill affects the Constitution or has national importance, it can be reserved for the President's consideration.
  - **Discretionary Powers**: The Governor can withhold assent if the Bill is against national interests, violates the Constitution, or conflicts with Union laws, though this power is not absolute.
  - Article 167: The Governor may require the Chief Minister to communicate decisions of the Council of Ministers, including Bills pending for assent.
  - No Timeline for Decision: There is no specified timeline within which the Governor must act, often leading to delays or a "pocket veto."
  - The Sarkaria Commission (1988) and the National Commission to Review the Working of the Constitution (2000) recommended time limits for granting assent (e.g., 6 months for assent, 3 months for President's decision). There are ongoing debates on enforcing such timelines.

12 Bills kept pending for 3 vears: SC to T.N. Governor





SC to hear Kerala's plea on Governors in March

Website: https://delhiiasinstitution.com/ Ph: 9100791003 Email: iasncsc@gmail.com  Judicial Review: The Supreme Court has held that if the Governor's decision to withhold assent is found to be mala fide (in bad faith), it can be subject to judicial scrutiny and struck down. Courts can review such actions for constitutionality (Rameshwar Prasad, 2006).

# 4. The saga of regulating India's thermal power emissions GS 2 (Governance)

Why in News: India's Ministry of Environment, Forest and Climate Change (MoEFCC) has extended the deadline

for thermal power plants to comply with sulphur dioxide (SO2)

emission norms by three years. The revised deadline is now December 31, 2027, despite the original target of December 31, 2024, and the reasons for this extension have not been provided. This extension marks the latest development in a long-running saga regarding India's thermal power plants' compliance with air pollution norms.

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#### Revised SO2 Emission Norms and Debate on Compliance:

closely with international standards.

Initial Emission Norms: In December 2015, MoEFCC introduced stricter emission norms for thermal plants, focusing on SO2, particulate matter, and other emissions. The deadline for compliance was initially set.

emissions. The deadline for compliance was initially set for December 2017, with the norms aligning

O Debate Over Implementation: The debate shifted from meeting emission norms to the feasibility of using Flue Gas Desulphurisation (FGD) technology for SO2 reduction, with discussions focused on long gestation periods and high installation costs for FGDs, even though FGDs were not mandatory in the norms.

Conflicting Views on SO2 Emissions: Various bodies, including the Central Electricity Authority (CEA) and NITI Aayog, questioned the relevance of strict SO2 norms due to Indian coal's lower sulphur content. Some studies argued that SO2 emissions might not significantly impact air quality and should not be prioritized over particulate emissions.

#### Delays and Financial Implications:

- Repeated Extension of Deadlines: The MoEFCC has repeatedly delayed the compliance deadlines, with the latest extension pushing the deadline for SO2 norms to December 31, 2027. This marks the fourth revision of the deadlines, creating inconsistency in the enforcement of pollution control standards.
- Cost of Compliance Passed to Consumers: To alleviate the financial burden on thermal plants, electricity regulators allowed the costs of FGD installation to be passed on to consumers, irrespective of whether the emission norms were met. This approach ensures that electricity consumers bear the cost of unutilized FGD equipment.
- Unused Equipment and Environmental Impact: As a result of the delayed compliance timeline, many plants with FGDs may not operate them, leading to consumers paying for equipment that remains unused. This delay in using pollution control equipment will prevent local communities from experiencing the benefits of cleaner air in the near future.

# 5. Ad-hoc Judges Appointment GS 2 (Governance)

- Why in News: The Supreme Court of India made a landmark decision allowing High Courts to appoint retired
  judges on an ad-hoc basis to address the mounting backlog of criminal cases. The decision came in the wake of
  a growing pendency of cases, particularly in criminal appeals, across the country's High Courts.
- About Ad-hoc Judges Appointment
  - Article 224-A allows the appointment of retired judges to High Courts on an ad-hoc basis. This provision was introduced by the Constitution (Fifteenth Amendment) Act, 1963.

The appointment requires the consent of the retired judge and the President of India. Such judges enjoy the same jurisdiction, powers, and privileges as

On the appointment of

ad-hoc judges to High Courts

sitting judges.

#### **Appointment Procedure:**

- Once a retired judge consents to the appointment, the Chief Justice of the High Court submits the name and proposed tenure to the Chief Minister.
- Chief The Minister forwards recommendation to the Governor, who then sends it to the Union Minister of Law and Justice.
- The Union Law Minister consults the Chief Justice of India (CJI), after which the recommendation is sent to the Prime Minister.
- Finally, the President of India approves the appointment, and the Chief Minister issues the formal notification.
- When Can Ad-hoc Judges be Appointed? Ad-hoc judges are appointed under specific circumstances, particularly when:
  - Judicial vacancies exceed 20% of the sanctioned strength.
  - Cases in a specific category have been pending for more than **five years**.
  - More than 10% of cases are pending for over five years.
  - The case disposal rate is lower than the rate of incoming cases.
- Conditions for Appointment in January 2025 Order:
  - The Supreme Court's January 2025 order allows High Courts to appoint retired judges on an adhoc basis, even when vacancies are less than 20% of the sanctioned strength.
  - Ad-hoc judges will **only hear criminal appeals** and must be part of a Bench led by a sitting judge.
  - The number of ad-hoc judges should not exceed 10% of the High Court's sanctioned judicial
  - Appointment Duration and Number: Ad-hoc judges should typically be appointed for 2 to 3 years. Each High Court can have 2 to 5 ad-hoc judges.
  - Allowances and Benefits:
    - Ad-hoc judges will receive the same pay and allowances as permanent judges, excluding
    - They will either be provided with rent-free accommodation or a housing allowance.

