



The Veil of National Security Protecting Safeguard Measures

- Divya Mittal (Asst. Prof.)

Recently, the Directorate General of Foreign Trade issued a notification 'restricting' the import of Laptops, Tablets, All-in-One Personal Computers and Services falling under HSN 8471 category. The said notification is in conformity with the powers of the Central Government under section 3 and section 5 of The Foreign Trade (Development And Regulation) Act, 1992. However, this notification is problematic for two reasons: first, the notification does not specify the reasons for such 'restrictions' and second, it creates 'a sense of confusion as to the basis of the restriction—whether it is in the interest of national security or a safeguard measure.

India, has been a member of the World Trade Organization (hereinafter referred to as 'WTO') since its inception on January 1, 1995. This means India is committed to the principles of WTO namely non-discrimination and market access to its trading

partners.

The WTO agreement however, allows the violation of these principles under exceptional circumstances mentioned in Article XX titled as General Exceptions and Article XXI as National Security Exceptions.

The national security exception is an important tool in the hands of the Member States to divert from the principles of WTO as it is believed that a Member is the best judge of its national security. On the other hand Article XIX of the WTO allows member States to impose 'Safeguard Measures' in order to protect their domestic manufacturers from the massive influx of imported products. The said notification, thus presents us with a dichotomy, whether the government intends to apply a national security measure in the interest of the country's security or does it intend to merely safeguard the domestic producers who are unable to compete with the growing imports?!

News at a Glance

German Chancellor Olaf Scholz's cabinet recognized the Eastern European countries of Georgia and Moldova as "safe countries of origin" on Wednesday in an effort to reduce irregular migration. Refugee rights group PRO ASYL criticized the new recognition for effectively granting the German government quicker means to reject asylum applications from the two countries—which translates to quicker deportations. For more information see [here](#) and [here](#).

UN experts have condemned the Russian Constitutional Court's decision to dismiss challenges to the constitutionality of recently enacted laws that criminalize any public act seeking to discredit the use of Russian Armed Forces. In the wake of the Russia-Ukraine War, these new laws have been used by Russian authorities to arrest over 20,000 people for speaking out against Russia's military efforts. For more information see [here](#).



Manipur Violence: A Categorical Dilemma?

- Rohit Bokil (Asst. Prof.)

The violence which erupted in Manipur in May 2023 raised several concerns. The violence had repercussions which reached the corridors of UNHCR. The UNHCR reminded the Indian government of its international human rights obligation and asked to restore the law and order. The violence raised questions for international law as well. The primary question being, can the Manipur violence be classified as an armed conflict? To find an answer, one needs to understand the two branches of international law namely International Humanitarian Law (IHL) and International Human Rights Law (IHRL).

IHL applies to situations of armed conflict. IHRL protects individuals against the arbitrary exercise of power by the state having no connection with armed conflicts. However, under IHL there is no definition of armed conflict. In order to classify any conflict as an armed conflict it is necessary to see whether the resort to armed force has been made. IHL recognizes two types of

armed conflicts namely, International Armed Conflicts (IACs) and Non-International Armed Conflicts (NIACs). IACs occur when there is an armed conflict between two or more nations. NIACs happen between government armed forces and non-state armed groups or two or more non-state armed groups.

The Manipur conflict cannot be classified as an IAC because it is not a conflict between nations. But does that make it a NIAC? To decide this a two-pronged test needs to be applied. The test considers the organizational structure of the people involved in the conflict and the threshold of violence. The organizational structure is necessary to ensure the compliance of IHL by that non-state armed group. Such organizational structure is lacking in sporadic acts of riots in which people participate individually. Indicators of this organizational structure include the existence of command structure, existence of headquarters, power to exercise control over a territory and an ability to conclude agreements on behalf of that armed group.

