



01

COP-15 summit adopts historic biodiversity deal

02

Ban imposed by coastal states on purse seine fishing not justified, centre tells SC

03

SC clears 6,844 cases since Chandrachud took over as the CJI

04

Monetary policy is hostage to veg prices: PMEAC member

05

Quiz of the Day

COP-15 summit adopts historic biodiversity deal

Kunming-Montreal Agreement is aimed at saving the lands, oceans and species from pollution, degradation and climate change, and is being compared to the landmark Paris Agreement

Press Trust of India
MONTREAL

After four years of fractious talks, nearly 200 countries, including India, approved a historic Paris-style deal on Monday to protect and reverse dangerous loss to global biodiversity, following an intense final session of negotiations at the UN COP-15 summit here in Canada.

Amid applause, Chinese Environment Minister Huang Runqiu, the president of the COP-15 biodiversity summit, which started on December 7, declared the Kunming-Montreal Agreement adopted.

The Chair manoeuvred to ignore Congo's last-minute refusal, demanding greater funding for developing countries.

'Peace pact with nature'

The Kunming-Montreal pact is hailed as a landmark to protect biodiversity. Here are a few points:

'30 by 30'

The cornerstone of the agreement is the so-called 30 by 30 goal — a pledge to protect 30% of the world's land and seas by 2030

Indigenous rights

Indigenous rights were addressed throughout the text, including in areas covered by the 30 by 30 pledge — safeguarding Indigenous peoples' right to remain stewards of land they use and ensuring they are not subject to mass evictions

Finance

The text approves the objective for rich countries to provide "at least \$20 billion per year by 2025, and ... at least \$30 billion per year by 2030", approximately double and then triple the current international aid for biodiversity. Also it creates a "trust fund" within an existing financial mechanism called the Global Environment Facility, as a stepping stone to a new fund in the future



Adopted: China's Minister Huang Runqiu passes the deal in Montreal on Monday. REUTERS

The Chinese-brokered deal is aimed at saving the lands, oceans and species from pollution, degradation and climate change. Monitored wildlife populations have seen a devastating 69% drop on average since 1970, according to the Living Planet Report

(LPR) 2022 of the World Wildlife Fund (WWF).

Environment Minister, Bhupender Yadav, who was part of negotiations, told *The Hindu* that broadly the agreement was "positive" as far as India was concerned. On Saturday, he laid out India's position

that goals and targets set in the Global Biodiversity Framework ought to be ambitious, as well as "realistic and practical".
(With inputs from Jacob Koshy)

CONTINUED ON
» PAGE 10

01

COP-15 summit adopts historic biodiversity deal

COP of Convention on Biological Diversity

19th December THNA

Meetings of the Conference of the Parties

COP 15 -

- Fifteenth meeting of the Conference of the Parties to the Convention on Biological Diversity (Part Two)
- Montreal, Canada, 7 - 19 December 2022

COP 15 PART1 -

- Fifteenth meeting of the Conference of the Parties to the Convention on Biological Diversity (COP-15-PART 1)
- Kunming, China, 11 - 15 October 2021

The Fifteenth meeting of the Conference of the Parties (COP 15) is held in Kunming, China and Montreal, Canada, in two phases. Phase one took place virtually, from 11 to 15 October 2021 and included a High-Level Segment from 12 to 13 October. Phase two is currently happening in Montreal, Canada, from 7 to 19 December 2022.

Dedicated Fund for Biodiversity Conservation

19th December THNA

Context

- Recently, in **COP15**, India supported a new, dedicated fund for biodiversity conservation.
- At CBD COP15, the Union Environment Minister said the successful implementation of a post-2020 **Global Biodiversity Framework (GBF)** will depend on the *"ways and means we put in place for an equally ambitious 'Resource Mobilization Mechanism.'"*
- Environment Minister further added that the developing countries bear most of the burden of implementing the targets for conservation of biodiversity and, therefore, require adequate funds and technology transfer for this purpose.

Need for creation of a dedicated biodiversity fund:

- Need is to create a new and dedicated mechanism for the provision of financial resources to developing-country parties.
- This fund should be operationalised at the earliest to ensure effective implementation of the **post-2020 GBF** by all countries.
- Currently, the **Global Environment Facility** which caters to multiple conventions, including the UNFCCC and UN Convention to Combat Desertification, remains the only source of funding for biodiversity conservation.
- India said the developing countries bear most of the burden of implementing the targets for conservation of biodiversity and, therefore, require adequate funds and technology transfer for this purpose.

