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INSIDE

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V.K. Krishna Menon Bhawan,
9, Bhagwan Das Road,
New Delhi - 110001 (INDIA)
Tel.: 23389524, 23384458-59 Fax: 23383783
E-mail: isil@giasdl01.vsnl.net.in
Website: www.isil-aca.org

Editorial

Two Compacts, one on refugees (Global Compact on Refugees GCR) and the other on migration (GCM) (A/RES/71/1) process was launched immediately after the adoption of the UN General Assembly's New York Declaration on Refugees and Migrants on 19 September 2016. Initially intended to be both comprehensive and a step forward in protecting large numbers of people on the move worldwide, the two international agreements currently being under negotiation at the United Nations are at risk falling short of their aspirations. However, there's still some hope to fix them.

The GCR has two main parts: a Comprehensive Refugee Response Framework (CRRF) and a Programme of Action. The CRRF was already adopted as an annex to the New York Declaration. Today, 11 countries are applying the CRRF: Costa Rica, Djibouti, El Salvador, Ethiopia, Guatemala, Honduras, Mexico, Panama, Somalia, Uganda and the United Republic of Tanzania. Among these 11 countries, there are two regionally coordinated comprehensive responses. Tanzania in February 2018 has announced its withdrawal from United Nation's "CRRF" citing security reasons and lack of funds. The World Bank is also playing a major role in putting into practice the principles set forth in the New York Declaration, with the Development Response to Displacement Impacts Project (DRDIP) and the 2 billion dollars IDA-18 fund for refugees and receiving community programs. NGOs and the civil society are also playing an important role in implementing the CRRF. The latest draft of the GCR namely, the Third Draft was published on 4 June 2018. In a welcome improvement from the zero draft, Draft 1 of the GCR now acknowledges (i) the centrality of non-refoulement to the international refugee protection regime and (ii) in context of implementation mechanisms, inclusion of an initial Global Refugee Summit in 2019 to be followed by Global Refugee Summits convened every three years beginning in 2021. At present, few states are willing to be bound by clear pre-determined criteria for the distribution of burdens under a future new convention or protocol on burden sharing which seems are not likely to be adopted in the near future, alternatively, some States are proposing for non-binding instrument to remedy the normative gap regarding burden sharing and providing in the Annex of the Compact not just one but different models on how to distribute the burdens in a large-scale influx situation or any other complex situations.

A Zero Draft of the GCM was released on 5 February 2018, followed by a Draft Revision 1 on 26 March 2018 which will be placed for formal adoption of the GCM at the Intergovernmental Conference in Morocco from 10-11 December 2018. The US Government announced its decision not to participate in the GCM's negotiation and the EU has insisted that GCM should not be a legally binding instrument, even if the draft text makes multiple references to law, such as the preambular mention of international human rights treaties. India fears that undue emphasis on, or support for, legal pathways to address 'irregular' migration could act as an incentive for larger numbers to resort to it in future and thus is blocking such references in GCM along with the reference to non-refoulement. As highlighted above, the current versions of both draft documents have positive elements, but also provisions that should be strengthened considerably in the months to come.

Pravin H. Parekh

RECENT ACTIVITIES

Convocation and Inauguration of the P. G. Diploma Courses

ISIL organized the Convocation for awarding of Post Graduate Diploma Certificates on 4 September 2018. The ceremony was also marked to inaugurate the Post Graduate Diploma Courses for the academic session 2018-19 conducted by the Indian Academy of International Law and Diplomacy, a teaching wing of the Indian Society of International Law, New Delhi. The Chief Guest Hon'ble Justice L. Nageshwara Rao, Supreme Court of India delivered the inaugural and convocation address. Shri Sanjay Parikh, EC Member, ISIL, Prof. Manoj Kumar Sinha, Vice President, ISIL and Prof. Dabiru Sridhar Patnaik, Treasurer, ISIL also addressed the students. Ms. Manasi Gandhi received V. K. Krishna Menon Memorial Prize for securing the highest marks in the Post Graduate Diploma Course in International Law and Diplomacy; Ms. Pooja Rana received K. Krishna Rao Memorial Prize for securing the highest marks in the Post Graduate Diploma Course in International Trade and Business Law; Ms. Suyashi Prasad received Judge Nagendra Singh Memorial Prize for securing the highest marks in the Post Graduate Diploma Course in Human Rights, International Humanitarian and Refugee Law; Ms. Arpita Mehta received M. K. Nawaz Memorial Prize in the Post Graduate Diploma Course on Intellectual Property Rights Law; and Ms. Meenakshi topped and received certificate for securing highest marks in the P G Diploma Course on International Environmental Law.

