CPIL conducted a *Leading Judgment* program at the GNLU on Monday, 2nd August 2010 at 4:00 pm to debate and deliberate on the recent issue of Kosovo where ICJ gave an interesting Advisory Opinion. Video recording of the Advisory Opinion as rendered by the President of the ICJ, H. E. Mr Hisashi Owada was also shown.

A special video on ICJ acquired from the International Court of Justice about the Court was also shown.

The CPIL acknowledges with gratitude Law et al for publishing the same.

Press Report:

GNLU conducts faculty student discussions on ICJ's Advisory Opinion on Kosovo (http://www.lawetalnews.com/NewsDetail.asp?newsid=1909), Courtesy: Law et al. News Network.

While international media is replete with political comments and legal notes on the Advisory Opinion given by the International Court of Justice at The Hague on July 22 on the issue of Kosovo's statehood, the Gujarat National Law University (GNLU) took initiative to organise a detailed discussion session on the issue at its campus at Gandhinagar. Views of the political analysts, sociologists and diplomats of foreign policy are in the news everywhere, but what does it mean to a student of international law who studies the behaviour of Nation-states of the international community and their inter-relation with the United Nations members? This and more was discussed at the event organised at GNLU one of the upcoming law universities in the country.

GNLU held a faculty-student debate under the auspices of a popular monthly program "Leading Judgment Debate" within few days of the delivery of the opinion of the world court. This perhaps was the first event conducting by a law university in India to conduct such a debate after the world court's opinion on Kosovo. GNLU has been discussing the legal implications of national and international legal systems affecting the globalized world in the past as well.

The brainstorming session between the students (especially of the 4th year batch of students who are studying public international law as a core paper in their seventh semester) and the faculties of law lasted for 2 hours with discussions on the impact of this Advisory Opinion from various angles. Some of the finest points on international law were taken for discussion such as; does international law recognise unilateral declaration of statehood, in view of Kosovo's unilateral declaration of their statehood from Serbia on 17.02.2008.

In view of world court's Advisory Opinion saying (by 10:4 ratio) "...that the declaration of independence of Kosovo adopted on 17.02.2008 did not violate international law" there was a

sincere concern among the students-community who clearly explained that such an instance should not be taken as a precedent by the separatist and secessionist movements throughout the world to justify their stand. Reference was also0 made in context of the crisis of Kashmir which is posing great problems to the stability of the South Asian polity. It was made clear from the discussion that each and every conflict situation and case has to be studied independently, individually and objectively considering the political, social, cultural and international ramifications that can result from the divisive tendency of such movements. Kashmir issue has no empirical connection whatsoever with this Yugoslavian break-up and the fall-out crisis from Serbia.

As it is well known, in wake of political crisis five of the European Union's 27 members who have such internal problems namely Cyprus (Turkish Cypriots), Greece (Macedonian Turks), Slovakia (Hungarians), Romania (also Hungarians), and Spain (Catalans and Basques) had refused to recognize Kosovo's statehood as they fear that their own minorities can cite this case as a precedent. Same is the case of China with Tibet and Xinjiang and Russia with many potential secessionist movements and numerous instances from African states.

In fact, only 69 countries have recognized Kosovo, and it is yet to become a member of the UNO. Nonetheless Kosovo is already on a diplomatic mission throughout the world to get support from them thereby making Serbia to undertake its defensive diplomatic tours that has resulted in visiting 55 countries at the moment. Were all these events in international relations in consonance with the principles of the United Nations Charter was another serious moot question during the debate that found a practical point of answer to the extent of concluding the debate on " ...it all depends on what side of the fence one is- so one's affiliations to the cause." Only time teaches us what is correct and who was right in the history of the world. But the main discussion that revolved around the opinion of the court was under the paragraph 122 of the Opinion which said clearly, The Court has concluded above that the adoption of the declaration of independence of 17.02.2008 did not violate general international law, Security Council resolution 1244 (1999) of the Constitutional Framework. Consequently the adoption of that declaration did not violate any applicable rule of international law.

Director of the University, Prof Bimal Patel lead the discussion with his critical comments drawing from his wide experience as an international civil servant. Associate Professor Dr K Parameswaran who is a faculty of Public International Law discussed the follow-up measures that Kosovo and Serbia have started after this crucial decision that made then come close to each other on the negotiation table and the forthcoming autumn debates at the UN General

Assembly. Students also contributed by making power point presentations by giving background to the facts on the Kosovo issue.

Video clippings of the Advisory Opinion as read out by His Honourable Mr Hisashi Owada president of the world court was broadcast and to add a live experience to this debate Dr Rajarathinam Kannan who works for the United Nations Mission in Kosovo (UNMIK) gave a telephonic conference explaining the role of United Nations in Kosovo.