Kunming-Montreal Global Biodiversity Framework

Convened under UN auspices, chaired by China, and hosted by Canada, the 15th Conference of Parties to the UN Convention on Biological Diversity adopted the “Kunming-Montreal Global Biodiversity Framework” (GBF), including four goals and 23 targets for achievement by 2030.

The Global Biodiversity Framework is considered equivalent to the Paris Agreement on climate change in terms of its significance for protecting biodiversity.

The targets are ambitious, considering that biodiversity is in a poor state. In 2020, the world had failed to meet the last set of targets, the Aichi Targets. Countries would need to ensure success this time round.

This agreement means people around the world can hope for real progress to halt biodiversity loss and protect and restore our lands and seas in a way that safeguards our planet and respects the rights of indigenous peoples and local communities.

Kunming-Montreal Global Biodiversity Framework

The framework's four overarching global goals

- GOAL A
 - The integrity, connectivity and resilience of all ecosystems are maintained, enhanced, or restored, substantially increasing the area of natural ecosystems by 2050; Human induced extinction of known threatened species is halted, and, by 2050, extinction rate and risk of all species are reduced tenfold, and the abundance of native wild species is increased to healthy and resilient levels; The genetic diversity within populations of wild and domesticated species is maintained, safeguarding their adaptive potential.
- GOAL B
- **Biodiversity is sustainably used and managed** and nature's contributions to people, including ecosystem functions and services, are valued, maintained and enhanced, with those currently in decline being restored, supporting the achievement of sustainable development, for the benefit of present and future generations by 2050.
- GOAL C
 - The monetary and non-monetary benefits from the utilization of genetic resources, and digital sequence information on genetic resources, and of traditional knowledge associated with genetic resources, as applicable, are shared fairly and equitably, including, as appropriate with **indigenous peoples and local communities**, and substantially increased by 2050, while ensuring traditional knowledge associated with genetic resources is appropriately protected, thereby contributing to the conservation and sustainable use of biodiversity, in accordance with internationally agreed access and benefit-sharing instruments.
- GOAL D
 - Adequate means of implementation, including **financial resources, capacity-building, technical and scientific cooperation**, and access to and transfer of technology to fully implement the Kunming-Montreal global biodiversity framework are secured and equitably accessible to all Parties, especially developing countries, in particular the least developed countries and small island developing States, as well as countries with economies in transition, progressively closing the biodiversity finance gap of \$700 billion per year, and aligning financial flows with the Kunming-Montreal Global Biodiversity Framework and the 2050 Vision for Biodiversity.

Kunming-Montreal Global Biodiversity Framework

Among the global targets for 2030:

- Effective conservation and management of **at least 30% of the world's lands, inland waters, coastal areas and oceans**, with emphasis on areas of particular importance for biodiversity and ecosystem functioning and services. The GBF prioritizes ecologically-representative, well-connected and equitably-governed systems of protected areas and other effective area-based conservation, recognizing indigenous and traditional territories and practices.
 - Currently 17% and 10% of the world's terrestrial and marine areas respectively are under protection.
- Have **restoration completed or underway on at least 30% of degraded terrestrial, inland waters, and coastal and marine ecosystems**
- **Reduce to near zero** the loss of areas of high biodiversity importance, including ecosystems of high ecological integrity
- Cut **global food waste in half** and significantly reduce over consumption and waste generation
- **Reduce by half both excess nutrients and the overall risk** posed by pesticides and highly hazardous chemicals
- **Progressively phase out or reform by 2030** subsidies that harm biodiversity by at least \$500 billion per year, while scaling up positive incentives for biodiversity's conservation and sustainable use
- **Mobilize by 2030 at least \$200 billion per year** in domestic and international biodiversity-related funding from all sources – public and private
- **Raise international financial flows** from developed to developing countries, in particular least developed countries, small island developing States, and countries with economies in transition, to at least US\$ 20 billion per year by 2025, and to at least US\$ 30 billion per year by 2030
- **Prevent the introduction of priority invasive alien species**, and reduce by at least half the introduction and establishment of other known or potential invasive alien species, and eradicate or control invasive alien species on islands and other priority sites
- Require large and transnational companies and financial institutions to monitor, assess, and transparently disclose their risks, dependencies and impacts on biodiversity through their operations, supply and value chains and portfolios

Warns the GBF: “Without such action, there will be a further acceleration in the global rate of species extinction, which is already at least tens to hundreds of times higher than it has averaged over the past 10 million years.”