Threshold of violence requires that the intensity of the violence

News at a Glance

A group of Gabonese soldiers announced on public television that they had seized control of the country and canceled the results of its 2023 presidential election, just after President Ali Bongo was declared the winner amid claims of electoral fraud. The soldiers, part of the newly formed Committee for the Transition and Restoration of Institutions (CTRI), also declared the closure of Gabon's borders and the suspension of the country's Senate, National Assembly and Constitutional Court. For more information see [here](#).

Switzerland's Office of the Attorney General (OAG) announced that it has formally charged former Algerian defense minister Khaled Nezzar in relation to war crimes and crimes against humanity allegedly committed during the Algerian Civil War. Swiss-based non-governmental organization TRIAL International brought a criminal complaint against Nezzar under a law passed in Switzerland in 2011, which allows prosecution for serious crimes committed anywhere, under the principle of universal jurisdiction. For more information see [here](#).



should be higher than the intensity of riots and it cannot be regulated with routine policing. The intensity of violence also depends upon the number of people participating in that conflict, casualties, weapons etc.

Most importantly such conflict has to be protracted in nature. However, there is no set duration for this protracted conflict. Applying this test it tells us that the Manipur violence cannot be classified as a NIAC. But this fact should be looked at positively. It means IHL is not applicable to the Manipur violence but IHRL is.

IHRL offers broader protection to individuals than the protection given under IHL. For example, during armed conflicts there is no guarantee that the right to life of the people participating in the conflict will be protected. Whereas under IHRL, the right to life has to be protected at all costs. Violence cannot be justified. Rather than discussing the applicable law post violence, ensuring that such situations do not arise is the true commitment to these laws.

Shared Transboundary Water Bodies: Working of International Law and Economics

- Akshay Ugale (Asst. Prof.)

In the current times of rapid climate change, impressions are visible vividly on the planet, an important subject that can contribute to improving this situation is the sharing of transboundary water bodies located all over the world. All over the world, there are around 263 water bodies in the form of either rivers or lakes, shared by two or more nations. These water bodies can either be an issue of conflict, but if handled diplomatically, can be an answer to reduce the impact of climate change and move towards a sustainable and inclusive environment.

The shared transboundary water bodies are administered by a cooperative agreement/pact between two or more countries specifically talking about the detailed conditions. The diplomatic relations between these countries is not a prerequisite for signing the cooperation treaties. The countries, even if at war with each other, have

News at a Glance

The European Court of Human Rights (ECHR) ruled that Bosnia and Herzegovina's political system leads to undemocratic elections and worsens ethnic divisions. The court found that dominant ethnic groups enjoy privileges, breaching Article 1 of Protocol No. 12 of the European Convention on Human Rights. For more information see [here](#) and [here](#).

The UN Committee on the Rights of the Child released crucial guidelines, focusing on children's environmental rights due to escalating climate change concerns. The guidance urges member states to promptly take action to counter the harmful effects of environmental deterioration and safeguard children's entitlement to a clean environment. It highlights various protected rights such as the right to life, health, development, social security, and a decent standard of living, outlined in the convention. For more information see [here](#).



mically decided to work on cooperative terms. Examples of the same are cooperation over the Indus River between India and Pakistan. Lower Mekong which passes through Cambodia, Laos, Vietnam, and Thailand, which are at war with each other; additionally, Hungary and Slovakia are two nations that have differences over the implementation of hydropower projects over the Danube River.

The United Nations (UN) has made efforts for tackling the transboundary water issue by drafting 2 conventions. The 1992 UNECE Convention on the Protection and Use of Transboundary Watercourses and International Lakes and the 1997 Convention for the Law of the Non-navigational Uses of International Watercourses. The UN's First Water Conference that was concluded in March 2023 in New York provided an even stronger ground for economic cooperation.

To date, the nations which have the presence of transboundary water bodies are around 70. But the nations which have signed either of these UN conventions are

less than a third of this number. More nations need to come on board which will increase sustainable development, reduce economic losses, and maintain peace amongst the warring nations.

