

## **Rajiv Gandhi National University of Law Celebrates the 75<sup>th</sup> Anniversary of the Geneva Conventions**

On 12<sup>th</sup> August 2024, the Rajiv Gandhi National University of Law hosted an event to mark the 75<sup>th</sup> anniversary of the Geneva Conventions, the foundational legal framework governing the laws of war. The keynote address was delivered by Professor (Dr.) Manoj Kumar Sinha, the Vice-Chancellor of Dharmashastra National Law University.

The event commenced with a welcome address by the Honourable Vice-Chancellor of Rajiv Gandhi National University of Law, Professor (Dr.) Jai S. Singh. In his remarks, Professor Singh not only highlighted the core principles enshrined in the Geneva Conventions but also drew attention to the remarkable parallels between these principles and ethical practices rooted in ancient Indian civilisations. He emphasised the importance of recognising Indian perspectives on values that have gained universal acclaim, thereby enriching and advancing the global discourse on humanitarian law.

Professor Sinha's keynote address provided a thorough exploration of the philosophical foundations that have shaped the laws of war, tracing their evolution from early theories to their eventual codification in international law. He began by discussing classical theories of 'just war' and 'self-preservation,' as articulated by thinkers like Thomas Aquinas and Thomas Hobbes. These theories, while influential, have been significantly redefined in the post-World War II era, particularly with the adoption of the United Nations Charter. Article 2(4) of the Charter, he noted, imposes a strict prohibition on the use of force by states, allowing only limited exceptions, such as the right to self-defence, as enshrined in Article 51.

Further, in his analysis, Professor Sinha delved into the distinct but interrelated legal regimes of *jus ad bellum* (the law governing the resort to war) and *jus in bello* (the law governing conduct in war). He emphasised that the obligations to protect civilians and to conduct hostilities in a manner that minimises harm to innocent lives are binding, regardless of the legality of the conflict itself. These principles, he emphasised, are central to the mission of international organisations like the International Committee of the Red Cross, which remains impartial in conflicts, focusing solely on providing humanitarian assistance and safeguarding victims of war.

Turning to the Indian context, Professor Sinha offered an insightful examination of how ancient Indian texts and traditions have contributed to the development of international humanitarian law. He cited the Mahabharata, where Ashwathama was condemned to solitude for the heinous act of killing innocents while they slept, and Arjuna's reluctance to use the *Pasupastra*, an unconventional weapon that violated the accepted norms of warfare. Similarly, Manusmriti explicitly forbade warriors from killing disabled enemies or those who surrender and outlines specific methods of warfare designed to prevent unnecessary suffering. These examples, Professor Sinha argued, illustrate that the principles underlying modern international humanitarian law had deep roots in Indian civilisations.

Professor Sinha also explored how certain religious values in India transcend their sectarian origins to form universal norms. For instance, he drew parallels between the Sikh concept of 'Dharma Yudh,' which permits armed conflict only in cases of self-defence or as a last resort, and the contemporary framework of *jus in bello*. He noted that similar norms are reflected in

other religious traditions, further demonstrating the richness of India's contributions to global legal thought.

Ultimately, Professor Sinha expressed his hope that emerging scholars and students would continue to explore and expand upon these indigenous perspectives, challenging the traditionally Western-centric view of international law and offering fresh insights into its application within an Indian context.

The event concluded with a vote of thanks delivered by the Registrar of Rajiv Gandhi National University of Law, Professor (Dr) Anand Pawar. He also gave remarks on why the International Humanitarian law is important in the present scenario as the war of Ukraine and Russia, Israel and Palestine are happening without following the rules of International law rules. He also gave assurance to conduct more lecture on the relevance of International Humanitarian Law in the campus of students. He extended his gratitude to Professor Sinha for his enlightening presentation and acknowledged the efforts of the Teacher Coordinators, Dr Sangeeta Taak and Dr Sukhwinder Kaur, for their role in organising the event.