Ban imposed by coastal States on purse seine fishing not justified, Centre tells SC

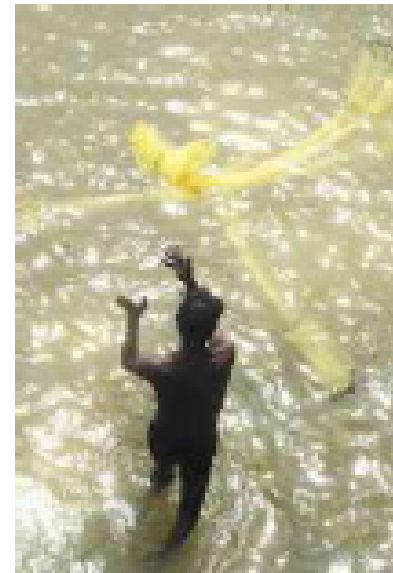
Krishnadas Rajagopal
 NEW DELHI

The Centre has told the Supreme Court that a ban imposed by certain coastal States on purse seine fishing, which is known to disadvantage endangered species, is not justified.

The mode of fishing which uses a wide net to draw in not only the targeted fish but also at-risk varieties, including turtles, is prohibited by several States and Union Territories, in their respective territorial waters of up to 12 nautical miles.

The Fisheries Department of the Union government has recommended the lifting of the ban on purse seine fishing on a report submitted by an expert committee on November 15.

The expert panel has said that this mode of fishing has “per se has not resulted in any serious resource depletion so far, given the available evidence”. It recommended purse seiners to fish in territorial waters and the Indian Exclusive Economic



Purse seine nets are banned in many States. FILE PHOTO

Zone (EEZ) subject to certain conditions.

The committee has also suggested the framing of a “national management plan on purse seine fisheries”. “This department agrees to the recommendation of the expert committee that a ban on purse seine fishing is not justified, and that the fishing may be allowed subject to certain stipulations,” the Fisheries Department informed the Supreme Court.

A Supreme Court Bench led by Justice A.S. Bopanna has asked the Centre’s la-

wyer to “secure instructions with regard to the stipulations that are referred to in the affidavit so that the same could be finalised by them, if they have not yet been finalised, before the fishing season comes to an end”. The court has listed the case for January 3.

Note of urgency

The court’s note of urgency has come even as the government, in its affidavit, has said it would take six months to work out a “national management plan” on purse seine fishing.

The Centre has also said that it would similarly take six months for coastal States, as suggested by the expert panel, to devise an access plan (spatial as well as temporal) restricting purse seine fishing to a specified window every year.

The court is hearing a petition filed by Fishermen Care to stay a Tamil Nadu government order of February 17, 2020 which had banned the large nets used to catch schools of fish in the deep waters of the sea.

