

Q.1) Consider the following statements about

1. International Tribunal for the Law of the Sea (ITLOS) established by the United Nations Convention on the Law of the Sea
2. International Seabed Authority was established by the United Nations Convention on the Law of the Sea
3. ITLOS is based in Montego Bay, Jamaica

Select the correct statements

- a) 1 and 2
- b) 2 and 3
- c) 1 and 3
- d) All of the above

Q.1) Solution (a)

The International Tribunal for the Law of the Sea is an independent judicial body established by the United Nations Convention on the Law of the Sea to adjudicate disputes arising out of the interpretation and application of the Convention. The Tribunal is composed of 21 independent members, elected from among persons enjoying the highest reputation for fairness and integrity and of recognized competence in the field of the law of the sea.

The Tribunal has jurisdiction over any dispute concerning the interpretation or application of the Convention, and over all matters specifically provided for in any other agreement which confers jurisdiction on the Tribunal (Statute, article 21). The Tribunal is open to States Parties to the Convention (i.e. States and international organisations which are parties to the Convention). It is also open to entities other than States Parties, i.e., States or intergovernmental organisations which are not parties to the Convention, and to state enterprises and private entities "in any case expressly provided for in Part XI or in any case submitted pursuant to any other agreement conferring jurisdiction on the Tribunal which is accepted by all the parties to that case" (Statute, article 20).

The United Nations Convention on the Law of the Sea was opened for signature at Montego Bay, Jamaica, on 10 December 1982. It entered into force 12 years later, on 16 November 1994. A subsequent Agreement relating to the implementation of Part XI of the Convention was adopted on 28 July 1994 and entered into force on 28 July 1996. This Agreement and Part XI of the Convention are to be interpreted and applied together as a single instrument.

The origins of the Convention date from 1 November 1967 when Ambassador Arvid Pardo of Malta addressed the General Assembly of the United Nations and called for "an effective international regime over the seabed and the ocean floor beyond a clearly defined national

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jurisdiction". This led to the convening, in 1973, of the Third United Nations Conference on the Law of the Sea, which after nine years of negotiations adopted the Convention.

The Convention establishes a comprehensive legal framework to regulate all ocean space, its uses and resources. It contains, among other things, provisions relating to the territorial sea, the contiguous zone, the continental shelf, the exclusive economic zone and the high seas. It also provides for the protection and preservation of the marine environment, for marine scientific research and for the development and transfer of marine technology. One of the most important parts of the Convention concerns the exploration for and exploitation of the resources of the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction (the Area). The Convention declares the Area and its resources to be "the common heritage of mankind". The International Seabed Authority, established by the Convention, administers the resources of the Area.

Part XV of the Convention lays down a comprehensive system for the settlement of disputes that might arise with respect to the interpretation and application of the Convention. It requires States Parties to settle their disputes concerning the interpretation or application of the Convention by peaceful means indicated in the Charter of the United Nations. However, if parties to a dispute fail to reach a settlement by peaceful means of their own choice, they are obliged to resort to the compulsory dispute settlement procedures entailing binding decisions, subject to limitations and exceptions contained in the Convention.

The mechanism established by the Convention provides for four alternative means for the settlement of disputes: the International Tribunal for the Law of the Sea, the International Court of Justice, an arbitral tribunal constituted in accordance with Annex VII to the Convention, and a special arbitral tribunal constituted in accordance with Annex VIII to the Convention.

A State Party is free to choose one or more of these means by a written declaration to be made under article 287 of the Convention and deposited with the Secretary-General of the United Nations (declarations made by States Parties under article 287).

If the parties to a dispute have not accepted the same settlement procedure, the dispute may be submitted only to arbitration in accordance with Annex VII, unless the parties otherwise agree.

Pursuant to the provisions of its Statute, the Tribunal has formed the following Chambers: the Chamber of Summary Procedure, the Chamber for Fisheries Disputes, the Chamber for Marine Environment Disputes and the Chamber for Maritime Delimitation Disputes.

At the request of the parties, the Tribunal has also formed special chambers to deal with the Case concerning the Conservation and Sustainable Exploitation of Swordfish Stocks in the

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South-Eastern Pacific Ocean (Chile/European Community) and the Dispute Concerning Delimitation of the Maritime Boundary between Ghana and Côte d'Ivoire in the Atlantic Ocean (Ghana/Côte d'Ivoire).

Disputes relating to activities in the International Seabed Area are submitted to the Seabed Disputes Chamber of the Tribunal, consisting of 11 judges. Any party to a dispute over which the Seabed Disputes Chamber has jurisdiction may request the Seabed Disputes Chamber to form an ad hoc chamber composed of three members of the Seabed Disputes Chamber.

The Tribunal is open to States Parties to the Convention and, in certain cases, to entities other than States Parties (such as international organizations and natural or legal persons) (Access to the Tribunal).

The jurisdiction of the Tribunal comprises all disputes submitted to it in accordance with the Convention. It also extends to all matters specifically provided for in any other agreement which confers jurisdiction on the Tribunal. To date, twelve multilateral agreements have been concluded which confer jurisdiction on the Tribunal (relevant provisions of these agreements).

