



## CURRENT AFFAIRS



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## PARLIAMENTARY PRIVILEGES

*This article covers “Daily current events “and the topic is about ‘Parliamentary Privileges’ which is in news, it covers “Polity” In GS-2, and the following content has relevance for UPSC.*

**For Prelims: Parliamentary Privileges**

**For Mains: GS-2, Polity**

**Why in the news:** The Privileges Committee, led by Deputy Chairman and JD(U) Member of Parliament Harivansh, was given a directive by Rajya Sabha Chairman Jagdeep Dhankhar to look into the “disorderly conduct” of 12 Opposition Members of Parliament that had resulted in numerous adjournments during the first leg of the Budget session.

### **Parliamentary Privileges: Article 105 and Article 122**



Photo source: <https://parliamentofindia.nic.in/>

### **Parliamentary Privileges**

#### **ABOUT PARLIAMENTARY PRIVILEGES**

- The Indian Constitution’s Article 105 defines parliamentary rights.
- The Indian Constitution’s Article 122 defines Courts are not allowed to look into Parliamentary proceedings

- Members of Parliament are not held liable in civil or criminal court for their words or deeds while carrying out their official duties.
- Only members of the house are eligible to use the **Parliamentary** privileges.
- The right to free speech and expression has been granted to parliamentarians.

## **INDIVIDUAL FREEDOMS PARLIAMENTARY PRIVILEGES**

- A citizen's right to free speech and expression is distinct from a member of the parliament's right to the same rights under Article 19(2).
- Even non-members with a voice in the house are granted **Parliamentary privileges**. For instance, the attorney general of India.
- **Freedom from Arrest:** Members are not subject to arrest in any civil matter for 40 days before and following the house's adjournment, as well as when the house is in session.
  - To prevent any interference with their ability to perform their duties, no member may be detained beyond the walls of the parliament without the consent of the house to which they are assigned.
- **Freedom from Appearing Witnesses:** Parliamentarians are granted special rights and are not required to testify in court. Without any interference from the court, they are given complete freedom to attend the house and carry out their tasks.
- **Collective Freedoms:** No one can be held liable for publishing any reports, conversations, etc., of the house under the authority of the member of the house, according to Article 105(2) of the Constitution.
- **Exclude Strangers:** The members of the house have the authority and right to prevent strangers and other non-members from participating in the proceedings. This right is crucial for ensuring fair and open debate in the house. If a breach is reported, a warning, reprimand, or even incarceration may be imposed as punishment.
- **Breach of Privileges:** The Indian Parliament has the authority to penalize anyone for violating its rules or showing a member of the house contempt. A member of the house is expelled from the home if they violate any rules.
- **Regulate Internal Affairs:** The Indian Parliament has the authority to penalize anyone for violating or showing contempt for the house, whether they are visitors or members of the house. If a member of the home violates any rules, that member gets kicked out of the house.

## **FREEDOM OF THE PRESS AND PARLIAMENTARY PRIVILEGES**

- The freedom of the press, which is a fundamental right, is constrained by parliamentary privileges. The press must exercise extreme caution when

reporting on the behavior of any member of the parliament or its proceedings. There are some circumstances in which the press may be held in contempt of the house:

- Publishing any information on a member of the parliament's character.
- Any early release of the proceedings.
- Misreporting or distorting the house's proceedings.
- The proceedings' portion that was deleted was published.
- The Parliamentary Proceedings (Protection of the Publication) Act of 1977 safeguards press freedom in the following situations:
  - The reports of the events are mainly accurate.
  - The information is provided unbiasedly.
  - The report was created for the general welfare.
  - A private meeting of the house should not be considered in the report.

### **LIMITATIONS**

- According to Article 118 of the Constitution, the right to free speech must be in compliance with the constitution and be subject to parliamentary norms and regulations.
- Parliamentarians are prohibited from discussing the actions of the judges of the Supreme Court and the High Court under Article 121 of the Constitution. Yet, even if it does, the court cannot get involved because it is a matter for the parliament.
- The member is not entitled to any immunity or privileges for anything spoken outside the proceedings of the house.

### **PUNISHMENT FOR VIOLATION OF PARLIAMENTARY PRIVILEGES**

- **Imprisonment** - If a significant violation has been committed, the punishment may include the incarceration of any member or person.
- **Imposing Fine** - The parliament may impose a fine on the person if, in its opinion, the breach or contempt was an economic offense and a financial gain resulted from the breach.
- **Prosecuting the offenders** - The parliament may also take legal action against the violator.
- **The punishment given to its own members** - The house must punish any contempt shown by members of the parliament, and the punishment may include suspension of the offending member from the house.