02

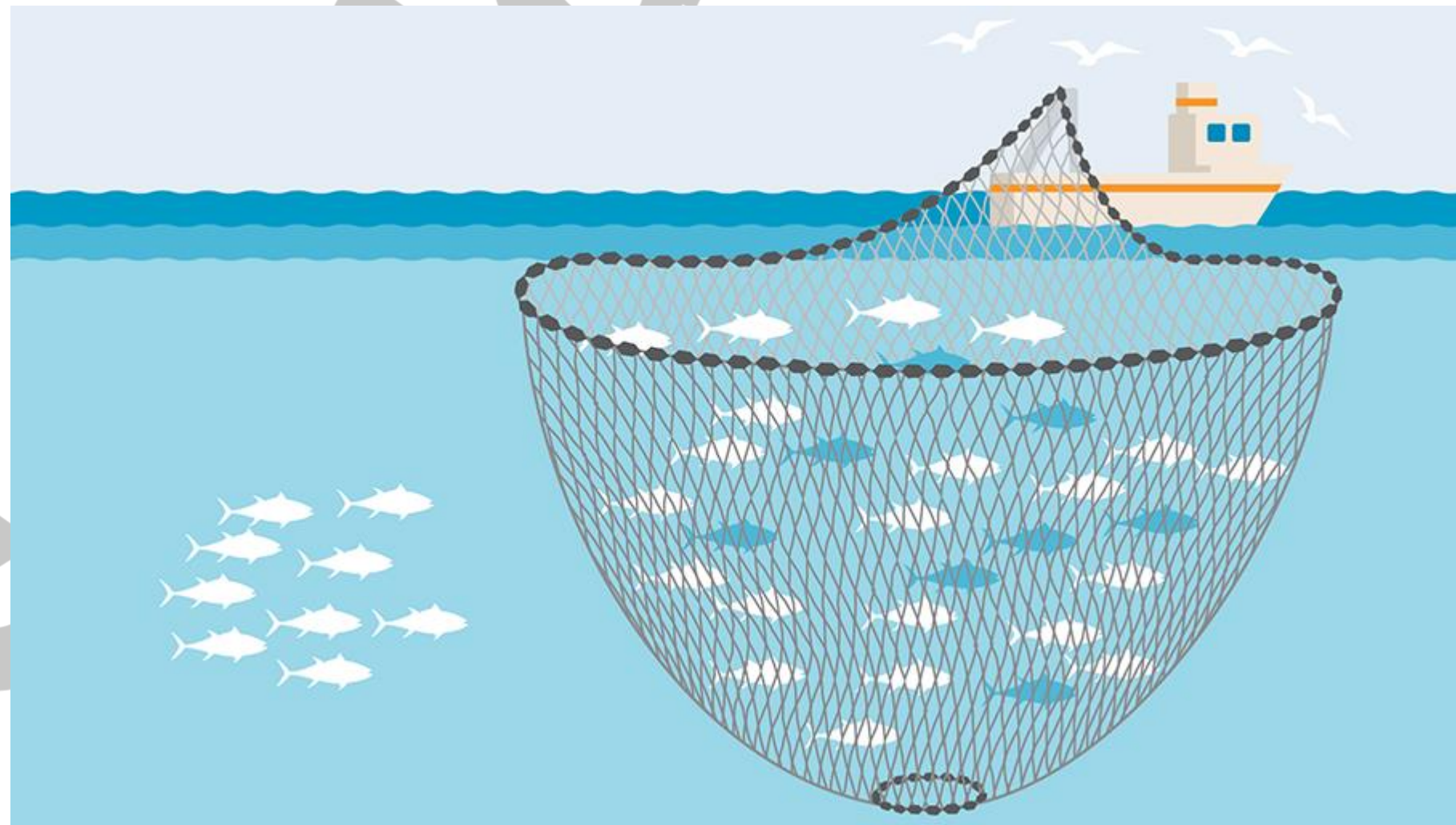
Ban imposed by coastal states on purse seine fishing not justified, centre tells SC

Purse Seine Fishing

Purse seines (fishing employing a fishing net) are used in the open ocean to target dense schools of single-species pelagic (midwater) fish like tuna and mackerel.

A vertical net 'curtain' is used to surround the school of fish, the bottom of which is then drawn together to enclose the fish. Finding a school of fish is one of the most difficult steps of this fishing technique.

Purse seining is a non-selective fishing method that captures everything that it surrounds, including protected species like turtles.



SC clears 6,844 cases since Chandrachud took over as the CJI

Krishnadas Rajagopal
NEW DELHI

The Supreme Court has disposed of 6,844 cases since Chief Justice of India (CJI) D.Y. Chandrachud took over as the country's top judge on November 9. The court has also received 5,898 new cases in the same period of one month and seven days. It is a rare feat on the part of the court that the rate of disposal of cases has exceeded the rate of institution of new cases.

The pace of disposal of cases under Chief Justice Chandrachud has also increased, even as the CJI has said that every little cry for justice will be heard by the Supreme Court. The court under Chief Justice Chandrachud's immediate predecessor, Justice U.U. Lalit, had disposed of over 10,000 cases during his 74-day tenure.

The number of cases disposed daily from November 9 to December 16, till the court went into winter recess, has been a minimum of 90 to the highest at 277.

The court has disposed of a total of 2,511 transfer

The daily disposal of cases from Nov. 9 to Dec. 16 has been a minimum of 90 to highest at 277

and bail petitions from November 9 to December 16. Of this, 1,353 were bail applications and 1,163 were transfer petitions.

The court has dealt with two to 87 bail pleas per day, and six to 105 transfer requests.

Chief Justice Chandrachud, on November 18, pressed the accelerator on hearing and disposing of pending pleas for bail and transfer petitions in the Supreme Court.