This will lead to savings of multi-million dollars for the nations and give a new lease of funds to the nations which are on the path of development and are in acute need of excess funds.

Need for Democratization of UN and India's bid for permanent membership in the Security Council

- Mugdha Hedau (Asst. Prof.)

The United Nations Organization (UN) is an intergovernmental body reflecting the legitimacy of 193 recognized states. With collective efforts through the UN, nation-states are working on economic, social, cultural, and humanitarian international problems and are indulged in safeguarding the rights of people, groups, and States.

The Security Council (UNSC) is the brain of the UN and shoulders the responsibility of maintaining peace

News at a Glance

Myanmar's Ministry of Foreign Affairs announced the expulsion of Timor-Leste's Chargé d' Affaires by September 1 due to alleged ties with Myanmar's government-in-exile, the National Unity Government (NUG). Timor-Leste's Foreign Ministry condemned this decision, while Myanmar cited the association with NUG, labeled a "terrorist organization" by the junta, as the reason for the expulsion, claiming it violated the Vienna Convention on Diplomatic Relations and strained bilateral ties. Timor-Leste reiterated its adherence to ASEAN and UN stances for reinstating democracy and human rights in Myanmar, emphasizing peaceful dialogue as the solution. For more information see [here](#), [here](#), and [here](#).



and security. The permanent members of the Security Council (P5) i.e., United States, Britain, France, Russia, and China enjoy the special privilege of veto power. Due to the immense powers of the UNSC and the privileges enjoyed by permanent members, getting into it as a permanent member is the understandable desire of the big and emerging powers. India, along with Brazil, Germany, and Japan (G4), are collectively demanding permanent seats.

India's demand for a permanent seat in UNSC is based on the fact that India is an Asian giant and is the most populous country, standing as 5th largest economy in the world, and 3rd largest in terms of purchasing power parity. India also has the third-largest standing army and is a very responsible space and nuclear power. India is a regular contributor to the UN Budget and also has been helping the UN in various peacekeeping operations.'

But India's bid for permanent membership in UNSC cannot be seen in isolation. It should be seen under the big banner of 'Reforming the United Nations, especially the Security Council as a whole for

making the United Nations more democratic, representative and effective.' The UN is underrepresented and there is a need for correction in the distribution of power geographically, mathematically, and politically. Its permanent members do not represent Latin America, Africa, and Asia. Though China is a permanent member from Asia, as Syria's Vice President correctly pointed out in 1992, 'council is not properly representative as Asia having half of the world's population had only one country, China, as a permanent member.'

At the inception of the UN (1945) the council had 11 members (P-5 and six non-permanent) out of 51 total members. Mathematically it was 22% representative but today with 193 members only 15 members i.e. P-5 and ten non-permanent are there, it is hardly 8% representative. Politically, P-5 having veto power, by virtue of having won a war over 70 years ago is unjust (China is the exception as PRC replaced Taiwan). It is also discriminatory to those countries whose financial contribution is huge to the UN eg. Japan (19%), Germany (12%).

News at a Glance

The US Department of State will impose visa restrictions on Chinese officials linked to alleged efforts to assimilate Tibetan children in state-run boarding schools. This forms part of the Biden administration's broader strategy to address China's treatment of ethnic minorities, particularly in Tibet and Xinjiang. Secretary of State Antony Blinken expressed concerns about coercive strategies undermining Tibet's linguistic, cultural, and religious distinctiveness, urging China to cease compulsory enrollment and assimilation methods. For more information see [here](#).



Notably, they are still referred to as “enemy states” in the United Nations Charter. It is also unjust to those who have contributed to the UN in kind (eg. participating in peacekeeping actions) like India and Brazil. The UN should represent the realities of 2023 and not of 1945. Hence, adequate representation and recognition is the need of time to retain the relevance and credibility of this universal actor.

