

**Centre for Studies in International Law
School of Law
Galgotias University**



Presents

National Symposium on

INDIAN APPROACHES TO INTERNATIONAL LAW

7 April 2018

Knowledge Partner: The Indian Society of International Law, New Delhi

Venue: Galgotias University, Sector 17-A, Yamuna Expressway, Greater Noida (NCR)

Concept Note

Conventional literature on international law makes us believe that the subject has its genesis only in the works of Hugo Grotius, Vitoria, Oppenheim and other western greats. But rarely do we look into the theoretical ramifications of such works. The details of the doctrinal favor that Grotius offered to the Dutch East India Company and dynamics of the “civilized and uncivilized” binary in Oppenheim’s original definition of international law are often ignored in our law school tuitions, conferences and similar gatherings. The phenomenal pan Asian impact of Vasco da Gama’s arrival at the port of Calicut in India is rarely discussed. As eminent historian K.M Pannikar puts it - “the changes it directly brought about and the forces it generated in the countries of Asia in contact with Europe for a period of 450 years, and subjected to Western domination for over a century, have effected a transformation which touches practically every aspect of life in these countries.”

The third world scholarship has compelled the international legal fraternity to consider looking at the current system of international law as a continued manifestation of Eurocentrism. The Indian position however has been inconsistent when it comes to resisting such tendencies.

After signing the TRIPS agreement, we had to repeal Section 5 of The Patents Act in 2005. Being an important pro-access-and-affordability provision, it barred product patenting on food and pharmaceuticals and was incorporated in our domestic law after painstaking efforts of Justice Rajagopala Ayyangar (in his 1959 report). The government has formulated a new IPR policy that has generated much anxiety among those who are skeptical about the adverse effects of a stricter IPR regime on Indian society. In 2016, the Indian finance minister pitched for a separate international commercial arbitration framework for BRICS nations citing the inherent structural bias in the current system against the developing countries. As a WTO member, India faces challenges to secure the interests of its farmers,

especially after ratifying the Trade Facilitation Agreement (something that it has been opposing since the time of its introduction). Concerns are also up regarding equitable access to affordable higher education since India has already made the offer under the General Agreement on Trade in Services.

On other issues of international importance also, it is interesting to look at the policy responses of India:

One instance can be of the debate that ensued regarding the decision of the government to deport Rohingya refugees. It assumed a legal controversy, when those criticizing the measure asserted that India is duty bound to follow obligations under various human rights treaties and customary rules of international refugee law.

Further, the Prime Minister's address in the World Economic Forum (Davos, 2018) outlined India's stand with regards to the global problems such as climate change and terrorism. India's role in formation of International Solar Alliance (ISA), which is a treaty based inter-governmental organization with an aim to reduce dependence on fossil fuels, was also highlighted.

On the economic front, the propensity of state governments (especially since the opening up of the economy in 1991), to sign MoUs with private investors, is acquiring pace like never before. These commitments do not give adequate regard to the tribal rights, which are recognized under the United Nations Declaration on the Rights of Indigenous People (UNDRIP). This has raised a question mark on the very idea of "development". While commenting on the "so called development" induced violation of indigenous rights, the Supreme Court of India in *Nandini Sundar v. State of Chhattisgarh* (2011 7 SCC 547) cited the report of an expert group constituted by the Planning Commission of India. It said that the development conceptualized since independence "*has ended up in destroying their (indigenous communities') social organization, cultural identity and resource base....which cumulatively makes them increasingly vulnerable to exploitation...*"

With international law being all pervasive today, the list of India's interactions with the discipline is endless. Kulbhushan Jadhav's case, perpetual internationalization of Kashmir disaccord and surgical strikes can make further additions to the list. However, concerns are often raised that the discipline and its application are not taken seriously enough. We need a systemic set up for factoring in international law to monitor/justify our conduct that may have an international bearing.

Thus, the symposium will look forward to receive quality research papers that help in comprehensible understanding of Indian approaches (or ought to be approaches) to international law.

Theme:

Research papers can deal with any pertinent area of international law; in which India, as a member of the international community, has something to say or offer.

Important Dates:

Abstract Submission (250 words)	26 February 2018
Notification of Selected Abstracts	28 February 2018
Full Research Paper Submission	22 March 2018
Notification of Selected Final Papers	24 March 2018
Date of Registration Along with Payment of Registration Fee	3 April 2018
Symposium	7 April 2018

Authorship:

Maximum two authors are allowed per entry. In case of co-authorship, both would be required to register separately.

Word Limit and Citation:

Length of the abstract should not exceed 250 words. For final paper submissions, the count must be between 2500 and 3000 words. Bluebook 19th edition must be followed for citation purposes.

Eligibility:

We invite research papers from – government officials, academicians, international legal practitioners, research scholars, professionals from international organizations and NGOs.

Interested students can participate as attendees in the symposium. All attendees shall be awarded with the 'Certificate of Participation'.

Registration Fee:

The registration fee shall be as follows:

For Participants- ₹ 1000

For Attendees- ₹ 500

Mode of payment:

- i. *Online Payment (through NEFT/IMPS)*

Particulars	Bank Details
Name of Payee	Galgotias University
Name of the Bank	Punjab and Sind Bank
Bank Branch	Kaison Tower, 1st Floor, Alpha Commercial Belt-I, Alpha Rd, Alpha I, Greater Noida, Uttar Pradesh 201308
Bank Account Number	09701100000025
IFSC Code	PSIB0020970

In case of online payment, the participant(s) must send us the soft copy of the transaction receipt along with the registration form on or before the last date. **No hard copy of the registration form is required if payment is made online.**

ii. Demand Draft

Demand Draft should be drawn in favour of '**GALGOTIAS UNIVERSITY UTTAR PRADESH**' payable at **Noida**. The hard copy along with the registration form should reach us at the following address on or before 3 April 2018:

*The Dean, School of Law,
Room No. A-509, Galgotias University,
Plot No.2, Sector 17-A, Yamuna Expressway,
Gautam Buddh Nagar, Greater Noida,
Uttar Pradesh, 201308. India.*

iii. Cash Payment

Cash amount can also be paid to us in person at the office of the Dean, School of Law, Galgotias University.

All registration formalities must be completed by 3 April 2018.

Publication:

Selected papers shall be published in a book form with a reputed publisher. Plagiarism would lead to immediate rejection. Only serious entries shall be considered.

Queries:

All submission/participation related queries can be directed to –

Mr. Mohammad Umar
*Assistant Professor & Coordinator,
Centre for Studies in International Law
School of Law, Galgotias University,
Greater Noida, U.P. India- 201308, India*
Email- csil.gu@galgotiasuniversity.edu.in

Organising Head

Dr. Kiran Gardner,
Dean,
SoL, Galgotias University.

Organising Committee

1. Mr. Mohammad Umar
Phone: +91-8742962096
2. Dr. Amita Rathi
Phone: +91-9999612484
3. Mr. D.C.Gautam
Phone: +91-9761810714

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REGISTRATION FORM

Name:

Designation:

Institution/Organisation:

Title of the Paper:

Participating As:

Presenter

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