GLOBAL CONVERGENCE CONFERENCE 2025

on

Multidisciplinary Perspectives on Law and Contemporary Challenges

September 13–14, 2025

ABSTRACT BOOK

Jointly Organized by:

- Kerala Law Academy Law College, Kerala, India
- Global Research Conference Forum (GRCF), Pune, India
- Centre for Advanced Legal Studies and Research (CALSAR), Kerala, India
- Faculty of Law, University of Colombo, Sri Lanka

ABSTRACT BOOK

GLOBAL CONVERGENCE

CONFERENCE 2025

Organizing Committee

GLOBAL CONVERGENCE CONFERENCE 2025

at

Faculty of Law

University of Colombo, Sri Lanka

GLOBAL CONVERGENCE CONFERENCE 2025

ON

MULTIDISCIPLINARY PERSPECTIVES ON LAW AND CONTEMPORARY CHALLENGES

JOINTLY ORGANIZED BY

KERALA LAW ACADEMY LAW COLLEGE

GLOBAL RESEARCH CONFERENCE FORUM

CENTRE FOR ADVANCED LEGAL STUDIES AND RESEARCH

&

FACULTY OF LAW

UNIVERSITY OF COLOMBO, SRI LANKA

September 13 & 14, 2025

GLOBAL CONVERGENCE CONFERENCE 2025

ON

MULTIDISCIPLINARY PERSPECTIVES ON LAW AND CONTEMPORARY CHALLENGES

THE PROGRAMME

AND

ABSTRACTS

This book contains the programme and the abstracts of papers presented at the Global Convergence Conference 2025 at the Faculty of Law, University of Colombo, Sri Lanka.

GLOBAL CONVERGENCE CONFERENCE 2025

THE PROGRAMME AND ABSTRACTS

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GLOBAL CONVERGENCE CONFERENCE 2025

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University of Colombo, Sri Lanka

The Faculty of Law of the University of Colombo has long stood as the premier institution of legal education within the state university system, entrusted with the responsibility of advancing jurisprudential thought and cultivating informed engagement with issues of national and global significance. Its enduring role has been to foster rigorous scholarship, to promote a culture of critical inquiry, and to ensure that legal education remains responsive to the evolving demands of society.

The International Conference *"Global Convergence: Multidisciplinary Perspectives on Law and Contemporary Challenges 2025" (GCC 2025)* exemplifies this mission. Convened under the guidance of the Dean and the Faculty of Law, the conference provides a timely and indispensable forum for the examination of the intersections of law with emerging domains such as technology, environmental sustainability, economic transformation, and global governance. In an era when legal systems are increasingly required to address transnational complexities, such deliberations are both urgent and necessary.

It is a distinct privilege to witness this scholarly assembly that brings together jurists, academics, and practitioners from diverse jurisdictions and disciplines. The University of Colombo takes pride in facilitating such intellectual exchange, thereby reaffirming its commitment to academic excellence, comparative legal inquiry, and global collaboration.

I commend the Faculty of Law for its vision in organising this event and extend my sincere appreciation to all contributors for enriching the discourse. It is my firm belief that the insights generated through GCC 2025 will make a lasting contribution to the advancement of legal scholarship and to the understanding of law's role in addressing contemporary global challenges.

I wish the conference every success and look forward to the valuable outcomes it will produce.

Professor Indika Mahesh Karunathilake
Vice Chancellor
University of Colombo, Sri Lanka

Message from the Patron

Global Convergence Conference 2025

In an era shaped by swift technological transformations, environmental upheavals, and shifting socio-political currents, the law stands not as a static monument of precedent, but as a living organism breathing, adapting, and redefining itself through the prism of interdisciplinary insight. The International Conference on Global Convergence: Multidisciplinary Perspectives on Law and Contemporary Challenges, jointly organised by the University of Colombo, Sri Lanka, and the Kerala Law Academy, India, in collaboration with the Centre for Advanced Legal Studies and Research (CALSAR) and the Global Research Conference Forum (GRCF), served as an intellectual crucible where ideas were tempered, perspectives broadened, and solutions envisaged for the complex dilemmas of our time.

From human rights and global justice to environmental stewardship, from the governance of cyberspace to the ethics of innovation, from safeguarding public health to navigating trade and maritime frontiers, and from preserving cultural heritage to advancing gender equality and the rule of law, the sub-themes converged into a singular mission fortifying the legal imagination to meet the challenges of a changing world.

We convey our deepest appreciation to the University of Colombo and its illustrious Faculty of Law; the erudite speakers and panellists; the meticulous organisers and coordinators; the steadfast volunteers; the diligent rapporteurs and facilitators; the technical and logistical teams; and all distinguished participants and delegates whose intellectual rigour, unwavering dedication, and collaborative spirit have collectively transformed this conference into an enduring success. Your concerted efforts have indelibly enriched the discourse and fortified our common resolve to advance legal thought across borders.

Advocate Nagaraj Narayanan
Director
Kerala Law Academy, India

Message from the Dean

Faculty of Law, University of Colombo, Sri Lanka

It is with great pleasure that I extend my greetings on the occasion of the *"Global Convergence: Multidisciplinary Perspectives on Law and Contemporary Challenges 2025" (GCC 2025)* organized by the Faculty of Law, University of Colombo. This international conference embodies the Faculty's enduring commitment to fostering rigorous scholarship and advancing critical inquiry into the evolving role of law within a rapidly transforming global order.

The law today does not exist in isolation; it is continually shaped by forces of globalization, technological innovation, environmental concerns, and shifting socio-political realities. Thus, legal scholarship must engage with these convergences in order to remain responsive, relevant, and impactful. GCC 2025 provides a vital forum for the interrogation of such issues, situating law not merely as a normative framework but also as an instrument of governance, justice, and social transformation.

The Faculty of Law has long recognized its obligation as the premier institution of legal education in Sri Lanka to cultivate intellectual spaces where established scholars and emerging researchers alike may engage in dialogue across disciplines. The range of perspectives that this conference brings together will undoubtedly enrich the discourse on contemporary legal challenges, generate innovative approaches, and strengthen comparative and transnational understandings of law.

I commend the Organizing Committee for their academic vision and dedication in curating this platform of exchange. I also extend my appreciation to our distinguished speakers and participants whose contributions advance both scholarship and practice.

It is my hope that GCC 2025 will not only serve as a milestone in academic collaboration but also contribute to the continuing evolution of legal thought in addressing the complex realities of our time.

Professor (Dr) Sampath Punchihewa
Dean
Faculty of Law
University of Colombo, Sri Lanka

Message from the Conference Chair

Global Convergence Conference 2025

It is with profound pride and unfathomable satisfaction that I pen this message for the abstract book of the International Conference "Global Convergence: Multidisciplinary Perspectives on Law and Contemporary Challenges 2025, organized by the Faculty of Law, University of Colombo, in collaboration with the Kerala Law Academy, the Centre for Advanced Legal Studies and Research, India, and the Global Research Conference Forum. This historic event, to be held on September 13th and 14th, 2025, represents the first international conference of this nature convened by the Faculty of Law, University of Colombo, one of the international conferences accommodated by the Faculty of Law this year 2025, and a productive outcome of my longstanding academic collaboration with the Kerala Law Academy, India. As a senior faculty member, I feel blessed and happy to have been able to bring an internationally collaborative academic platform to this esteemed Faculty, the premier seat of legal education in Sri Lanka.

In this modern world intensely shaped by rapid transformations in every aspect, especially in the field of law, the necessity for a multidisciplinary legal discourse has never been more compelling. Therefore, I believe it is timely to hold such a dialogue in collaboration with different educational institutions worldwide that helps to share and expand knowledge among all of us in the legal discipline, which largely benefits from the others in varied fields.

This conference aspires to provide a vibrant intellectual platform for jurists, academics, researchers, policymakers, and students to deliberate on pressing global challenges through the prism of law and its intersections with allied disciplines. With 18 cross-cutting subthemes, its deliberations will cross climate crises, digital disruption, humanitarian conflicts, and democratic transitions, advancing solutions that are inclusive, resilient, and interdisciplinary.

I trust this convergence will foster enduring academic cooperation, stimulate policy-relevant scholarship, and empower the next generation of scholars through meaningful global engagement. As the conference chair, I extend my sincere thanks to all the individuals for their invaluable support in bringing this conference to reality. I wish the GCC 2025 a great success.

Deshabandu Senior Professor (Dr) Jeeva Niriella
Faculty of Law,
University of Colombo, Sri Lanka

Message from the Conference Co-Chair

Global Convergence Conference 2025

We stand at a pivotal juncture in history, where we must recognise that as a society, the radical complexities within our global weave require truly a multifaceted and cross-disciplinary engagement, lateral partnering, and unbreakable resolve to the co-management of shared outcomes. Rapid technological advancement, environmental emergencies, and shifting socio-political landscapes have had a significant impact on not only what we know but also how we define the challenges of our time in an era of unparalleled interconnectedness where ideas, cultures, and disciplines flow effortlessly across borders.

It is within this spirit that the International Conference on "Global Convergence: Multidisciplinary Perspectives on Law and Contemporary Challenges", held on September 13–14, 2025, at the Faculty of Law, University of Colombo, Sri Lanka, found its purpose. This vibrant conjunction of jurists, scholars, practitioners, and policymakers from all over the world weaved a rich tapestry of insights from law, governance, economics, technology, environmental studies, and the social sciences.

The scholarly papers compiled in these proceedings, after rigorous peer review, stand as enduring markers of the intellectual depth, collaborative spirit, and shared vision that defined this gathering, moreover a testament to this conference achieving its destination. In addition to preserving the knowledge shared, I hope this collection sparks further investigation, discussion, and collaboration. As boundaries blur in the world of ideas, let these pages serve as a powerful reminder of what is possible when a global academic community comes together to work towards equity, justice, and sustainable development.

A special paean of admiration is reserved for the indefatigable labours of the organizing committees, coordinators, and volunteers, whose unwavering devotion and consummate orchestration imbued this vision with vibrant actuality. Their unseen ministrations, executed with precision and zeal, ensured that every facet of the conference radiated the

quintessence of excellence and the lofty ideals it was conceived to celebrate.

Professor Anil Kumar K
Director (Administration, Students & Faculty Affairs)
Kerala Law Academy, India

Message from the Conference Co-Chair

Global Convergence Conference 2025

It is my privilege to welcome you to the Global Convergence Conference (GCC) 2025 and to present this Abstract Book, which reflects the intellectual breadth and comparative spirit that define our gathering at the Faculty of Law, University of Colombo. The papers assembled here span seventeen interlinked sub-themes, from international trade and economic law, human rights and global justice, environmental governance, cyber security and data privacy, and global health law, to intellectual property, technological innovation and legal ethics, corporate governance, legal education, international criminal law, cultural heritage, criminal justice reform, rule of law, maritime law, gender justice, and interdisciplinary inquiry. Together, they map the contours of contemporary legal change while remaining anchored in first principles. GCC 2025 has been designed as a collegial platform for rigorous exchange across jurisdictions, methods, and vocations. The hybrid format broadens participation without diluting standards, and our parallel sessions have been curated to ensure thematic coherence and constructive dialogue.

Three commitments animate this meeting. First, intellectual honesty—to test ideas against evidence, doctrine, and lived realities. Second, public-mindedness - to keep access to justice, institutional accountability, and human dignity at the centre of our debates. Third, practical impact—to translate scholarship into reform proposals attentive to feasibility, comparative learning, and unintended consequences. I record my deep appreciation to Deshabandu Senior Prof. (Dr) Jeeva Niriella, Conference Chair; Prof. (Dr) Sampath Punchihewa, Dean, Faculty of Law; Prof. Indika Mahesh Karunathilake, Vice-Chancellor, University of Colombo; my fellow Co-Chair Prof. Anil Kumar K and the dedicated Organising Committee. I also thank our plenary speakers, session chairs, discussants, and the many colleagues and students whose quiet labour makes scholarly exchange possible. May these abstracts prompt careful reading, spirited but respectful debate, and concrete pathways for teaching, research, adjudication, policy, and practice. I wish each of you a productive conference and look forward to the partnerships it will inspire.

Professor (Dr) Prakash Divakaran

Vice Chancellor

Himalayan University, Arunachal Pradesh, India

Message from Conference Secretaries

Global Convergence Conference 2025

It is with pleasure that we convey our greetings on the occasion of the "Global Convergence: Multidisciplinary Perspectives on Law and Contemporary Challenges 2025" (GCC 2025). As the Conference Secretaries of this international conference, we have had the privilege of coordinating an initiative that brings together a diverse group of legal scholars, practitioners, and students to engage in rigorous academic discourse.

The contemporary legal environment demands that law be examined in conjunction with societal, technological, economic, and environmental developments. GCC 2025 provides a platform for interdisciplinary dialogue, comparative study, and scholarly exchange, reflecting the commitment of the Faculty of Law, University of Colombo, Sri Lanka and Kerala Law Academy, India, to fostering critical inquiry and advancing knowledge at the forefront of legal education.

We wish to acknowledge the guidance and support of the Conference Leadership and the Organising Committee, whose efforts have been instrumental in realising this conference. We also express our sincere appreciation to all participants for contributing their expertise and perspectives to this forum.

It is our earnest hope that the deliberations of GCC 2025 will inspire future research, collaborative initiatives, and practical contributions to the field of law, both locally and internationally.

Ms Buddhika Munasinghe
Senior Lecturer
Faculty of Law
University of Colombo,
Sri Lanka

Dr Dakshina Saraswathy
Associate Professor
Kerala Law Academy,
India

Dr Malavika J
Assistant Professor
Kerala Law Academy,
India

Message from Conference Convener

Global Convergence Conference 2025

It is with profound gratitude and a sense of scholarly pride that I welcome you to the International Conference on "Global Convergence Conference 2025: Multidisciplinary Perspectives on Law and Contemporary Challenges." This conference was founded with the idea of establishing a dynamic forum for critical discussion. It was founded on the conviction that, when examined from a variety of angles, law can be a transformative force that can address the most important issues of our day. The goal of the Global Convergence Conference 2025 was to create a top-notch academic forum where scholars, practitioners, researchers, jurists, and policymakers would come together to share ideas, confront preconceived notions, and consider solutions based on interdisciplinarity, inclusivity, and resilience. Law must dynamically engage with technology, governance, the economy, the environment, and society in order to remain relevant and influential in a world that is changing quickly.

It has been my honour as the Convenor to design & steer this initiative from the beginning, transforming it into a forum that not only encourages scholarly discourse but also creates connections between institutions and nations. The goal of this conference is to foster research that is not only theoretical but also practical, fostering international collaboration, motivating policy change, and empowering the upcoming generation of academics and professionals. The Kerala Law Academy, our organising partners at the University of Colombo's Faculty of Law, CALSAR, and the Global Research Conference Forum, as well as our esteemed patrons, chairs, and colleagues, all of whose combined efforts made this vision a reality, have my sincere gratitude. Above all, I want to express my sincere gratitude to each and every one of you, whose contributions make this event a real academic achievement.

I hope that this conference will be remembered for its spirit of cooperation, creativity, and international solidarity in addition to its intellectual depth. Let's work together to uphold the principles of fairness, equality, and academic freedom and make sure that this discussion inspires people long after these two days in Colombo are over.

Varun Dev S
Assistant Professor & Research Officer
Kerala Law Academy, India

Message from the Chief Guest of the Inauguration Ceremony

It gives me immense pleasure to extend my warmest felicitations to the Faculty of Law, University of Colombo, on the occasion of hosting the *Global Convergence: Multidisciplinary Perspectives on Law and Contemporary Challenges 2025*, in collaboration with the Kerala Law Academy, India, and the Global Research Conference Forum. This landmark event, scheduled for September 13 and 14, 2025, is a proud moment for the University of Colombo, as it marks the first international conference of this nature organized by its Faculty of Law.

In today's interconnected world, the challenges confronting law and justice are rarely confined within disciplinary or geographical boundaries. They demand dialogue, collaboration, and innovation across diverse fields of knowledge. This conference provides a timely platform for distinguished scholars, legal practitioners, and policymakers from across the globe to exchange ideas, share experiences, and engage in meaningful discourse on the evolving role of law in addressing contemporary issues.

I commend the Faculty of Law for its vision and commitment to advancing scholarship of global relevance. I am confident that this initiative will inspire new avenues of research and foster enduring partnerships.

I wish the organizers, participants, and collaborators every success in this endeavour.

Senior Professor Kapila Seneviratne
Chairman
University Grants Commission, Sri Lanka

Global Convergence Conference 2025

Message from the Guest of Honour of the Inauguration Ceremony

भारत का उच्चायोग
कोलम्बो
HIGH COMMISSION OF INDIA
COLOMBO

सत्यमेव जयते

MESSAGE

I extend my heartfelt greetings to Faculty of Law, University of Colombo for organising the International Conference on Global Convergence on Multidisciplinary Perspectives on Law and Contemporary Challenges 2025.

The fact that the first-ever edition of such a conference is being organised in collaboration with Kerala Law Academy is a testament to the dynamic multi-faceted partnership between India and Sri Lanka. Our Neighbourhood First policy and MAHASAGAR (Mutual and Holistic Advancement for Security and Growth Across Regions) vision underline India's commitment to be a trusted and reliable partner of Sri Lanka. With the adoption of the joint statement on 'India-Sri Lanka: Fostering Partnerships for a Shared Future' by our leaders at their summit meeting in December 2024, our relations have acquired new drive and energy to forge ahead. This conference is an instance of our people-to-people linkages that form the centre of our long-term economic partnership.

I am confident that the two-day exchange of ideas amongst legal luminaries, practitioners and scholars from Sri Lanka, India, and other participating countries' jurisprudence will further advance the common perspectives on law. I take this opportunity to wish the organizers, delegates and the stakeholders of the Conference all the best in their endeavours. The success of the Conference and other such collaborative activities between out institutes of education excellence is the success of the India-Sri Lanka friendship.

(Dr. Satyanjal Pandey)
Deputy High Commissioner

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Message from the Chief Guest of the Valedictory Ceremony

I am delighted to be sharing this message for the International Conference organized by the Faculty of Law, University of Colombo, in collaboration with the Kerala Law Academy.

I am made to understand that this is a ground breaking event as this is the first time ever an international conference of its kind to be held within the university structure in Sri Lanka. This conference will see the convergence of scholars, professionals, experts and students in the region to explore and share recent research findings that would equip them to better understand and face the challenges posed by these evolutions. This conference will be a wonderful opportunity to empower students, scholars, and the faculty as a whole through global networking and publication opportunities.

I am happy to note that the Faculty of Law of the University of Colombo, has always been in the forefront in academic advancement in the field of law and has been actively engaged in international research, curriculum innovation, research contributing to institutional reforms and policy dialogues.

Today, it is evident that law cannot advance in isolation as its increasing interaction with other interdisciplinary spheres such as International Trade and Economics, Human Rights and Global Justice, Environmental and Global Sustainability to name a few. Therefore, the need for multidisciplinary legal discourse such as this, has never been more critical to 21st century challenges.

While expressing my deep and sincere gratitude for including me in this monumental event, I wish every success for this Conference.

Parinda Ranasinghe (Jnr) PC
Attorney General
Democratic Socialist Republic of Sri Lanka

Message from the Guest of Honour of the Valedictory Ceremony

In the digital age, the domains of copyright law and intellectual property rights (IPR) present complex challenges that demand a multidisciplinary approach. As creativity and innovation increasingly intersect with technology, education, and economics, the legal frameworks governing ownership and access to knowledge are under constant pressure to evolve. Copyright law, once limited to print and performance, now faces issues of digital piracy, online commons, and AI-generated works. IPR, while crucial for incentivizing innovation, also raises pressing questions about equity and accessibility, particularly in the Global South. Against this backdrop, the movement for Open Educational Resources (OER) emerges as a powerful model for democratising knowledge and bridging educational divides. The lecture explores the tensions and synergies between protection and openness, exploring how law, education, culture, technology, and ethics converge. A nuanced understanding of copyright, IPR, and OER offers pathways toward balancing creativity with inclusivity in contemporary society.