TRIPS Agreement, Climate Change, and ESTs – Increasing Affordable Access

-Vindhya Gupta (Asst. Prof.)

The Agreement on Trade Related Aspects of Intellectual Property mandates minimum standards of intellectual property protection for all members of the World Trade Organization.

Inter alia it provides that all member countries must provide minimum 20 years of patent protection for products and processes, without discrimination based on the field of technology to which it relates.

nstated at the behest of pharmaceutical corporations, these

requirements effectively denied various relaxations that developing nations made in the interest of human rights, such as patent protection for seven to ten years only, or denying patents to pharmaceutical products. Balanced against the massive investment made by pharmaceutical corporations in development on medicines, the relaxed patent protection in developing nations for their products reduced their profits, allegedly disincentivizing further investment into pharmaceutical innovation.

For the same reason, the TRIPS Agreement places various restrictions on the grant of compulsory license too, to ensure that this method is not abused to interfere with the enjoyment of their monopoly by the patentees.

However, these strict protections have unintended consequences when it comes to climate action. Global climate action requires the distribution of technical and technological capacities from the global north to the global south to enable nations to reduce their greenhouse gas emissions – mainly the proliferation of

News at a Glance

A recent report highlighted widespread sexual assaults against women and girls in Ethiopia's Tigray region following a peace agreement that ended the conflict. The study, conducted by Physicians for Human Rights and the Organization for Justice and Accountability in the Horn of Africa, examined over 300 medical records from Tigray health centers providing care to survivors of sexual violence. The report revealed that even after the Cessation of Hostilities Agreement was signed in November 2022, conflict-related sexual violence persisted, with at least 128 assaults occurring. The youngest victim was an 8-year-old child. Many health facilities were destroyed or looted, depriving women of necessary treatment for months, leading to cases of HIV and pregnancies resulting from the assaults. The report suggests that these acts weren't isolated incidents but rather a deliberate and systematic use of rape as a weapon of war. For more information see [here](#) and [here](#).



environmentally-sound technologies (ESTs). For example, renewable energy generation and distribution, carbon capture and sequestration, electricity-based transport – all have an essential role to play in emission reduction processes. Not surprisingly, because of their early industrialization, developed countries such as Germany, Japan, USA, and South Korea lead EST innovation. Under the TRIPS regime, by the time these technologies fall into the public domain, they will have also become obsolete. Acquisition of these technologies while the patents are active involves expenditure on a scale of which the developing and least developed countries may not be capable.

In the interests of climate action, perhaps it is time to consider whether an exception must be made for made for ESTs within the TRIPS Agreement. The developed nations have committed to taking all practicable steps to effect transfer of technology as part of their United Nations Framework Convention on Climate Change

(UNFCCC) commitments, however actual implementation is hindered by the operation of intellectual property rights, which are private in nature. An exception for patentability of EST, or reduction in their patent term, may help in increasing affordable access to them for the developing nations.

Burden of Proof in International Arbitration

- Dr. Tejaswini Malegaonkar (Asst. Prof.)

Arbitrators have powers, like judges, to refuse to decide in situations of uncertainty as to law or evidence. The basic rule is that the party making an allegation must substantiate it with significant evidence. The arbitral rules have often been found to address the issue of burden of proof rather in an abstract manner, for example, article 27(1) of the UNCITRAL. In the *Asian Agricultural Products Ltd. v. Sri Lanka*, the arbitral tribunal considered that “there exists a general principle of law placing the burden of proof upon the claimant.” The tribunal further held that the burden of proof is upon the party alleging the fact.

News at a Glance

The Islamabad High Court has temporarily suspended the corruption conviction of former Pakistani Prime Minister Imran Khan. He was sentenced in August to three years in prison for the unauthorized sale of state gifts valued at over 154 million PKR during his tenure. Additionally, he was fined 100,000 PKR for allegedly providing false asset declarations to the Election Commission of Pakistan. Khan appealed the conviction, citing a lack of proper defense opportunities. bit of body text. For more information see here.



