

NORTHERN INDIA PATRIKA

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India & Iran

The three-day visit to India by Iranian president Hassan Rouhani has further strengthened the existing relationship between the two countries. Nine agreements were signed. In addition Modi held wide-ranging talks with the visiting dignitary focusing on ramping up regional connectivity and going ahead further in raising the level of bilateral trade and investment and extensively intensifying cooperation in the oil sector, agreeing to move beyond traditional "buyer-seller" relationship and developing it into a long-term strategic partnership. At the same time they agreed to continue and increase the pace of negotiation for reaching appropriate results in energy cooperation. But what must have given a big jolt to Pakistan was the signing of a significant pact between the two countries which gives New Delhi operational control of a part of the strategically located Chabahar Port on the Gulf of Oman for 18 months.

The Chabahar port is being considered by India, Iran and Afghanistan as a gateway to major opportunities for trade with central Asian countries. India has been closely working with Afghanistan and Iran to create alternative, reliable access routes for trade as Pakistan has been denying transit access to it. With a view to fully utilizing the potential of the Chabahar port and its connectivity to Afghanistan and Central Asia, India has conveyed its readiness to support the development of Chabahar-Zahedan rail line. On the Chabahar project, a joint statement issued after the Modi-Rouhani talks said both sides reiterated their commitment for early and full operationalization of Shahid Beheshti Port. The first phase of the Chabahar port was inaugurated in December last, opening a new strategic route connecting Iran, India and Afghanistan, bypassing Pakistan. The port in the Sistan-Balochistan province on the energy-rich nation's southern coast is easily accessible from India's western coast and is increasingly seen as a counter to Pakistan's Gwadar Port, which is being developed with Chinese investment and is located at a distance of around 80 km from Chabahar.

After signing nine crucial agreements, President Rouhani praised India at a press conference and said it is a country which believes in peaceful co-existence of people from all religions and ethnicity and that the cordial relations between the two nations are beyond trade and business. "We are determined to confront terrorism and extremism through ...the exchange of information and experience," he said. In addition, he supported India on the global front and called for giving veto rights to this country in the UN Security Council saying, it is a peace-loving country of over one billion people. He then posed a pertinent question: 'Why India with a population of over 1 billion doesn't enjoy veto rights and why does the US have veto rights?' The fault in this regard lies not with the USA but with China and Pakistan which have ganged up against India to serve their own vested interests.

SNIPPETS

What was Narendra Modi's reaction to Shiv Sena's advice that he should appoint scamster Nirav Modi as Governor of Reserve Bank of India? Reply would be: 'Modi followed in the footsteps of his predecessor in office and became 'Mauni Baba'!

Congress taunt on PNB scam was: 'Chowkidar went off to sleep and the thief made good his escape'. The counter-reply would be: Chowkidar did not go off to sleep. He was abroad on an important mission in national interest;

Rahul may ask: 'Did he go abroad in a Nau-lakha suit?' Kejriwal may butt in to say: 'It was during the chowkidar's absence from his post that the 'Chota Modi' fled'!

Lest there should be confusion about the identity of 'Barre Modi', the Congress intervened to say, 'If Chota Modi was Nirav, Lalit Modi was Bara Modi'.

'And what about the Bihar Modi?' Lalu may ask. Nitish may shout from his residence, 'You shut up- fodder chewer'!

Maneka Gandhi abused a corrupt officer in public. Curious abusers will ask: 'Did she abuse him in Hindi or Punjabi?'

Shiv Sena will hail Maneka and say, 'She should have abused him in English. The fellow would then have taken it as a compliment!

Implementation of Child Protection Laws Still a Mirage

There are Acts and laws galore for the welfare and holistic development of children but most of them remain unimplemented, be it Prevention of Child Labour Act, Juvenile Justice (Care and Protection) Act or Right of Children to Free and Compulsory Education Act. That is why, the Supreme Court of India taken to task the Central Government as well as the State Governments for not properly implementing those Acts. A child is the father of the man (woman as well), said William Wordsworth in his famous poem 'My heart leaps up'. Children are the future assets of the country and any country which does not pay proper attention for the protection and growth of the physical and mental faculties of the children is bound to suffer in the long run.

Child, as defined under various Acts, 'is a person



who has not completed fourteen years of age', in certain acts this limit is sixteen years. A child of such a tender age is expected to play and study and be carefree about his or her life. But as a matter of fact, expectations hardly meet reality. Children by work or by force are employed to work in the harsh conditions and atmosphere which become a threat to their life. Such children mostly remain underdeveloped, their mental and physical development also remains incomplete. The Supreme Court has asked various governments what citizen can do if the state pays no attention to his and her fundamental or human statutory rights, nor takes the serious interest in fulfilling constitutional obligations. What if the citizen is a voiceless child or someone whose voice cannot be heard over the din of governance?

