



# The Indian Society of International Law NEWSLETTER

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For members only

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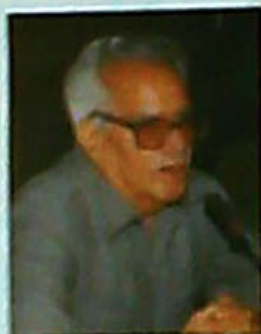
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## Editorial



*The armed conflict between Israel and Lebanon, actually between Hezbollah and Israel, began on 12 July 2006 after a cross-border raid by Hezbollah militia capturing two and killing three Israeli soldiers. Hezbollah's purpose was to persuade Israel to fulfil a promise to free the prisoners and detainees held in Israeli prisons. Israel held the Lebanese government responsible for the attack and described the kidnapping as an act of war that is contrary to international law. This led to Israel's massive military response by air, land and sea on southern Lebanon which resulted in extensive civilian casualties and vital infrastructure losses. In fact, it ended in cutting off the southern territory of Lebanon from the outside world, causing a humanitarian catastrophe. The conflict has resulted in the death of hundreds of people, mostly Lebanese civilians, and displaced more than a million Lebanese and disrupted normal life across much of Lebanon.*

*In retaliation, Hezbollah continuously launched rocket attacks into northern Israel and confronted with the Israeli army on the ground with hit-and-run guerrilla attacks. Hezbollah's rockets killed a number of Israeli civilians and caused the displacement and withdrawal to bomb shelters of more than half a million civilians.*

*Attacks by Israel on civilian population centres and infrastructure have drawn sharp criticism internationally. The aggressive actions of the Israeli forces are against all norms of civilized behaviour and are contrary to accepted norms of international law. To claim that this massive use of force, principally against civilians, is an act of self-defence is as outrageous as the USA saying that it attacked Iraq and Serbia in self-defence. To compound matters, the manner in which the Israeli forces conducted these operations is wholly against the letter and spirit of International Humanitarian Law.*

*Determining that the situation in Lebanon constitutes a threat to international peace and security, the UN Security Council adopted a resolution (S/RES/1701, 2006), that called for a permanent ceasefire and a long-term solution to the conflict. The conditions that led to the current crisis should not be allowed to continue. In order to establish peace in the region, it is necessary to work towards evolving a concrete plan to achieve a permanent solution to this vexed problem.*

Ram Niwas Mirdha



## Seminar on Environmental Law

The Indian Society of International Law (ISIL) organized a one-day seminar on *Emerging Trends in the National and International Environmental Law* on Wednesday 12<sup>th</sup> July 2006 at its premises. Shri Ram Niwas Mirdha, President, ISIL, welcomed the chief guest and the participants. Shri Namo Narayan Meena, Minister of State, Environment and Forests inaugurated the seminar. In his address, Shri Meena appreciated ISIL for organising seminar on contemporary issues in the light of various international and national laws related with environment. He highlighted the contribution of academicians, scholars and civil societies in resolving complex issues related with this. Prof. Rahmatullah Khan, Secretary General, ISIL gave vote of thanks. The Seminar was organised in two sessions. Prof. Rahmatullah Khan chaired the first session. In this session the following eminent scholars, namely, Prof. B. C. Nirmal, Dr. M. Gandhi, Dr. Luther Rangrej, Dr. Furqan Ahmad, Dr. Fatima Stanaz, Dr. Ajendra Shrivastava and Shri Santanu Sabhapandit presented papers on various aspects. Dr. M. Gandhi chaired the second session and following scholars presented papers: Dr. V. S. Mishra, Dr. Anwar Sadat, Shri Vishnu Konooragar, Shri Shalendra Gupta and Ms. Selvi Ganesh.

## Public Lecture on Space Law and Remote Sensing

ISIL organized a public lecture on *Space Law and Remote Sensing* on Thursday, 10<sup>th</sup> August, 2006, at its premises. Prof. Rahmatullah Khan, Secretary General, ISIL, welcomed the chief guest Prof. Joanne Irene Gabrynowicz, Director, National Remote Sensing & Space Law Centre and the gathering. Prof. Gabrynowicz delivered lecture and briefly analysed the contemporary issues involved in the development of international laws pertaining to remote sensing. Prof. Gabrynowicz is also Editor-in-Chief, *Journal of Space Law*, the University of Mississippi, School of Law, USA.