The same principle was upheld by the tribunal in the decision delivered by it in *Salini Costruttori S.p.A. and Italstrade S.p.A. v. Jordan*, stating that the claimant bears the burden to prove his claims. In *Plama Consortium Ltd. v. Bulgaria*, the claimant failed to prove his claims and hence the proceedings were ruled in favour of the defendant. The regular practices of the arbitrators and the counsels of the parties, to which they have been subjected, is bound to affect the tribunals' methodology. Courts of the civil law jurisdictions usually follow investigative methods and do not allow for party controlled disclosure¹. Unlike civil law, where the judge plays a primary fact-finding role, in common law, the role of the judge is reduced to an impartial referee.

The concept of burden of proof also differs between the two realms. In common law, the burden of proof refers to two concepts, though distinct, yet interlinked. One being the burden to produce the evidence, the other being the burden of persuasion. While the same are different in civil law nations, where the second part serves as the standard of proof.

For instance, in the Indian Evidence Act, S. 101 simply puts forth that the burden lies with the person asserting the particular fact, while the Brazilian Code sets forth that a claimant bears the burden to prove facts that give rise to its claim. Conversely, respondent has the burden to prove facts that may preclude, modify or extinguish claimant's claim (affirmative defences).

1 Paolo Michele Patocchi & Ian L. Meakin, Procedure and the Taking of Evidence in International Commercial Arbitration. The Interaction of Civil Law and Common Law Procedures, Int'l Bus. L. J. 1996, 884-899.

The Role of Non - State Actors in International Relations

- Isha Khopkar (Asst. Prof.)

International relations are mainly understood as the relations and interactions between different observed between different monarchies and kingdoms. So, what changed with time? The establishment of the state system post the treaty of Westphalia and the advent of modernity led to codification of the relations

News at a Glance

Zimbabwe's President Emmerson Mnangagwa secured victory in the presidential election, as announced by the Zimbabwe Electoral Commission (ZEC). However, doubts about the legitimacy of the election have arisen from both international election monitors and the global community.

Concerns about the election's legitimacy were raised by Human Rights Watch (HRW) even before the polls opened. They highlighted crackdowns on opposition gatherings, as well as interference by security forces in rallies and the detention of opposition leaders. Just weeks prior to the election, the Supreme Court of Zimbabwe disqualified a prominent opposition figure, Savior Kasukuwere. For more information see [here](#).



eventually transcending into international law.

Traditionally, international relations are understood as relations between States and between States and non-State actors. Using the realist approach to understanding international relations we can conclude that states are the main actors in the world system. States even today dominate major political and policy related issues globally. However, in the last few years we have seen a growth in the number of international organizations, MNCs and TNCs as well as their participation and influence in international relations. This influence can be observed right from setting global agendas, to economic decisions to even framing policies.

This has mainly developed due to the growing dependency and cooperation between countries for resources. Thus, whether it is natural resources, human resources, or technological know-how there has been a surge in the different areas where cooperation and dependency between states have grown.

However, with this growth in non-state actors and their control, influence, and dominance there has been a growing concern and deliberation to bring them under the purview of international law or develop some common international standards for holding these entities responsible and accountable. An increase in the violations by these organizations of State norms and rules as well as human rights violations has been observed globally (the Bhopal gas tragedy is a case in point in case of an Indian example). Thus, the appointment of the UN Special Representative to the Secretary General on Business and Human Rights for instance can be seen as step towards establishing some regulations on the non – state actors.

The Discourse About the Future of Multilateralism

- Bhumika Rathod (Asst. Prof.)

Under the Indian Presidency, the G20 in 2023 will concentrate on the theme, 'One Earth, One Family, One Future.' It signals the need for unity of purpose and unity of action which will reflect the spirit of coming together and achieving a common and concrete ideal.