Since then, all 13 Benches of the court had been hearing 10 cases each of bail and transfer petitions first thing every morning before their board of regular cases listed for the day.

The CJI said the court was trying to complete its pending list of these cases before the winter holidays.

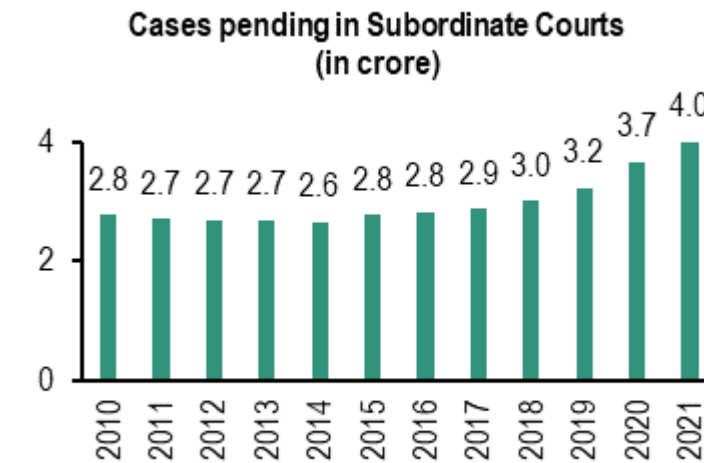
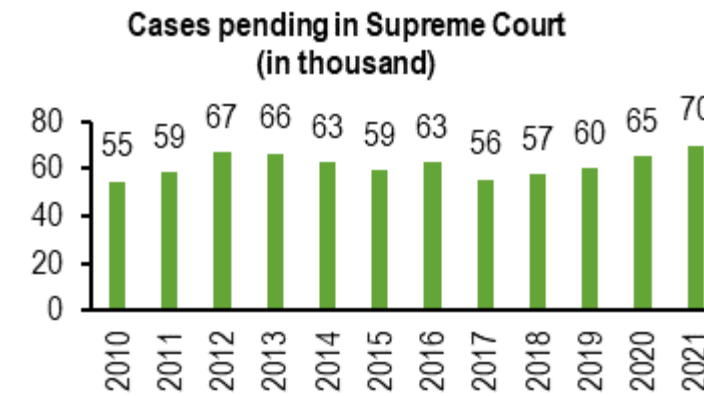
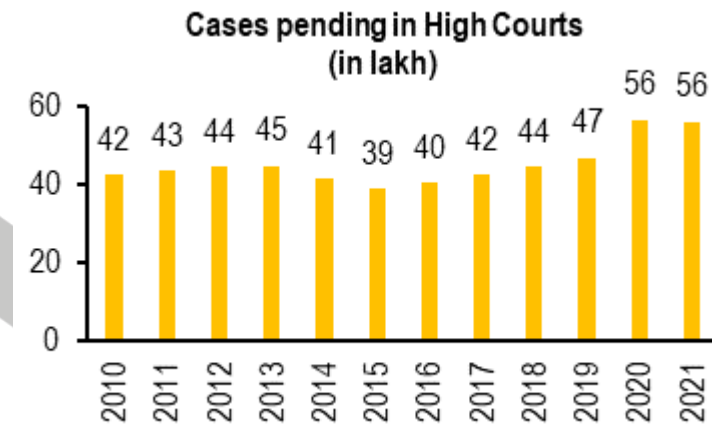
Transfer petitions mostly relate to matrimonial and family cases. Litigants usually seek inter-State transfer of their cases.