Professor Ankuran Dutta
Director, Swami Vivekananda Cultural Centre
High Commission of India, Colombo

Keynote Speech of the Inauguration Ceremony

‘Global Convergence in Action: Building a Rights-Based Digital World for Children in the Age of AI’

Children today are growing up in an interconnected digital ecosystem shaped by artificial intelligence, algorithmic decision-making, and global platform economies. While these technologies open up opportunities for learning, participation, and connection, they also expose children to unprecedented risks, including data exploitation, surveillance, algorithmic bias, and online harms. In response, we are witnessing a growing Global Convergence Conference in law and policy, as states, international organisations, and industry actors grapple with how to safeguard children in the digital age. This keynote will examine how emerging regulatory frameworks, from the EU’s AI Act and Digital Services Act, to the UN Committee on the Rights of the Child’s General Comment No. 25, and ongoing debates across the world are shaping a new transnational landscape of child protection and child safety in the age of AI. It will interrogate the tensions between national sovereignty and cross-border digital governance, the challenges of enforcing rights across jurisdictions, and the risks of uneven protections for children depending on geography. While this a global issue and requires transnational frameworks, this paper argues that there is the need for localised solutions to be developed, which acknowledge culture and community and the socio-political context of national frameworks. Crucially, this keynote paper will highlight the role of children and young people as rights-holders and advocates in shaping these debates. By exploring patterns of convergence and divergence, particularly in the Global South, the keynote argues for a localised child-centred, rights-based, and globally coordinated approach to building a digital world where AI and other digital technologies serve as tools for empowerment rather than exploitation.

Professor (Dr) Faith Gordon
Associate Professor in Law
Deputy Associate Dean of Research
Australian National University College of Law

Keynote Speech of the Valedictory Ceremony

'The Attorney General and the Public Prosecutor: Upholding the Rule of Law in the Administration of Criminal Justice'

A robust criminal justice system is the bedrock of the rule of law in any jurisdiction. However, without proper safeguards, the criminal justice system may be used by governments to persecute political opponents or to protect politically connected individuals from prosecution. We live in an age where democratic norms and rule of law values are being eroded with nationalist leaders weaponizing the criminal justice system to advance their own interests and retain power. The politicization of criminal prosecution and investigation subvert public confidence in the administration of criminal justice, undermining the rule of law.

The gatekeeper to the criminal justice system is the Public Prosecutor, who in many common law jurisdictions, is also the Attorney-General or is supervised by the Attorney-General. It is crucial that the Public Prosecutor act independently from governmental influence and impartially as a "minister of justice". It is equally important that there be safeguards against abuse of prosecutorial power, including the right of judicial review while respecting the separation of powers. Sri Lanka, which is in the process of establishing an Independent Office of the Public Prosecutor, has an opportunity to reimagine the constitutional role of the Office and ensure that safeguarding the rule of law is a core mission.

Senior Professor (Dr) Kumaralingam Amirthalingam
Professor of Law
Faculty of Law
National University of Singapore

PLENARY SESSION I

THEME

NAVIGATING GLOBAL RESILIENCE: LEGAL RESPONSES TO CRISIS, CONFLICT, AND SUSTAINABILITY IN A MULTIPOLAR WORLD

His Lordship Justice S Thurairaja, PC

Judge of the Supreme Court, Democratic Socialist Republic of Sri Lanka

In an increasingly multipolar world, nations of the Global South face acute legal challenges from transnational pressures, including economic volatility, climate change, and pandemics. For Sri Lanka, the aftermath of the recent economic collapse serves as a stark case study, exposing critical vulnerabilities in governance, public finance, and judicial capacity within a pluralistic legal framework. The central challenge lies in harmonizing domestic legal responses with the imperative for global and regional convergence. Sri Lanka's experience illustrates this tension: while national legal frameworks are in place, their effectiveness is often constrained by limited institutional capacity, resource constraints, and uneven enforcement exacerbated by a legacy of internal conflicts. Navigating a dual imperative, upholding national legal sovereignty while dynamically adapting to and integrating international legal norms, is a critical role for domestic judiciaries. The judiciary's function as a critical safeguard against executive overreach and a tool for reinforcing accountability is paramount in a nation confronting these complex crises. The framework of convergent legal evolution posits that legal systems in the Global South can proactively adapt in response to global discourse while also preserving their unique traditions. By fostering collaboration through regional and global instruments, this approach moves towards a more resilient and sustainable global legal order, bridging the gap between national sovereignty and collective responsibility.

His Lordship Justice LTB Dehideniya
Chairman, Human Rights Commission of Sri Lanka
Former Judge of the Supreme Court, Democratic Socialist Republic of Sri Lanka

In an age defined by overlapping crises, ranging from pandemics and climate change to economic volatility, armed conflict, and democratic backsliding, the role of law as a foundation of global resilience has never been more urgent. The plenary theme, "Navigating Global Resilience: Legal Responses to Crisis, Conflict, and Sustainability in a Multipolar World," invites us to critically reflect on how legal systems can adapt to protect communities, foster accountability, and safeguard human dignity amidst unprecedented challenges.

This address will examine resilience not as the mere ability to withstand shocks, but as the capacity to adapt through responsive and inclusive legal frameworks. It will explore how international trade and economic law shape supply chain resilience, how global health law can better prepare us for future pandemics, and how environmental and climate law must move from aspirational commitments to enforceable global frameworks. It will also highlight the continuing importance of the rule of law, judicial review, and international criminal accountability as anchors against authoritarianism,` impunity, and unchecked emergency powers.

In a multipolar world, competing centers of power pose risks of legal fragmentation, yet they also open possibilities for innovation and pluralism in legal approaches. The challenge before us is to cultivate a convergence around universal principles justice, sustainability, accountability while allowing for regional diversity in implementation.

Ultimately, building global resilience requires not only stronger laws but also stronger trust across borders. Law must serve as both a shield in times of crisis and a bridge toward a sustainable and just global order.

Advocate Nagaraj Narayanan
Director, Kerala Law Academy, India

'Global Legal Framework for Climate Change Mitigation'

At the heart of this topic is the human-caused climate cataclysm that has provoked the cumulation of an intricate and polycentric juridical structure, created to curb the release of greenhouse gases and usher in sustainable development paths. The body of international law has experienced a cumulative transformation, starting with the 1992 United Nations Framework Convention on Climate Change (UNFCCC), which etched the principle of common but differentiated responsibilities, and then taking form in more juridically persuasive instruments like the 1997 Kyoto Protocol and the 2015 Paris Accord. When taken together, these normative regimes represent a paradigmatic shift away from fixedly statist, top-down regimes of legally codified emission reduction towards a flexible, voluntary, and bottom-up method of nationally determined contributions (NDCs). At the same time, ancillary regimes like the Kigali Amendment to the Montreal Protocol, the Convention on Biological Diversity, and the polyphrenic provisions of the Law of the Sea incorporate climate responsibilities, thereby illuminating the interstitial and integrative character of modern environmental governance.

The perennial conundrum of enforcement persists with obstinate strength, for the structure of international law still rests primarily upon the shaky framework of state will, collegial peer assessment, and the intangible power of soft law pressures, instead of on the adamant strictures of coercive punishment. Yet, an incipient jurisprudential renaissance is discernible, wherein domestic judiciaries, regional tribunals, and transnational fora of litigation are increasingly invigorating the architecture of accountability by transfiguring climate obligations into juridical emanations of fundamental human rights and axiomatic principles of sustainable development. This treatise questions the changing international legal architecture for the mitigation of climate change, highlighting its praiseworthy developments and its regretful fragmentation, while at the same time inviting the call for more effective compliance mechanisms, a fair redistribution of burdens and benefits, and a symphonic integration of multilateral regimes into an integrated and synergistic governance framework.

Keywords: Climate Change, Environmental Governance, Nationally Determined Contributions, Compliance & Enforcement.

Davina Oktivana
Lecturer & Researcher, Faculty of Law, Universitas Padjadjaran, Indonesia
Head of the Indonesian Centre for the Law of the Sea (ICLOS)

'Indonesia's Implementation of the 2023 BBNJ Agreement: Challenges and Opportunities for Marine Biodiversity Conservation in Archipelagic Waters'

Indonesia's implementation of the 2023 BBNJ Agreement for marine biodiversity conservation in archipelagic waters involves managing activities that could affect areas beyond national jurisdiction (ABNJ), presenting challenges and opportunities. As the world's largest archipelagic state, with its waters bordering the high seas of the Pacific and Indian Oceans, Indonesia has a significant interest in establishing and effectively managing marine protected areas (MPAs) in these regions. By adopting the BBNJ Agreement, Indonesia aims to prepare and enact necessary national laws and regulations upon ratification to align with international obligations. This paper examines key provisions of the BBNJ Agreement and related instruments, identifying legal gaps, challenges, and obstacles in fulfilling obligations related to MPA establishment in ABNJ. Specifically, it addresses the requirement to create multi-purpose MPAs in areas such as the Indian Ocean, Andaman Sea, and Pacific Ocean, which are adjacent to ABNJ, and explores how these efforts can mitigate impacts from activities within Indonesia's jurisdiction, such as pollution and overfishing, on ABNJ ecosystems. The discussion also highlights Indonesia's potential gains from the agreement, including access to marine technology, data, information, and knowledge through participation in regional and global MPA networks. These benefits address the research question of Indonesia's interest and contribution to establishing an MPA network in ABNJ within a regional cooperation framework, such as through ASEAN and the Coral Triangle Initiative. Furthermore, the paper considers how MPAs in ABNJ can align with existing frameworks, such as the Particularly Sensitive Sea Areas (PSSAs) and management measures under Regional Fisheries Management Organisations (RFMOs), which prioritise long-term sustainability and conservation based on scientific research, as well as the FAO Code of Conduct for Responsible Fisheries' advocacy for precautionary and ecosystem approaches. By integrating these aspects, the paper underscores how Indonesia can leverage the BBNJ Agreement to enhance marine biodiversity conservation while addressing the interconnectedness of its archipelagic waters and ABNJ.

PLENARY SESSION II

THEME

LAW IN THE DIGITAL AGE: ETHICAL GOVERNANCE, INNOVATION AND GLOBAL JUSTICE

His Lordship Justice AHMD Nawaz
Judge of the Supreme Court, Democratic Socialist Republic of Sri Lanka

As artificial intelligence grows in scale and sophistication, it is posing fundamental challenges to the legal systems worldwide. The speed and scope of AI's evolution particularly in the form of generative models raise profound questions for both civil and criminal law. Unlike previous technological advances such as electricity or telecommunications, AI's impact is not merely infrastructural but interpretative and normative, affecting how legal responsibility, authorship, and agency are conceived.

The legal system now faces the task of adapting existing principles to the realities introduced by AI, even as new categories of disputes and liabilities emerge. The development of case law in this area reflects a growing judicial engagement with these complex questions.

This presentation traces the trajectory of AI's integration into legal thought, beginning with historical context and proceeding to the doctrinal implications of AI in adjudication. Particular focus is placed on how courts have begun to respond to the legal consequences of AI, including evolving jurisprudence and interpretative frameworks. The presentation aims to outline how the contours of legal doctrine are shifting under the weight of technological transformation.

Professor Dr K C Sunny
Director, International Affairs, Kerala Law Academy, India
Former Vice Chancellor, National University of Advanced Legal Studies, India

'Human Rights and Global Justice'

Human rights are the foundation of global justice, yet they face unprecedented strain in the context of rising inequality, shifting geopolitics, and rapid technological change. The persistence of conflict and displacement, the growth of authoritarian rule, and the shrinking of civic space reveal the fragile state of universal rights. At the same time, economic transformation, climate disruption, and digital innovation create new arenas where justice must be redefined.

This plenary session explores how the international community can renew its commitment to human dignity and global justice. It examines the evolving role of international institutions, the responsibilities of states and corporations beyond borders, and the urgent need to protect communities threatened by exclusion and systemic discrimination. Special attention will be given to the intersections of human rights with climate justice, digital governance, and gender equality as defining struggles of the present era.

Equally important is the role of education, advocacy, and collective action in closing the gap between rights in principle and justice in practice. Building a future grounded in human rights requires strong legal frameworks, ethical leadership, and inclusive governance that gives voice to marginalized groups. This session calls for a renewed global compact on human rights and justice that upholds universality while responding to contemporary challenges, strengthens accountability while fostering cooperation, and advances a world where dignity and equality are lived realities rather than distant goals.

Keywords: Human Rights, Global Justice, Corporate Accountability, Climate Justice, Digital Governance, Civic Space, Ethical Leadership.

Dr Suwijak Chandaphan
Lecturer in Law, School of Law, Mae Fah Luang University, Thailand

'Securing Space in the Digital Era: Legal and Policy Implications of Cyber Threats Beyond Earth'

In the 21st century, outer space has become an indispensable domain for global communication, navigation, defense, and economic development. However, as satellites and space-based systems become increasingly interconnected, they are exposed to unprecedented cyber vulnerabilities. Such threats highlight the inadequacy of existing legal frameworks. The 1967 Outer Space Treaty, for example, was designed to prevent militarization during the Cold War but remains silent on digital warfare and cyberattacks. This presentation examines the legal ambiguities surrounding cyber operations in space, particularly the challenges in interpreting cyber intrusions under the "peaceful use" principle of international law. Key questions arise: Does hacking or disabling a satellite constitute an act of aggression? How should states be held accountable in the absence of explicit norms? Beyond legal concerns, this study underscores the urgent need for international cooperation to establish cybersecurity standards, transparency mechanisms, and coordinated response protocols for space-based assets. Without such measures, the risks of mistrust, miscalculation, and conflict among spacefaring nations will continue to grow. Ultimately, this study argues for updating or complementing the current space law regime to address cybersecurity challenges explicitly. Securing space in the digital era is not only essential for safeguarding technological investments but also critical for maintaining peace, stability, and global cooperation beyond Earth.

Keywords: Cybersecurity in Space, Outer Space Treaty, International Cooperation

PLENARY SESSION III

THEME

RULE OF LAW AND HUMAN RIGHTS IN CRIMINAL JUSTICE

Prof (Dr) Prakash Divakaran
Vice Chancellor, Himalayan University, Arunachal Pradesh, India

'Proportionality, Fair Trial, Accountability: Recalibrating Criminal Justice under the Rule of Law'

This plenary advances a principled blueprint for criminal justice grounded in three interlocking pillars - proportionality, fair trial, and accountability - as the operational expression of the rule of law. First, proportionality demands that every coercive measure satisfy the cumulative tests of legality, suitability, necessity, and strict balancing. Applied across the process - from stop and search, surveillance and arrest, charging and bail, to sentencing and post-release restrictions - it requires reasoned justification, evidence-sensitive calibration, and periodic review, especially where national-security and preventive-detention powers are invoked.

Second, fair-trial guarantees must be "built in, not tacked on." Core elements - prompt and precise notice of accusation, timely and effective legal assistance, equality of arms, adversarial testing and disclosure, open justice, the presumption of innocence, impartial adjudication, reasoned judgments, and trial without undue delay - must extend to digital forensics and algorithmic tools. This includes auditable methodologies, intelligible expert evidence, robust cross-examination, interpreter access, and remedies for disclosure failures. Plea bargaining, media trials, and risk-scoring practices are assessed against these baselines to prevent coercion, prejudice, or data-driven arbitrariness.

Third, accountability requires independent and adequately resourced oversight of policing, prosecution, forensic services, and corrections; exclusionary rules for unlawfully obtained or unreliable evidence; enforceable chains of custody; and public-facing transparency metrics (pre-trial detention rates, time-to-disposal, error-correction outcomes, and disparate-impact indicators). The session proposes statutory codification of proportionality, bail and sentencing guidelines, algorithmic and human-rights impact assessments, independence of forensic laboratories, strengthened legal-aid systems, and continuous professional training.

Using comparative insights from South Asia and other common-law jurisdictions, the plenary outlines phased implementation that aligns victims' rights with accused persons' protections, incorporates diversion and restorative options where appropriate, and re-anchors security policy within constitutional constraints. The objective is a rights-compatible, evidence-led, and socially trusted criminal process that enhances legitimacy, reduces arbitrariness, and fortifies democratic resilience.

PLENARY SESSION IV
THEME

RULE OF LAW AND HUMAN RIGHTS IN CRIMINAL JUSTICE

Her Ladyship Justice Kumuduni Wickremasinghe
Judge of the Supreme Court of the Democratic Socialist Republic of Sri Lanka

'Judicial Challenges and Opportunities in a Global Context: Safeguarding Human Rights and Upholding the Rule of Law in Criminal Justice'

This speech explores the judicial challenges and opportunities in safeguarding human rights and upholding the rule of law within Sri Lanka's criminal justice system, framed within a global context. It highlights persistent challenges, including political interference, weakened judicial independence, and delays in justice delivery, compounded by security-driven legislation. These issues mirror global struggles to balance national security with individual liberties while ensuring compliance with international human rights norms.

Opportunities lie in reinforcing judicial independence through transparent appointments, incorporating international treaty obligations into domestic law, and aligning constitutional guarantees, such as equality before the law, presumption of innocence, fair trial rights, and access to justice, with practical enforcement. The discussion emphasises the urgent need for enabling legislation to operationalise rights under the UDHR, ICCPR, and other ratified treaties.

Emerging concerns such as cybercrime and artificial intelligence (AI) introduce new dimensions to criminal justice, requiring adherence to frameworks like the Budapest Convention and the development of ethical and legal safeguards to protect privacy, due process, and accountability.

The speech concludes by calling for judicial courage, institutional reforms, responsible use of technology, and greater international cooperation. By seizing these opportunities, Sri Lanka can strengthen the rule of law and position its judiciary as a guardian of justice and human dignity in a rapidly evolving global legal landscape.