## Lecture on Internally Displaced Persons and A Book Release Function

ISIL & Calcutta Research Group (CRG) jointly organised a book release function and a public lecture on *Internally Displaced Persons* on Monday, 21<sup>st</sup> August 2006 at its premises. Dr. Manoj Kumar Sinha, Director, ISIL, welcomed the chief guest Shri Jeevan Thiagarajah, Executive Director, Consortium of Humanitarian Assistance (CHA) Colombo, Sri Lanka, and the gathering. Prof. Rahmatullah Khan, Secretary General, introduced the chief guest and also spoke about the activities of the ISIL. Shri Ram Niwas Mirdha, President, ISIL, released the translated book in Hindi edited by Shri Madhuresh Kumar. Dr. Ranbir Samadar also addressed the gathering and expressed concern about the absence of advocacy of the protection of the internally displaced persons. Shri Thiagarajah delivered the lecture and highlighted the acute problems of the internally displaced persons in Sri Lanka.

## Special Lecture by Prof. Paul Butler

ISIL organised a special lecture on *Quotas and Affirmative Action and US* on 28<sup>th</sup> August 2006 at its premises. Prof. Rahmatullah Khan, Secretary General, ISIL, introduced the chief guest Prof. Paul Butler, Research Professor of Law at George Washington University Law School, Washington DC, USA and invited him to deliver a lecture. Prof. Butler spoke at length about US experience on issues of quotas and affirmative action. He examined the US constitutional provisions and decisions relating to affirmative action and concluded with the necessity of keeping these provisions in US laws. Prof. Khan gave vote of thanks.

## Discussion on Future of International Refugee Law

ISIL, organised a discussion on *Future of International Refugee Law* on Thursday, 31 August 2006 at 3.00 PM at its premises. Prof. Rahmatullah Khan, Secretary General, ISIL, welcomed the chief guest Dr. Satvinder Juss, Reader-in-Law, King's College, London and the gathering. Dr. Juss discussed the relevancy of the Refugee Convention, 1951 and its Protocol and the need to strengthen the rights of refugees by carrying out the obligation incurred by State Parties. He concluded that international community

expected India to sign and ratify the Refugee Convention, 1951 though he accepted the fact that India was one of the countries effectively protecting and implementing the rights of refugee.

## Public Lecture on Recent Developments in US Biotechnology Law

ISIL, organized a public lecture on *Recent Developments in US Biotechnology Law* on 1<sup>st</sup> September, 2006 at its premise. Prof. Rahmatullah Khan introduced the chief guest Dr. Nathan P. Letts, Vice President, Intellectual Property and Licensing, dia Dexys, USA, and invited him to initiate the discussion. Dr. Letts explained the importance of biotechnology in improving the quality of foodgrains and medicines etc. and discussed the pertinent provisions of US patent law on the subject. Prof. Rahmatullah Khan, Secretary General, gave vote of thanks.

## Special Lecture by Shri Kishore Singh

ISIL, organised a special lecture on *Right to Education in International Law* on Monday, 4<sup>th</sup> September 2006 at 2.30p.m. at its premises. Dr. Manoj Kumar Sinha welcomed the chief guest and the gathering. Shri Kishore Singh, Programme Specialist in Charge Education Sector, UNESCO, Paris, delivered the lecture and examined Indian constitutional provisions and various recent programmes of Department of Education, Government of India in the backdrop of UNESCO's intensive efforts in strengthening the right to education.

## Public Lecture by Shri Justice Kishor Govind

ISIL, and Institute of Constitutional and Parliamentary Studies (ICPS) organised a public lecture on *Constitution and Laws of Fiji Islands* on Wednesday, 27 September 2006 at 5.00 pm at its premises. Prof. Rahmatullah Khan, Secretary General, ISIL, welcomed the chief guest, Shri Justice Kishore Nand Govind, High Court, Lautoka, Fiji Islands. Justice Govind delivered the lecture and traced the historical background of the present Fijian Constitution. Justice Govind appreciated the efforts of the Fiji High Court to uphold the rule of law in Fiji. Dr. Manoj Kumar Sinha, Director, ISIL, gave vote of thanks.