Source:

- [The Hindu](#)
- [Rajyasabha](#)

**Saurabh Kaushik**

# NEW START TREATY

*This article covers “Daily Current Affairs” and the topic details the “New START treaty”. The topic is important in the context of the ongoing US-Russia rivalry. The two countries are exchanging blows amid the Ukrainian crisis.*



## NEW START TREATY

### For Prelims:

About New Start Treaty: features Arms Control Regimes

### For Mains: GS 2, International Relations

- Implications of the Nuclear Arms race
- India, China, and Pakistan Nuclear Arms race

### Why in the news:

Recently Russian President Vladimir Putin announced that Moscow was unilaterally suspending the last remaining nuclear arms control treaty with the U.S., stating that the West was trying to “destroy” Russia. Mr. Putin remarked that Russia will resume nuclear weapon tests in a situation if the US does the same. This announcement raises apprehensions about the removal of the global ban in place on nuclear weapons tests since the Cold War times.

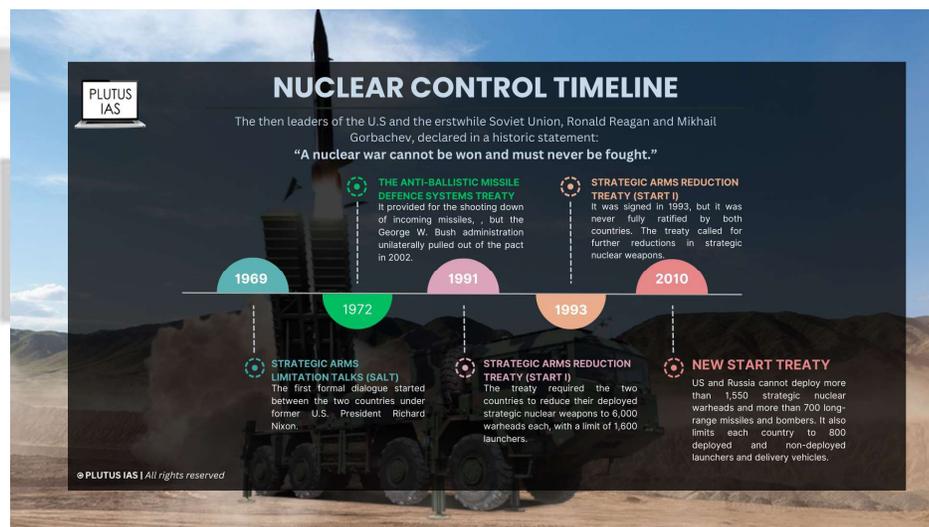
## WHAT IS THE NEW START TREATY

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It is a nuclear arms reduction treaty between the United States and Russia. The treaty was signed on April 8, 2010, and entered into force on February 5, 2011. The treaty replaced the previous START I treaty, which had expired in December 2009.

## BACKGROUND OF NEW START TREATY

The background of the New START Treaty goes back to the end of the Cold War when the United States and the Soviet Union began to negotiate arms control agreements to reduce their nuclear arsenals.



### Nuclear Control Timeline

The first Strategic Arms Reduction Treaty (START I) was signed in 1991 and resulted in significant reductions in the number of strategic nuclear weapons deployed by the two countries. However, as the START I treaty was set to expire in 2009, the United States and Russia began negotiations for a new arms control agreement. The negotiations took place against a backdrop of deteriorating relations between the two countries, with tensions over issues such as missile defense and NATO expansion.

Despite these challenges, the negotiations eventually led to the signing of the New START Treaty in April 2010. The treaty was seen as a significant achievement in arms control, as it reduced the number of deployed strategic nuclear warheads for each country by more than 30%.

The treaty also included a comprehensive monitoring and verification regime, which built on the existing verification measures from the START I treaty. This

allowed both countries to verify each other's compliance with the treaty and build confidence in the process.

The New START Treaty was ratified by both the United States Senate and the Russian parliament, and it entered into force in February 2011. The treaty was widely praised for its contribution to international security and for reducing the risk of a nuclear conflict between the two countries. In 2018, both nations achieved the arms limits as agreed in the treaty.

