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JUS COGENS

- JUS COGENS or ius cogens, meaning “compelling law” in Latin, are rules in international law that are peremptory or authoritative, and from which states cannot deviate.
- These norms cannot be offset by a separate treaty between parties intending to do so, since they hold fundamental values.
- Today, most states and international organisations accept the principle of jus cogens, which dates back to Roman times.
- The jus cogens rules have been sanctioned by the Vienna Conventions on the Law of Treaties of 1969 and 1986.
- According to both Conventions, a treaty is void if it breaches jus cogens rules.
- Besides treaties, unilateral declarations also have to abide by these norms.
- So far, an exhaustive list of jus cogens rules does not exist.
- However, the prohibition of slavery, genocide, racial discrimination, torture, and the right to self-determination are recognized norms.
- The prohibition against apartheid is also recognized as a jus cogens rule, from which no derogation is allowed, since apartheid is against the basic principles of the United Nations.
- Recently US administration has threatened Iran by tweeting that, it might attack Iran’s cultural sites by doing so US is trying to ignore the JUS COGENS legislation (Attacking any cultural site is a war crime)

Cultural Heritage of Iran

- Iran is home to one of the world’s oldest civilizations dating back to 10,000 BC.
- Its rich heritage and culture is an amalgam of Arab, Persian, Turkish and South Asian cultures.
- Twenty-four Iranian sites are on UNESCO’s World Heritage List, two of which are natural sites and the rest cultural sites.
- Among the main World Heritage Sites in Iran are

1. Meidan Emam and Masjed-e-Jame in Isfahan;

2. Golestan Palace in the historic heart of Tehran;
3. Pasargadae and Persepolis, capitals of the Achaemenid Empire, founded by Cyrus II and Darius I in the 6th century BC
4. Archaeological site of Takht-e Soleyman, which has the remains of an ancient Zoroastrian sanctuary.

Conventions against the targeting of cultural heritage

- Following the unparalleled destruction of cultural heritage in World War II, the nations of the world adopted at The Hague in 1954.
- **The Convention for the Protection of Cultural Property in the Event of Armed Conflict**, the first international treaty focused exclusively on the protection of cultural heritage during war and armed conflict.
- The Convention defined cultural property as "movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites….", etc.
- The signatories, referred to in the Convention as "the High Contracting Parties", committed themselves to protecting, safeguarding, and having respect for cultural property.
- There are currently 133 signatories to Convention, including countries that have acceded to and ratified the treaty.
- Both the United States and Iran (as well as India) signed the Convention on May 14, 1954, and it entered into force on August 7, 1956.

Cultural properties destroyed during wars

- **Dubrovnik -** During the Siege of Dubrovnik in 1991-92 by the Yugoslav People's Army, the old town of Dubrovnik in Croatia was targeted in an attempt to wipe out Croatian history and cultural heritage.
- **Stari Most bridge -** During the Croat-Bosniak war, Croat paramilitary forces destroyed the 16th century Stari Most bridge in Mostar in today's Bosnia-Herzegovina, in 1993.
- **Bamiyan -** In 2001, the Taliban destroyed statutes of the Buddha that had been carved into sandstone cliffs in Bamiyan, Afghanistan, between the 3rd and 6th centuries AD.
- **Cambodia's cultural assets -** In 2006, the UN and the Cambodian government established the Khmer Rouge Tribunal to prosecute the destruction of Cambodia's cultural assets that included mosques, churches and temples along with other sites of cultural significance.
- **Palmyra -** In 2015, the IS captured and destroyed the ancient Syrian city

of Palmyra, a UNESCO World Heritage Site.

Gurudwara Nankana Sahib

- Nankana Sahib is a city in Pakistan's Punjab province, where Gurdwara Janam Asthan (also called Nankana Sahib Gurdwara) is located.
- The shrine is built over the site where Guru Nanak, the founder of Sikhism, was believed to be born in 1469.
- It is 75 kms to the west of Lahore, and is the capital of Nankana Sahib district.
- The city was previously known as Talwandi, and was founded by Rai Bhoi, a wealthy landlord.
- Besides Gurdwara Janam Asthan, Nankana Sahib has several important shrines in memory of Guru Arjan (5th Guru) and Guru Hargobind (6th Guru).
- The Janam Asthan shrine was constructed by Maharaja Ranjit Singh, after he visited Nankana Sahib in 1818-19 while returning from the Battle of Multan.
- During British rule, the Gurdwara Janam Asthan was the site of a violent episode when in 1921, over 130 Akali Sikhs were killed after they were attacked by the Mahant of the shrine.
- The incident is regarded as one of the key milestones in the Gurdwara Reform Movement, which led to the passing of the Sikh Gurdwara Act in 1925 that ended the Mahant control of Gurdwaras.
- In 2014, Pakistan had a memorial for the massacre built.
- Until Independence, Nankana Sahib's population had an almost equal number of Muslims, Sikhs, and Hindus, which since Partition has been predominantly Muslim.

NEST

- The external affairs ministry has announced the setting up of New, Emerging and Strategic Technologies (NEST) division.
- NEST will act as the nodal division within the ministry for issues pertaining to new and emerging technologies.
- It will help in collaboration with foreign partners in the field of 5G and artificial intelligence.
- Its mandate shall include, but not be limited to, evolving India's external technology policy in coordination with domestic stakeholders and in line with India's developmental priorities and national security goals.
- It will also help assess foreign policy and international legal implications

of new and emerging technologies and technology-based resources, and recommend appropriate foreign policy choice.

- NEST will negotiate technology governance rules, standards and architecture, suited to India’s conditions, in multilateral and plurilaterals frameworks.
- It will also undertake creation of HR capacity within the ministry for technology diplomacy work by utilizing the existing talent-pool and facilitating functional specialization of Foreign Service officers in various technology domains.

Chinese paddlefish

- Psephurus gladius, a Chinese paddlefish living in the Yangtze River (Asia's longest river), was declared extinct.
- Psephurus gladius was about 2 to 3 meters long, and could grow longer than 7 meters.
- The fish had existed for 15 million years.
- The Chinese paddlefish had also been on the critically endangered list since 1996.
- It was the largest freshwater fish in China might have gone extinct between 2005 and 2010.
- Experts from the International Union for Conservation of Nature estimated that this unique and first-class protected fish had been extinct already.
- Two other notable Yangtze species reeves shad, a type of fish and the baiji, or Yangtze River dolphin were declared 'functionally extinct' in 2015 and 2006 respectively.
- From Jan 1, 2020, China began a 10-year fishing ban on key areas of the Yangtze River to protect biodiversity in the country's longest river.

Source: Indian Express, Down to Earth, Economic Times

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