News at a Glance

A high court in Nairobi on Saturday issued a directive ordering cryptocurrency project Worldcoin and its partners to halt the processing of any new biometric data in Kenya until a pending case against the company is formally heard and adjudicated. This injunction comes in response to a grievance lodged by the Kenya Data Protection Commissioner (DPC) alleging that Worldcoin had amassed substantial volumes of personal information in contravention of Kenya's data protection. For more information see [here](#).



Despite decades of globalization, activities like, unilateral sanctions, treaty withdrawals, geopolitics, protectionism seem to be making a comeback. We must all acknowledge the multilateral system is in crisis in recent times. The structure of global governance (multilateralism) was developed to stimulate international collaboration on the subject of common interest and to prevent future wars by balancing competing interests. But in recent years, the US has pursued an assertive & 'America first' approach, withdrawing from the Trans-Pacific Partnership, the Joint Comprehensive Plan of Action (Iran nuclear deal), etc.

By establishing parallel governance bodies like the Shanghai Cooperation Organization or the China Development Bank, China seeks to influence the international system in its favor. The European Union, which has traditionally backed multilateralism, is divided domestically and is losing influence on the international scene.

The G8 has been reduced to the G7, as Russia was suspended in

response to its annexation of Crimea; and a trade war between the US and China is imminent. These experiences in the last few years have shaken the multilateral system, both, in its normative foundations and its operational capacity. The tragic consequence is a great threat to the future of multilateralism, especially to the developing countries.

The question remains whether multilateralism in the form of the United Nations, World Trade Organization, World Health Organization, Nuclear Non-Proliferation Treaty, and United Nations Framework Convention on Climate Change will prove sustainable in the face of emerging geopolitics, trade wars, and temporary alliances on the global stage. There is a need to embody a key principle of India's civilizational ethos to focus on "what unites us" but not on "what divides us."

We must understand that globalization and multilateralism are means — not ends — in themselves, serving to advance social and economic success. The new multilateralism must acknowledge that different policy methods are preferable to solve

Upcoming Activities

Nuremberg Forum "Legally Undeniable: Criminalizing Genocide Denial" Conference

The International Nuremberg Principles Academy is organizing the international conference in hybrid mode from 19th – 21st October, 2023. The hybrid event allows interactive attendance and discussion. Experts address the topic genocide denial, by exploring it as a concept and in context, what it is, how it manifests itself and how to regulate it. For more information, see [here](#).



various cultural differences and one should not use a 'one size fit for all' approach to satisfy human needs and ambitions.

The current plurilateral, multi-level, multi-channel coalitions and alliances should serve as a foundation for the new multilateralism. These coalitions and alliances should be governed by broad principles of global cooperation and guided by multilateral consensus in order to maintain the continuity of policy-making and the resilience of the international system. To solve the global problem, international cooperation is required.

English in International Law and India

- Ashish Pawar (Asst. Prof.)

The 'Hegemony of English,' the 'English Centric View,' the 'English Language Imperialism' call it what you may, English seems to be an inconvenient convenience the world has adopted.

With borders opening and markets expanding in newer areas, the world needs a common tongue more than ever for contracts,

treaties, agreements, conferences, and research. And English seems to be the choice - or compulsion - that world seems to be stuck with. While the UN lists six languages Arabic, Chinese, English, French, Russian, and Spanish - as its official languages, English and French are its working languages with English clearly being favored over French in practice. As a mainstay of international diplomacy and negotiation, most of the creation of international law happens in English. English is also the preferred language of scholarship and research in law which results in most of the analysis of international law being done in English. This raises the question if international law really is international in the sense of the medium used for its codification and working.

As a response, we have seen multiple attempts at languages like French, Chinese, or Russian being pushed on the international platforms, but to no avail. Pushing one of the Indian languages to be recognized by the UN could be an ideological preference for India, as any other language already recognized is a foreign language in

Upcoming Activities

A Decolonial and Anti-Racist Approach to Legal Education and Pedagogy – Sharing Good Practice

This one-day hybrid conference on 8th November, 2023 is to build on the recent work on decolonizing and anti-racist approaches to legal pedagogy. Delegates will be able to present their papers in-person or online. For more information, see [here](#).