## FEATURES OF THE NEW START TREATY

The New START Treaty is seen as an important step in reducing the number of nuclear weapons in the world and promoting international peace and security. The features are as below:

- **Limits on warheads:** The New START Treaty limits the number of deployed strategic nuclear warheads for each country to 1,550, which is down from the previous limit of 2,200.
- **Limits on missiles and bombers:** It also limits the number of deployed intercontinental ballistic missiles (ICBMs), submarine-launched ballistic missiles (SLBMs), and heavy bombers equipped for nuclear armaments to 700, with an additional 100 in reserve.
- **Monitoring and Verification:** The treaty also includes a comprehensive monitoring and verification regime, which allows both countries to verify each other's compliance with the treaty. This includes on-site inspections, data exchanges, and telemetry exchanges.



## Features of the New START Treaty

## CURRENT STATUS OF THE TREATY

Over the past three years, inspections under the New START Treaty have faced significant challenges. The inspections were initially halted in March 2020 due to the COVID-19 pandemic, and efforts to restart them have since been delayed.

In November 2022, Moscow and Washington were scheduled to discuss the resumption of inspections, but the meeting was postponed by Russian President Vladimir Putin. Since then, there have been no further developments.

On February 23, Russian President Vladimir Putin announced the unilateral suspension of the New START treaty, the last remaining nuclear arms control treaty between the US and Russia. Putin cited NATO's support for Ukraine, which he claimed was being used to target Russian nuclear facilities and the exclusion of France and Britain's nuclear arsenals from the treaty as reasons for the suspension. The US accused Russia of not complying with the treaty by not allowing on-site inspections.

## WHAT ARE THE IMPLICATIONS OF RUSSIA SUSPENDING THE TREATY?

According to analysts, Russia's decision to suspend the treaty is a symbolic move and not an immediate trigger for an arms race. The Russian government has stated that it does not plan to breach the limits on warheads prescribed in the New START treaty and will continue to notify Washington of planned test launches of ICBMs.

Experts believe that the move is intended to put pressure on President Biden and European allies to allow Russia to dictate the terms under which the war in Ukraine would come to an end. This suggests that Russia no longer sees nuclear arms control as a separate issue from its bilateral relations with other countries.

**Mr. Putin's move was entirely symbolic, as Russia had already not been permitting inspections.**

**The suspension seemed to be targeted at putting pressure on President Biden and European allies "so Russia can dictate the terms under which" the war would come to an end.**

**Russia's move is linked to the Ukraine conflict, indicating that the country no longer thinks that nuclear arms control is a separate issue from the ups and downs of bilateral relations.**

**John Erath**  
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Source: THE HINDU

## Implications of Russia suspending the treaty

## WHAT IS THE IMPLICATION OF RUSSIA'S SUSPENSION OF THE TREATY?

The move has been widely criticized by the international community, with NATO Secretary-General Jens Stoltenberg saying that it has made the world a more dangerous place by dismantling the full arms control architecture.

- **Increase in arsenals:** Experts believe that the suspension could give other nuclear-armed countries, such as China, Pakistan, Iran, Israel, and India, an opportunity to increase their arsenals.
- **US-China arms control cooperation:** It could hamper arms control cooperation between the U.S. and China.

## WAY FORWARD

The background of the New START Treaty goes back to the end of the Cold War when the United States and the Soviet Union began to negotiate arms control agreements. To address this situation, there are several potential ways forward:



### Way Forward of New Start Treaty

- **Diplomatic engagement:** The United States and its allies could engage in diplomatic efforts to encourage Russia to reverse its decision to suspend the treaty. This could include high-level talks and negotiations to address Russia's concerns and find a mutually acceptable way forward.

- **Renewed focus on arms control:** The international community could place a renewed focus on arms control efforts, both globally and regionally. This could involve efforts to establish new arms control agreements or to strengthen existing ones, such as the Comprehensive Nuclear Test Ban Treaty or the Treaty on the Non-Proliferation of Nuclear Weapons.
- **Confidence-building measures:** The United States and Russia could take steps to build trust and confidence between the two countries. This could involve measures such as increased transparency and communication, joint military exercises, and mutual reductions in nuclear stockpiles.
- **Engagement with China:** As China's nuclear capabilities continue to grow, it will be important to engage with Beijing in arms control efforts. This could involve efforts to encourage China to join arms control agreements or to establish new agreements with China.

Overall, the suspension of the New START treaty by Russia is a serious challenge to international arms control efforts. However, through diplomatic engagement, a renewed focus on arms control, confidence-building measures, and engagement with China, there may be opportunities to address this situation and build a more stable and secure world.

Source:

- [State.gov](#)
- [Nti.org](#)
- [The Hindu](#)
- [Carnegieendowment.org](#)
- [Wikipedia](#)

Mohit Pratap Singh