PROGRAMME OF THE CONFERENCE

GLOBAL CONVERGENCE CONFERENCE 2025

Day 01

SEPTEMBER 13, 2025 - SATURDAY

Auditorium, Faculty of Law, University of Colombo, Sri Lanka

INAUGURATION CEREMONY

Time	Programme
08.00 a.m. – 08.30 a.m.	Registration
08.30 a.m. – 09.00 a.m.	Arrival of Guests
09.00 a.m. – 09.05 a.m.	Commencement of Proceedings
09.05 a.m. – 09.10 a.m.	Lighting of the Traditional Oil Lamp
09.10 a.m. – 09.15 a.m.	National Anthem
09.15 a.m. – 09.20 a.m.	Pooja Dance Performance
09.20 a.m. – 09.30 a.m.	Welcome Address by **Prof (Dr) Sampath Punchihewa** Dean, Faculty of Law, University of Colombo
09.30 a.m. – 09.35 a.m.	"*From Vision to Reality. The Story of GCC 2025*" Introductory Video Presentation
09.35 a.m. – 09.45 a.m.	Opening Remarks by **Deshabandu Senior Prof (Dr) Jeeva Niriella** Conference Chair, GCC 2025
09.45 a.m. – 09.55 a.m.	Address by **Prof Indika Mahesh Karunathilake** Vice Chancellor, University of Colombo
09.55 a.m. – 10.00 a.m.	Introduction of the Chief Guest
10.00 a.m. – 10.10 a.m.	Address by the Chief Guest **Senior Prof Rahula Attalage** Acting Chairman University Grants Commission, Sri Lanka
10.10 a.m. – 10.15 a.m.	Introduction of the Guest of Honour

10.15 a.m. – 10.25 a.m.	Address by **HE Dr Satyanjal Pandey** Deputy High Commissioner of India to Sri Lanka
10.25 a.m. – 10.30 a.m.	Cultural Performance
10.30 a.m. – 10.35 a.m.	Introduction of the Keynote Speaker
10.35 a.m. – 10.55 a.m.	Keynote Address by **Prof (Dr) Faith Gordon** Associate Professor in Law Deputy Associate Dean of Research Australian National University College of Law
10.55 a.m. – 11.00 a.m.	Presentation of Tokens of Appreciation
11.00 a.m. – 11.10 a.m.	Vote of Thanks by **Ms Buddhika Munasinghe** Conference Secretary, GCC 2025
11.10 a.m. – 11.30 a.m.	**Tea Break**
11.30 a.m. – 01.15 p.m.	**Plenary Session I** **Theme: "Navigating Global Resilience: Legal Responses to Crisis, Conflict, and Sustainability in a Multipolar World"** **His Lordship S Thurairaja PC**
11.30 a.m. – 11.50 a.m.	Hon. Justice of the Supreme Court Democratic Socialist Republic of Sri Lanka
11.50 a.m. – 12.10 p.m.	**Rtd. Supreme Court Justice LTB Dehideniya** Chairman of the Human Rights Commission, Sri Lanka
12.10 p.m. – 12.30 p.m.	**Advocate Nagaraj Narayanan** Advocate & Standing Counsel, (Government of Kerala) Director, Kerala Law Academy, India

	Prof (Dr) Davina Oktivana
12.30 p.m. – 12.50 p.m.	Department of International Law, Faculty of Law, University of Padjadjaran, Indonesia (online)
12.50 p.m. – 01.15 p.m.	Q & A Session
01.15 p.m. – 02.30 p.m.	**Lunch**
02.30 p.m. – 04.00 p.m.	**Technical Session I - Faculty of Law, University of Colombo, Sri Lanka** • Parallel Session I A - Auditorium • Parallel Session I B - Advocacy Room • Parallel Session I C- Board Room • Parallel Session I D - Classroom V • Parallel Session I E – Hall C • Parallel Session I F - Ceylon Hall • Parallel Session I G - CSHR Lecture Room • Parallel Session I H – Hall B
04.00 p.m. – 04.30 p.m.	**Tea Break**
04.30 p.m. – 06.00 p.m.	**Technical Session II - Online** • Parallel Session II A • Parallel Session II B • Parallel Session II C • Parallel Session II D • Parallel Session II E • Parallel Session II F • Parallel Session II G • Parallel Session II H • Parallel Session II I • Parallel Session II J

Day 02

SEPTEMBER 14, 2025 - SUNDAY

Auditorium, Faculty of Law, University of Colombo, Sri Lanka

Time	Programme
08.30 a.m. – 08.50 a.m.	Arrival of Delegates & Networking Tea
08.50 a.m. – 09.00 a.m.	Recap of Day One & Announcements for Day Two
	Plenary Session II
09.00 a.m. – 10.15 a.m.	**Theme: "Law in the Digital Age: Ethical Governance, Innovation, and Global Justice"**
	His Lordship AHMD Nawaz PC
09.00 a.m. – 09.20 a.m.	Hon. Justice of the Supreme Court Democratic Socialist Republic of Sri Lanka
09.20 a.m. – 09.40 a.m.	**Prof (Dr) KC Sunny** Former Vice Chancellor, NUALS, Kerala, India
09.40 a.m. – 10.00 a.m.	**Dr Suwijak Chandaphan** Lecturer in Law, School of Law, Mae Fah Luang University, Thailand **(online)**
10.00 a.m. – 10.15 a.m.	Q & A Session
10.15 a.m. – 10.45 a.m.	**Tea Break**
	Plenary Session III
10.45 a.m. – 11.30 a.m.	**Theme: "Rule of Law and Human Rights in Criminal Justice"**
	His Lordship Yasantha Kodagoda PC
10.45 a.m. – 11.15 a.m.	Hon. Justice of the Supreme Court Democratic Socialist Republic of Sri Lanka

	Prof (Dr) Prakash Divakaran
11.15 a.m. – 11.30 a.m.	Vice Chancellor, Himalayan University, Arunachal Pradesh, India
11.30 a.m. – 11.45 a.m.	Q & A Session
	Plenary Session IV
11.45 a.m. – 12.15 p.m.	**Theme: "Rule of Law and Human Rights in Criminal Justice"**
	Her Ladyship Kumudini Wickremasinghe
11.45 a.m. – 12.05 p.m.	Hon. Justice of the Supreme Court
	Democratic Socialist Republic of Sri Lanka
12.05 p.m. – 12.15 p.m.	Q & A Session
12.15 p.m. – 1.30 p.m.	**Technical Session III - Faculty of Law, University of Colombo, Sri Lanka** • Parallel Session III A - Auditorium • Parallel Session III B - Advocacy Room • Parallel Session III C- Board Room • Parallel Session III D - Classroom V • Parallel Session III E – Hall C • Parallel Session III F - Ceylon Hall • Parallel Session III G - CSHR Lecture Room • Parallel Session III H – Hall B
01.30 p.m. – 02.15 p.m.	**Lunch**

VALEDICTORY CEREMONY

Time	Programme
02.15 p.m. – 02.30 p.m.	Arrival of the Guests
02.30 p.m. – 02.35 p.m.	Commencement of the Proceedings & Lighting of the Traditional Oil Lamp
02.35 p.m. – 02.40 p.m.	National Anthem
02.40 p.m. – 02.45 p.m.	Cultural Performance
02.45 p.m. – 02.55 p.m.	Welcome Address by **Prof (Dr) Sampath Punchihewa** Dean, Faculty of Law, University of Colombo
02.55 p.m. – 03.00 p.m.	Special Valedictory Address by **Prof Anil Kumar K** Conference Co-Chair, GCC 2025
03.00 p.m. – 03.05 p.m.	Video Presentation. *"Success Story of the Conference and Way Forward"*
03.05 p.m. – 03.15 p.m.	Conference Wrap-Up by **Mr Varun Dev S** Assistant Professor, Kerala Law Academy
03.15 p.m. – 03.25 p.m.	Address by **Prof Indika Mahesh Karunathilake** Vice Chancellor, University of Colombo
03.25 p.m. – 03.27 p.m.	Introduction of the Chief Guest
03.27 p.m. – 03.35 p.m.	Address by the Chief Guest **Mr Parinda Ranasinghe (Jnr) PC** Hon. Attorney General of Sri Lanka
03.35 p.m. – 03.37 p.m.	Introduction of the Guest of Honour

03.37 p.m. – 03.45 p.m.	Address by the Guest of Honour **Prof Ankuran Dutta** Director, Swami Vivekananda Cultural Centre, Colombo
03.45 p.m. – 03.55 p.m.	Cultural Performance
03.55 p.m. – 04.05 p.m.	Introduction of the Keynote Speaker
04.05 p.m. – 04.30 p.m.	Keynote Address by **Senior Prof (Dr) Kumaralingam Amirthalingam** Professor in Law Faculty of Law, National University of Singapore
04.30 p.m. – 04.35 p.m.	Presentation of Tokens of Appreciation Vote of Thanks
04.35 p.m. – 04.45 p.m.	**Deshabandu Senior Prof (Dr) Jeeva Niriella** Conference Chair, GCC 2025

END

PROGRAMME OF TECHNICAL SESSIONS

GLOBAL CONVERGENCE CONFERENCE 2025

Technical Session I

Faculty of Law, University of Colombo, Sri Lanka

September 13, 2025 - 02.30 p.m. – 04.00 p.m.

Session	Programme
Parallel Session I A - Auditorium	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session I B - Advocacy Room	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session I C- Board Room	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session I D - Classroom V	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session I E – Hall C	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session I F - Ceylon Hall	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session I G - CSHR Lecture Room	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session I H – Hall B	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph

Technical Session II (Online)

Faculty of Law, University of Colombo, Sri Lanka

September 13, 2025 – 04.30 p.m. – 06.00 p.m.

Session	Programme
Parallel Session II A	Virtual Presentations
Parallel Session II B	Virtual Presentations
Parallel Session II C	Virtual Presentations
Parallel Session II D	Virtual Presentations
Parallel Session II E	Virtual Presentations
Parallel Session II F	Virtual Presentations
Parallel Session II G	Virtual Presentations
Parallel Session II H	Virtual Presentations
Parallel Session II I	Virtual Presentations
Parallel Session II J	Virtual Presentations

Technical Session III

Faculty of Law, University of Colombo, Sri Lanka

September 14, 2025 - 12.15 p.m. – 1.30 p.m.

Session	Programme
Parallel Session III A - Auditorium	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session III B - Advocacy Room	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session III C- Board Room	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session III D - Classroom V	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session III E – Hall C	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session III F - Ceylon Hall	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session III G - CSHR Lecture Room	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph
Parallel Session III H – Hall B	Oral Presentations Awarding Certificates to Panellists Awarding Certificates to Paper Presenters Official Group Photograph

ABSTRACTS

GLOBAL CONVERGENCE CONFERENCE 2025

SUB THEME 1

INTERNATIONAL TRADE AND ECONOMIC LAW

GLOBAL TAX GOVERNANCE: ADDRESSING CROSS-BORDER TAX DISPUTES VIA BEPS ACTION PLAN 14

Mr Avin Tiwari
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Complicated international tax laws abound, and increasing cross-border tax disputes call for efficient dispute resolution. Specifically, the Action Plan 14 (AP14) of the OECD/G20 Base Erosion and Profit Shifting (BEPS) Project aims to enhance the mutual agreement procedure (MAPs) to settle treaty conflicts. The paper analyses the main elements of AP14, challenges in the implementation of AP14, and its overall impact on cross-border tax dispute resolution. AP14 mandates governments to include treaty clauses that eliminate double taxation and offer reasonable dispute resolution mechanisms by establishing a minimum standard of Mutually Agreed Procedure (MAPs). The paper appreciates the undeniable utility of MAPs but criticises MAP on the grounds of extended resolution times, intricate peer monitoring systems, lack of taxpayer access to MAP, and inconsistent application of tax treaties. The author highlights other teething points in the success of AP14, which include limited resources of tax administrations, differences in domestic administrative policies, and the necessity of higher public awareness among taxpayers. The paper highlights the growing acceptance of arbitration clauses under the BEPS Multilateral Instrument (MLI) under Article 25, which offers a binding resolution mechanism should MAP fail. OECD studies reveal both ongoing disparities in MAP accessibility and efficiency as well as improvements that are noteworthy. The paper contributes to the ongoing policy debates on strengthening global tax certainty and preventing double taxation in an era of digitalised and decentralised economic activity.

Keywords: BEPS Action Plan 14, Mutual Agreement Procedure (MAP), Cross-border Tax Dispute Resolution, Double Taxation, OECD, International Tax Governance, International Tax Law.

NAVIGATING INSOLVENCY TIMELINES IN INDIA: ADDRESSING CHALLENGES THROUGH EXPERIENCES FROM THE UK AND THE US

Radhika Agarwal[1] & Dr Moumita R Majumdar[2]
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The Corporate Insolvency Resolution Process (CIRP) in India is a crucial framework designed to address financial distress within corporate entities. An efficient insolvency system is essential for preserving financial stability, promoting economic growth, and restoring confidence in the corporate sector. Although it plays a crucial role in helping people settle their debts, ongoing difficulties have caused the resolution process to take longer than expected, which requires careful analysis and calculated actions. Since prompt resolutions are the essence of the Insolvency and Bankruptcy Code, it becomes necessary to thoroughly look into the causes of these delays. The objective of this study is to investigate and tackle the persistent issues that lead to extended delays in India's CIRP. The research paper will focus on several fronts, including legal and regulatory bottlenecks, operational challenges, inter-creditor disputes, scarcity of specialised professionals, and inefficiencies in information flow. Drawing inspiration from successful practices in the United Kingdom and the United States, the research seeks to explore and identify best practices that can be adopted to streamline CIRP timelines in India. According to 2020 World Bank data, India takes an average of 1.6 years to complete the CIRP, whereas the UK and the US achieve a significantly shorter timeframe of 1 year. The data underscores the need for India to streamline its CIRP, aligning with the successful and timely resolution processes observed in the UK and US. The significance of this research lies in its potential to contribute to the ongoing efforts aimed at creating a more expeditious and effective insolvency resolution process in India.

Keywords: Corporate Insolvency, Financial Distress, Timelines, Operational Challenges

FROM OPENNESS TO OVERSIGHT: THE EVOLUTION OF FDI SCREENING IN INDIA AND THE ROLE OF GEOPOLITICS

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The evolution of Foreign Direct Investment (FDI) screening mechanisms has become a focal point of economic and strategic policy, particularly in the wake of rising geopolitical tensions and increasing concerns about national security. This research paper explores the development of FDI screening frameworks with a special emphasis on India, which has witnessed a significant transformation in its FDI policy since the liberalisation reforms of 1991. As India aspires to become a global investment destination, it faces a dual challenge: ensuring that its regulatory environment is conducive to foreign capital inflow while safeguarding its strategic and sovereign interests. The need for a balanced and nuanced approach is more pressing than ever. Excessively restrictive screening mechanisms risk deterring critical investments in sectors like infrastructure, technology, and green energy, which are vital for India's economic and developmental goals. Conversely, an overly liberal regime may expose sensitive sectors to foreign influence and control. This paper argues for a pragmatic middle path-one that integrates robust screening protocols without undermining investor confidence. India's quest for economic growth, technological advancement and global integration necessitates attracting high-quality FDI. However, in an era where economic decisions are increasingly influenced by national security concerns, India must calibrate its FDI policies with foresight and precision. The paper is structured into four chapters: Chapter 1 reviews India's FDI policy from the 1991 liberalization to current developments; Chapter 2 examines the interface between international investment law and national screening regimes; Chapter 3 analyses global trends in FDI screening, influenced by geopolitics and evolving security paradigms; and Chapter 4 provides recommendations for policy and regulatory reforms that align India's strategic interests with its developmental imperatives based on best practices around the world.

Keywords: Foreign Direct Investment (FDI), Investment Screening, International Investment Agreements, India, Geopolitics, National Security, Liberalisation, Economic Nationalism, Investor-Friendly

IMPACT OF GEOECONOMIC TENSIONS ON THE WTO DISPUTE SETTLEMENT MECHANISM

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The World Trade Organisation's (WTO) Dispute Settlement Mechanism (DSM) has long served as the foundation of rules-based global trade governance. However, the rising geoeconomic tensions, mainly among the superpower nations such as the United States, China, and the European Union, have challenged the system's integrity and effectiveness. This article critically examines how geopolitical conflicts and strategic economic policies have contributed to the current immobilisation of the WTO Appellate Body and undermined trust in multilateral adjudication. It explores the relationship between trade law and foreign policy, focusing on cases where national security, industrial policy, and strategic divergence have been invoked to justify trade-restrictive measures. The article also assesses ongoing reform proposals and alternative dispute resolution mechanisms, weighing their potential to restore credibility to the Dispute Settlement Mechanism. Ultimately, it contends that without addressing the deeper political gaps among key WTO members, technical fixes alone cannot revive the system's legitimacy or enforceability in an era of increased geoeconomic competition.

Keywords: Dispute Settlement Mechanism, Foreign Policy, Global Trade Governance, National Security, WTO

TAX EVASION UNDER INDIA'S GST REGIME: A COMPARATIVE LEGAL ANALYSIS AND THE ROLE OF INTERNATIONAL BEST PRACTICES IN STRENGTHENING COMPLIANCE

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A revolutionary step toward tax simplification and unified indirect taxation was taken in India with the implementation of the Goods and Services Tax (GST). But even with its structural benefits, the GST regime still faces ongoing problems with tax evasion, particularly through under-reporting, shell companies, and phoney invoicing. This essay investigates the shortcomings in the current enforcement framework and critically evaluates the administrative and legal gaps that permit such evasion. The study provides a comparative viewpoint on international anti-evasion tactics by referencing international best practices, such as the Financial Action Task Force (FATF) guidelines, the European Union's VAT compliance procedures, and the OECD's Base Erosion and Profit Shifting (BEPS) initiatives. Additionally, it examines effective policy implementations from countries such as Australia and the United Kingdom, emphasising their applicability to the Indian context. Targeted reforms are suggested in the study, including improved cross-border information sharing, real-time data integration, and the use of cutting-edge digital tools like blockchain and artificial intelligence in GST enforcement. These suggestions seek to strengthen fiscal transparency and legal responsibility while bringing India's GST system into line with international compliance requirements.

Keywords: Goods and Services Tax (GST), Tax Evasion, International Best Practices, Digital Enforcement Tools, Fiscal Transparency

SUB THEME 2

HUMAN RIGHTS AND GLOBAL JUSTICE

PSYCHOLOGICAL JURISPRUDENCE: FOUNDATION TO CONFLICT RESOLUTION STRATEGY

Surya S,[1] Dr Asha Sundaram[2] & Dr. Thangamayan[3]
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Despite the general procedure adopted to resolve conflicts in organisations, it has been noticed that international mediation to resolve conflicts takes time and is costly. From the literature we could infer that the role of people involved in the process of procedures had not been considered as the main source of conflicts occurring scenario and resolving those conflicts through international arbitration is a tedious and long process that utilize more time and money, and yet will not be resolved for years hence to resolve those issues it has been detailed in this report to determine the various internal indicators which creates conflicts at organizational level, financial aspects and operational level at very early stage of conflict occurrence considering the legal aspects at each stage in organizations to resolve conflicts. A psychological tool needs to be derived based on the internal indicators that have caused conflicts in the organisations, and detailed, specified recommendations are required and need to be explained based on the analysis of the solution that needs to be provided to resolve conflicts in organisations and to determine the role of the psychology of women and men during the process of conflict resolution methods.

Keywords: Psychology SEETHA Framework, Law, Mental Health, Legal Compliance, Human Value, Legal Psychology, Women Psychology, Legal Ethics, Emotions, Conflict Resolution Strategy and Framework, Human and Gunas

BEYOND EQUALITY: ADVANCING EFFECTIVE PROTECTION FOR MOTHERS' RIGHTS IN INTERNATIONAL HUMAN RIGHTS LAW

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As J.S. Mill once stated, men in traditional society took the position that "the natural vocation of a woman is that of a wife and mother". The continuous preservation of this distinction between men and women has led to the evident suppression of women as mothers in both public and private spheres. Since the mid-20th century, the international community has recognised the need to uphold the rights of mothers as critical in ensuring the human dignity of women, building families and societies. In a limited scope, these rights are directly and indirectly recognised in international human rights treaties, including UDHR, ICESCR and CEDAW, with an entitlement to 'care and assistance'. With the international protections appearing to lack force, the question arises whether individual states provide comprehensive protection for mothers' rights at the domestic level, through comprehensive legislative measures. However, as existing evidence suggests, most patriarchal societies are centred around unstated presumptions that 'the live of a mother is expendable and that women are subordinate to men'. Drawing on cultural feminist theory, through a comparative analysis of domestic laws of Afghanistan, the United States and India, the objectives of this study are threefold. First, it examines contemporary international law that has recognised mothers' rights. Second, it examines whether these domestic frameworks have failed to uphold a few protections that international law has afforded, hindering the rights of mothers. Thirdly, it proposes reform-based recommendations to protect these rights. Recognising the structural constraints inherited in patriarchal societies, the study underscores the need for an international framework that acknowledges differences between mothers and fathers, thereby obligating state parties to address restrictive abortion laws, inadequate maternity leave provisions and gender-biased employment policies. Thus, the researcher provides for reform-oriented recommendations to introduce a new international human rights framework that recognises and advances mothers' human rights while promoting substantive equality.

Keywords: Cultural Feminism, International Human Rights, Mothers' Rights, Substantive Equality

CRIMINALIZING RAPE AS A VIOLATION OF INTERNATIONAL HUMANITARIAN LAW: LESSONS FOR PEACE-TIME JURISDICTIONS LIKE INDIA

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Over the past few decades, international criminal jurisprudence has undergone a significant transformation in recognising rape as a grave violation of international humanitarian law (IHL). Tribunals such as the ICTY, ICTR, and ICC have classified rape as a war crime, crime against humanity, and an act of genocide in certain contexts. While these advancements are rooted in conflict settings, peace-time jurisdictions like India continue to grapple with limited and often patriarchal interpretations of sexual violence. This study aims to explore how the legal recognition of rape under IHL can inform and reform India's domestic rape jurisprudence. It seeks to evaluate the normative and practical lessons from international law that can aid in creating a more survivor-centric, dignity-driven legal framework in India. The paper adopts a doctrinal and comparative legal approach, analysing key judgments from international tribunals alongside Indian legislation, case law, and constitutional provisions. It incorporates feminist legal theory and human rights perspectives to assess the scope of integrating international legal standards in peacetime laws. International humanitarian jurisprudence offers a broader and more nuanced understanding of rape - one that transcends physical violence to recognise structural oppression, symbolic harm, and power dynamics. In contrast, India's legal response remains limited in scope and application. Bridging this gap could lead to the development of a more inclusive and justice-oriented framework for addressing sexual violence. This paper underscores the potential of cross-jurisdictional legal learning. By drawing from IHL, India can reimagine rape law not merely as punitive but as transformative - one that affirms dignity, challenges systemic injustice, and aligns with constitutional and international human rights commitments.