## Inaugural of Post Graduate Diploma Courses and Convocation Ceremony for Awarding Post Graduate Diploma Certificates

ISL inaugurated the Convocation for Awarding Post Graduate Diploma Certificates on Ministry, 1<sup>st</sup> September 2006 at its premises. The ceremony was also marked to inaugurate Post Graduate Diploma Certificate Courses (2006-07). Shri Ram Nivas Mirzha, President, ISL, welcomed and introduced the chief guest Shri U. Ahmed, Minister of State for External Affairs, Government of India and invited him to inaugurate the ceremony. Shri Ahmed also distributed certificates to students of ISL. Prof. R. P. Anand, Executive President, ISL, and Prof. Rahmatullah Khan, Secretary General, ISL, addressed the gathering and appreciated the efforts of the Ministry to make the objective of the ISL. Dr. R. K. Dast, Treasurer, ISL, gave vote of thanks.



## Orientation Course for Indian Economic Services (Officer-Trainee)

ISL conducted an Orientation Course on International and National Economic Law approved by the Ministry of Finance, Government of India at ISL premises from 28 August to 1 September 2006. Shri R. Mohan, Additional Secretary - General of India, Supreme Court of India, inaugurated the course. In his inaugural address, he

highlighted the importance of Indian Economic Officers in view of increased globalized society. There were lectures and presentations on a variety of themes of international and national economic law. The faculty of the orientation course consisted of Prof. Rahmatullah Khan, Prof. S. K. Verma, Dr. R. K. Dast, Shri T. K. Vikanathan,

Dr. C. Mahapatra, Dr. V. G. Hegde, Dr. A. K. Choudhary, Dr. K. S. Kardam, Dr. A. S. Reddy, Dr. Manoj Kumar Sinha, Dr. Amitendu Palli, Shri Madhukar Sinha, Dr. Archana Negi, Dr. Ravindra Pratap and Shri V. K. Singh.

## Fourth UGC Refresher Course on International Law

ISL inaugurated the Fourth UGC Refresher Course on International Law for law teachers at its premises from 4<sup>th</sup> to 23<sup>rd</sup> September 2006. Shri Ram Nivas Mirzha, President, ISL, inaugurated the course. In his address, he highlighted the role of international law in the globalized society. Prof. Rahmatullah Khan, Secretary General, ISL, also spoke on the occasion. There were lectures and presentations on a variety of themes of international law. The faculty of the refresher course consisted of Prof. R. P. Anand, Prof. Rahmatullah Khan, Prof. Veera Bakshi, Prof. J. L. Koul, Prof. B. C. Nimal, Dr. R. K. Dast, Prof. Chinmayan Mahapatra, Dr. J. C. Batra, Dr. V. D. Sharma, Dr. A. S. Reddy, Dr. Luther Rangrej, Dr. Manoj K. Sinha, Dr. Ravindra Pratap, Shri N. S. R. Murthy, Shri M. K. Rao, Dr. Burma Srinivas, Dr. A.K. Chaudhary, Dr. Dn. Banerji, Wg. Cdr. U. C. Jha, and Wg. Prafulla Bakshi. The course was concluded on 23<sup>rd</sup> September 2006. Shri Sanjay Parikh, eminent lawyer on environmental issues, delivered valedictory address and distributed certificates to the participants.





# Sixth Henry Dunant Memorial Moot Court Competition



ISIL, and the International Committee of the Red Cross (ICRC) organized the Sixth Henry Dunant Memorial Moot Court Competition at its premise. Shri Ram Nawaz Mircha, President, ISIL, gave welcome address. On this occasion Dr. Justice Shriya V. Patil, Member National Human Rights Commission, gave inaugural address. Prof. Rahmatullah Khan, Secretary General, ISIL, gave concluding remarks. The competition lasted from 14<sup>th</sup> September till 17<sup>th</sup> September, 2006. Participants from fifty-nine law Colleges/Universities came to participate in the competition.

The competition was conducted in three stages, preliminary, semi-final and final rounds.

The participants were judged on the basis of written memorials, appreciation of facts and law, advocacy skills, use of authorities and citations, general impression and court manners. Prof. Lakshmi Jambhokar, Dr. M. Gandhi, Dr. V. G. Hegde, Dr. V. D. Sharma, Dr. Sudhakara Reddy, Shri Y. S. R. Murthy, Wg. Cdr. U. C. Jha, Brig. J. S. Yadav, Dr. Luther Rangrej, Dr. Burra Srinivas, Shri M. K. Rao, Dr. Ravindra Pratap, Shri Shikhar Ranjan and Shri D. K. Sharma judged the teams in preliminary rounds and semi-finals.

