



*Two Day National Conference on
International Humanitarian and Refugee
Laws*

POST GRADUATION DEPARTMENT (LL.M.)

&

CENTRE FOR INTERNATIONAL LAW

ILS LAW COLLEGE, PUNE

26TH -27TH MARCH 2020

ABOUT ILS LAW COLLEGE, PUNE



Established in 1924, ILS Law College (<https://ilslaw.edu/>) is one of the oldest law schools in India and has been playing a pioneering role in legal education and scholarship in the country. Ninety six years since its establishment, the Law College has acquired the reputation of being a premier institution imparting quality legal education. Since its inception, ILS Law College has produced some of the most highly regarded contributors in the field of law. With its illustrious history and heritage, the institution has contributed immensely to the growth of legal profession and has upheld its tradition of producing meritorious legal scholars who dedicate themselves to public service and reform. The generations of distinguished legal luminaries who have been nurtured by this unique institution have made a seminal contribution globally to the evolution of the esteemed field of Law.

ABOUT POST GRADUATE DEPARTMENT (LL.M.)

The Post Graduate Department was established in 2010 and runs the two- year LL.M. program attracting intellectually curious and thoughtful candidates from all over India. One of the specializations the Department offers is International Law. The Department organizes various seminars, conferences and workshops for students as innovative methods of teaching and learning.

ABOUT CENTRE FOR INTERNATIONAL LAW

The Centre was established in 2014 with the goal to increase awareness of international law. The Centre's main aim is to discuss the various aspects and developments in field of international law such as law of the sea, international humanitarian law, trade law, space law and any other upcoming areas. Its aim is to provide students with a forum at which they can discuss and learn more about contemporary issues in the field. The cell is student driven and is instrumental in organizing debates, presentations, seminars and conferences.

CONCEPT NOTE

World War II witnessed gross violations of human rights and of law of wars which was deliberated and discussed at the international level. This gave rise to Geneva Convention of 1949 for the protection of victims of armed conflict and to provide a framework for the laws of war. Post World War era witnessed a rise in the number of refugees due to various reasons. The need was thus felt to provide a mechanism for the protection of the rights of refugees. Consequently the 1951 Convention on the Status of Refugees was introduced. Despite the existence of these Conventions, a gross violation of international humanitarian laws and refugee instruments persists.

The recent announcement of Government of India to implement National Register of Citizenship (NRC) created a panic in the minds of citizens in the light of Assam experience. Syria and Myanmar are also experiencing a refugee crisis.

These, along with issues relating to enforcement and implementation of International Humanitarian Law require detail deliberations with activists, academicians and other stake holders.

ILS Law College accordingly seeks to organize a two-day National Conference on International Humanitarian and Refugee Laws on 26th and 27th March 2020.

Aims and Objectives of the Conference:

- To develop a humane attitude, awareness and understanding about International Humanitarian Law
- To highlight the current as well as the emerging issues in International Humanitarian Law
- To discuss whether CAA-NRC is in accordance with international refugee instruments
- To deliberate on the refugee crisis prevailing in the South Asian subcontinent

SCHEDULE AND SUB THEMES:

| Day 1: Refugee Law | | |
|---------------------------|--|------------------|
| Session | Particulars | Time |
| | Registration 8.30 am – 9.30 am | |
| | Tea & Snacks 9.30 am – 10 am | |
| Technical Session 1 | Inauguration and Key Note Address: Reflections on Cross Border Movement of people and Introduction to international Humanitarian Law (<i>Dr Umesh Kadam</i>) | 10 am – 11.30 am |
| Technical Session 2 | Overview Of International Instruments On Refugees And Indian Position ((<i>Ms. Thulsi Raj</i>)) | 11.30 am- 1 pm |
| | Lunch 1pm – 2 pm | |
| Technical Session 3 | Citizenship Amendment Act, 2019 and -National Register for Citizens: in context of international instruments on refugees | 2 pm – 3.30 pm |

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| | <i>(Ms Darshana Mitra)</i> | |
| Tea & Snacks 3.30 pm – 4 pm | | |
| Technical Session 4 | Session 4: Refugee crisis in Asia with special reference to Myanmar and Syria <i>(Dr Parivelan)</i> | 4 pm – 5.30 pm |
| Technical Session 5 | The Way Forward | 5.30 – 6 pm |
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| Day 2: International Humanitarian Law | | |
| Session | Particulars | Time |
| Tea & Snacks 9 am – 10 am | | |
| Technical Session 1 | 70 years of Geneva Convention: The world and India <i>(Dr Srinivas Burra)</i> | 10 am – 11.30 am |
| Technical Session 2 | Contemporary Issues in International Humanitarian Law <i>(Dr Ajey Lele)</i> | 11.30 am – 1.00 pm |

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| Lunch: 1 pm- 2 pm | | |
| Technical Session 3 | Enforcement, Implementation and Compliance of International Humanitarian <i>(Dr Anuradha Saibaba)</i> | 2 pm -3.30 pm |
| Technical Session 4 | The Way Forward | 3.30 pm – 4 pm |
| | Vote of Thanks | 4 pm – 4.30 pm |
| High Tea 4.30 pm onwards | | |

Day 1: International Refugee Law

Session 1- Reflections on Cross Border Movement of people

Migration of people across borders has existed since time immemorial and such movement has various shades to it. Sometimes, this movement of people is voluntary for better growth opportunities, however, sometimes it is due to fear of persecution or it is in the nature of displacement forced by so called development.