Keywords: Accountability, Dignity, Gender-Based Violence, Humanitarian Law, Rape, Survivor-Centric Justice

THE RIGHT TO SOCIAL SECURITY FOR GIG WORKERS: A HUMAN RIGHTS PERSPECTIVE

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In recent decades, the nature of employment has undergone significant shifts, with many individuals transitioning away from traditional, long-term job arrangements towards more flexible, non-standard forms of work.1 In the context of today's dynamic workforce, gig work has emerged as an integral part of non-standard employment, with estimates suggesting that one in four workers has engaged in gig work to some extent. Gig workers often take on short-term, task-based jobs through digital platforms. They are usually considered independent contractors. This classification excludes them from important labour protections that regular employees receive, including social security. In countries like India and many others, there is a significant legal gap in supporting these workers. As a result, millions of gig workers face serious challenges: they lack stable income, health benefits, and a safety net during illness, maternity, unemployment, or old age. Despite their growing importance in the economy, these workers are still on the edges of social protection. This study looks at the right to social security for gig workers from an international human rights viewpoint. It evaluates whether current legal and policy measures are sufficient to meet the obligations stated in documents like the Universal Declaration of Human Rights (UDHR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and key International Labour Organisation (ILO) conventions. Through a comparative legal analysis, the study reviews how countries including India, the United Kingdom, the United States, and some European Union nations have approached social protection for gig workers. Using a doctrinal and comparative legal method, this research includes a broad review of policy documents, court rulings, and international norms. The findings show a global trend toward rethinking how gig workers are classified and creating mixed frameworks for social security inclusion. The study argues that securing social protection is not just a policy issue; it is a human rights necessity that requires a major change in how national and international legal systems view work and worker protections.

Keywords: Gig Economy, Human Rights, International Labour Standards, Social Security

THE ROLE OF THE UNITED NATIONS AND ITS ORGANS IN THE CONFLICT BETWEEN GAZA, ISRAEL AND IRAN

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The Treaty of Westphalia (1648) was an agreement to end the 30 Years' War (1618-1648), but this agreement could not last for long. After this, World War I (1914-1919) took place, and the League of Nations (10 January 1920) was created. Its aim was to establish world peace, but it failed to fulfil its objectives, which led to World War II (1939-1945). After this war, the United Nations was born, which is still functioning properly, and its main objective is to maintain international peace and security, to save succeeding generations from the scourge of war, to reaffirm faith in fundamental human rights, to establish friendly relations between all countries, and to respect the sovereignty of those countries (Preamble of Charter of UN's). The United Nations has six main organs to fulfil these objectives (Article 7 of the UN's Charter). For example, establishing and maintaining international peace is the function of the Security Council, and securing the fundamental rights is the function of the Economic and Social Council. But in the present times, whether the United Nations has succeeded or failed in fulfilling its objectives can be known from the conflicts going on in the world at present, such as the war in Russia, Ukraine, Gaza, Israel, and Iran. In this article, the author will try to explore the reasons behind the Israel-Gaza and Iran wars and their effect (political, economic and social), the role of the United Nations in them, and whether the United Nations is able to fulfil its objective or not.

Keywords: Conflict, Human Rights, Peace, Security, Sovereignty, United Nations

ADVANCING EDUCATIONAL EQUITY FOR INDIVIDUALS WITH DWARFISM IN SRI LANKA: A COMPARATIVE LEGAL ANALYSIS

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People with disabilities generally face challenges in almost all sectors of society, including economic, educational, social, and professional fields. Individuals with dwarfism, also referred to as little people, can be defined as “an adult height of 4 feet, 10 inches (147cm) or less. They often face unique and persistent barriers within Sri Lanka’s educational framework. This research paper aims to discuss the discrimination experienced by individuals with dwarfism in primary, secondary, and tertiary education in Sri Lanka. It further seeks to identify the existing legal framework, its gaps, and this research will suggest recommendations for an inclusive educational reform. This research paper adopts a qualitative methodology. Combining both doctrinal and nondoctrinal legal research methodologies. From a doctrinal perspective, this will involve an in-depth analysis of the Constitutions, statutory instruments, and various documents, including journal articles, commission reports, cases, and internet sources. A non-doctrinal methodology will be employed through semi-formal interviews with individuals with dwarfism, educators, and policymakers. This study will identify that systemic neglect of the needs of people with dwarfism in the educational field in Sri Lanka stems from discriminatory attitudes, a lack of special classroom facilities, and inadequate teacher training. Consequently, this research will highlight a neglected area within the educational framework of Sri Lanka. Therefore, this research paper suggests that it is essential to strengthen the existing laws and their enforcement. It will also utilise a comparative legal research methodology, which involves comparing Sri Lanka's legal framework with that of other jurisdictions, specifically focusing on the United States' legal framework regarding this area.

Keywords: Dwarfism, Educational Access, Equality, Sri Lanka, United States

BALANCING GRAY ELEPHANTS: ONLINE SPEECH AND HUMAN RIGHTS AFTER SRI LANKA'S ONLINE SAFETY ACT

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The Sri Lankan response to surmounting concerns over cyberbullying, misinformation and harmful digital content came in the form of the Online Safety Act No. 09 of 2024. Trodden with overbearing language, punitive disproportionalities and excessive powers in the hands of an unelected administrative body, the Act set off a widespread backlash until its eventual repeal; similar to too many grey elephants trying to balance on a tightrope. The Act's short lifespan, though hailed as a victory of the freedom of expression, such celebrations risk glossing over the urgent and legitimate need for a regulatory framework that governs online speech based on balance, proportionality and international human rights norms. Rooted in the jurisprudence of balancing of rights, this paper argues that no freedom -including that of expression- is absolute. Regulation, particularly in the modern digital era, becomes an essential safeguard to uphold other fundamental rights such as dignity, equality, protection from incitement and reputational damage. Gleaning from the experiences of South Korea, Japan, the United Kingdom and the European Union, this paper comparatively analyses regulatory approaches to online speech and consequences of regulatory failures, which often disproportionately impact the vulnerable groups through online abuse and reputational damage. This paper critiques the Online Safety Act not for its intent to regulate but its overreach, which failed to meet the standards of legality, necessity and proportionality. In its place, it proposes a rights-respecting model drawing from exemplary legislation such as the EU Digital Services Act or the UK Online Safety Act – that incorporates judicial supervision, transparency, platform accountability and clear legislative definitions that align with international human rights standards. Ultimately, this paper contends that balanced regulation is not a threat but a prerequisite for the survival of democracy in the digital era.

Keywords: Digital Rights, Freedom of Expression, Human Dignity, Online Regulation, Proportionality, Sri Lanka

LEGAL REFORMS FOR ELDERLY CARE: ADDRESSING SRI LANKA'S AGING CRISIS THROUGH FILIAL RESPONSIBILITY

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Sri Lanka is one of the first developing countries to reach the fourth phase of the Demographic Transition Model (DTM). Studies posit that by 2040, more than 25% of Sri Lankans will be elderly, significantly increasing the old-age dependency ratio. Currently, 48% of elderly individuals rely primarily on their children for support, while 34% of orphans in Sri Lanka are elderly. With a growing number of elders becoming destitute, concerns about their welfare have deepened. Under the Protection of the Rights of Elders Act (No. 9 of 2000), the state is liable for providing residential facilities to destitute elders who are either without children or have been abandoned. However, the viability of these responsibilities remains uncertain, given fiscal pressures. Government expenditure on health, pension schemes, and Elder Assistance Programs already accounts for approximately 5% of GDP, and further burdens on the State may conflict with fiscal targets set out in the Economic Transformation Act. From a social engineering perspective, a restructuring of the legal framework is necessary to balance these conflicting interests. Since filial responsibility is a key ethical principle, this study examines whether the legal framework governing adult children's obligations toward their parents effectively balances the interests of the elderly with broader fiscal objectives. It critically analyses the legal liabilities of children toward their elderly parents in Sri Lanka through a comparative analysis of South Korean laws and India's legal framework, with the former having reached and the latter approaching the fourth stage of the DTM, respectively. The study is based on secondary demographic and economic data, as well as primary and secondary legal sources. It identifies that imposing penal liability for the abandonment of parents would serve as an effective guarantee, as it has a deterrent force and stigmatises parental neglect.

Keywords: Ageing of Population, Demographic Transition, Filial Responsibility, Neglect, Rights of Elders

ALGORITHMIC ACCOUNTABILITY IN DIGITAL HEALTH: EVALUATING DATA PROTECTION AND REGULATORY CAPACITY IN SRI LANKA

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There are concerns and regulatory challenges regarding the growing use of artificial intelligence (AI) in healthcare systems, especially relating to matters of accountability, transparency, and fairness in algorithm-driven decision-making. Sri Lanka's Data Protection Act No. 9 of 2022 is a welcome step in protecting personal data. Still, it fails to address the challenges brought by AI-driven technologies for the administrative as well as clinical health sectors. In order to evaluate whether Sri Lanka's current legal regimes are adequate in ensuring algorithmic accountability in the digital health arena, this research is based on doctrinal and policy-oriented analysis. Derived from comparative practices adopted in South Asian jurisdictions, this research outlines crucial regulatory deficits and considers feasible legal and institutional amendments. No human subjects or personal data are used in this research because it is entirely based on secondary sources, policy information made publicly available, and legal documents. This research aims to provide ideas for a practical approach that supports innovation in AI-based healthcare, while also ensuring clear legal rules and respect for ethical standards.

Keywords: Data Protection, Digital Health, Algorithmic Accountability, AI Regulation, Sri Lanka

PRESUMPTION OF INNOCENCE IN SOUTH ASIAN EXTRADITION LAW: HUMAN RIGHTS STANDARDS VS. DOMESTIC REALITIES

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In South Asia, extradition law stands at the crossroads of international human rights commitments and complex domestic legal realities. Countries like India, Sri Lanka, and Bangladesh, though parties to instruments such as the International Covenant on Civil and Political Rights (ICCPR), often face difficulties in ensuring that the presumption of innocence is maintained when individuals are transferred across borders. The objectives of this paper are to: Analyse how South Asian extradition frameworks conceptualise the presumption of innocence; Identify gaps between international human rights standards and domestic legal practices; and Propose reforms to harmonise extradition procedures with fundamental rights protections. To complete this study, it will engage in a doctrinal analysis of the laws relating to extradition in the South Asian region and international treaties. It is also engaged in an analysis of case studies pertaining to the same jurisdictions. Structured interviews were conducted with legal practitioners (n=12) and policymakers (n=5) across South Asia to support the arguments posed in this study. The study found that domestic courts often accept uncorroborated evidence from Requesting States, eroding the presumption of innocence. Political interference that reflects diplomatic pressure overrides procedural safeguards, particularly in cases involving dissent or transnational domination, and judicial fragmentation that mirrors the inconsistent interpretations of dual criminality and political offence exceptions aggravates the violations of the rights of the people.

Keywords: Extradition Law, Human Rights, Judicial Oversight, Legal Reform, Presumption of Innocence, South Asia

STATE INTERVENTION IN RELIGIOUS PLACES: BALANCING SOVEREIGNTY AND HUMAN RIGHTS IN THE ASIAN LEGAL PERSPECTIVE

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The intersection between state control of religion and the management of religious institutions raises serious concerns regarding religious freedom, particularly in Asia. Although international legal instruments, such as Article 18 of the ICCPR and the UDHR, provide robust protections for religious freedom, states often justify interventions by citing public order, security, or cultural preservation. This study investigates the degree of such interventions and their legitimacy concerning international legal obligations through bilateral research on India, Turkey, and Indonesia's cases. Employing a comparative legal approach, this study examines the state's relevant constitutional provisions, pieces of legislation, case laws, and international human rights treaties to determine whether particular state acts constitute compliance with or infringe on international norms. Significant examples include the ongoing Indian case, the Babri Masjid, Ram Janmabhoomi conflict, the conversion of the Hagia Sophia to a mosque in Turkey, and the Indonesian case of the limitation of church construction permit provisions. Further analysis highlights how Asian legal systems contribute to global discussions on managing the intersection between religious freedom and state authority. Aligning domestic policies and legislation with international human rights standards is the need of the hour. The study concludes by recommending reforms focused on transparency, depoliticised management, and constitutional fidelity, offering a roadmap for balancing state oversight with religious autonomy. This will enable Asian countries to play a meaningful role in addressing human rights issues at the global level while also safeguarding religious places.

Keywords: Constitutional Law, International Human Rights, Places of Worship, Religious Freedom, Secularism, State Intervention

RIGHTS AND REALITIES: A STUDY OF HIGHER EDUCATION ACCESS FOR PERSONS WITH DISABILITIES IN THE STATE OF GOA, INDIA

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This study investigates the legal and practical barriers faced by persons with disabilities in accessing higher education in Goa, focusing on compliance with the Rights of Persons with Disabilities Act, 2016 (RPWD Act) and the 2021 Harmonised Guidelines for Public Buildings and Accessibility. The objectives are to assess the extent of compliance by higher educational institutions with accessibility standards, evaluate the impact of inadequate infrastructure on enrolment rates, and analyse the Directorate of Higher Education's role in promoting inclusive education through awareness, capacity-building, and policy implementation. Data was sourced from government websites, including the Directorate of Higher Education's reports, enrolment statistics, and legal frameworks like the RPWD Act. The study reviewed institutional policies and accessibility guidelines to identify gaps and disparities between reservation provisions and actual enrolment outcomes. Findings reveal significant non-compliance with accessibility standards and inadequate physical and digital infrastructure, leading to low enrolment rates despite mandated reservations. The Directorate's initiatives, such as awareness programs, lack consistent implementation, hindering inclusive education. This research underscores the need for robust accessibility measures to ensure equitable education. It proposes policy recommendations for the Directorate, guidelines for institutions to enhance physical and digital access, and more vigorous enforcement of standards to create a more inclusive higher education system in Goa for persons with disabilities.

Keywords: Accessibility, Disability, Higher Education, Inclusion, RPWD Act

DOES CONSENT END WHERE VOWS BEGIN: CRIMINALISING MARITAL RAPE IN INDIA

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To enter into marriage is to consent to the institution, not to surrender one's dignity to the clutches of rape. Yet, in the 21st century, India remains among a handful of countries that have not criminalised marital rape. Despite being a signatory to the UDHR, Exception 2 to Section 63 of the BNS states that *"sexual intercourse by a man with his own wife, the wife not being under eighteen years of age, is not rape."* This rests on the archaic notion of a wife as the property of her husband, undermining the constitutional principles of dignity, equality, and bodily autonomy. This paper makes a case for the criminalisation of marital rape by challenging the doctrine of implied consent through the lenses of feminist jurisprudence and constitutional morality. It undertakes a comparative analysis ranging from Sweden's affirmative consent model to Sri Lanka's limited criminalisation in cases of judicial separation. India's international obligations under CEDAW highlight the urgency of reform, and this comes in the light of the *Justice J.S. Verma Committee Report (2012)* that recommended criminalising marital rape but never translated into law. Lastly, in the *Independent Thought v. Union of India (2017)*, the Supreme Court raised the age of marital consent to 18, which should be seen as a beginning to the fight to criminalise marital rape. The paper urges a robust legal framework that criminalises marital rape, recognising the vulnerable position married women are in and the thin line between intimacy and fear. As the Supreme Court now hears the *Hrishikesh Sahoo v. State of Karnataka*, let us hope justice enters homes and consent does not end where vows begin.

Keywords*:* Bodily Autonomy, Constitutionality, Implied Consent, Marital Rape, Supreme Court, Wife

THE INTERSECTION OF GENDER IDENTITY LAWS AND HUMAN RIGHTS: A SOUTH ASIAN PERSPECTIVE

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In South Asia, the struggle for gender identity rights is deeply intertwined with human rights, shaped by history, culture, and law. While some countries in the region have taken steps to recognise transgender and non-binary individuals legally, many people still face discrimination, violence, and exclusion in their daily lives. Laws exist on paper, but real change is slow. Stigma, lack of healthcare, and economic hardship continue to marginalise gender diverse communities. This study explores how South Asian legal systems address gender identity and whether they uphold fundamental human rights. The goal of this research is to understand the challenges and progress in gender identity laws across the region. It examines legal protections in various South Asian contexts, comparing them to global human rights standards. Through an analysis of court rulings, policies, and real-life experiences of transgender and nonbinary individuals, the study highlights both advancements and persistent injustices. Key insights show that while some nations in the region have made historic legal changes, such as recognising a third gender or banning workplace discrimination, these laws often fail to translate into absolute safety and equality. Courts have sometimes stepped in to protect rights, but governments and societies lag, leaving many transgender people vulnerable to abuse and poverty. This research matters because it amplifies the voices of marginalised communities and pushes for meaningful legal and social reforms. By identifying gaps between law and reality, it calls for stronger policies, better enforcement, and greater public awareness to ensure that every individual, regardless of gender identity, can live with dignity and freedom in South Asia.

Keywords: Discrimination, Gender Identity, Human rights, Legal recognition, South Asia

EXAMINATION OF THE CRIMINOLOGY OF THE ISRAELI PATTERN OF APARTHEID BASED PROLONGED OCCUPATION IN PALESTINE: THE OBJECTIVES OF PREVENTING DE-HUMANISATION AND PROMOTING HUMANISATION OF THE PALESTINIANS

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Humans under the unlawful domination are the surviving victims. Unfortunately, there are innumerable victims in the World. The ongoing conflict in the Palestinian territory affects a million civilians. The sufferings are not the immediate result of today's war. It starts from the long history of occupation and has no end in sight. Agonizingly, the Palestinians under the unlawful prolonged occupation were subjected to international crimes such as colonialism, apartheid, genocide, and racial discrimination, etcetera. Fragmentation of the Palestinian people and the racial domination of Israel over the Palestinian people as an inhuman act proves the sustainability of the Crime (not only confined to the South African model). In the context of international law, though International Humanitarian Law regulates occupation, the legality of the prolonged occupation is unaddressed. Here, the concerns are: Whether the identification of the apartheid regime will prevent the practice of international crimes? Is there any way to cease the war? Can the people of Israel and Palestine live under mutual coexistence and peace in the future? Whether the *erga omnes* obligation to prevent apartheid in the unlawful prolonged occupation can be saved through the international community of States? The optimal solution for such situations can be derived from the thoughts of valuable leaders.

Keywords: Apartheid, *Erga omnes* Obligation, Humanisation, Prolonged Occupation, Solidarity.

THE EROSION OF CIVILIAN PROTECTION AND THE RIGHT TO HUMANITARIAN ASSISTANCE IN GAZA: A LEGAL ANALYSIS OF BLOCKADES, SIEGE WARFARE, AND THE OBSTRUCTION OF AID

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With a renewed military campaign in Gaza from March 2025, there has been a significant escalation in the ongoing blockade, leading to a catastrophic humanitarian crisis. This research seeks to: (1) analyze fundamental IHL and international human rights principles concerning civilian protection in armed conflict, (2) examine the legal framework governing humanitarian assistance, including the prohibition of starvation as a method of warfare, and (3) critically assess the legality of blockades, siege warfare, and specific instances of aid obstruction in Gaza under IHL. Utilising a qualitative, doctrinal legal approach, the research will analyse various international instruments and decisions. It will employ a case study approach, drawing on reports from UN agencies, ICRC, and human rights organisations to contextualise IHL principles within the Gaza conflict. The research anticipates that IHL principles of distinction, proportionality, and precaution have been severely challenged in Gaza's hostilities. Furthermore, systematic obstruction of humanitarian aid is expected to be identified as a significant violation of IHL, potentially constituting war crimes, with existing accountability mechanisms facing substantial challenges. This research is critically important in highlighting accountability gaps, informing policy-making by states and humanitarian organisations, and contributing to the broader discourse on strengthening IHL compliance and ensuring humanitarian access in contemporary conflicts such as Gaza.