18th Henry Dunant Memorial Moot Court Competition (National Round) 2018

18th Henry Dunant Memorial Moot Court Competition (National Round) 2018 was held on 13-16 September 2018 at the ISIL. The Competition was inaugurated by Hon'ble Justice Madan B. Lokur, Judge, Supreme Court of India. Shri A. K. Ganguli, Executive President, ISIL, Mr. Jeremy England, Head of the Regional Delegation, ICRC, New Delhi and Prof. J. L. Kaul also shared dias with the Chief Guest Hon'ble Justice Madan B. Lokur. 49 teams participated in the Competition.

The Competition was conducted in three stages, quarter-final, semi-final and the 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. Eminent professors, legal officers and international law scholars judged the teams in preliminary, quarter-final and semi-final rounds. RGNUL, Patiala (team members: Ushashi Datta, Adwiteya Grover and Sugandha Sawhney) and Maharshtra National Law University, Mumbai (team members: Navneeta Shankar, Shraddha Chakraborty and Snehal Dhote) were the winner and runner up of the Competition respectively. Navya Singh, NIRMA University, Ahmedabad and Utsav Garg, NLIU, Bhopal was adjudged the joint winners of the Best Advocate; Carrol James, Tamil Naidu Dr. Ambedkar University, Chennnai and Purvi Nema, NUSRL, Ranchi jointly won the Best Researcher award and Jamia Millia Islamia, Delhi (Team members: Arkaprava Dass, Rishika Jain, Ahmad Ammar) won Best Memorial award in this Competition. Hon'ble, Justice V. Kameswar Rao, Judge, Delhi High Court gave the valedictory address on the occasion. Prof. B. T. Kaul, Former Professor, Delhi University, Delhi and Shri Narinder Singh, Former Addl Secretary and Legal Advisor, MEA, Government of India along with the Chief Guest Hon'ble Justice Rao judged the final round of the Competition.

Visit of Faculty and Law Students

46 students of LLB Final semester 2018 of Dugrapur Institute of Legal Studies, Burdwan, West Bengal visited ISIL on 13 August 2018.

34 students of final year of 5 years and 3 years courses from the Department of Law, Pamm Pooiya Dr Babasaheb Ambedkar Smamk Samiti, Dr. Ambedkar College, Deekshabhoomi, Nagpur (Maharashtra) visited the ISIL on 8 March 2018.

60 students of the 5yrs BA/BBA/ B.COM LL.B Course AND 3yrs LL.B course, along with 2 faculty members of the Indian Institute of Legal Studies, Siliguri, Darjeeling, WB visited the ISIL on 9 July 2018.

Dr. Joshua Alter, Director of Graduate Global Engagement at St. John's University School of Law in New York City visited ISIL on 25 September 2018 and interacted with the faculty of ISIL. St. John's Law publishes the New York State Bar Association's New York International Law Review, houses at the Center for International and Comparative Law which puts on symposia, conferences, and lectures, sends teams to international law moot court competitions, and hosts a large number of foreign-trained LL.M. students each year who seek to sit for the New York Bar Exam and learn about international and transnational issues.

RECENT DEVELOPMENT

Paraguay Ratifies the United Nations Convention on the Use of Electronic Communications in International Contracts

On 25 July 2018, Paraguay ratified the United Nations Convention on the Use of Electronic Communications in International Contracts ("Electronic Communications Convention"). With its ratification of the "Electro -nic Communications Convention", Paraguay becomes the tenth State party to the Convention, which will enter into force on 1 February 2019. Cameroon, Congo, the Dominican Republic, Fiji, Honduras, Montenegro, the Russian Federation, Singapore and Sri Lanka, are the other State parties to the Convention. The Electronic Communications Convention aims to enhance legal certainty and commercial predictability where electronic communications are used in international contracts. For instance, it provides criteria for establishing functional equivalence between electronic communications and paper documents with respect to legal requirements such as "writing", "original" and "signature". The Convention also aims to foster the modernization and harmonization of e-commerce law. It builds on the legal principles and provisions contained in other UNCITRAL texts on electronic commerce, such as the UNCITRAL Model Law on Electronic Commerce, already adopted in some 150 jurisdictions across more than 70 countries. Another goal pursued by the Electronic Communications Convention is removing legal obstacles to the use of electronic communications that may arise from the terms of treaties concluded before the widespread use of electronic media, including the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958 (the "New York Convention") and the United Nations Convention on Contracts for the International Sale of Goods, 1980 ("CISG").