Mr. Justice Madan B. Lokur, Judge Delhi High Court, Mr. Justice Y. Bhaskar Rao, Member, National Human Rights Commission and

Mr. Justice Ravindra Bhatt were the final round judge. National Law School, Jodhpur and National University of Advanced Legal Studies, Kochi were the winner and the runner up of the Competition respectively. Ms. Saman Ahsan, National Law Institute University, Bhopal was adjudged Best Advocates, Mr. Bharat Pandey, Gujarat National Law University, Gujarat won the Best Researcher award, and Gujarat National Law University, Gujarat also won Best Memorial Award in this Competition. Justice Y. Bhaskar Rao gave valedictory address and Dr. Manoj Kumar Sinha, Director, ISIL, gave vote of thanks.

## Law Students' Visit to ISIL

A delegation of more than 40 students from Department of Law, University of Burdwan headed by Dr. Mohammad Momin visited ISIL on 8<sup>th</sup> September 2006. Dr. Manoj Kumar Sinha, Director, ISIL, welcomed the students and described the activities of ISIL to the visitors and also discussed the importance of international law and career prospect in this area. Dr. Anwar Sadat researchers, ISIL, also spoke on the occasion.

A delegation of more than 40 students from University School of Law, Ahmedabad, Gujarat visited ISIL on 25<sup>th</sup> September 2006. Prof. R. P. Anand, Executive President, ISIL, welcomed the visitors and gave a run-down of the activities of ISIL. Prof. Rahmatullah Khan, Secretary General, ISIL, also addressed the gathering.

## Executive President Visit to Xiamen Academy of International Law

Prof. R. P. Anand, Executive President, ISIL, delivered a series of lectures on *Changing Dimensions of International Law: An Asian Perspective* at the prestigious Xiamen Academy of International Law, Xiamen, China from August 26 to September 1, 2006. He also signed a Memorandum of Understanding (MOU) on behalf of ISIL, with Xiamen Academy

of International Law for exchange of scholars and students between the two institutions.

## Director's Visit to Rome

Dr. Manoj Kumar Sinha, Director of the ISIL, received CNR - Short Term mobility scholarship for two weeks, from 15<sup>th</sup> July to 30<sup>th</sup> July to do research in the field of international law. This scholarship was provided by International Legal Studies on behalf of National Council of Research, Rome, Italy. Professor Sergio Marchisio, Director, International Legal Studies and Secretary General of the Italian Society of International Law was instrumental in facilitating this scholarship as a part of Memorandum of Understanding signed between the Indian Society of International Law and Italian Society of International Law. During his stay at the Institute Dr. Sinha completed a project on Human Rights and Good Governance and presented it to the members of the Italian Society of International Law.

## ISIL Researcher's Visit

Dr. Anwar Sadat, Research Fellow at the ISIL, participated in a three day workshop organised by the Indian Institute of Management (IIM), Lucknow on *Legal Awareness and Youth Participation in Environmental Compliance and Enforcement*

from 28-30 July 2006. He submitted a report on the basis of his visit to a heavily polluted area of Kanpur called Jajmau and gave a seminar on the basis of the report at the Institute.

Shri Vinay Kumar Singh, Research Fellow at ISIL, participated and presented papers titled *The UN Guiding Principles on Internal Displacement in the Workshop on IDPs in India's Northeast* jointly organised by the Mahanirban Calcutta Research Group and NPHMR on August 24-25, 2006 at Kohima, Nagaland.

## Forthcoming Events

ISIL and EU-India Trade and Investment Development Programme (TIDP) Jointly Organising a One-Day Seminar on *Pharmaceutical Patents and the Right to Health*, on 7<sup>th</sup> October 2006

2nd South Asian Regional Henry Dunant Memorial Moot Court Competition, 27<sup>th</sup> - 29<sup>th</sup> October 2006

One-Week Training Programme on *International Humanitarian Law*, 15<sup>th</sup> November to 21<sup>st</sup> November 2006

International Conference on *Private International Law*, 2<sup>nd</sup> & 3<sup>rd</sup> December 2006