This session will focus on various categories and degrees of migrants and the issues addressed under international law and municipal law. Legal system alone cannot address the effective control of migration unless and until there is political willpower of the nation states. This session will also intend to address the politics of migration and grant of asylum.

Session 2: Overview of International instruments on refugees and Indian position

Pursuant to Article 14 of the UDHR, the United Nations concluded the 1951 Convention on the Status of Refugees followed by the 1967 Protocol on the same. The Convention is based on the principle of non-refoulment which has today achieved the status of customary international law.

India is not a signatory to either the Convention or the Protocol and has neither followed a uniform, consistent policy with respect to refugees.

This session seeks to deal with a critical analysis of these international instruments regarding the status of refugees and also analyse the reasons for India's non ratification of the Convention as well as the Protocol.

Session 3: Citizenship Amendment Act, 2019 and -National Register for Citizens: in context of international instruments on refugee

The Constitution of India reflects respect for international law. The recent decision of the government to grant citizenship to individuals on the grounds of religion and thereby, excluding an entire class of individuals has stirred up a pertinent debate. The implementation of NRC in Assam has declared around 19 lakh individuals as "outsiders" who might face the consequences of losing their citizenship. In the absence of a concrete refugee policy, the abovementioned action of the government is on the verge of creating a grave humanitarian crisis. This session will deliberate on the intersectionality of CAA and NRC in the light of the refugee law.

Session 4: Refugee crisis in Asia with special reference to Myanmar and Syria

The Asian subcontinent has been a breeding ground for a wide array of refugee issues. The expulsion of Rohingyas from Myanmar and the Syrian civil war are just two of the infamous refugee crisis lurking around.

Through this session we aim to deal with the wider issue of refugee catastrophe in Asia which in turn is affecting the globe as well as the position taken by India with regards to this.

Session 5: The Way Forward

The session will be a concluding session discussing the topics of the day and closing remarks by every speaker.

Day 2: International Humanitarian Law

Session 1: 70 years of Geneva Conventions.

International Humanitarian Law (IHL) has increasingly become relevant in today's complex nature of warfare. The primary function of IHL is to limit the effects of armed conflicts for humanitarian reasons. IHL protects victims of armed conflicts and restricts the means and methods of such warfare. The Geneva Conventions of 1949 are the primary sources of IHL.

On the 70th anniversary of the Geneva Conventions, it is pertinent to revisit the conventions and understand the present context of Geneva Conventions.

The session will provide the overview of the Geneva Conventions and other important IHL instruments with special focus on India.

Session 2: Contemporary Issues in IHL:

The emergence of innovative technologies and its rapid developments in the field of warfare along with the evolving power relations have put forth novel questions regarding the role of IHL in limiting the effects of armed conflicts. The changed circumstances have also brought with them new issues and challenges for IHL. In this background, it has become indispensable to ensure that IHL rules and principles will continue to protect the victims of armed conflicts.

This session will reflect on the contemporary issues in IHL. The session will also try to recognize the current position of IHL with respect to emerging issues and challenges under IHL.

Session 3: Implementation and Enforcement of International Humanitarian Law

As a respect to humanity, all states must respect IHL in all circumstances. Moreover, States are also expected to undertake measures to implement IHL in their respective territories. But IHL is violated in most of the conflicts and by all belligerents. Some of the violations of IHL have resulted in sufferings on civilians as well as on combatants.

However, the effective enforcement and implementation of IHL still depends on non-judicial mechanisms like public opinion and media. This session will try to throw light on reasons for difficulties relating to implementation and compliance of IHL and will try to provide solutions for the better enforcement of IHL.

Session 4: The Way Forward

The last session will be a concluding session discussing the topics of the day and closing remarks by every speaker.

CALL FOR PAPERS:

We invite papers for presentation from students, experts, academicians from all over India. The paper should be original and contemporary. It should focus on any of the abovementioned themes. However, any topic which does not fall within the given themes may be accepted as per the discretion of the organizers. Every paper will be reviewed before the final selection for presentation.

- The paper word limit shall **not exceed 3500 words** (including footnotes) and must be typewritten in the Times New Roman, font size 12, line spacing 1.5 and justified alignment.
- All footnotes shall be in the Times New Roman, font size 10, line spacing 1 and justified alignment. Every paper should follow the Harvard Blue book 20th edition for footnote style.
- There can be one co-author.
- Author(s) should send following details in the separate word document:
 1. Name
 2. Contact No.
 3. Name of the Institution
 4. Email Id.
 5. Designation

All full papers are to be emailed at: centreforinternationallaw@ilslaw.in

IMPORTANT DATES:

| Date | Particulars |
|-----------------------------------|---|
| 1st March 2020 | Submission of Paper |
| 9th March 2020 | Communication of acceptance and changes |
| 14th March 2020 | Submission of final paper with changes |

REGISTRATION DETAILS:

| Category | Registration Fee |
|--------------------------------|------------------|
| ILS Students | Rs 500/= |
| Non-ILS Students | Rs 1,000/= |
| Professionals and Academicians | Rs 2,000/= |

Student Coordinators:

Atharv Joshi: 7775038520

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The Nation