03

SC clears 6,844 cases since Chandrachud took over as the CJI

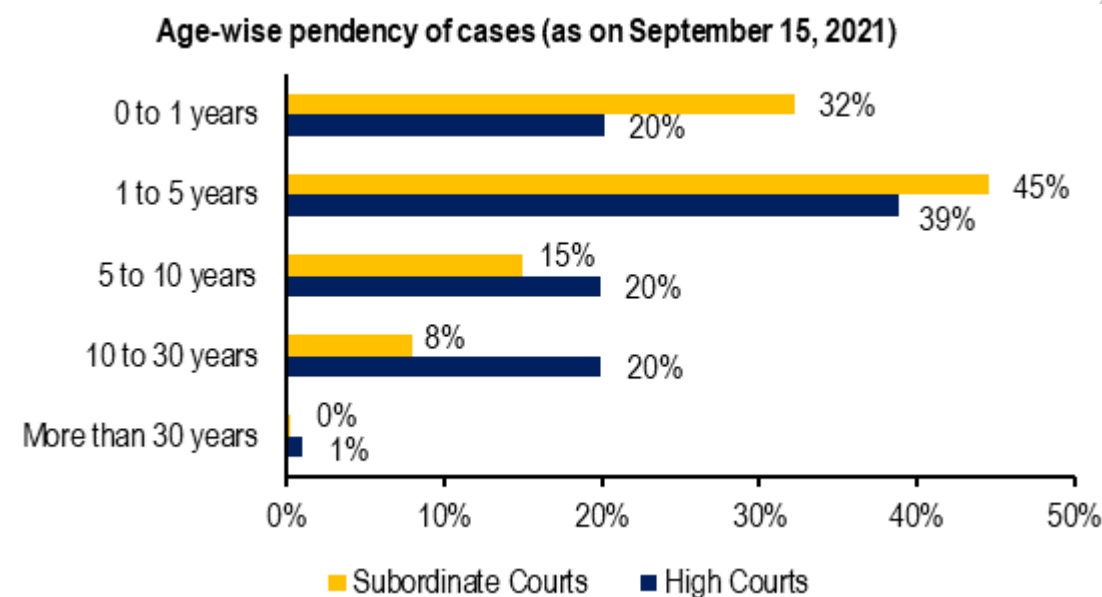
Vital Stats

30th November THNA



Between 2010 and 2020, pendency across all courts grew by 2.8% annually. As of September 15, 2021, over 4.5 crore cases were pending across all courts in India. Of these, 87.6% cases were pending in subordinate courts and 12.3% in High Courts.

This implies that, if no new cases were to be filed, the time taken by courts to dispose of all the pending cases at the current disposal rate would be 1.3 years for the Supreme Court and three years each for High Courts and subordinate courts.



In HCs, 21% cases pending for over ten years; in subordinate courts, 23% cases for over five years

Pendency of Cases

30th November THNA

Persisting Vacancies:

- Across India, there are vacancies against even the sanctioned strengths of courts and in the worst performing states those vacancies exceed 30 per cent.
- Due to this, the average waiting period for trial in lower courts is around 10 years and 2-5 years in HCs.

Poor State of Subordinate Judiciary:

- District courts across the country also suffer from inadequate infrastructure and poor working conditions, which need drastic improvement, particularly if they are to meet the digital expectations raised by the higher judiciary.
- Also, there is a yawning digital divide between courts, practitioners and clients in metropolitan cities and those outside. Overcoming the hurdles of decrepit infrastructure and digital illiteracy will take years.

Government, the Biggest Litigant:

- Poorly drafted orders have resulted in contested tax revenues equal to 4.7 per cent of the GDP and it is rising.

Crowding out investment:

- Roughly Rs 50,000 crore are locked up in stalled projects and investments are reducing. Both these complications have arisen because of injunctions and stay orders granted by the courts primarily due to poorly drafted and poorly reasoned orders.

Less budgetary allocation:

- The budget allocated to the judiciary is between 0.08 and 0.09 per cent of the GDP.
- Only four countries — Japan, Norway, Australia and Iceland — have a lesser budget allocation and they do not have problems of pendency like India.

Way Forward

Increasing Strength of Judicial Service:

- One of the solutions is to substantially increase the strength of the judicial services by appointing more judges at the subordinate level – improvements must start from the bottom of the pyramid.
- Strengthening the subordinate judiciary also means providing it with administrative and technical support and prospects for promotion, development and training and Institutionalising All-India Judicial Service can be a step in the right direction.

Adequate Budgeting:

- The appointments and improvements will require significant but absolutely necessary expenditure.
- The recommendations of the Fifteenth Finance Commission and the India Justice Report 2020 have raised the issue and suggested ways to earmark and deploy funds.

Hibernating Unnecessary PILs:

- The Supreme Court should mandate summary disposal of all ‘hibernating’ PILs – those pending for more than 10 years before HCs – if they do not concern a question of significant public policy or law.

Correcting Historical Inequalities:

- Reforms in Judiciary should also encompass addressing social inequalities within the judiciary.
- Women judges, and judges from historically-marginalised castes and classes must finally be given a fair share of seats at the table.