Keywords: Blockades, Gaza, IHL, International Human Rights Law, Siege Warfare

THE ELUSIVE NEXUS OF "MEANINGFUL HUMAN CONTROL" OVER AUTONOMOUS WEAPON SYSTEMS: NAVIGATING LEGAL AND ETHICAL FRONTIERS UNDER INTERNATIONAL LAW

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The fast development and possible widespread use of Autonomous Weapon Systems (AWS) in conflict threatens international legal frameworks and ethical considerations. UN Secretary General Antonio Guterres labelled autonomous killing devices "politically unacceptable" and "morally repugnant". No global definition and framework for MHC exist despite considerable international talks, particularly within the UN Convention on Certain Conventional Weapons (CCW). This disagreement raises serious questions about accountability, civilian safety, and warfare's future. The complex legal and ethical arguments around *MHC vs AWS* will be rigorously examined in this research. It aims to: 1) deconstruct MHC interpretations and proposed elements; 2) evaluate how the deployment of AWS without adequate MHC may violate fundamental principles of International Humanitarian Law (IHL). The study employs a doctrinal legal research methodology, critically analysing primary international legal instruments. It integrates ethical and philosophical inquiry into military ethics and human dignity, alongside a comparative analysis of state positions and proposals emerging from CCW discussions. It is found that MHC's necessity is widely accepted, but its scope and implementation are disputed, according to preliminary findings. This research highlights the urgent need to integrate rigorous MHC in future regulatory frameworks to regulate AWS globally. It informs politicians, legal scholars, and civil society to prevent robots from making life-and-death choices, protecting human dignity and humanitarian ideals.

Keywords: Accountability, Autonomous Weapon Systems, Human Dignity, International Humanitarian Law, Meaningful Human Control, Right to Life

HUMAN TRAFFICKING IN WAR ZONES: ADDRESSING THE IMPACT OF INTERNATIONAL CONFLICTS ON WOMEN AND CHILDREN

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Wars reveal the displeasing side of humanity and are followed by large-scale human trafficking of women and children, primarily caused due to the lack of food and resources. The paper aims to focus on how international conflicts lead to the sexual exploitation of women and children across the world. A literature review-based study on the impacts of the Russia-Ukraine war, followed by recent conflicts such as the Israel-Iran Conflict and the ongoing crisis in Afghanistan, are the prime areas addressed by this paper. Further, it refers to the various studies done by Nottingham University, the UN Office on Drugs and Crime, and other bodies, which suggest a stark rise in the human trafficking figures due to modern wars. The sufferings of women in sexual exploitation, followed by forced child labour, as seen for most children, are brought to light, thereby identifying the various reasons why such sections are lured into the traps set by the traffickers. This research additionally highlights the possible inclusion of international agencies such as the European Union, the United Nations, and their initiatives to address and tackle this emerging issue. The paper intends to review the framework established by these agencies on a global level to address the aftermath of conflicts between nations. Furthermore, it proposes to assess the working of various Non-Governmental Organisations Projects as selected by the UNODC under the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, especially women and children (UNVTF). The paper hence strives to highlight and address the impact of ongoing conflicts on the vulnerable sections of society, furthermore assessing and reviewing the present policies and developments in the funded NGO projects by the United Nations.

Keywords: Forced Labour, Human Trafficking, International Conflicts, Sexual Exploitation.

HUMAN RIGHTS AND LABOUR LAWS: ENSURING DIGNITY AND JUSTICE IN THE WORKPLACE.

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The paper explores the relationship between labour laws and human rights, emphasising the ways in which legal frameworks can be applied to preserve human dignity and safeguard workers' rights in both formal and informal employment sectors. How well do labour laws reflect and uphold international human rights standards in modern workplaces, particularly in developing nations like India? This is the research issue that drives this investigation. Using a doctrinal and comparative legal approach, the study examines national laws like India's Code on Wages, 2019, and the Occupational Safety, Health and Working Conditions Code, 2020, as well as international agreements like the Universal Declaration of Human Rights (Article 23) and the Conventions of the International Labour Organisation (ILO). The right to collective bargaining, gender-based wage discrepancies, workplace discrimination, child labour, and forced labour are among the essential topics covered in the paper. It contends that even if there are legislative reforms in place in theory, regulatory capture, worker ignorance, and limited unionisation in the unorganised sector make it difficult to implement them. Particular focus is placed on the vulnerable circumstances faced by migrant workers during emergencies such as COVID-19, which revealed the vulnerability of labour laws during emergencies. The paper emphasises the moral and legal duty of governments and businesses to provide fair, just, and secure working conditions by tying labour rights to the larger human rights discussion. The study's conclusion suggests a rights-based strategy for labour reforms that includes improved grievance procedures, labour inspections, and conformity to international human rights norms.

Keywords: Social Protection, Labour Law, Dignity, Decent Work, Workers' Rights, Workplace Justice

HUMAN RIGHTS AND GLOBAL JUSTICE

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Human rights and global justice are interconnected concepts that aim to ensure the dignity, equality, and freedom of every individual across the world. Human rights, grounded in principles of universality and inalienability, form the moral and legal foundation for protecting individuals against discrimination, oppression, and abuse. Global justice expands this framework by addressing cross-border inequalities, global poverty, environmental sustainability, and the fair distribution of resources, ensuring that rights are upheld beyond national boundaries. In a rapidly globalising world, challenges such as migration crises, climate change, armed conflicts, and systemic economic disparities demand cooperative international efforts and robust legal mechanisms. The pursuit of human rights and global justice requires not only state compliance with international norms but also active engagement from international organisations, civil society, and grassroots movements. Together, they form a vision of a world where fairness, equality, and respect for human dignity transcend political, cultural, and economic divides.

Keywords: Human Rights, Global Justice, Universality, Equality, International Law, Transnational Inequality, Global Governance, Climate Change, Migration, Economic Disparity, Civil Society

REVISITING THE GENEVA CONVENTIONS: TOWARDS A GLOBAL COMPACT ON HUMANITARIAN LAW

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The Geneva Conventions of 1949 and their Additional Protocols remain the bedrock of International Humanitarian Law (IHL), embodying principles of humanity, proportionality, and civilian protection. Yet, the evolution of modern warfare has exposed critical gaps in their applicability and enforcement. Contemporary conflicts are increasingly shaped by asymmetric warfare, autonomous weapon systems, cyber operations, environmental degradation, and mass displacement, all of which strain the capacity of existing norms to safeguard human dignity during war. This paper critically examines the limitations of the current Geneva framework and argues for the necessity of a Global Compact on Humanitarian Law. Such a compact would not replace but rather reinforce and modernise the Geneva Conventions, addressing emerging domains such as cyber warfare, climate-conflict displacement, accountability in autonomous weapons use, and gender-sensitive protections. Through a comparative analysis of state practice, UN debates, and international jurisprudence, the paper highlights the inadequacies of the current enforcement regime, particularly the selective application of IHL and the enforcement deficits of international tribunals. The study proposes a forward-looking normative framework rooted in universal accountability, humanitarian access, and technology-sensitive legal standards. A Global Compact on Humanitarian Law would reaffirm the moral imperative of protecting civilians while adapting to twenty-first-century challenges. Ultimately, the paper seeks to reposition IHL not merely as a war-regulation tool but as a living body of law capable of sustaining humanitarian values in the age of technological and geopolitical upheavals.

Keywords: International Humanitarian Law, Geneva Conventions, Global Compact, Civilian Protection, Cyber Warfare, Autonomous Weapons, Climate and Conflict, Human Rights, Accountability, War Crimes

PROTECTION OF THE RIGHT OF REFUGEE CHILDREN UNDER INTERNATIONAL LEGAL INSTRUMENTS

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Multiple drivers have underpinned the displacement trends of refugees around the world, especially the children. Armed conflict is one of the primary reasons that has protracted the crisis, especially in regions like Ukraine, the Middle East, the Horn of Africa, and some parts of Asia. For example, conflict in Sudan and the current state of emergency in Afghanistan have played a very important role in the displacement of the refugee population. In addition, the war started in Eastern Europe between Ukraine and Russia has generated one of the latest refugee populations in the neighbouring countries of Ukraine. The global refugee situation has reached alarming levels in the recent past, all due to the protracted conflicts, violation of human rights, increasing crime rates, climatic pressures and the political instability in the countries. As per the UNHCR, by the starting of 2024, more than 120 million people worldwide have been forcibly displaced from their homeland due which includes the refugees, asylum seekers and internally displaced persons. International legal instruments have provided the foundational norms for protecting refugee children, but a loophole persists between the normative commitments and the ground realities. The Refugee Convention of the year 1951 and the Protocol of 1967 have established the principle of non-refoulement and outlined the basic rights of refugees, but they include limited provisions regarding children. Hence, this study examines every International legal instrument which envisages the protection of refugee children across the world.

Keynotes: Armed Conflict, Children, International, Population, Refugee

SUB THEME 3

ENVIRONMENTAL LAW AND GLOBAL SUSTAINABILITY

SUSTAINABILITY THROUGH SHIP RECYCLING: A CASE STUDY ON ALANG-SOSIYA SHIP RECYCLING YARD, ALANG, GUJARAT, INDIA

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80% of the global trade is done through marine transport such as Cargo ships, oil tankers, bulk carriers, passenger liners, cruise liners etc., The vessels are serving for an average of twenty-five years before they are decommissioned from service. The decommissioned ships are dismantled and recycled or used for alternative purposes. Creation of wealth from waste by recycling the dismantled ships is done by recovering valuable metals and materials, which are further used in construction and other industries. Sustainability of natural resources can be achieved through the circular economy of ships by saving the fresh iron ore and the resources for processing, cutting off trees for wood to be used in new ship construction, etc. Recycling protects the environment by minimising the environmental polluting emissions and waste. Sustainability can be achieved through converting the decommissioned ships for alternative purposes such as sinking of the ships to create artificial reefs which shelter various species of marine life by protecting biodiversity and providing a diving spot for adventurous tourism, floating hotels, museums, libraries, educational institutions and training centres, floating hospitals, art galleries, holding carnivals and cultural gatherings, exhibitions, short distance cruises etc. which attract tourists and promotes businesses and provides employment opportunities for many and generates revenue. The recycling of ships is an excellent example of a sustainable circular economy, by reuses and recycles decommissioned ships by creating wealth and employment opportunities in many sectors, depending on demand and market needs. Further, the authors adopt both doctrinal and non-doctrinal methods for the study.

Keywords*:* Decommissioned Ships, Dismantling, Recycling, Artificial Reefs, Floating Hotels, Carnivals, Sustainability, Environmental Emissions

DEVELOPMENT AND ENVIRONMENTAL PERSONHOOD: THE LEGAL DILEMMA

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Personhood has been the one jurisprudential idea that has stayed constant while being unyieldingly resistant to change. This is demonstrated by the fact that, until the 14th Amendment to the U.S. Constitution was ratified, it was unthinkable for almost 200 years for the United States of America to view slaves as persons rather than property, unless they were guilty of a crime. The predicament of women in the US and the UK, who were viewed as their husbands' property until the idea of coverture was abolished in the 19th century, was equally telling. Ironically, corporate personhood was accepted in Ancient India as early as 800 B.C., when the "sreni," a model for the modern corporation, was granted the rights of a legal entity. In contrast, the Western world did not adopt corporate personhood until the fifth century B.C., when the Romans established "societates publicanorum." It raises the question of why it was so easy to grant companies personality and related rights, but, in reality, it took a lot of work to give slaves and women real persons despite their humanity. The solution is rather clear. While extending equal rights to slaves and women had no financial benefit, it had a strong moral appeal. In contrast, corporate personhood attracted significant economic interest since it provides a shield to protect shareholders from personal accountability while conducting business. Therefore, it is understandable that a unique idea like environmental personhood, which again lacks financial appeal and only has existential appeal, would encounter some opposition. However, there is always hope that it will succeed and become the standard, just like any other noble endeavour.

Keywords: 14th Amendment, Ancient India, Coverture, Corporate Personhood, Crime

UNCOVERING THE STATUS OF NON-HUMAN VICTIMS: AN ANALYSIS OF WILDLIFE CRIMES IN INDIA

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India, which is one of the 17 megadiverse countries of the world, is significant for being the natural habitat of the majority of the earth's species, along with the endemic species of both flora and fauna. Despite being a nation of such greater importance, India remains a significant source and transit nation for wildlife crimes, which are also declared as transnational organised crimes. Wildlife crimes in general are acts against the municipal and international legislation, which are legislated with an intention to safeguard the natural resources and regulate their management and usage. The non-human victims are identified as the isolated categories of the environment, including the flora and the fauna, which predominantly lack attention and care due to illegal trade, trafficking, poaching, transportation, and illegal selling of the products. This paper aims to comprehend the link between environmental degradation and wildlife crimes, which pose a serious threat to the high biodiversity and socio-economic development of the nation. It analyses the legislation, the technological assistance, interventions by the Government through various schemes to combat these crimes and their lacunae, along with the implementation gap. This paper additionally focuses on the need for international legislation to sort out the loopholes in the existing frameworks.

Keywords: Environmental Degradation, Legislation, Non-Human Victims, Trafficking, Transnational Organised Crimes.

BIODIVERSITY BEYOND NATIONAL JURISDICTION TREATY: HARNESSING MARINE BIODIVERSITY THROUGH ZERO EMISSION FOR A HEALTHY OCEAN

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The Biodiversity Beyond National Jurisdiction Treaty (BBNJ) or 'High Seas Treaty' is an international treaty under the United Nations Convention on the Law of the Sea (UNCLOS). The agreement also allows countries to increase their strategic presence in the areas beyond their Exclusive Economic Zones (EEZs) to prevent and protect biodiversity beyond their national jurisdiction, and to use marine biodiversity sustainably. About two-thirds of our Earth's surface is covered by water, and the ocean holds about 96.5% of the Earth's water, and is the most significant source of our present and future energy requirements, so it must remain healthy. Marine transportation is a major contributor to ocean pollution, mainly when crude oil spills occur. Crude oil lasts for years in the ocean and is challenging to clean up, as oceans have no borders. Maritime transport activities also produce criteria pollutants, accounting for 9% of sulfur oxides and 18% of nitrogen oxides emissions annually. Due to the natural confluence of activities from vessels, trucks, cargo-handling equipment, and railcars in the seaport complex, these areas often experience higher concentrations of GHG emissions, which should be prevented. Decarbonization is the process of reducing greenhouse gas (GHG) emissions from the global maritime sector, with an overall goal of placing the sector on a pathway that limits global temperature rise to 1.5 degrees Celsius. In this backdrop, the paper will focus on pollution and the prevention of biodiversity of 'High Seas' with reference to the BBNJ Treaty and the necessity of decarbonising the ships by using alternative fuels to achieve net zero emissions for a sustainable and healthy Ocean.

Keywords: Maritime Pollution, GHG Emission, Decarbonization of Shipping, Regulatory Measures of the BBNJ Treaty, Sustainable and Healthy Ocean

ECO-CONSTITUTIONALISM: A CRITICAL ANALYSIS OF EMERGING GLOBAL TRENDS IN LEGAL RESPONSES TO ECOLOGICAL COLLAPSE

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The researcher intends to conduct elaborate research on the concept of eco-constitutionalism, a global movement that formally incorporates the concept of environmental protection in the Constitutions of various nations. Positioned as a critical legal reaction to the accelerating crisis of ecological collapse, this study explores the philosophical underpinnings, various models, and the practical execution of constitutional environmental mandates around the world. Through a comparative analysis of constitutional laws and landmark judicial decisions from key nations, including Ecuador, South Africa, and India, the research identifies and assesses three primary paradigms. The first is the anthropocentric Human Right to a Healthy Environment (HRHE), which centres on human well-being. The second is the eco-centric Rights of Nature (RoN), which grants legal standing to ecosystems. The third is the state-centric Governance Model, which places the onus of protection on government structures. The study finds that while eco-constitutionalism has made a significant impact on legal discourse and doctrine, its tangible effectiveness in preventing actual environmental degradation remains a point of contention. In conclusion, the paper examines emerging areas such as climate constitutionalism, the principle of intergenerational equity, and the potential criminalisation of ecocide. It posits that for ecological constitutionalism to be truly transformative, it must adopt a "pincer movement." This strategy requires integrating top-down judicial enforcement with the power of bottom-up, citizen-led constitutional environmental democracy. The ultimate aim is to forge a genuine ecological *Rechtsstaat*, or a state based on environmental justice and the rule of law.

Keywords: Constitutionalism, Ecocide, Eco-constitutionalism, Environmental Rights, Governance

PIONEERING INNOVATION IN GLOBAL ENVIRONMENTAL GOVERNANCE FOR A SUSTAINABLE FUTURE

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Effective environmental law and policy have become more and more critical in light of the growing environmental crises, which range from biodiversity loss to climate emergencies. There is still a big disconnect between legal frameworks and their actual application, especially in developing countries, even with the growth of international legal instruments. This paper critically examines the evolution of environmental law and policy through a global comparative lens. It evaluates national legal systems in India, Sri Lanka, and the EU, as well as significant international agreements like the Paris Agreement, Basel Convention, and Aarhus Convention. The paper adopts a doctrinal and comparative legal approach, analysing primary and secondary legal sources, landmark judicial decisions, and current policy documents. With consideration from both Global North and South contexts, it integrates interdisciplinary perspectives from environmental science, socio-political analysis, and legal theory with regional case studies. The study shows that enforcement gaps persist, particularly in states with inadequate institutional capacity. In order to close these gaps, judicial activism, community involvement, and grassroots movements are becoming increasingly important. This study provides a forward-looking framework for bolstering environmental law and sustainability governance by emphasising comparative lessons and new best practices. It highlights the necessity of legal reform in addressing global crises and adds to the larger conversation on global environmental accountability.

Keywords: Environmental Law, Climate Justice, International Environmental Agreements, Judicial Activism, Sustainability Governance, Global South, Policy Implementation

ENVIRONMENTAL LAW AND GLOBAL SUSTAINABILITY: LEGAL INSTRUMENTS, JUDICIAL TRENDS, AND PATHWAYS TO A STRONG FUTURE

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Environmental degradation presents one of the most urgent and complex threats to global sustainability in the 21st century. This paper explores the evolving role of environmental law - both international and domestic - as a critical instrument in promoting ecological integrity, climate resilience, and sustainable development. It examines foundational legal frameworks such as the Paris Agreement and the Convention on Biological Diversity, alongside national legislations and transformative judicial decisions that reflect a growing global commitment to environmental governance. Furthermore, the study explores emerging legal doctrines such as the rights of nature, ecocide as an international crime, and climate justice, offering a forward-looking view on how legal innovation can empower communities and influence policy-making. Special attention is given to the incorporation of environmental sustainability into development planning, infrastructure, and economic policymaking - highlighting the need for cohesive and enforceable legal standards. The paper concludes with a set of comprehensive policy recommendations aimed at strengthening legal institutions, fostering international cooperation, and enhancing the enforceability of environmental standards. These recommendations are aligned with the objectives of the United Nations Sustainable Development Goals (SDGs). They are intended to support the creation of a legal ecosystem that ensures resilience, equity, and ecological balance for present and future generations.

Keywords: Environmental Law, Sustainability, Climate Change, Judicial Activism, Intergenerational Justice, SDGs, International Environmental Legal Instruments, Policy Recommendations

FEASIBILITY OF INDIA'S JOURNEY TOWARDS A GREENER ECONOMY THROUGH CARBON TAX

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Climate change is a major environmental issue, not only in India but in all countries that face the dual challenge of sustaining economic growth while mitigating environmental degradation. Day by day, Carbon emissions are increasing due to technological development and a vast population. Reducing carbon emissions and preventing climate change are not easy tasks. The Kyoto Protocol took measures to control carbon emissions, but still, the rate of carbon dioxide is rapidly increasing. However, the ineffectiveness of the international framework, countries to adopt mitigation policies. The Paper evaluates the feasibility of implementing a carbon tax in India by analysing its economic impact and environmental implications. The author tests the feasibility and effectiveness of a carbon tax in the Indian Context and analyses the consequences that would arise from the carbon tax. Despite various initiatives taken, India's current policy design has several gaps that reduce the effectiveness of carbon pricing mechanisms. Although India has implemented a coal cess and various market-based mechanisms to address carbon emissions, it lacks a comprehensive carbon tax that applies uniformly across all sectors. The Researcher intends to pursue the doctrinal component involves an in-depth study of primary legal sources such as constitutional provisions, environmental and tax laws, OECD Conventions, judicial decisions, and international agreements. The study evaluates the policy design options that would help the Environmental benefits and achieve net-zero emissions.