Relocation of the United States Embassy to Jerusalem (Palestine v. United States of America)

On 28 September 2018, the State of Palestine instituted proceedings against the United States of America before the International Court of

Justice, claiming that the US violated the Vienna Convention on Diplomatic Relations 1961 by moving its embassy in Israel from Tel Aviv to Jerusalem.

The fact of the case is as: On 6 December 2017, the President of the United States recognized Jerusalem as the capital of Israel and announced the relocation of the American Embassy in Israel from Tel Aviv to Jerusalem. The American Embassy in Jerusalem was then inaugurated on 14 May 2018. Palestine contends that it flows from the Vienna Convention that the diplomatic mission of a sending State must be established on the territory of the receiving State. According to Palestine, in view of the special status of Jerusalem, "[t]he relocation of the United States Embassy in Israel to . . . Jerusalem constitutes a breach of the Vienna Convention". As basis for the Court's jurisdiction, the Applicant invokes Article 1 of the Optional Protocol to the Vienna Convention concerning the Compulsory Settlement of Disputes 1961. It underlines that Palestine acceded to the Vienna Convention on 2 April 2014 and to the Optional Protocol on 22 March 2018, whereas the United States of America is a party to both these instruments since 13 November 1972. In brief, Palestine argues that various articles of the VCDR, especially Article 3 thereof, require that the functions of the diplomatic mission be performed 'in the receiving state,' which means that the mission must be established in the receiving state. Jerusalem is not Israeli territory, and therefore moving the embassy there meant that it was not established in the receiving state.

Alleged Violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (Islamic Republic of Iran v. United States of America)

On 16 July 2018, Iran instituted proceedings against the United States in a dispute concerning alleged violations of the 1955 Treaty of Amity, and on the basis of the compromissory clause in that Treaty. The case essentially concerns the alleged US failure to respect the immunity of the Iranian Central Bank/Bank Markazi and other Iranian entities, as well as other rights conferred by the Treaty. Earlier, enforcement proceedings have been brought in the US in US Court against these Iranian entities for Iran's involvement in terrorist activities.

Iran requested the ICJ to order and declare that the 8 May 2018 (the 8 May Sanctions) and subsequent sanctions are unlawful; that the United States shall stop its threats with respect to the further announced sanctions and that it shall compensate Iran. The claim is accompanied by a request for provisional measures by which Iran seeks to obtain, in particular, the immediate suspension of the sanctions and the non-implementation of the sanctions announced.

Iran alleges that US breached the Treaty of Amity, Economic Relations, and Consular Rights signed by Iran and the United States in 1955. The case, and the provisional measures request, raises many questions, including for example, whether the mainly economic damages alleged by Iran are irreparable as is required for the indication of such measures, and whether the request could possibly pre-empt the decision on the merits. While the existence of jurisdiction need only be proved prima facie in the provisional measures phase, the Court will at a later stage have to take a definite decision (assuming the case is not dismissed for manifest lack of jurisdiction at the provisional measures stage).

Right to Privacy and the European Court

The European Court of Human Rights on 13 September 2018 issued a judgment in Big Brother Watch v. UK, nos. 58170/13, 62322/14, 24960/15 condemning the United Kingdom for its mass surveillance program and held that it is against Article 8 (right to respect for private and family life) and Article 10 (freedom of expression) of the European Convention on Human Rights (ECHR). The three applications were introduced following revelations by Edward Snowden relating to the electronic surveillance programmes operated by the intelligence services of the United States of America and the United Kingdom. The applicants believed that due to the nature of their activities, their electronic communications were likely to have either been intercepted by the United Kingdom intelligence services; obtained by the United Kingdom intelligence services after being intercepted by foreign governments;

and/or obtained by the United Kingdom authorities from Communications Service Providers ("CSPs"). From a human rights law perspective, the fundamental question raised in this case is the nature of the interference and therefore the applicable test to apply to such interference.

The Court indicates that the interference to privacy resulted from obtaining information through intelligence sharing is equivalent to the interference resulted from if it had obtained that information through its direct surveillance. And accordingly, it found that the analytical approach to assessing such interference should, "[a]s with any regime which provides for the acquisition of surveillance material", consider whether: "the regime for the obtaining of such material from foreign Governments [is] 'in accordance with the law'..., [is] proportionate to the legitimate aim pursued, and [includes] adequate and effective safeguards against abuse."