Promoting Alternative Dispute Resolution:

- It should be mandated that all commercial litigation will be entertained only if there is an affidavit from the petitioner that mediation and conciliation have been attempted and have failed.
- Mechanisms such as ADR (Alternate Dispute Resolution), Lok Adalats, Gram Nyayalayas should be effectively utilised.

National Litigation Policy 2010

- Adoption of “National Litigation Policy 2010” to transform government into an Efficient and Responsible litigant.
- All states formulated state litigation policies after National Litigation Policy 2010.

Legal Information Management and Briefing System (LIMBS)

- Legal Information Management and Briefing System (LIMBS) was created in 2015 with the objective of tracking cases to which the government is a party.

Monetary policy is hostage to veg prices: PMEAC member

Poonam Gupta urges price stabilisation efforts to balance demand and supply of vegetables, moots steps to buffer economy from shocks such as high inflation, oil prices, capital outflows

Vikas Dhoot
NEW DELHI

India's economic growth is likely to be subdued in the coming year, but inflation will also subside partly due to monetary policy effects and partly due to base effects, Prime Minister's Economic Advisory Council member Poonam Gupta said on Monday, mootting steps to buffer the economy from recurrent shocks like high inflation, oil prices or capital outflows.

Ms. Gupta, also director general of the National

Need for targeted action

India should manage its vegetable prices better than it has, says PMEAC's Gupta



- Inflation will subside due to monetary policy as well as base effects
- Accelerating inflation driven by high vegetable prices, a domestic issue
- Growth will be subdued in coming year and exports will be hit by lower global demand

Council for Applied Economic Research, said global growth would slow down as predicted by most agencies. India's inflation

acceleration to close to 7% this year has been mainly driven by high vegetable prices, which is a domestic issue and not an 'external'

one, she said.

"It is really sad in a way that our monetary policy is held hostage by vegetable prices. And monetary policy is a blunt instrument to address that kind of inflation," she underlined, suggesting price 'stabilisation' efforts to balance domestic demand and supply issues for vegetables.

"Surely, our economy, which is more than \$3 trillion, can manage its vegetable prices better than it has," she concluded at a discussion on the upcoming Budget hosted by the Ananta Centre.