Keywords: Carbon Emission, Carbon Tax, Climate Change, Environment

ENVIRONMENTAL LAW AND GLOBAL SUSTAINABILITY

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The paper explores the role of environmental law in advancing global sustainability, emphasising the intersection of legal frameworks, international cooperation, and sustainable development goals. Environmental law, which encompasses international treaties, national legislation, and customary norms, serves as a critical tool for regulating natural resource use, mitigating climate change, protecting biodiversity, and preventing environmental degradation. In the context of globalisation, issues such as transboundary pollution, deforestation, ocean acidification, and loss of biodiversity require coordinated legal responses that transcend national boundaries. The study evaluates the effectiveness of global instruments like the Paris Agreement, the Convention on Biological Diversity, and emerging principles of climate justice. It also explores how environmental governance can integrate technological innovation, corporate responsibility, and community participation to achieve long-term ecological balance. By assessing current challenges and legal innovations, this research underscores the necessity of adaptive, enforceable, and equity-oriented environmental laws to ensure a sustainable future for all.

Keywords: Environmental Law, Global Sustainability, Climate Change, Biodiversity, Paris Agreement, Environmental Governance, Sustainable Development, Climate Justice

SUSTAINABLE DEVELOPMENT AND ENVIRONMENTAL PROTECTION IN INDIA

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Sustainable development and environmental protection have emerged as critical priorities in India, a nation balancing rapid economic growth with ecological preservation. The concept of sustainable development, first emphasised globally in the Brundtland Report (1987), has been integrated into India's policy framework through constitutional mandates, legislative enactments, and judicial interpretations. Article 48A of the Indian Constitution directs the State to protect and improve the environment, while Article 51A(g) imposes a duty on citizens to safeguard natural resources. Legislative measures such as the Environment Protection Act, 1986, the Wildlife Protection Act, 1972, and the Forest Conservation Act, 1980 have provided statutory backing to environmental governance. Furthermore, the judiciary, through landmark cases like M.C. Mehta v. Union of India, has reinforced the principles of sustainable development, precautionary measures, and the polluter-pays principle. India also faces pressing challenges as climate change, deforestation, air and water pollution, and the degradation of biodiversity, mainly caused by urbanisation, industrialisation, and unsustainable consumption patterns. In response, policies such as the National Action Plan on Climate Change, renewable energy initiatives, and afforestation drives aim to balance growth with ecological responsibility. India's commitments under the Paris Agreement and Sustainable Development Goals further reflect its global responsibility toward a green future. Thus, sustainable development in India signifies a delicate equilibrium between economic advancement and environmental protection. It demands coordinated efforts of the State, judiciary, civil society, and individuals to ensure that natural resources are preserved not only for present needs but also for future generations.

Keywords: Sustainable Development, Environmental Protection, India-Biodiversity

LEGAL STATUS FOR NATURE? EXPLORING THE EMERGING TREND OF GRANTING LEGAL PERSONHOOD TO ECO-SYSTEMS AS A TIMELY CONCERN

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Man is natured by nature. The recent trend of recognising Nature's validity is being developed and enhanced in various ways. Among accepting legal personhood of Nature and its elements is one such method that has emerged as a novel and potentially transformative development within the sphere of environmental law. Globally, the communities have expanded their legal recognition given to Nature and its elements, such as rivers, trees, forests and mountains, etc. The process has been able to secure an established Nature at a considerably higher place in law, exploring far-reaching good results in law. The researcher hence wishes to analyse the legal implications of recognising nature as a rights-bearing entity and the importance of receiving potential good practices in the Sri Lankan legal system. In achieving the research objectives qualitative research method has been adopted. Key case studies include the Whanganui River in New Zealand, which was granted legal status through a groundbreaking agreement with the Māori people, the Great Barrier Reef case in Australia, and judicial recognitions of the Ganges and Yamuna rivers in India. The constitutional protection in recognising ecosystem personhood is also focused on within the paper. These developments raise critical questions about legal representation, enforceability, and the compatibility of personhood for nature with existing property and corporate law. Hence, the meaningful implementation that remains as the biggest hurdle is also taken into discussion with possible suggestions. Depending on all the findings, the researcher emphasises the high necessity of stepping towards recognising ecosystem personhood as a crucial remedy within the present-day legal framework that acknowledges the intrinsic rights of the natural world.

Keywords: Ecosystem Personhood, Legal Framework, Judiciary, Environmental Law, Constitutional, Validity

BRIDGING THE DIVIDE: INTERNATIONAL COOPERATION AND THE CHALLENGES OF WASTE MANAGEMENT UNDER THE BASEL CONVENTION

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The regulation of transboundary hazardous waste is not merely an environmental issue - it is a site of global political contestation. In this arena, development disparities, sovereignty concerns, and environmental justice intersect. The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (1989) attempts to address this challenge through a legal framework aimed at regulating hazardous waste trade and ensuring environmentally sound management. Articles 10 and 11 are pivotal in promoting international cooperation, encouraging states to exchange information, offer technical assistance, and formulate bilateral, multilateral or regional arrangements to manage hazardous waste sustainably. However, the Convention has struggled to overcome a fundamental challenge: the deep political and economic divide between the Global North and Global South. While the Global North typically possesses advanced waste treatment infrastructure and robust regulatory systems, the Global South often lacks the resources, institutional capacity, and technology necessary to implement Basel's standards effectively. Hence, developing countries are disproportionately impacted by hazardous waste imports, which have been detrimental to their natural environment. This article critically explores the legal, political, and regional dimensions of international cooperation under the Basel Convention. It evaluates how legal norms, political economy, and regional frameworks interact to produce both cooperation and conflict. Finally, it argues that without addressing the underlying structural inequities, cooperation under the Basel framework will remain ineffective and unjust.

Keywords: Basel Convention, International Cooperation, Hazardous Waste, Waste Management

ANALYSIS OF ECOLABELS IN SOUTHEAST ASIAN COUNTRIES: A COMPARISON OF INDIA, SRI LANKA AND JAPAN

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The world has witnessed significant economic development with the advent of science and technology in recent times. The 21st century has witnessed greater exploration and exploitation of natural resources. However, the world has been slow to wake up to Toth disastrous effects of incessant economic development on the global environment. It was not until the Stockholm Conference of 1972 that the international community realised the need to apply the practice of "Sustainable Development". An Ecolabelling Scheme is a licensing scheme in which licenses are granted, on a voluntary basis, to several consumer products or services on the basis of how environmentally benign they are. Ecolabelling is a positive environmental label and involves awarding a distinguished label by an independent third party to products or services that meet environmental leadership criteria. The Indian Eco Mark Policy was launched in 1991 and was recently updated in 2023. The NCPC Sri Lanka Ecolabelling programmed, the first national green product certification scheme in Sri Lanka, was initiated in 2018 under the 10YFP Consumer Information for Sustainable Consumption and Production (CI-SCP) programmatic paper aims to analyse the ecolabelling policy of India and Sri Lanka, as both are Southeast Asian countries similarly situated. The ecolabeling policies of the countries will be compared with the Japanese counterpart, Eco Mark, which is a pioneer environmental label in the region and has made significant contributions to boost Sri Lankan Ecolabeling policy. The paper will focus on several significant themes related to the practical application of ecolabels, such as Sri Lanka's shift to 100 per cent organic farming in 2021 and its economic repercussions. The author aims to navigate ways in which ecolabels can address both ecological and economic concerns in today's times.

Keywords: Circular Economy, Ecolabel, Eco Mark, Life Cycle Approach, Sustainable Development

SUB THEME 4

CYBER SECURITY AND DATA PRIVACY

EMPIRICAL ANALYSIS OF 'PRIVACY POLICIES' OF AI STARTUPS IN BENGALURU TO EXPLORE PRESENCE OR ABSENCE OF THE PHENOMENON OF AI COLONIALISM

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The emergence of Artificial Intelligence (AI) has intensified data colonialism. In this phenomenon, Global North technology giants have extracted, processed, and commodified vast data from the Global South without fair compensation. Absence of sufficient Data Protection Laws (DPL) in the countries of the Global South further assisted these tech giants, especially concentrated in the Global North, to have a free rein via their standard form of contracts. In the backdrop of this background, the objective is to analyse the asymmetric power relations that disadvantage the Global South technology ecosystem and explore the presence or absence of evidence of AI colonialism. By relying on platform dependency mapping, data flows, contractual term analysis, legal readiness, and impact assessment, the key findings of research are that tech giants (e.g., Meta, Google, Microsoft) have systemically harvested data from under-regulated Global South behind the veil of "free" services. These practices, ingrained in click-wrap contracts, surpass user agency to enforce digital dependency. AI systems trained on such data have commodified human experiences into mere raw materials, creating a replica of extractive colonial economies. The significance of the study lies in the critical lens it provides to understand the experiences of the Global South to contribute towards eradicating global inequality being perpetuated by the tech giants of the Global North.

Keywords: AI Colonialism, Data Protection, Digital Dependency, Global North vs Global South

INCLUSIVE DIGITAL GOVERNANCE: THE ROLE OF PUBLIC INSTITUTIONS AS GATEWAYS TO DIGITAL EQUITY

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The expansion of digital governance in the 21st century has established access to the internet and associated services as a foundational basis for the enforcement of constitutional entitlements, including the right to dignity, livelihood, and participation in public life. As digital platforms increasingly mediate essential domains such as public service delivery, education, healthcare, and financial inclusion, there remains a significant portion of the global population, particularly persons with disabilities, the elderly, rural inhabitants, economically marginalised groups, and linguistic minorities, who are left behind due to infrastructural and socio-economic barriers. With this paper, the authors argue that equitable digital inclusion cannot be achieved through virtual solutions alone. Instead, it necessitates a parallel investment in physical, tangible, community-embedded infrastructure that acts as a bridge between technology and the underserved. Institutions such as post offices, public schools, Government kiosks and panchayats are well-positioned to function as accessible hubs for digital engagement and public service facilitation. Using a comparative lens and doctrinal methodology, the paper critically analyses digital inclusion frameworks from India's Digital India programme, the Universal Postal Union's reform initiatives, and rural access policies from Sri Lanka and the European Union. It explores how national legal systems and development strategies have integrated these institutions as anchors in digital policy. The study highlights their potential to close the last-mile gap and reimagines them as frontline actors in a rights-based, inclusive digital future. The paper is significant to contribute in an ongoing international discourse on multidisciplinary, infrastructural, and equity-based approaches to digital governance, advocating for a model where no one is excluded by design or geography.

Keywords: Digital Divide, E-Governance, Inclusive Digital Access, Marginalised people, Public Services, Physical Infrastructure

SURVEILLANCE AND THE MYTH OF CONSCIOUS RULE-FOLLOWING: A PHENOMENOLOGICAL CRITIQUE

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Surveillance has been recognised as a mechanism which subjects individuals to authority and ensures compliance with the laws and rules that govern society. Many surveillance devices are now being installed on highways, in subways, and in other public spaces and institutions. The idea behind these projects is simple - similar to the Hawthorne effect: when people are aware that they are being observed, their behaviour changes. However, studies have shown that surveillance alone cannot effectively address non-compliance among citizens. Accordingly, this essay seeks insight from legal philosophy and relevant social science research to better understand the limitations of surveillance. I argue, drawing on the existential-phenomenological accounts of Heidegger, Merleau-Ponty, and Samuel Todes, that the assumptions underlying these surveillance initiatives are philosophically flawed. In particular, the presumption that people follow laws and rules consciously - and that making them more conscious of being observed will improve compliance - is inconsistent with the phenomenology of how humans engage with norms in everyday life. Furthermore, I contend that another flawed assumption is rooted in traditional legal positivism: namely, the belief that identifying rule-breakers and subjecting them to sanctions will cause greater alignment with the rules. This view is challenged by H.L.A. Hart's practice theory of law, which emphasises the social conventions of legal systems over mere punitive enforcement. These mistaken assumptions limit the effectiveness of surveillance projects and prevent them from achieving broader societal benefits - such as recognising and addressing the structural conditions that compel certain behaviours in the first place. I argue that our way of following law and rules is not largely based on conscious rule following but is based on a rule-guiding or rule-governed way of behaving.

Keywords: Observer-Effect, Phenomenology, Rule-following, Surveillance

DIGITAL COPYRIGHT AND THE CREATOR ECONOMY: CHALLENGES OF MONETISATION, FAIR USE, AND ALGORITHMIC SUPPRESSION

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The rise of the digital creator economy has transformed individual expression into a monetizable venture, but it is simultaneously governed by opaque algorithmic controls and evolving copyright regimes. This paper explores the legal and practical challenges surrounding copyright enforcement in the context of social media content creation. Focusing on platform liability, fair use, and algorithmic suppression, this research adopts a dual-method approach to provide a comprehensive analysis. The doctrinal segment critically examines global and Indian copyright laws, emphasising intermediary liability, Section 79 of the IT Act, and safe harbour provisions alongside evolving fair use doctrines under the Indian Copyright Act and the U.S. Copyright Law. It investigates how current legal interpretations often fail to keep pace with the dynamism of user-generated content, remix culture, and meme-based communication. The empirical component is grounded in a survey conducted among content creators on platforms such as YouTube, Instagram, and TikTok. The findings reveal that creators frequently face unjustified copyright takedowns, algorithmic downranking, and demonetisation. Many respondents expressed a lack of clarity on what qualifies as fair use, and highlighted inconsistent enforcement and automated moderation as key concerns. The paper concludes that a recalibration of copyright frameworks is essential to foster innovation while ensuring creator protection. It advocates for a balanced legal infrastructure that incorporates transparency in algorithmic decision-making, clearer fair use guidelines, and an accessible redressal mechanism. In doing so, it aligns copyright enforcement with the goals of digital inclusion, creative freedom, and economic justice for creators in the 21st century.

Keywords: Digital Copyright, Creator Economy, Platform Liability, Fair Use, Algorithmic Suppression

IMPLICATIONS OF ARTIFICIAL INTELLIGENCE ON WOMEN: A CRITICAL ANALYSIS

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Human innovation has led society from the primaeval ages to the age of technology. We are now witnessing the single most pivotal technological advancement - Artificial Intelligence. While AI is being integrated worldwide, what does this mean for life as we know it? A specific focus must be laid on societal indices, especially those of gender equality and empowerment. Nations have channelled immense resources towards women's empowerment, yet this new technology poses challenges of algorithmic bias that have led to discrimination and intensification of stereotypes. Thereby poses a major challenge to the case of women's empowerment. As such, the disproportionate deployment of AI has a direct impact on women's rights to equal opportunities as mandated by law. Furthermore, research has shown that with the deployment of AI, there has been a decline in low-skilled employment sectors, and it has affected women more than men.1 Given that there is a predicted long-term negative impact on the labour sector as a result of AI, gender sensitive laws are a need of the hour. Sectors where women are disproportionately employed, like 'routine intensive' occupations, will take a major hit - these are easily replaceable by AI.2 While these are some of the concerns, one cannot generalise this and declare AI to be gender-insensitive. This paper adopts a doctrinal and comparative approach to examine the impact of AI on women, both positive and negative on two accounts. Firstly, the sudden loss of jobs because of AI appearing to be a swifter means of getting work done. Secondly, the impact of inherent bias, which leads to gender discrimination in women's employment. While doing so, it also aims to identify legal remedies for preventing the adverse effects of this technological advancement.

Keywords: Artificial Intelligence, Algorithmic Bias, Gender Inequality, Women's Empowerment

PRIVACY IN THE METAVERSE – LEGAL & REGULATORY CHALLENGES

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As the Metaverse evolves from science fiction into reality, it brings unlimited possibilities, as well as serious concerns about our privacy in these immersive digital worlds. Unlike the websites and apps we use today, the Metaverse can track our eye movements, facial expressions, and even our emotions through advanced VR headsets and sensors. While regulations like Europe's GDPR and California's CCPA protect our data in traditional online spaces, they weren't designed for this new reality where our most personal behaviours become data points. This paper explores a pressing question: Can our current privacy laws keep us safe in virtual worlds, or do we need completely new rules for this digital frontier? By examining how Metaverse platforms operate and where existing regulations fall short, we reveal troubling gaps in protection – from biometric data collection to weak consent mechanisms. More importantly, we examine what's at stake: without smart updates to both technology policies and laws, we risk creating virtual spaces where privacy becomes impossible. The findings highlight an urgent need for developers, lawmakers and users to work together, ensuring the Metaverse develops as a space that respects our fundamental right to privacy while still enabling innovation. This isn't just about technology; it's about shaping digital worlds where human dignity comes first.

Keywords: Biometric Data, Data Privacy, Digital Rights, Metaverse, Privacy Laws, Virtual Reality

RANSOMWARE PAYMENTS, ILLICIT GAINS, AND TAX COMPLIANCE: THE NEED FOR A SOUTH ASIAN CYBER-LEGAL AND FISCAL POLICY RESPONSE FRAMEWORK.

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Ransomware attacks have escalated into a pervasive and financially devastating form of cybercrime, directly impacting critical infrastructure, businesses, and individuals across South Asia. The complex dilemma of whether to pay the ransom, often demanded in untraceable cryptocurrencies, introduces significant legal, ethical, and cybersecurity challenges. The illicit gains derived from these attacks represent a substantial untaxed income flow, undermining national fiscal integrity and funding further criminal enterprises. This study will adopt a doctrinal methodology. It will involve an analysis of existing cybercrime laws, anti-money laundering (AML) regulations, and tax statutes across countries which have laws, determine their applicability to ransomware payments and the taxation of illicit cryptocurrency gains. The research will also draw upon international legal frameworks to identify best practices for regulatory responses. This research could be significant for South Asian governments and businesses grappling with the escalating threat of ransomware. A clarity on the legal standing of ransomware payments, provide guidance on managing their fiscal implications, and strengthen national capacities to combat illicit financial flows. This interdisciplinary approach is vital for enhancing national cybersecurity resilience and safeguarding fiscal stability in the face of evolving cyber threats. There is a need for the nations for a "South Asian Cyber-Legal and Fiscal Policy Response Framework" for ransomware. There could be a need for specific legislative amendments to cyber laws concerning ransomware payments, outlining mechanisms for tracing and taxing illicit cryptocurrency gains, and recommending strategies for enhancing inter-agency cooperation between cybersecurity, law enforcement, and tax authorities. It will also provide policy options for deterring payments while improving victim recovery and asset seizure capabilities. This paper provides a comprehensive analysis of the multifaceted implications of ransomware in South Asia, navigating the legal intricacies of payments and the fiscal imperative of taxing illicit proceeds.

Keywords: Cryptocurrency, Cyber-Legal, Fiscal Policy, Illicit Gains, Ransomware, South Asia

MARITIME NARCOTICS TRAFFICKING ACCOUNTABILITY: INDIA - SRI LANKA JURISDICTION & ENFORCEMENT CHALLENGES

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The maritime corridor between India and Sri Lanka, particularly in the Palk Bay and Gulf of Mannar, serves as a key conduit for maritime shipment among these South Asian nations. However, through these porous maritime boundaries, transnational narcotics trafficking occurs. Despite both nations being signatories to international frameworks such as UNCLOS and UNTOC, effective implementation of maritime law enforcement is hindered by boundary disputes. The maritime boundary agreements of 1974 and 1976 have not resolved all issues, with challenges in areas of jurisdiction, accountability, and mutual legal assistance for organised crime at sea. This research paper seeks to identify and analyse the practical obstacles to holding India and Sri Lanka accountable for narcotics trafficking as a form of transnational organised crime in their shared maritime region. Particular emphasis is placed on the issues of jurisdictional ambiguity and mutual legal assistance, the effectiveness of enforcement mechanisms, and coordination of joint responses to maritime crime. This research is based on careful analysis of qualitative and mixed methods research, including a review of legal and policy documents, and empirical studies featuring interviews with local enforcement personnel. Several challenges are identified: (1) procedural delay in the processing of mutual legal assistance and extradition requests, (2) different legal standards, (3) bilateral coordination (4) ongoing disputes over maritime boundaries complicate the exercise of jurisdiction. None of the reviewed documents detail the outcomes of specific joint interdictions or prosecutorial proceedings, highlighting a significant evidence gap. The literature demonstrates broad consensus on the need for enhanced bilateral instruments, harmonised procedures, and systematic research. Without concrete case analysis and reliable data, recommendations on accountability and enforcement remain largely theoretical, limiting practical progress against transnational maritime narcotics Crime.