Unless the parties otherwise agree, the jurisdiction of the Tribunal is mandatory in cases relating to the prompt release of vessels and crews under article 292 of the Convention and to provisional measures pending the constitution of an arbitral tribunal under article 290, paragraph 5, of the Convention.

The Seabed Disputes Chamber is competent to give advisory opinions on legal questions arising within the scope of the activities of the International Seabed Authority. The Tribunal may also give advisory opinions in certain cases under international agreements related to the purposes of the Convention.

The International Tribunal for the Law of the Sea (ITLOS) is an intergovernmental organization created by the mandate of the Third United Nations Conference on the Law of the Sea. It was established by the United Nations Convention on the Law of the Sea, signed at Montego Bay, Jamaica, on December 10, 1982. The Convention entered into force on November 16, 1994, and established an international framework for law over "all ocean space, its uses and resources". The tribunal is based in Hamburg, Germany. The Convention also established the International Seabed Authority, with responsibility for the regulation of seabed mining beyond the limits of national jurisdiction, that is beyond the limits of the territorial sea, the contiguous zone and the continental shelf. There are currently 167 signatories, 166 states plus the European Union.

The Tribunal is composed of 21 independent members elected by secret ballot by the States Parties to the Convention. Each State Party may nominate up to two candidates from among

persons enjoying the highest reputation for fairness and integrity and of recognized competence in the field of the law of the sea.

No two members may be nationals of the same State and in the Tribunal as a whole it is necessary to assure the representation of the principal legal systems of the world and equitable geographical distribution; there shall be no fewer than three members from each geographical group as established by the General Assembly of the United Nations (African States, Asian States, Eastern European States, Latin American and Caribbean States and Western European and Other States). Members are elected for nine years and may be re-elected; the terms of one third of the members expire every three years.

Source: <http://www.thehindubusinessline.com/economy/logistics/women-are-no-more-at-sea-in-the-shipping-industry/article9840742.ece>

Q.2) Consider the following statements about Responsibility to Protect (R2P)

1. It is a global political commitment which was endorsed by all member states of the United Nations at the 2000 Millennium Summit
2. R2P principle reinforces sovereignty by helping states to meet their existing responsibilities

Select the correct statements

- a) 1 Only
- b) 2 Only
- c) Both 1 and 2
- d) Neither 1 nor 2

Q.2) Solution (b)

The Responsibility to Protect (R2P or RtoP) is a global political commitment which was endorsed by all member states of the United Nations at the 2005 World Summit to prevent genocide, war crimes, ethnic cleansing and crimes against humanity.

The principle of the Responsibility to Protect is based upon the underlying premise that sovereignty entails a responsibility to protect all populations from mass atrocity crimes and human rights violations. The principle is based on a respect for the norms and principles of international law, especially the underlying principles of law relating to sovereignty, peace and security, human rights, and armed conflict.

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The Responsibility to Protect provides a framework for employing measures that already exist (i.e., mediation, early warning mechanisms, economic sanctions, and chapter VII powers) to prevent atrocity crimes and to protect civilians from their occurrence. The authority to employ the use of force under the framework of the Responsibility to Protect rests solely with United Nations Security Council and is considered a measure of last resort. The United Nations Secretary-General has published annual reports on the Responsibility to Protect since 2009 that expand on the measures available to governments, intergovernmental organizations, and civil society, as well as the private sector, to prevent atrocity crimes.

The Responsibility to Protect has been the subject of considerable debate, particularly regarding the implementation of the principle by various actors in the context of country-specific situations, such as Libya, Syria, Sudan and Kenya, among other cases and for example. It has also been argued[by whom?] that commensurate to the responsibility to protect, international law ought also recognize a right for populations to offer militarily organized resistance to protect themselves against genocide, crimes against humanity and war crimes on a massive scale.

Source: <http://www.dailyo.in/politics/rohingya-muslims-india-myanmar-aung-san-su-kyi/story/1/19289.html>

Q.3) Which of the following countries are members of Uniting for Consensus (UfC)

1. Italy
2. Pakistan
3. Argentina
4. Colombia

Select the correct code

- a) 1, 3 and 4
- b) 1, 2 and 4
- c) 1 and 2
- d) All of the above

Q.3) Solution (d)

Uniting for Consensus (UfC) is a movement, nicknamed the Coffee Club, that developed in the 1990s in opposition to the possible expansion of permanent seats in the United Nations Security Council. Under the leadership of Italy, it aims to counter the bids for permanent

seats proposed by G4 nations (Brazil, Germany, India, and Japan) and is calling for a consensus before any decision is reached on the form and size of the Security Council.

Read More - <https://www.un.org/press/en/2005/ga10371.doc.htm>

Source: <http://www.asianage.com/opinion/columnists/050917/2nd-class-unsc-seat-is-that-what-we-want.html>

Q.4) Which of the following banks are included in D-SIB or domestic systemically important bank by RBI?