Thus, intelligence sharing does not per se violate international human rights law. When done appropriately, sharing of intelligence can enhance human rights protections by helping authorities to identify and curtail threats to the security of its population. As this judgment says: "due to the nature of global terrorism, and in particular the complexity of global terror networks, the Court accepts that taking such a stand–and thus preventing the perpetration of violent acts endangering the lives of innocent people – requires a flow of information between the security services of many countries in all parts of the world."

But unregulated intelligence sharing poses substantive risks to human rights and to the democratic rule of law. The risk is that information sharing is done without adequate guarantees for human rights and robust independent oversight. Thus, the European Court of Human Rights has now explicitly found, intelligence sharing activities must meet the fundamental principles of legality, necessity and proportionality to be lawful under international human rights law.

Global Marine Plastic Waste and the Newly Recommended Amendment to the Basel Convention

From 3 to 6 September 2018, a meeting of the Convention's Open-Ended Working Group was held and it decided to recommend an amendment to the Basel Convention for adoption at the next Conference of States Parties in May 2019. It is aimed to widen the scope of plastic waste covered. The Basel Convention's objective is to protect human health and the environment against the adverse effects of hazardous wastes and "other wastes". It is clear that the Convention's primary purpose Is to address transboundary considerations, in particular those stemming from the movement of waste from more developed to developing states, with the Preamble "taking into account … the limited capabilities of the developing countries to manage hazardous wastes and other wastes", against the backdrop of the considerable international trade of unwanted, and often dangerous, waste. The Convention has notable gaps when it comes to plastic. "Solid plastic waste" is included in the Annex IX list of wastes considered "non-hazardous", and is thus excluded from the scope of the general obligations of the Convention, unless it has one of the following two characteristics.

The recommended amendments are twofold; first, the deletion of "solid plastic waste" from the list of non-hazardous waste under Annex IX. Secondly, the addition of plastic waste as a category of "other waste" under Annex II, explicitly "plastic waste: waste and scrap from plastic and mixed plastic materials and mixtures of waste containing plastics, including microplastic beads". These measures would significantly increase the amount of plastic waste regulated by the Convention.

PCA Bifurcation Order in the Ukraine vs. Russia Arbitration under Annex VII of UNCLOS

By Procedural Order of 20 August 2018 ("Bifurcation Order"), the PCA arbitral tribunal established under Part XV and Annex VII of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) in the "Dispute Concerning Coastal State Rights in the Black Sea, Sea of Azov, and Kerch Strait (Ukraine v. the Russian Federation)" ordered a bifurcation of the proceedings so that Russia's preliminary objections concerning the arbitral tribunal's jurisdiction ratione materiae will be examined in a preliminary phase prior

to the merits. This development brought with it some much needed transparency in the arbitration instituted by Ukraine against Russia on 16 September 2016, since the written submissions of both parties remain confidential. Ukraine's government is claiming that Russia violated Ukraine's rights under UNCLOS with respect to Russian activities in the Black Sea, the Sea of Azov and Kerch Strait, in particular, involving issues such as the seizure and exploitation of oil fields on Ukraine's continental shelf, usurpation of fisheries jurisdiction off the coast of Crimea, issues of navigation through Kerch Strait, the construction of Kerch Bridge and related structures, and the conduct of studies of archeological and historical sites in the Black Sea. With respect to Russia's request that the arbitral tribunal "adjudge and declare that it is without jurisdiction in respect of the dispute submitted to this Tribunal by Ukraine" under Article 288(1) UNCLOS, the arbitral tribunal's jurisdiction is limited to "any dispute concerning the interpretation or application of [UNCLOS]". As Russia's request to decline jurisdiction is not confined to specific issues or narrow questions of fact or law, it appears that Russia is challenging the arbitral tribunal's jurisdiction in its entirety.

WTO Plain Packaging DS435

On 19 July 2018, Honduras sought the Appellate Body's review of the Panel's conclusions circulated on 28 June 2018 that Honduras has not demonstrated that Australia's Tobacco Plain Packaging measures, as identified in Honduras' request for the establish-ment of a panel (the "TPP measures" or "plain packaging measures"), are inconsistent with Australia's obligations under Articles 20 and 16.1 of the Agreement on Trade-Related Aspects of Intellectual Property Rights ("TRIPS Agreement"); and Article 2.2 of the Agreement on Technical Barriers to Trade ("TBT Agreement") .