Keywords: Accountability, Enforcement, India - Sri Lanka, Jurisdiction, Maritime narcotics, Transnational Crime

ASSESSING THE EFFICACY AND CHALLENGES OF THE ONLINE SAFETY ACT, NO. 9 OF 2024: COMPARISON WITH INDIA

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Section 03 of the Online Safety Act, No. 9 of 2024, deals with the objective of act, such section says the intention of the parliament to enact this act is to protect persons against harm caused by communication of prohibited statements, by way of an online account or through an online location, to ensure protection from communication of statements in contempt of court or prejudicial to the maintenance of the authority and impartiality of the judiciary, by way of an online account or through an online location, to introduce measures to detect, prevent and safeguard against the misuses of online accounts and bots to commit offences under this Act; and to prevent the financing, promotion and other support of online locations which repeatedly communicate prohibited statements in Sri Lanka, by way of online account or through an online location. However, in practical, there are a number of challenges here. The objective of this research is to evaluate the practical outcomes of the Online Safety Act in enhancing online security and to identify the barriers hindering its effective implementation. Doctrinal research methodology with quantitative approaches will be implemented to do this research and it involves interpret the legal rules, principles, and doctrines, study of legal literature, judicial pronouncements and regulations, and the scope of the study only deals in the ambit of Online Safety Act and combining qualitative interviews with stakeholders - such as policymakers, law enforcement, and civil society organizations. Even though there is number of significant research are available on this topic, they failed to deal with the comparative analysis with the experience of other countries. In essence, this research contributes the unpacking the fact that although this Act was enacted to protect the rights of people, it fails to do so.

Keywords: Cybercrimes, Misuse of Online Account, Online Safety and Online Location

CONSENT, CONTROL, AND THE ETHICS OF AI: DATA PRIVACY CHALLENGES IN INDIA'S HEALTHCARE AND FINTECH SECTORS

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"Technology and the machine can, in the land of desperate optimism, seem relatively incorruptible."

This article aims to examine the privacy legislation and the guidelines adopted by India in the financial sector as well as the health care sector, in the context of Artificial Intelligence. As AI permeates every sphere of life, it has become the subject of both boundless excitement and intense debate. This paper intends to make a comparative study of the EU AI Act and AI-related rules in India, as AI accelerates discoveries, automating tasks, creating new ethical challenges, and redefining what it means to work, learn, and create. Further, the research adopts a qualitative approach, utilising comparative analysis to assess AI regulations and data protection regulations in the EU and India. The study highlights various case reports giving rise to ethical and privacy issues by referring to primary and secondary data, particularly focusing on India's regulatory landscape and the need for a vigilant approach in an emerging economy. The study finds that while the EU has comprehensive AI laws that prioritise privacy and human rights, India relies on fragmented, sector-based regulations. It argues that this patchwork approach, without a central AI law, creates a regulatory vacuum that may violate fundamental rights. It also highlights how AI systems pose privacy risks as AI systems are so data-hungry and opaque that one has no control over information collected, how it is used, and forgot personal information is forgotten. Humanity stands once again at the same intersection, witnessing a powerful technology come into its own. There is little that can be done to alter this future because it is already the present. What we can do is understand it and try to rewrite the rules to work within this new context.

Keywords: Artificial Intelligence, Privacy, Healthcare, Financial, India, European Union

ACCOUNTABILITY IN CRISIS: EXAMINING DATA BREACHES AND LEGAL OVERSIGHT IN INDIA'S SURVEILLANCE ECOSYSTEM

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Modern mass surveillance systems, powered by advanced technologies such as artificial intelligence and big data analytics, have become critical tools for national security in India. However, the extensive collection, storage, and processing of personal data inherent in these systems significantly amplify the risk of data breaches. These breaches not only compromise individual privacy but also raise questions about the accountability and liability of state and private actors involved in managing surveillance systems. This paper examines the legal and regulatory challenges associated with data breaches in Indian mass surveillance programs. It analyses the extent to which existing legal frameworks, such as the Digital Personal Data Protection Act, 2023, the Information Technology Act 2000, and the Telecommunications Act, 2023, address accountability for such breaches. Despite the Supreme Court's 2017 judgment in *Justice K. S. Puttaswamy (Retd.) vs Union of India and Ors.,* establishing privacy as a fundamental right and introducing proportionality tests for surveillance measures, the study reveals significant gaps in oversight mechanisms and accountability structures. Key findings indicate that India's surveillance framework operates with insufficient transparency and accountability, creating conditions where data breaches can occur with limited legal recourse. By drawing on comparative insights from global best practices and international standards, this study identifies gaps in India's current legal framework and proposes actionable recommendations to strengthen accountability mechanisms. The paper underscores the need for comprehensive privacy safeguards and transparent liability structures to balance the imperatives of national security with the protection of individual rights. Through this analysis, the research contributes to the ongoing discourse on data protection, privacy, and the ethical use of surveillance technologies in India's evolving digital landscape.

Keywords: Accountability, AI surveillance, Data breaches, Data privacy, Data protection, Transparency

A CRITICAL STUDY OF CYBER OFFENCES AGAINST WOMEN AND THE ROLE OF LAW: WITH SPECIAL REFERENCE TO PRESIDENCY UNIVERSITY, BENGALURU

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The internet has revolutionised how people connect, work, and express themselves, but for many women, it has also introduced new dimensions of vulnerability. Digital platforms, while enabling empowerment, have simultaneously exposed women to a spectrum of cyber offences such as online abuse, impersonation, cyber stalking, doxxing, cyber pornography, cyber harassment, trolling, etc. These online harms often mirror and exacerbate real-world gender inequalities, making digital spaces increasingly unsafe. This paper aims to critically explore the growing pattern of cyber offences targeted at women and evaluate the strengths and shortcomings of current legal responses. It analyses whether women are aware of various cybercrimes and the redressal mechanisms available to them. The paper also investigates whether existing legal instruments are equipped to address the unique nature of online gender-based violence, and how they can be improved to ensure timely justice and effective prevention. Using an empirical and doctrinal research approach, researchers examine the types of cybercrimes against women and the remedies available to the victims. The paper also examines key provisions in Indian cyber law, particularly the Information Technology Act 2000, along with allied criminal laws, and considers comparative international practices and multilateral efforts to combat cybercrime. The analysis is supported by judicial interpretations, government reports, and recent developments in digital policy. The research finds that while legal systems are evolving, they often lag behind the fast-changing digital environment. Victims, especially women, face challenges related to reporting cybercrimes, accessing legal remedies and receiving timely institutional support.

Keywords: Cybercrime, Cyber Law, Digital Violence, Gender Justice, Online Harassment, Women's Rights

ADOPTION OF RENEWABLE ENERGY TECHNOLOGIES AT A GLOBAL SCALE: THE ROLE OF PATENT LAW

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The eventual elimination of greenhouse gas emissions is the primary aim of the global action against climate change. Emissions from the energy sector account for approximately 75% of the world's emissions, with electricity, transportation, and manufacturing and construction sectors contributing significantly to the emissions of greenhouse gases from fossil fuel consumption. According to the International Energy Agency, 81% of the total energy production is still sourced from fossil fuels. Therefore, a significant expansion of renewable energy and its adoption is necessary to achieve sustainable development. However, large-scale adoption of renewable energy faces several challenges, the main one being the cost of adoption. Renewable energy is a relatively newer field of invention, with a substantially lesser part of the innovation lying in the public domain. Patenting of innovations in this field has certain negative externalities, primarily affecting their dissemination, as the innovation is concentrated in a few countries. Patent protection has long been cited as necessary for incentivising innovation and promoting technology transfer through FDI and foreign trade. However, there is evidence to suggest that patents do not achieve either objective and effectively constitute a barrier to the dissemination of green technology. Relying on data collected from secondary sources such as journals, reports from international agencies, newspaper articles, magazines, and online sources, this paper aims to discuss the role of patents in promoting the innovation, transfer, and dissemination of renewable energy technologies. This study is crucial in determining policies that can help support the transition to a net-zero global economy.

Keywords: Climate Change, Renewable Energy, Patent Protection, Sustainable Development, Green Technology

GLOBAL LEGAL FRAMEWORKS FOR CLIMATE CHANGE MITIGATION

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The modern world is grappling with a complex array of challenges that span environmental, technological, social, and geopolitical domains. These issues are deeply interconnected and demand coordinated legal, policy, and ethical responses. In these Environmental and Climate challenges are critical, which are directly linked to human survival, as Climate change poses an existential threat to ecosystems, economies, and human well-being. In response, a complex web of global legal frameworks has emerged to guide mitigation efforts and foster international cooperation. This abstract explores the evolution, structure, and challenges of these frameworks. At the core lies the United Nations Framework Convention on Climate Change (UNFCCC), which established foundational principles such as common but differentiated responsibilities. Building on this, the Kyoto Protocol (1997) introduced binding emission reduction targets for developed nations, while the Paris Agreement (2015) marked a paradigm shift by requiring all countries to submit Nationally Determined Contributions (NDCs) aimed at limiting global warming to well below 2°C. National legal responses complement these international efforts through legislation promoting renewable energy, carbon pricing, and climate-resilient infrastructure. Mechanisms such as carbon trading, environmental litigation, and climate finance have become integral to enforcement and accountability. However, implementation remains uneven due to disparities in capacity, political will, and economic priorities. Emerging challenges include integrating climate law with sustainable development goals, regulating new technologies, and addressing loss and damage in vulnerable regions. Global legal frameworks for climate change mitigation represent a dynamic and evolving legal architecture, one that must balance equity, ambition, and adaptability to secure a sustainable future. Legal frameworks for climate change work as a preventive procedure and educate society on environment protection to control climate change.

Keywords: Environmental, Technological, Social, Geopolitical, Legislation, Mitigation

POVERTY, VULNERABILITY AND DIGITAL EXPLOITATION: UNPACKING THE SOCIO-ECONOMIC ROOTS, CHILD PORNOGRAPHY VICTIMISATION & HUMAN RIGHTS EDUCATION

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This research paper examines the global challenge of child pornography. It also covers the issue of human rights violations of children from the lens of socio-economic vulnerabilities. Rights to dignity, safety, and protection from all forms of exploitation are some fundamental human rights that are brutally violated in the cases of child pornography. In modern times, there is a need for taking strong actions against online abuse, digital sexual exploitation, and pornography victimisation, along with spreading human rights education in all corners of the world. This paper aims to analyse the socio-economic causes that make children vulnerable to digital exploitation and child pornography. This paper also explains the role of human rights education in preventing the victimisation of children. Using the doctrinal method of research, the authors will examine various relevant literary sources and international human rights instruments. The major focus will be on the approach of Indian and Sri Lankan laws in implementing human rights to safeguard their children from pornography. Apart from the laws, the approach of the judiciary and the role of other relevant organisations will also be discussed. This research will recommend eliminating poverty to prevent the vulnerabilities of children. It will recommend enhancing human rights knowledge among children, improving essential digital literacy and enhancing effective parental supervision. The findings of this research work will be quite helpful in suggesting the measures for reducing socio-economic inequalities, strengthening protective digital environments, universally applying human rights for children all over the world and in increasing human rights education within communities to effectively safeguard the rights of children in the digital age.

Keywords: Poverty, Child Exploitation, Human Rights Education, Digital Vulnerability, Victimisation Prevention.

CHALLENGES & HANDLING, DIGITAL EVIDENCE, LEGAL, TECHNICAL, AND ETHICAL ISSUES

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Digital evidence is increasingly significant in legal proceedings due to the rise of technology in everyday life. However, it presents unique challenges, including technical complexities, legal ambiguities, and ethical dilemmas. This article examines the multifaceted issues associated with digital evidence, providing an overview of its challenges and exploring strategies for effective handling. The aim is to shed light on technical, legal, and ethical considerations and offer practical solutions for stakeholders in the legal domain. However, its use involves complex legal, technical, and ethical considerations. Key challenges include ensuring data integrity, overcoming jurisdictional conflicts, addressing encryption and accessibility issues, and maintaining privacy rights. This article explores these dimensions by analysing the hurdles in handling digital evidence. Examining current legal frameworks, technical protocols, and ethical standards, it provides practical solutions for practitioners, emphasising the need for standardisation, advanced forensic tools, and global cooperation to uphold justice while safeguarding individual rights. Technically, issues like data integrity, encryption, and secure storage complicate the collection and preservation of digital evidence. Legally, gaps in legislation, jurisdictional conflicts, and questions of admissibility under procedural laws present significant hurdles. This article delves into these challenges, providing a comprehensive analysis of the strategies required to address them. By examining current practices, case studies, and expert insights, this article aims to provide actionable recommendations for practitioners, policymakers, and technologists to navigate the complex landscape of digital evidence handling.

Keywords: Admissibility, Chain of custody, Cybersecurity, Data integrity, Digital evidence, Ethical dilemmas, Forensic methodology, Legal issues

A STUDY ON DWINDLING PRIVACY OF THE CHILDREN IN SOCIAL MEDIA PLATFORMS - A VIEW FROM INDIA

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Currently, the widespread use of digital platforms such as social media and gaming applications significantly features in the daily lives of children, as they are increasingly introduced to these platforms in their homes, schools, and society in general. Especially in the Global South, there is a new trend of co-usage of these by children with their parents. These platforms, being increasingly a space of cohabitation between children and adults, give rise to challenges with respect to children's privacy. This aggravates the risk of being exposed to content, information, advertisements, etc., built upon behavioural tracking, and not curated for consumption of forming minds, thereby leaving a lasting impact, sometimes stunting the healthy mental growth of the vulnerable children. Further, the data collection practices on these platforms may not be customised for children, as well. This study critically examines the impact of these platforms on children's privacy by mapping features of selected digital platforms against the backdrop of legal provisions in India protecting the privacy of children. The research also identifies significant gaps, particularly in the enforcement of age verification, parental consent, and data protection measures that would be specifically required for minors. A comparative analysis is done with respect to the laws to draw parallels with a few countries that afford enhanced protection of children on digital platforms. This analysis reveals the lack of readiness, robustness, and specificity required to effectively safeguard children in digital platforms, and also able to draws out children's exposure to harmful content, cyberbullying, online exploitation, cross-border data sharing, hence loss of legislative control, and the misuse of personal data on these platforms. In conclusion, this paper proposes technology-driven measures that must be mandated for these platforms to build safer digital spaces for children and the legal basis required for enforcing such protocols for each platform.

Keywords: Application Policies, Children's Data Protection, Cybersecurity, Digital Privacy, Online Safety Regulations, Privacy Laws for Children

REFORMING DATA PROTECTION: THE IMPERATIVE FOR COMPREHENSIVE DIGITAL PRIVACY LAWS, SERVER INFORMATION ENCRYPTION, AND DIGITAL SECURITY

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A debatable and intriguing issue in the constitutional labyrinth of India is "Digital Privacy", which is an inherently private concept for an individual. The term privacy was invented in the 17th century and gained global attention during the techno-centric era. To this, the era of "Big Data," characterised by vast data proliferation and rapid technological advancements, has appeared as a pivotal asset in the digital landscape. Although we can access data in 2-4 clicks but this acts as a double-edged sword, which leads to a huge risk of data breaches, ransomware attacks, phishing, password guessing, etc., causing a major privacy concern. The recently introduced three "New Criminal Laws (BNS, BNSS & BSA)" have welcomed provisions on digital evidence and data privacy. Such initial transformation in laws has transformed India into Justice justice-oriented society, but infrastructural inefficiencies, as identified by the Chief Justice of India, have brought the inabilities of these major laws to the surface. Judgements contradict, Laws are inadequate, Expert-led resources are scarce, and we are still challenging ourselves with inadequate regulatory frameworks, mounting cyber threats, and invasive corporate data practices, which have precipitated a global crisis in data protection. This paper critically evaluates the existing legal frameworks governing data protection, the significance of server encryption in safeguarding sensitive information, and the pressing need for legislative reforms to tackle emerging challenges in data privacy. Also, through analysis of prominent regulations such as the 'General Data Protection Regulation' (GDPR), India's 'Digital Personal Data Protection (DPDP) Act', PDPA (Personal Data Protection Act,2022) of Sri-Lanka and various U.S. cybersecurity laws, this paper proposes a model legal framework that harmonises innovation with individual rights and state security considerations.

Keywords: Data Protection, Privacy, Encryption, Cybersecurity, Digital Laws, Artificial Intelligence, Surveillance, Regulatory Framework, GDPR, Digital Personal Data Protection Act, Personal Data Protection Act (PDPA)

BALANCING TRANSPARENCY AND PRIVACY: THE RIGHT TO INFORMATION VIS-À-VIS THE RIGHT TO PRIVACY IN THE DIGITAL ERA AFTER INDIA'S DATA PROTECTION ACT, 2023

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Political debates over the Indian Constitution have once again plunged following the enactment of the Digital Personal Data Protection Act 2023. Although the Supreme Court in *Justice K.S. Puttaswamy v. Union of India* recently recognised privacy as a fundamental right under Article 21, the RTI Act, based on Article 19(1)(a), has been a quintessentially functional pillar of democratic accountability for several years now. The 2023 Act expands the personal exemption and limits the public interest override (Section 8(1)(j) is added to clause b of Section 8), thereby narrowing the discretion of Information Commissions in holding that disclosure is in the larger public interest in matters relating to public officials. This change threatens to erode transparency and anti-corruption guarantees, while also undermining the framework that enables state accountability. In particular, citizens' ability to access government-held data through RTI, especially in the digital era, requires more openness while generating larger privacy risks. Drawing from Indian jurisprudence and comparative analysis with the UK, EU, Canadian, and Australian models, this paper calls for a recalibrated legal regime that revives a strong public interest test in privacy legislation; limits the category of "personal information" vis-à-vis public servants; and creates an independent adjudicatory body to resolve conflicts involving these competing rights. These reforms must not only reconcile the twin constitutional values of privacy and transparency, but also ensure that neither of them is bargained away at the expense of democratic governance.

Keywords: Digital Personal Data Protection Act, 2023, Public Interest Override, Right to Information, Right to Privacy, Transparency and Accountability

CYBER BULLYING: NEW DIGITAL PARADIGM OF WOMEN-CENTRIC CRIMES - LAWS AND INTRICACIES

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The unregulated and ungoverned territory of cyberspace, providing access to over 50 per cent of India's population, has contributed to the victimisation of persons in various forms of cybercrimes. Cyberbullying is one among them. As the unexpected lockdown due to COVID-19 has created room for high usage of the internet, contributed to a concerning spike in cyber violence, especially cyberbullying against women. Studies suggest that in India, eight out of ten women are victims of some form of online harassment. Women who are victims of cyberbullying lack the support and understanding to respond effectively. This causes negative impacts on the mental health of the victim, causing problems of stress and emotional distress. According to the National Crime Records Bureau, there is a 36 per cent expansion in cyber stalking and cyberbullying cases in India. The current cyber laws in India are ill-equipped because bullying is still not under control. Issues regarding cyberbullying are untouched in the Information Technology Act, 2000 (IT Act 2000), India's legislation to combat cybercrimes. In the new terrain of cyberspace and technology, many human rights are at stake, and this needs to be addressed. A mature digital environment is where the risks are managed in the same way as other economic, social, and political risks that humanity has adapted to over the centuries. That maturity is a long way off, and between now and then, there is still much work to be done harnessing the opportunities of cyberspace while understanding and minimising the dangers. The present paper tries to find out how far a balance of right to freedom of expression with individual privacy can be assured and how far the best practices followed among the world nations can be adopted in India, with a comparative critical analysis of domestic laws on cyberbullying.

