



## **Faculty of Legal Studies**

International Conference  
on

### ***South Asia in the Era of International Courts and Tribunals***

New Delhi, 28–29 February 2020

#### **Call for Papers**

The Conference is announced in the backdrop of discernibly increased activities of international courts and tribunals. Abstracts are invited that engage with the conference theme which intends to facilitate a number of streams of inquiry both within and across them. In particular, the conference theme invites engagement with a range of issues broadly falling within the following three sub-themes:

#### **Sub-Theme 1: The Composition and Competence of International Courts and Tribunals and the Role of South Asian Countries.**

The composition and competence of international courts and tribunals involve a welter of constitutional/political and procedural/substantive considerations. Indicative paper topics are: choices of South Asian countries in the constitution and composition of international courts and tribunals, issues of ethics, morality and/or conflict of interest in the appointment of members of international courts and tribunals, assessment of the opportunity cost and/or consequences of the choices of the South Asian countries in the constitution and composition of international courts and tribunals, jurisdictional conflicts between international courts and tribunals and their implications for South Asian countries, allocation, sharing and/or coordination of competence between international and national courts and tribunals and their significant implications for South Asian countries, alternatives to the existing original, appellate, optional and/or compulsory competence of international courts and tribunals and their significant implications for South Asian countries, international courts and tribunals and a jurisdictional balancing of South Asian countries' economic interests with intergenerational equity and sustainable development, South Asian countries and the contingency of the competence of international courts and tribunals on the exhaustion of local remedies, impact of the composition of international courts and tribunals on their competence and its significance for South Asian countries, the proper function of the rule and means of treaty interpretation in judicial determination of jurisdictional requirements, appearance and reality of jurisdictional conflicts between general and special international courts and tribunals, consequences for the discipline of international law of the plurality of international courts and tribunals.

## **Sub-Theme 2: The Strategies and Advocacy before International Courts and Tribunals and South Asian Countries.**

Strategies and advocacy present a combination of choices and constraints conditioned by the constitutive instruments governing particularly the procedure of international courts and tribunals and have a significant bearing on the prospects of the outcome the parties hope to achieve from international courts and tribunals. A discussion of these aspects is all the more important as the availability of relevant information in public domain is only relative to the functioning of international courts and tribunals. Topics may include, but are not limited to, international courts and tribunals as part of the South Asian countries' strategies of securing interests by adjudication, South Asian countries' decisions and decision-making processes on advocacy before international courts and tribunals, advocacy strategies of South Asian countries before particular international courts and tribunals, such as the International Court of Justice, World Trade Organization (WTO), the Permanent Court of Arbitration, the International Tribunal for the Law of the Sea, arbitral tribunals of the International Centre for Settlement of Investment Disputes and the United Nations Commission on International Trade Law, and the International Criminal Court, national attitudes of more powerful states towards international courts and tribunals as part of their negotiating strategy, such as the persisting U.S. attitude towards WTO dispute settlement system and its implications for South Asian countries, evaluation of South Asian countries' strategies and advocacy before international courts and tribunals, reception for a theory of international adjudication of the nature and forms of representation of South Asian countries before international courts and tribunals.

## **Sub-Theme 3: The Impact of International Courts and Tribunals on the Governance of South Asian Countries.**

Adjudication is by far the more visible, but by no means the only, function performed by international courts and tribunals. An assessment of the impact of international courts and tribunals may help explain and measure not only their efficacy, effectiveness and legitimacy, but also the values, choices and concerns of the states who will be required to carry out their decisions and assume the consequent responsibility. Suggested topics are: impact of international courts and tribunals on (a) the policies of South Asian countries, particularly concerning human rights protection and development policies, including (i) food safety (ii) green energy (iii) investment (iv) water sharing (b) the constitutional/higher courts of South Asian Countries (c) South Asian countries' decisions on future (i) constitution and composition of international courts and tribunals, particularly relating to investment and maritime disputes, and (ii) strategies and advocacy before international courts and tribunals, particularly a reconsideration and review of jurisdiction-conferring instruments (d) civil society of South Asian countries (e) human rights in South Asian countries, including particularly the rights of refugees (f) their proper role/potential in the settlement of South Asian problems/disputes (g) international judiciary and its implications for South Asian Countries (h) the prospects of a legally binding regional mechanism for the resolution of South Asian problems/disputes (i) the international rule of law and its role in the governance of South Asian countries (j) perspectives of international legal theory held in South Asia and (k) the discipline of international law as viewed from the standpoint of governance in South Asian countries.

The foregoing is merely illustrative of the issues raised by the Conference theme. The Conference welcomes proposals on any aspects of the theme of the Conference. And papers are not required to be limited to the sub-themes, and may well deal with any perspectives related to the Conference theme. However, proposals should highlight the new contributions, provide outlines of the corroborating arguments, and summarize the issue that will be addressed with any current positions about its resolution.

### **Submission of proposals**

Interested scholars are invited to submit one abstract of 400–500 words. Full **name, email address** and **affiliation** of the applicant must be written at the top of the document containing the abstract. Proposals should identify whether they are a “young scholar” proposal. The abstract file must be submitted in **.doc, .docx or .pdf** format, and named “Surname\_Name\_SACT2020\_Abstract”.

The applicant must also send a one-page curriculum vitae, including a list of most relevant publications. The curriculum vitae file must be submitted in **.doc, .docx or .pdf** format, and named “Surname\_Name\_SACT2020\_CV”.

The subject column of the submission e-mail must be composed as “**SACT2020 Submission – Surname\_Name**”.

The abstract and the curriculum vitae must be emailed to: <[sact2020@sau.int](mailto:sact2020@sau.int)>.

### **Selection criteria**

Relevance to the Conference theme  
Originality of the paper  
Geographical and gender balance of the participants

### **Timeline**

Issue of the call for papers: **28 February 2019**  
Submission of abstracts (400–500 words): **30 June 2019**  
Communication to the successful applicants: **31 July 2019**  
Submission of full papers (8000–12000 words): **15 December 2019**  
Last date of [registration](#): **31 January 2020**  
Conference dates: **28–29 February 2020**

### **Grants**

Participants will be responsible for their travel and accommodation expenses. A very limited funding may be available to young scholars (PhD candidates or those who have had submission of their theses no earlier than three years before submission of their abstracts) working in SAARC countries to support a portion of their travel and accommodation. However, no financial support will be given without a timely receipt of full papers.

## **Registration**

Non-SAU PhD scholars: INR500/\$10/EUR10

Non-SAU teachers and others: INR1000/\$20/EUR20

## **Venue**

FSI Hall, Akbar Bhawan, Chanakyapuri, New Delhi, India, 110 021.

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*South Asian University (SAU) is a University of the South Asian Association for Regional Cooperation (SAARC) countries, established by the 2007 SAU Agreement by Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. SAU is located in New Delhi and has a 2008 Headquarters Agreement with the Government of the Republic of India which has effectuated the SAU Agreement by its South Asian University Act, 2008.*

**<http://www.sau.int/>**