04

Monetary policy is hostage to veg prices: PMEAC member

8th December THNA

Monetary Policy

Government Intervention

Fiscal Policy

Policy Rate



Reserve Requirement



to adjust money supply

Primary Objective

to maintain price stability

Gov Spending



Tax Revenue

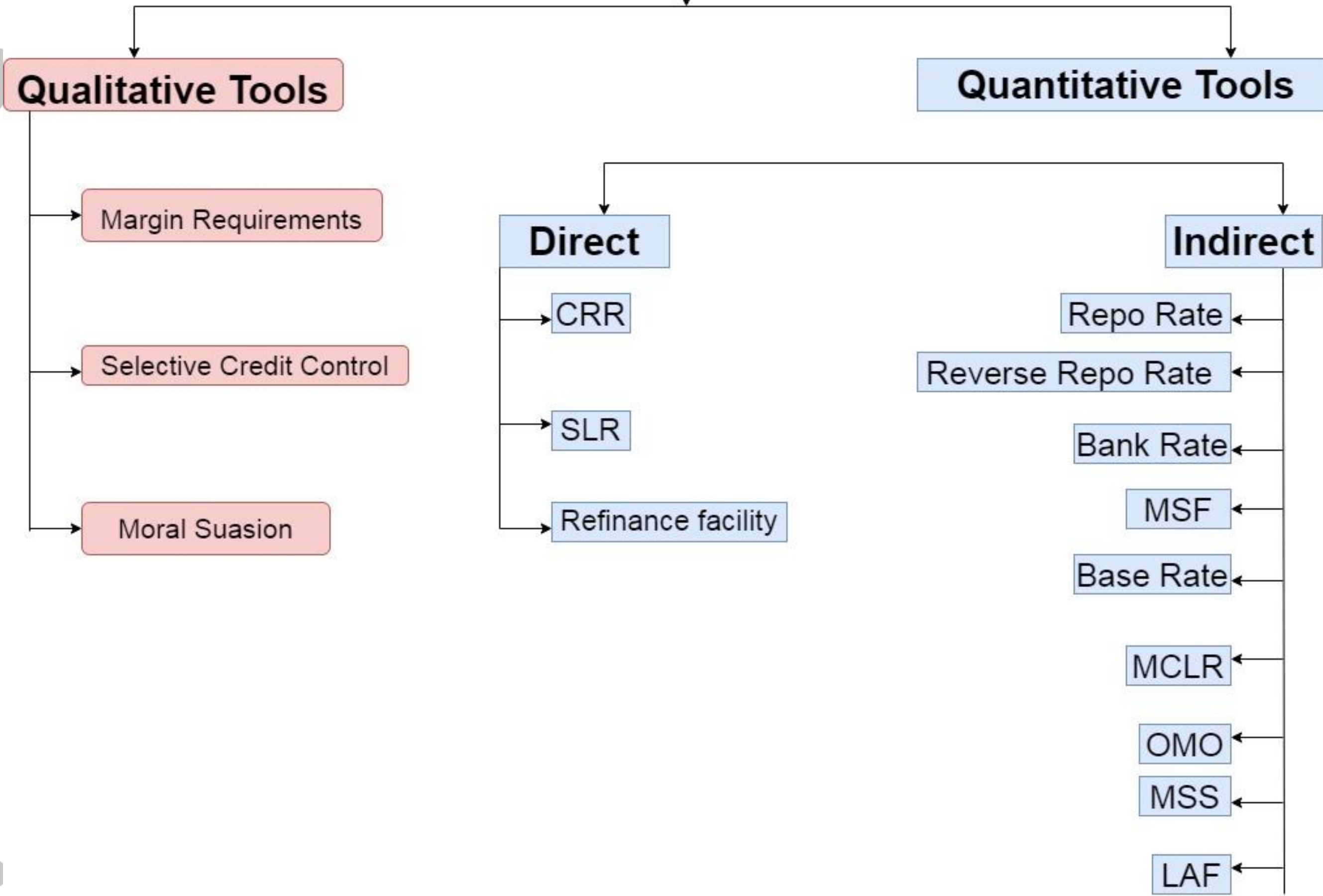
to meet macroeconomic goals

Primary Objective

to maintain economic stability

Secondary Objectives:

- ◆ *redistribute wealth/income among segments of the population*
- ◆ *allocate resources among sectors in the economy*



Monetary Policy Committee

Urijit patel committee first proposed the idea

8th December THNA

Created to bring transparency and accountability in deciding monetary policy

Determines the policy interest rate required to achieve the inflation target

Comprises of six members where governor RBI acts as an ex-officio chairman

Three members are from RBI and three are selected by government

The quorum for the meeting of the MPC is four members

Once every six months, the reserve bank is required to publish a document called the monetary policy report to explain the sources of inflation and the forecasts of inflation for 6-18 months ahead

Inflation target is to be set once in a five year. It is set by the government of India, in consultation with the reserve bank

Current inflation target is pegged at 4% with ± 2 % tolerance

Economic Advisory Council to the Prime Minister

EAC-PM is a non-constitutional, non-statutory, independent body constituted to give advice on economic and related issues to the Government of India, specifically to the Prime Minister.

The council serves to highlight key economic issues to the government of India from a neutral viewpoint.

It advises the Prime Minister on economic issues like inflation, microfinance, and industrial output.

For administrative, logistic, planning and budgeting purposes, the NITI Aayog serves as the Nodal Agency for the EAC-PM.

Terms of Reference of EAC-PM:

- Analyzing any issue, economic or otherwise, referred to it by the Prime Minister and advising him thereon,
- Addressing issues of macroeconomic importance and presenting views thereon to the Prime Minister.
- These could be either suo-motu or on reference from the Prime Minister or anyone else.
- It also includes attending to any other task as may be desired by the Prime Minister from time to time.

Periodic Reports:

- Annual Economic Outlook.
- Review of the Economy.

QUIZ OF THE DAY

Q1. Match the following:

Convention

Subject

- | | | |
|-------------------------|----|--|
| 1. Basel Convention | -- | Prior Informed Consent Procedure |
| 2. Stockholm Convention | -- | Persistent organic pollutants |
| 3. Rotterdam Convention | -- | Trans-boundary Movements of Hazardous Wastes |

Which of the above pairs is/ are correctly matched?

- a) 1 only
- b) 2 only
- c) All of these
- d) Neither of these

Q2. Consider the following statements about UNCLOS

- 1) It is the only international convention which stipulates a framework for state jurisdiction in maritime spaces.
- 2) It is also known as Law of Sea and it divides marine areas into 4 zones

Which of the following are correct?

- A) 1 only
- B) 2 only
- C) Both are correct
- D) None of the above