2023 BIICL Annual WTO Conference: Technology and Trade – Challenges and Opportunities

This hybrid event will take place on 6th October, 2023. The Conference brings together experts from international organizations, the tech industry sector, practitioners and academics, at a one-day conference, to discuss these issues in three thematic panels. For more information, see [here](#).



the Indian context. But the issue of which language to promote out of a multitude of Indian languages could open a Pandora's box.

We can consider though, if we should be looking at the dominance of English in international law as a threat or as an opportunity. Most of the higher education in India, especially legal education, uses English as the medium of instruction. A law graduate in India invariably learns legal English. The sheer number of educational resources available in English in the Indian context comfortably outnumber resources available in any other regional language. NEP focuses on making higher education accessible in regional languages as well, but that is in addition to the already proliferated system that uses English.

All of this makes India one of the most well-equipped spaces to learn English and use it. This puts us in a unique position - being a country of efficient non-native speakers of English. It has opened avenues for Indian professionals all over the globe in various areas and has a huge potential in

international law and international organizations as well

Add to it the possibility of learning a foreign language along with proficiency in legal English. The opportunities are limitless. English Centric View, this way, can become an India Centric View if we are just to shape our perspective and decide to optimize the academic infrastructure already available to us.

Why the Indian Ocean Matters to India and China?

- Ninawari Ware (Asst. Prof.)

According to Alfred Thayer's Sea Theory "Whoever conquers the Indian ocean will dominate the whole of Asia."

The Indian ocean hosts 80% of the entire world's maritime oil trade flowing just through three narrow passages. The sea routes in the Indian Ocean connect the North Atlantic region to the Asia-Pacific region, they also connect Middle East, Africa and East Asia to America and Europe. Therefore, dominance over the Indian ocean directly establishes a control over world trade.

Upcoming Activities

Tangible and Intangible Cultural Heritage through Past, Present and Future: 18-19 January 2024, Bologna, Italy

The third edition of the International Symposium on Heritage in War and Peace will be held under the following theme: "Tangible and Intangible Cultural Heritage through Past, Present and Future". The deadline for submitting papers or roundtables is 30 September 2023. For more information, click [here](#).



China has been in constant efforts to establish itself as the economic superpower. With its Belt and Road Initiative, it has used countries like Djibouti, Pakistan, Myanmar, Sri Lanka, Iran, Mozambique, Indonesia, and many others by building ports, railway lines, and naval bases to surround India. There are certain choke points for global trade, which if taken under control the entire world trade can be dominated.

China has strategically placed its projects very close to these choke points, for instance, the Strait of Hormuz by taking the port of Gwadar in Pakistan on a 40-year lease, and also building a rail route to Iran, the Strait of Malacca by getting into an alliance for building infrastructure projects for Indonesia, to establish control over strait of Bab-el Mandeb and the Suez canal, it has debt trapped Djibouti to establish its naval base. This is commonly referred to as String of Pearls Theory.

In response, India has launched its Necklace of Diamond strategy where it has established military

access in Iran with the port of Chabahar and port of Duqm in Oman. The Changi naval base in Singapore and the access to Sabang port in Indonesia has given India a stronghold on the Strait of Malacca. Around 60% of China's trade and 70% of its oil supplies pass through the Strait of Malacca, which implies choking this strait can choke Chinese trade.

Another diamond established is with Vietnam. The most important treaty is the Acquisition and Cross Servicing Agreement between India and Japan. Not only this, but India has established an alliance with Mongolia too. India's diamond necklace has smartly encircled China and can be strategic in case of some military conflict. It is evident that the strategies are both very strong and firm steps towards becoming economic superpowers.

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