# 6. Pinaka Multiple Rocket Launch System (MRLS) GS 3 (Science and Tech)

- Why in News: The Union Defence Ministry of India signed contracts worth Rs 10,147 crore for the procurement of advanced ammunition for the Army's Pinaka Multiple Rocket Launch Systems (MRLS).
- **About Pinaka:**

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- The Pinaka Multiple Rocket Launch System (MRLS) is a key long-range artillery weapon used by the Indian Army, designed to provide rapid, high-volume firepower.
- The system has been developed by the Defence Research and Development Organisation (DRDO).
- It is named after Pinaka, the bow of the Hindu god Lord Shiva, symbolizing power and precision.
- **Key Features:** 
  - Range and Firepower: The Pinaka MRLS is capable of firing multiple rockets in a single salvo. The upgraded system has an impressive range of 75 km, with plans to enhance it to 120 km and eventually 300 km. It

### ₹10,147-crore worth contracts signed for Pinaka ammunition

The Hindu Bureau

MRLS at a tot

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- can deliver a salvo of 72 rockets on target in just 44 seconds, allowing for a concentrated attack on enemy positions.
- Ammunition Types: The system uses various types of rockets, including high explosive, anti-tank, and area denial munitions. The new contracts aim to acquire ADM Type-1 (designed to deny areas to enemy forces) and HEPF-Mk-1 rockets (enhanced versions of existing rockets for greater range and precision).
- Fully Automated System: The Pinaka system is fully automated, enabling fast and efficient rocket launches. This automated system helps the army deliver concentrated strikes on targets within a short time frame, providing a significant tactical advantage.

# 7. India's Chabahar Port Project **GS 2 (International Relations)**

Why in News: The Trump administration has issued a directive that may potentially remove the sanctions waiver granted to India, which allowed the country to continue its work on Iran's Chabahar port. This move is part of the U.S.'s broader "maximum pressure" campaign against Iran.

#### **About Chabahar Port**

- Located in Iran, Chabahar port provides India access to Afghanistan and Central Asia, bypassing Pakistan.
- India signed a 10-year deal in 2024, investing USD 120 million in port development and a USD 250 million credit facility for related projects.
- India Ports Global Limited (IPGL) has managed the port since 2018.
- The deep water port is located on the Makran Coast of Iran's Sistan-Baluchistan province.
- Moreover, Chabahar is the **only Iranian port**with direct access to the Indian
- Chabahar connects Mumbai to the International North-South Transport Corridor (INSTC), reducing transport costs and improving trade.
- The port has handled over 90,000 TEUs of container traffic and 8.4 million metric tons of cargo since 2018.
- Impact of removal on waiver on India
  - Development Work at Risk: Revocation of the sanctions waiver could hinder India's development efforts at Chabahar.
  - Trade Growth: Chabahar saw a 43% increase in vessel traffic and 34% rise in container traffic in FY 2024, proving its growing significance for India's trade.
  - Geopolitical Impact: India's ties with Iran are key to its presence in Central Asia and Afghanistan. The sanctions could disrupt these strategic interests.

# No word from govt. on U.S. cancelling Chabahar waiver

Suhasini Haidar NEW DELHI

A day after U.S. President Donald Trump signed an order that could impose sanctions on India for its investment in Iran's Chabarar port, the Union government on Thursday remained silent regarding the order implications.

The U.S. order, titled the 'National Security Presidential Memorandum', specifically named the port as it called for 'maximum economic pressure' on the

as it called for "maximum economic pressure" on the Iranian government, di-recting U.S. Secretary of State Marco Rubio and U.S. Treasury Secretary Scott Bessent to cut off Iran's re-course to all funds, includ-ing through oil exports, ports, and ancillary busi-nesses.

nesses.
Mr. Trump told reporters that he has left directions that in case of his assassination, Iran should be "totally obliterated" if it is found responsible.

found responsible.

Sanctions waivers

"The Secretary of State
shall modify or rescind
sanctions waivers, particularly those that provide
Iran any degree of economic or financial relief,
including those related to
Iran's Chabahar port project," says the order. India
has developed the Shahid
Beheshit Terminal at the
Chabahar port under a
2016 trilateral agreement
with Iran and Afghanistan.
"The Treasury Secretary will also issue guidance for all relevant business sectors - including
shipping, insurance, and
port operators - about the
risks to any person that
knowingly violates U.S.
sanctions with respect to
Iran or an Iranian terror
proxy," added a fact-sheet

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vith cargo ships. GETTY IMAGES

### New lobbying effort

comment on the U.S. latest threat, that came even as the U.S. deported a military plane-load of illegal Indian immigrants back to India. The Chabahar issue is expected to be discussed when Prime Minister Narendra Modi travels to Washington to meet with Mr. Trump between February 12 and 14. Officials said that the Trump order required a full study by New quired a full study by New Delhi, as well as discus-sions on how best to lobby with the new U.S. adminis-tration for another waiver.

tration for another waiver.

During his previous tenure, Mr. Trump had
walked out of the Iran nuclear deal officially known
as the Joint Comprehensive Plan of Action or
JCPOA) and imposed a
number of sanctions on
Iran, but granted India a
waiver from sanctions over
the devalcompet of Chabawaiver from sanctions over the development of Chaba-har in "support of Afghan-istan's economic growth and development, as well as (the U.S.S) close part-nership with India". India acceded to Mr. Trump's demand that it "zero out" all oil exports from Iran, causing a con-siderable loss to Indian refineries.