No one has any doubt that it is time for the State to strongly and proactively acknowledge that even children in our country have fundamental rights and human rights and they need to be enforced equally strongly. In 2015, the issue of strengthening the juvenile justice system was discussed at the Chief Justices' Conference wherein it was resolved that High Courts shall continue to take all steps necessary, including evolving ways to ensure greater sensitivity, to effectively deal with cases in the field of Juvenile Justice in their respective States. The High Courts should ensure that constitution of Juvenile Justice Boards and Child Welfare Committees are in place, that visits are regularly made to the Juvenile Homes, Special Homes, Observation Homes, Shelter Homes and Rescue Centres etc. and that such homes are set up wherever they have not already been set up. It shall also be ensured that the requisite facilities are provided as per the Standards, Rules, Policies and Guidelines in all such Homes/Centres.

Notwithstanding nudging by the judiciary, judicial 'activism' and criticism of it, over the last decade or so, State Governments and Union Territories have not fully complied with the provisions of a law solemnly enacted by Parliament for the benefit of children. In many instances, only cosmetic changes have been introduced at the ground level with the result that voiceless children continue to be subjects of official apathy. The overall picture relating to the recognition of the rights of children and their realization is far from satisfactory and remains gloomy as we continue

to trudge along the long and winding road.

The Supreme Court in Sampurna Behura v. Union of India and others has now again said that the State

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Governments have miserably failed to implement even already enacted laws like the establishment of Child Welfare Committees, Juvenile Justice Boards, Special Juvenile Police Units, establishment of appropriate Homes for children in need of care and protection, improving the living conditions of juveniles in conflict with law, medical facilities for children in the custody of the State and several other human rights issues.

In Sheela Barse II v. Union of India the Supreme Court has said that the nation's children are a supremely important asset. Their nurture and solicitude are our responsibility. Children's programmes should find a prominent part in our national plans for the development of human resources, so that our children grow up to become robust citizens, physically fit, mentally alert and morally healthy, endowed with the skill and motivations needed by society. The Court has emphasized that Juvenile Courts should be set up in each district and there must be a special cadre of Magistrates who are suitably trained for dealing with cases against children.

Child-related laws enacted by Parliament provide for two extremely important policy and decision-making institutions in respect of children and child rights, namely the NCPCR (National Commission for Protection of Child Rights) and the SCPCR (State Commission for Protection of Child Rights). It will be seen from the

respect of children and child rights, namely the NCPCR (National Commission for Protection of Child Rights) and the SCPCR (State Commission for Protection of Child Rights). It will be seen from the above that both the NCPCR and the SCPCR have a range and variety of functions to perform and each one of them entails a great deal of responsibility. The court has ordered that the absence of any clear-cut guidelines on who should be appointed to these two bodies, the State Governments have found an easy way out by appointing Government officials only and leaving out members of civil society. The selection of social workers as members of the JJB should be based on their experience - practical and professional. There is, therefore, a heavy responsibility on the social workers to make a meaningful contribution during the course of an enquiry and also at the time of its disposition.

The Supreme Court has underlined the use of technology is extremely important not only for the effective functioning of the JJBs and CWCs, but also to deal with issues that would arise from time to time concerning the tracing and tracking of missing children, the rescue of children working in hazardous industries, trafficked children, children who leave the Child Care Institutions, victims of child sexual abuse and follow-up action, among several other requirements. It is well-known that our country is a technological power-house and if we are unable to take advantage of the resources available with us and fully utilize the benefits of technology through computers and the internet for the benefit of children, our status as a technological power-house would be in jeopardy and would remain only on paper.

With regard to the Police generally, it was noted that due to the policy of rotation, it often happens that soon after a police officer completes his or her

training that officer is transferred out to another department. This is a waste of effort and one of the ways of resolving problems arising out of transfers is for every State Police Academy to conduct regular training programmes under the guidance of senior police officials of the State and for the State Government to optimally utilize the services of its officers.

There is a lot to be said with regard to Child Care Institutions. Many of them are housed in run-down buildings and are hardly conducive to comfortable living even to a minimum degree. State Governments must appreciate that they are not doing any charity by putting up children in Child Care Institutions — they are merely performing their statutory and constitutional obligations. There is, therefore, an urgent need to make an evaluation and assessment of all the Child Care Institutions in every State to ascertain their condition, the infrastructure requirements and staffing requirements. The obligation of society is to provide solace and comfort to these children and adherence to the minimum standards of care.

The Supreme Court passed certain instructions to be followed by the Central as well as State governments like; the Ministry of Women and Child Development in the Government of India and the State Governments should ensure that all positions in the NCPCR and the SCPCR are filled up well in time and adequate staff is provided to these statutory bodies so that they can function effectively and meaningfully for the benefit of the children. They should take their duties, functions and responsibilities



The Author



with great earnestness keeping in mind the faith reposed in them by Parliament. A position in these statutory institutions is not a sinecure. These bodies have a very significant and proactive role to play in improving the lives of children across the country. The State level Child Protection Societies and the District level Child Protection Units have an enormous responsibility in ensuring that the JJ Act is effectively implemented and Child Care Institutions are managed and maintained in a manner that is conducive to the well being of children in all respects including nutrition, education, medical benefits, skill development and general living conditions. These two bodies would be well advised to take the assistance of NGOs and civil society to ensure that the JJ Act serves the purpose for which it is enacted by Parliament.