The disputes were directed against some tobacco control measures adopted by Australia – so-called 'the plain packaging' (TPP) laws. In brief, TPP mandates that all tobacco products be sold in unattractive standardised packaging, thereby curtailing the use of colours, design and trademarks by tobacco manufacturers.

UN Secretary-General Refuses to Reappoint Turkish Judge on the MICT

On 29 June 2018, the UN Secretary-General reappointed for a new, two-year term of office all of the Judges on the roster of the International Residual Mechanism for Criminal Tribunals (Mechanism) who were seeking reappointment except Judge Aydin Sefa Akay of Turkey. The one judge not reappointed was Judge Aydin Sefa Akay of Turkey, who is one of hundreds of Turkish judges purged by the Erdogan regime, which accused him of being a member of a terrorist organization. In response to this development, the President of the Mechanism, Judge Theodor Meron, expressed his "deep regret regarding, and respectful disagreement with, the decision not to reappoint my valued and esteemed colleague, Judge Akay, and my graveconcerns about the far-reaching consequences this decision will have for our institution and for international criminal justice more generally".

Judge Akay was among the Judges originally elected to the Mechanism by the UN General Assembly in December 2011 and previously served as a Judge of the International Criminal Tribunal for Rwanda. Like most of the Mechanism's Judges, and in keeping with the Mechanism's Statute, Judge Akay has carried out his work for the Mechanism remotely, in his State of nationality, since joining the Mechanism's judicial roster. While serving in the Mechanism's Appeals Chamber on the bench of the Augustin Ngirabatware case, Judge Akay was arrested in September 2016 by Turkish authorities and detained thereafter. He was convicted in June 2017 by a Turkish criminal court of first instance in Ankara on a single charge of being a member of a terrorist organization. Judge Akay resumed the conduct of his judicial functions for the Mechanism in June 2017 following his provisional release pending appeal. The arrest of Judge Akay, his detention and the legal proceedings against him are inconsistent with the assertion of his diplomatic immunity by the United Nations in October 2016, as well as the binding judicial order by the Mechanism to the Government of Turkey issued in January 2017. President Meron formally brought the matter to the attention of the UN

Security Council in March 2017 and on other occasions, as well as reporting the matter to the UN General Assembly. At present, the Turkish judgment of first instance against Judge Akay is subject to an on-going appeal as well as potential review proceedings at national and international levels and the verdict has yet to acquire legal finality.

Some believe that the decision not to reappoint Judge Akay was based on information provided by the Government of Turkey to the UN Secretariat that Judge Akay no longer satisfies the qualifications for Judges identified in Article 9 of the Mechanism's Statute by virtue of his conviction.

ITLOS: Amendment to the Rules of the Tribunal

Pursuant to the Statute of the International Tribunal for the Law of the Sea, Article 16, the International Tribunal for the Law of the Sea (ITLOS) has amended the Rules of the Tribunal, on the 25 September 2018, namely Articles 60(2) and 61(3). Both provisions have been amended through the addition of:

"If the Tribunal is not sitting, its powers under this article may be exercised by the President of the Tribunal, but without prejudice to any subsequent decision of the Tribunal."

The amendments were immediately entered into force. The rationale for amendment given by the Tribunal was "in the interest of the efficient and cost-effective administration of justice".

Franco-UK Agreement on Scallop Fishing in the Bay of Seine

Altercations between French and UK scallop fishers in the Bay of Seine (French EEZ) resurfaced on the 27 August 2018 (the "scallop wars"). The incident arose out of a failure to renew a bilateral agreement between French and UK fishermen before the start of the 2018 scallop fishing season. Consensus could not be reached upon whether to include UK vessels under 15 metres long within the industry agreement. Following a series of meetings, industry agreement was reached 17 September 2018 and endorsed by the respective French and UK ministries.

Convention on the Legal Status of the Caspian Sea signed

The member states of the informal group "Caspian-five", composed of Azerbaijan, Iran, Kazakhstan, Russia and Turkmenistan, have signed (12 August 2018) the Convention on the Legal Status of the Caspian Sea. This international treaty replaces previous Soviet-Iranian instruments, namely the Treaty of Friendship between Persia and the Russian Socialist Federal Soviet Republic of February 26, 1921 and the Treaty on trade and navigation of 25 March 1940. With this new treaty, the parties agree that the Caspian Sea is not a lake. Among other issues addressed by the treaty, the Caspian Sea bordering states will now be able to lay pipelines on the seabed without obtaining the approval of all the other coastal states, but rather only the approval from those coastal states whose sector the pipeline should pass through (Article 14). The treaty also features the principle of absence of armed forces not belonging to the parties in the Caspian Sea (Article 3). Six other international legal instruments were also signed by the parties, namely on the fight against terrorism, the fight against organised crime, economic cooperation, transportation, accident prevention, and interaction of border authorities.