1. State Bank of India
2. HDFC
3. Yes Bank
4. ICICI

Select the correct code

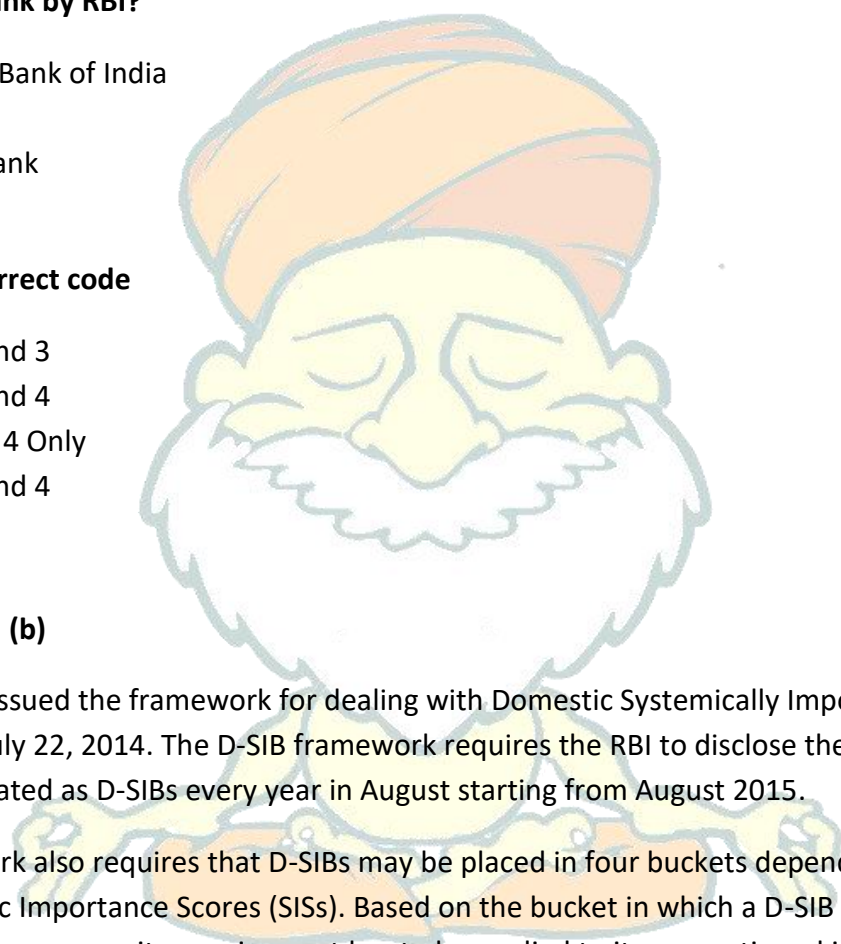
- a) 1, 2 and 3
- b) 1, 2 and 4
- c) 1 and 4 Only
- d) 2, 3 and 4

Q.4) Solution (b)

The RBI had issued the framework for dealing with Domestic Systemically Important Banks (D-SIBs) on July 22, 2014. The D-SIB framework requires the RBI to disclose the names of banks designated as D-SIBs every year in August starting from August 2015.

The framework also requires that D-SIBs may be placed in four buckets depending upon their Systemic Importance Scores (SISs). Based on the bucket in which a D-SIB is placed, an additional common equity requirement has to be applied to it, as mentioned in the D-SIB framework.

The D-SIB framework specifies a two-step process of identification of D-SIBs. In the first step, the sample of banks to be assessed for systemic importance has to be decided. The additional Common Equity Tier-1 (CET1) requirements applicable to D-SIBs will be applicable from April 1, 2016 in a phased manner and would become fully effective from April 1, 2019. The additional CET1 requirement will be in addition to the capital conservation buffer.



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RBI also said that in case a foreign bank having branch presence in India is a Global Systemically Important Bank (G-SIB), it has to maintain additional CET1 capital surcharge in India as applicable to it as a G-SIB, proportionate to its risk weighted assets (RWAs) in India.

India's largest lender SBI and private sector major ICICI Bank was classified as D-SIBs in 2015.

HDFC Bank is added to the list, there will now be three 'too big to fail' financial entities.

Source: <http://www.thehindubusinessline.com/money-and-banking/hdfc-bank-in-too-big-to-fail-list/article9844631.ece>

Q.5) Which of the following is/are correctly matched?

1. Saurashtra – Maharashtra
2. Bundelkhand – Madhya Pradesh
3. Vidarbha – Gujarat

Select the correct code:

- a) 2 Only
- b) 1 and 2
- c) 2 and 3
- d) 1 and 3

Q.5) Solution (a)

Vidarbha is the eastern region of the Indian state of Maharashtra, comprising Nagpur Division and Amravati Division.

Saurashtra is a peninsular region of western India, located on the Arabian Sea coast. It covers about a third of Gujarat state, notably 11 districts of Gujarat, including Rajkot District.

Bundelkhand is a geographical and cultural region and also a mountain range in central India. The hilly region is now divided between the states of Uttar Pradesh and Madhya Pradesh, with the larger portion lying in the latter state.