Since the involvement of the State Governments and the Union Territories is critical to child rights and the effective implementation of the JJ Act, it would be appropriate if each High Court and the Juvenile Justice Committee of each High Court continue its proactive role in the welfare of children in their State.

Palestinians' hopeless plight

PRIME MINISTER Narendra Modi's diplomatic foray in Palestine, the first such visit in some 30 years, must surely rank as unique. He has, in essence, given lollipop in the shape of a hospital in exchange for deepening Indian relations with the state of Israel.

At the same time, Mr Modi has expressed the ritualistic wish to see an independent Palestine soon without specifying its nature. The truth is that Palestinians have never been more desperate and hopeless, with President Donald Trump even more pro-Israeli than the traditional Washington establishment by deciding to move the US embassy to Jerusalem, and in other ways.

External affairs mandarins might well argue that India cannot show greater concern over Palestinian plight than its immediate Sunni neighbours, particularly the kingdom of Saudi Arabia. Yet, the animosity between the Sunni kingdoms and Israel has softened with the monarchies in touch with Tel Aviv to various degrees. Washington's aim is to promote Iran as the main regional enemy.

India's own relations with Israel have seen a dramatic change in recent years. Even during the second tenure of the UPA government, there was a pro-Israel swing because of the good fit with Israeli defence industries and innovations developed by Israel in husbanding water resources in desert conditions. However, Dr Manmohan Singh always had reservations about some of Tel Aviv's policies, perhaps because of Mahatma Gandhi's role in the Khilafat movement. The BJP's parent and the Sangh Parivar were never part of the freedom movement and were unaffected by the long Khilafat agitation.

Even otherwise, the Sangh Parivar admires Israel's tooth-for-a-tooth policy and shares an anti-Muslim strain. Israelis, on their part, are delighted to have such a partner as Mr Modi in a key Asian country, as was evident during Prime Minister Benjamin Netanyahu's recent extended visit to India.

Mr Modi had made his own way to Israel preceding the Netanyahu visit.

Obviously, future relations between Israel and the

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Arab world will be moulded by the Saudi kingdom setting the pace for détente. A major problem will be the accusation it will face of letting down fellow Sunnis to win laurels in Washington. There is also the weightier problem of storing trouble for the future.

Israel and the world cannot simply wish away the future of a vast majority of people living as second-class citizens in their own land, given a make-believe state, with more and more Israelis taking their land for settlements. But most politicians think in the short term.

We have seen an array of international agreements over the decades evaporate into thin air, with the US a partial go-between favouring Israel even while putting out the welcome mat in the White House.

It is clear that the US has geopolitical interests in the Middle East, with Israel as its only secure ally. But this self-interest is buttressed by the enormous influence yielded by the pro-Jewish lobby out of proportion to the nature of the problem. In a sense, this has trended to increase tensions.

Where do we go from here? There is no clear road ahead because the Israelis are bound in loops of their own making with what was until recently negotiable no longer so and their appetite seems to grow the more Palestinian land they grab.

In short, few, if any, in Israel are thinking of the morrow. Even as President Trump has taken Jerusalem off the negotiating table, Palestinians are left high and dry. Israelis first annexed the eastern part of the city, proclaimed as the future capital of a genuine free Palestine. That prospect now seems less attainable.

Where did Palestinians go wrong? I attended the

landmark Press conference Yasser Arafat gave during his exile. He seemed to be fighting with himself to find a way out. But there were only partisans in the international community. He did not receive genuine help. The White House was ready with its trimmings the moment Arafat half yielded to die without accomplishing his goal.

The present head of the Palestinian Authority (PA), Mr Mahmoud Abbas, is well past his elected legitimacy and the PA has more symbolic value than it has real power. Its existence depends upon the courtesy of the Israelis who control the waters around it, giving it and its people little freedom.

An interesting point to observe will be how far the Israeli authorities will go in humiliating Palestinians. They are unsafe to the extent the Israeli authorities choose to break up a gathering, arrest and beat up people or simply choose to shoot them.

The art of warfare has progressed a lot since the so-called bad old days of World War I. It has regressed in many ways and new forms of torture and psychological warfare have evolved that are abominable. So, one hopes that the sooner the tragedy of Palestine is ended, the sooner will the world heave a sigh of relief.

Palestinians themselves see no way out. The UN is a weak weed to rely upon when the interests of a superpower are involved. For the US, Iran is the country to fight against. On its part, Tehran will fight for its rights within all its might having devised something of a crescent to influence in the region. It also has support in Russia and, on certain issues, with Turkey.

It is not clear how far the US would want to go in chasing Iran. It has already taken cudgels with it on the nuclear issue, although all other signatories of the joint agreement say Tehran is strictly following the script. What remains to be determined is how much worse President Trump's bite is compared to his rhetoric.