EU-Morocco Fisheries Partnership Agreement Renewal Concluded

The fifth negotiating session between the European Union and the Kingdom of Morocco for the renewal of the Fisheries Partnership Agreement and its Protocol was concluded on 20 July 2018. Both parties will now proceed with their respective legislative processes to ratify the agreement. The Moroccan fishing zone includes waters in the Sahara region (art. 1). Following the previously reported CJEU Decision on this issue, the European Commission states the text that is negotiated provides for strict provisions on the geographical and social distribution of benefits. The Sahrawi delegate minister for Europe responded "neither Western Sahara nor the waters adjacent to it are part of Morocco or its exclusive economic zone".

Euorpean Court of Justice Ruled on EU Refugee Standards for Palestinians with UNRWA Status

On July 25, 2018, the Grand Chamber of the Court of Justice of the European Union ruled that a Palestinian with

refugee status from the United Nations Relief and Works Agency (UNRWA) cannot obtain EU refugee status while receiving protection or assistance from UNRWA. The Court also laid out the specific criteria by which Palestinians may apply for and receive asylum and subsidiary protection, and reiterated "that an individual may obtain asylum in the EU only if he or she are in a position in which his or her personal safety is at serious risk, has unsuccessfully sought assistance from UNRWA and has been driven to leave the UNRWA area of operations owing to circumstances beyond his or her control." The Court held that if a Palestinian registered with UNRWA leaves the Gaza Strip for another state, such as Jordan in the present case, before traveling to the EU in order to apply for international protection, the bodies in that state designated to decide on that application must examine whether that person received effective protection or assistance from UNRWA in Jordan. If so, "that person may not obtain asylum in the EU. Nor may that person obtain subsidiary protection in the EU if it has not been established that his or her personal safety is at serious risk in the territory of his or her place of residence (in the present case, the Gaza Strip) or, otherwise, if Jordan is prepared to readmit that individual to its territory and grant him or her the right to stay in dignified living conditions for as long as necessary in view of the risks in the Gaza Strip."

ICJ Issued Provisional Measure in Qatar v. United Arab Emirates

Qatar instituted proceedings against the UAE in June 2018, arguing that the UAE had violated the Convention on the Elimination of All Forms of Racial Discrimination when it "enacted and implemented a series of discriminatory measures directed against Qataris based on their national origin," particularly when it "expelled all Qataris within its territory and prohibited all Qataris from entering the UAE." On July 23, 2018, the International Court of Justice delivered its Order on Qatar's request for provisional measures in the case concerning Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates). The Court found that the United Arab Emirates (UAE) may have discriminated against Qatari nationals when it implemented a blockade in June 2017 and ordered the UAE to reunite Qatari families that were separated due to the blockade, allow Qatari students to complete their studies in the UAE, and allow Qataris affected by the UAE's measures in June 2018 to receive judicial access in the UAE. The Order will remain in place while the Court decides on the merits of the case.

Cabinet Approved Accession to WIPO Copyright Treaty and WIPO Performance and Phonograms Treaty

The Union Cabinet on 4 July 2018 has approved India's accession to WIPO Copyright Treaty, 1996 and WIPO Performers and Phonograms Treaty, 1996 which extends coverage of copyright to the internet and digital environment. The proposal was submitted by Department of Industrial Policy and Promotion (DIPP), Ministry of Commerce and Industry. The approval is step towards objective laid in National Intellectual Property Rights (IPR) Policy adopted by Government which aims to get value for IPRs through commercialization by providing guidance and support to EPR (End Point Royalties) owners about commercial opportunities of e-commerce through Internet and mobile platforms. Both treaties provide framework for creators and right owners to use technical tools to protect their works and safeguard information about their use i.e. Rights Management Information (RMI) and Protection of Technological Protection Measures (TPMs).

FORTHCOMING EVENTS

16th V. K. Krishna Menon Lecture by Hon'ble Shri Pranab Mukherjee, Former President of India, 5 October 2018

Two-day Workshop on E - Commerce: International and National Perspective, 10 - 11 November 2018