Keywords: Cyber Bullying- Attack Against Women, Women-Centric Crimes, Cyber Laws in India, Lacunae in Laws, Cyber Space

GUARDIANS OF THE DIGITAL AGE: INTERNATIONAL LEGAL PERSPECTIVES ON CYBERSECURITY AND DATA PRIVACY

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This paper, titled "Guardians of the Digital Age: International Legal Perspectives on Cybersecurity and Data Privacy," explores today's hyper-connected world, where data has emerged as both a transformative asset and a profound vulnerability. Every click, transaction, and interaction leaves a digital footprint, making cybersecurity and data privacy not just technical matters but pressing issues of human rights, trust, and global stability. As cyber threats grow in scale and sophistication, ranging from state-sponsored attacks to large-scale data breaches, the need for robust, internationally coordinated legal responses has never been more urgent. This paper explores the evolving legal landscape surrounding cybersecurity and data privacy through a comparative and international lens. It analyses how various jurisdictions balance innovation with regulation, the tensions between national security and personal freedoms, and the gaps that persist in cross-border cooperation. Drawing from real-world case studies from ransomware attacks crippling public infrastructure to landmark privacy legislations reshaping corporate accountability, the study reveals the high stakes of inaction and fragmented governance. Beyond examining legal mechanisms, the paper emphasises the ethical dimensions of digital governance, calling for a human-centred approach that prioritises dignity, transparency, and inclusivity. In a borderless digital environment, protecting data means protecting people; safeguarding networks means safeguarding trust. This work ultimately advocates for a global legal framework that unites technological progress with the fundamental values of justice and India's Digital Personal Data Protection Act, 2023, which contains an overview, consent mechanisms, and data processing principles under the act.

Keywords: Cybersecurity, Data Privacy, International Law, Digital Governance, Human Rights, Technology Regulation, Cross-Border Cooperation

CYBER SECURITY AND DATA PRIVACY

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> "*The Internet is the first thing that humanity has built that humanity doesn't understand, the largest experiment in anarchy that we have ever had.*"
>
> *– Eric Schmidt*

In the digital era, cybersecurity and data privacy are two critical components because technology has been developing more rapidly, and due to people being dependent on the network for personal use, professional use, governmental activities, etc. Cybersecurity is the activity of utilising a variety of technologies, procedures, and policies to safeguard individuals, systems, and data from cyberattacks, while data privacy is a concept that an individual should be in control of their personal information, including the authority to determine how it can be gathered, stored, and utilised for various purposes. Cybersecurity is a subset of data privacy. The main aim is to discuss the definition of both terms under the current cyber laws, the challenges faced around the world, trends in the field, and some recommendations to strengthen cybersecurity and data privacy protections nationally and globally. The findings of my research are that the whole world is facing cyber issues, and many of the laws in various countries are ineffective in tackling this issue. This topic has great significance as cyber-attacks are increasing, and this will disrupt essential services and compromise sensitive information. This will cause significant reputational and financial damage to individuals, organisations, government, etc. Thus, it is essential to have measures to protect them from such threats.

Keywords: Cybersecurity, Data Privacy, Cyber Laws, Digital Era Challenges, Cybersecurity Protection

SUB THEME 5

GLOBAL HEALTH LAW AND PANDEMICS

ANALYSIS OF THE COSMOPOLITANISM IN THE PANDEMIC TREATY AND FUTURE IMPLICATIONS ON NATIONS WITH SPECIFIC REFERENCE TO INDIA.

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The inequity in COVID-19 vaccination preparation and distribution sparked global discussion among world leaders about the need to include health equity commitments and cooperation in a global legal framework to guide future pandemic responses. Upholding the principles of cosmopolitanism, an international instrument for pandemic prevention, preparedness and response- commonly known as the Pandemic Treaty was drafted and later on adopted by the WHO in May 2025. The current research focuses on analysing the multiple negotiations and discussions that occurred during the treaty drafting process. The researchers adopt a comparative literature approach combined with an analytical framework to examine whether there has been a significant shift from the principles of cosmopolitanism by analysing the increase or decrease in the guiding principles enshrined in the initial July 2022 draft, the April 2024 proposed agreement and the final adopted Agreement in 2025. With regard to individual nation – states, including India, any deviation- from the principles of sovereignty, solidarity, equity, justice and human rights is likely to exert an adverse impact on formulation of guidelines and policies concerning preparedness, the healthcare and care giving workforce, R&D, geographically diversified local manufacturing, equitable access to pathogen and benefit sharing, as well as procurement and distribution mechanism. The research is important to establish whether the deviation from the primary obligations might affect effective global public health responses and equity, leading to dominating sovereign interests with a restrictive, selfish approach among nations during a time of crisis.

Keywords: Cosmopolitanism, Global Health Law, National Government and Law, Pandemic

GLOBAL CONVERGENCE: MULTIDISCIPLINARY PERSPECTIVES ON LAW AND CONTEMPORARY CHALLENGES

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Approximately 350 million people worldwide suffer from rare diseases, with less than 10% having access to approved treatments. India faces significant challenges in orphan drug accessibility, with an estimated 70 million patients affected by rare diseases. This paper aims to analyse the current landscape of orphan drug development in India, examining regulatory gaps, economic barriers, and accessibility challenges. The research seeks to identify policy improvements and strategic suggestions to enhance orphan drug availability for rare disease patients in India through comparative analysis with successful international frameworks. The qualitative research in the paper employs a doctrinal legal research methodology with a comparative analysis approach. A comprehensive systematic review of existing literature, regulatory documents, and policy frameworks was conducted. The analysis included examination of Indian drug regulations, patent laws, international best practices from the USA, EU, Japan and Australia, clinical development challenges and economic impact assessments. India produces active pharmaceutical ingredients (APIs) for over 400 FDA-approved orphan drugs but manufactures only 12 domestically, creating substantial cost disparities (e.g., imported Trien tine costs 1.60 crore INR annually versus 20,000-3 lakhs INR locally). These findings highlight the urgent need for comprehensive policy reforms, including the establishment of specialised regulatory pathways, increased domestic manufacturing incentives, enhanced insurance coverage, and robust patient registry systems.

Keywords: India, Orphan Drugs, Patent Law, Rare Diseases, Regulatory Frameworks

COMPULSORY LICENSING IN THE PHARMACEUTICAL SECTOR IN INDIA AND THE US: A COMPARATIVE STUDY

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Creation of Intellectual Property (IP) usually comes with legal protection; a patent serves as motivation for the creator to let the world know of their invention. Monopoly rights are given to an inventor by the sovereign for optimum utilisation. These protective rights granted are critical for the companies as they guarantee profit and are crucial to research and development. Patent licensing started in the 18th century with the Paris Convention, later incorporated into domestic and international law. The TRIPS and the public health declaration at Doha gave sovereign rights to governments to undertake measures for the protection of public health. Compulsory licensing allows sovereign authority to grant third-party use of the patent, in cases of health crises like pandemics or for affordable public health. The study analyses the existing legal framework in the United States and India. It also examines the judicial precedents and compliance with international law. A comparative approach is adopted by analysing the legal framework in India and the US. The study also focuses on leading cases like the *Bayer Corp and Natco Pharma* dispute in India, to the Bayh-Dole Act enacted in 1980 in the US. On one hand, compulsory license holds immense promise by providing affordable alternatives and cheaper healthcare; It's a boon in chronic illness and public health emergencies. Pharmaceutical companies, on the other hand, feel discouraged with compulsory licensing as the time and money invested in research is not reciprocated. The research study offers insight for policymakers to harmonise compulsory license practices, fostering global cooperation and affordable public health initiatives.

Keywords: Compulsory Licensing, Pharmaceuticals, Intellectual Property Rights, India, United States

AN EXAMINATION OF HEALTHCARE TO MIGRANT WORKERS IN KERALA: BOTH DURING AND AFTER COVID-19

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Kerala is a State that is often highly remarkable for its unique features in economic development and protection of human rights measures. Kerala has a Gross Domestic Product (GDP) per capita of US$3,200 and is classified as a lower-middle-income State. Kerala is a hub for the interstate migrant workers, even from its formation times. But even though labour is a subject under the Concurrent List of the Constitution of India, there were no laws specifically designed for these workers before 1979. In Kerala, also, the law which regulates the service and employment of the interstate migrant worker is the Interstate Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, passed by the Central Government. By invoking Section 35(1) of the 1979 Act, the Government passed the Kerala Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules 1983. The interstate migrant workers in Kerala are entitled to the health rights provided under the Act and Rules. Under the 1979 Act, Section 16 specifically deals with the health rights of the interstate migrant workers. Section 16(e) only speaks about the contractor's responsibility to provide free medical facilities to the workers. Further suitable working conditions, protective clothing and suitable residential accommodation are also the responsibility of the contractor. The health of the interstate migrant workers is also considered under the COVID-19 treatment provided by the State Government. At the same time, apart from the treatment for COVID-19, a lot of them faced issues like overcrowded accommodations, which are preventing them from observing social distancing, availability of foodgrains, including nutrition, mental stress during COVID, etc. Not only were the interstate migrant workers desperate, but their family members were also becoming desperate in such situations. This study focuses on the issues existing in the 1979 Act for providing healthcare facilities to interstate migrant workers, including its improper implementation. Most of the Schemes and Policies for the healthcare and safety of the interstate migrant workers in the State of Kerala are provided on the basis of registration under these Schemes. But most of the workers are not enrolled in such schemes to avail the benefits. So, effective measures, including an institutional framework, are needed for protecting the health, safety and access to medical facilities of the interstate migrant workers in Kerala.

Keywords: Health Rights, Interstate Migrant Workers, Kerala, COVID-19, Healthcare Policies

REIMAGINING IP AND ACCESS: A COMPARATIVE LEGAL STUDY ON MDR-TB DRUG ACCESS IN SOUTH ASIA

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In the post-pandemic world, access to life-saving medicines has become a defining global justice issue. Multi-Drug-Resistant Tuberculosis (MDR-TB), a growing public health emergency in South Asia, exposes the structural tension between intellectual property rights and the right to health. This paper presents a regional comparative legal study of India, Sri Lanka, Bangladesh, and Nepal-countries that face common public health challenges, but differ significantly in their use of intellectual property law, international trade flexibilities, and access strategies. India's use of compulsory licensing and patent opposition mechanisms reflects a proactive legal approach, while Bangladesh's status as a Least Developed Country (LDC) under the TRIPS Agreement allows it to manufacture and export affordable generics until 2034. Sri Lanka's emerging MDR-TB burden and weak IP enforcement, and Nepal's reliance on donor-funded medicines, illustrate the challenges faced by smaller nations navigating global IP norms. Using doctrinal legal analysis and policy review, this paper examines how these countries apply TRIPS flexibilities, balance innovation incentives with public health needs, and confront global pharmaceutical monopolies. It also explores the untapped potential of competition law in this region to address pricing abuses and promote generic entry. The study concludes with region-specific legal and policy recommendations, including regional patent pooling, harmonised use of TRIPS flexibilities, and integration of public health safeguards in national IP laws. This work aims to strengthen South Asia's collective voice in global IP debates and contribute to more equitable access to essential medicines.

Keywords: Access to Medicine, Intellectual Property, MDR-TB, Patent Law, Public Health Law, South Asia, TRIPS Flexibilities

IMPACT OF PATENT POOLING DURING A PANDEMIC EMERGENCY: A LESSON LEARNT FROM THE COVID-19 CRISIS

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The COVID-19 crisis has taught us a lesson in the recent past. Medicines that are developed by developed countries or the dominant players in the market with sophisticated technologies and resources may not be available to the common people or in the lower- or middle-income countries (hereinafter referred to as LMIC). The issue occurs when such medicines or chemical compounds are patented and no generic medicines can be manufactured or sold, or when the LMIC are not exposed to such drugs or if available, they are sold at high costs. So, patents are one of the most important and powerful forms of Intellectual Property. Companies or countries that produced major drugs, vaccines, etc., took patents for them so that only they could produce them and were reluctant to give out the information so that companies in LMIC could produce them at low cost and provide them to the people of those countries. COVID-19, became clear from the statistics and reports that death tolls are four times higher in low-income countries than in high-income countries, due to the derailing of effective vaccine roll-out to such LMIC under the guise of nationality, greed and self-interest. There came the role of the Medicine Patent Pool, by which patents of such life-saving medicines were pooled together, and licenses were made available to the generic manufacturers in LMIC. Such generic manufacturers could produce and sell such medicines, which enabled more people to have access to such medicines. Yet, there are some issues in the system as the companies face conflicting interests, a lack of technology in the LMIC, the question of national sovereignty, involvement of global governance bodies. This will be dealt with in this paper.

Keywords: Crisis, Drugs, Intellectual Property, LMIC, Medicines, Patent, Vaccines

MEDICAL TERMINATION OF PREGNANCY LAWS & REPRODUCTIVE AUTONOMY

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The role of Medical Termination of Pregnancy Laws is sine qua non in ensuring women's reproductive autonomy. Vice versa, women's reproductive autonomy is the crucial reason behind the enactment of Medical Termination of Pregnancy Laws. The concept of protection of Women's right to reproductive autonomy derives its genesis from the Yajur Veda, which has an intrinsic nexus with the jurisprudential concept of "Status to contract". Reality of the modern world is defined by virtue of the aforesaid principle, wherein the interest of an individual or class of individuals is prioritised to the extent of conferring rights. Women's right to reproductive autonomy is a significant example of such rights. In the historic consequence of events, France became the first country in the world which has constitutionally recognise women's reproductive autonomy by guaranteeing the right to abortion as a constitutional right on 4th of March 2024. Through the present study, the researcher intends to critically examine the concept of fetal viability, including the Indian laws pertaining to the medical termination of pregnancy as well as shortcomings persistent in the Medical Termination of Pregnancy (Amendment) Act, 2021 with the help of the comparative study of medical termination of pregnancy laws prevailing in Sri Lanka, United States of America & France. Thus, the laws pertaining to the termination of pregnancy are a significant subject of discussion in order to safeguard women's right to reproductive autonomy. In the course of analysing the Indian laws related to termination of pregnancy, the subsisting laws in the jurisdictions of the aforesaid countries need to be studied along with the impact of the MTP Amendment Act 2021.

Keywords: Termination of Pregnancy, Reproductive Autonomy, MTP Laws, Status to Contract

SUB THEME 6

INTELLECTUAL PROPERTY IN THE GLOBAL ECONOMY

VANISHING HISTORIES AND PROTECTIVE JURISPRUDENCE: UNDERSTANDING THE GROWING NEED FOR EXTRA TERRESTRIAL HERITAGE PROTECTION VIDE THE UN LED MECHANISMS

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The present era of globalisation is evident in the growing increase in space activities, with special mention to the ISS - International Space Station and the mission front line by the varied international agencies, as in the case of NASA. The enlisted agencies, in partnership with the UNOOSA under the office of the UN, have facilitated a silent shift from the conventional activities to space being the domain of evolution and exploration. As the space legal regime finds its primary existence via the OST (1967), the world nations have consented to a self-directive legal mandate addressing the gaps and revolutions of the globalised liberal system. Though the OST is the foundation for the International Space League, it still remains silent concerning intellectual property governance in outer space. Thus, the developments raise the alarm for a directional legal regime which addresses the protection of the extraterrestrial cultural heritage vide the GI and other IPR mechanisms. The UNOOSA focuses on incorporating the protection of the intellectual rights of its global stakeholders vide contemporary legal enactments. On evaluating the proposed global regime, the role of the space superpowers can never be neglected as they serve as the key decision-makers of the legate. Further, the paper analyses the position of a growing power like India with special reference to its space policy and attempts to propose creative solutions to bridge the gaps.

Keywords: International Space Station, Outer Space Treaty, UNOOSA, Extraterrestrial Cultural Heritage, NASA

"GREAT MINDS THINK ALIKE"? REFRAMING COPYRIGHT AND TRADEMARK LAW PROTECTION FOR THE GENERATIVE AI MARKETPLACE

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The emergence of generative artificial intelligence (AI) has created unprecedented challenges for intellectual property law, particularly in copyright and trademark protection. This article examines how existing legal frameworks need help to address the unique characteristics of AI-generated content and proposes potential reforms to balance innovation with intellectual property rights protection. This work provides an overview of the current legal landscape by analysing recent cases, legislative proposals, and scholarly debates. It offers recommendations for adapting intellectual property law to the realities of the current AI Era. The article argues for a hybrid approach that combines elements of traditional intellectual property protection with innovative legal mechanisms designed explicitly for AI-generated works while considering the interests of all stakeholders in the creative and technological ecosystem.

Keywords: AI, Copyright, Trademark

NEUROCOLONIALISM? BRAIN DATA, INTELLECTUAL PROPERTY, AND THE INDIGENOUS STRUGGLE FOR COGNITIVE SOVEREIGNTY

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With further developments in neurotechnology (brain-computer interface -BCIs, neural implants, neuroimaging), neural technologies are increasingly becoming relevant to intellectual property (IP) law and Indigenous rights. As these technologies increasingly have the ability to access, record, and monetise cognitive data, particularly Indigenous data, there are concerns about the possibility of exploitation, control, and the recreated neo-colonial arrangements of the past, which are now called "Neuro colonialism." This is fundamentally the appropriation and monetisation of the brain data and cognitive outputs of Indigenous peoples, often with insufficient safeguards and protections when utilising Indigenous persons' cognitive data. This research examines whether existing IP regimes, built on Western notions of ownership and innovation, are equipped to protect Indigenous cognitive sovereignty, or whether they instead perpetuate new forms of dispossession. The research adopts a comparative legal approach, analysing international instruments including the TRIPS Agreement, WIPO's Traditional Knowledge framework, and the UN Declaration on the Rights of Indigenous Peoples. It also uses case studies and policy reviews across jurisdictions. The research shows a significant inconsistency between the existing IP protection frameworks and the collective, spiritual, and cultural identity inherent in Indigenous neural knowledge. Existing laws do not consider Indigenous expressions, such as ritual, memory, or language, as protected forms of cognition. This means Indigenous knowledge can be misappropriated by private actors. While neuro-rights frameworks are theory-based protections for neural knowledge, at this stage they remain proto-protections with little clarity on how they will be applied, and less clarity on the applicability of Indigenous contexts. This Research urges a sui generis legal framework designed to secure cognitive sovereignty and establish stewardship-style governance incorporating legal, ethical and cultural safeguards to enable Indigenous peoples to control how and when they grant individuals and institutions access to their cognitive data and how their cognitive data is used. This research moves towards advancing the contemporary international conversation related to brain data governance and Indigenous and intellectual property rights.

Keywords: Brain Computer Interface, Brain Data, Indigenous right, Neuro-imaging, Neuro-technology

INDIA'S INTELLECTUAL PROPERTY LED INNOVATION ECOSYSTEMS: GLOBAL TRADE AGREEMENTS AND IP ENFORCEMENT INCORPORATING AGRO-PROCESSING AND DIGITAL TECHNOLOGIES

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This paper shall deconstruct the international trade agreements' provisions on intellectual property rights (IPRs) with respect to biotechnology and digital technology within the context of India. The objective is to evaluate these global agreements in fostering or stifling innovation by critically analysing the political, socio-economic, and institutional dynamics at play. In the research, qualitative, descriptive, and analytical methods shall be employed extensively. The sub-sections of this article divided into three parts: (a) The uneven playing field- IPR guidelines stipulated in the major global trade agreements, such as that are mandated by WTO's TRIPS and the bilateral free trade agreements, aim at restricting illegal diffusion of knowledge, thereby protecting innovation. Notwithstanding such reasons, critics have observed that many times such obligations render the competitive market into a paralysing state, hence, stagnating innovation and development; (b) India's dynamic ecosystems and IPRs implications that India is being projected as one of the fastest growing economies in the global south. The prevailing asymmetric power regimes, systemic challenges embedded in the trade negotiations, and policy trade-offs act as the multi-faceted background defining the future of India's evolution in the field of IPR; and (c) Democratisation and decentralisation of the IPR laws- In history, the West has been characterised as the net intellectual property exporter, and they set up the terms of most of the global trade laws protecting their national interests. Balancing the international laws of IPR for both developed and developing countries has been a matter of fact that cannot be afforded to be put off anymore. Thus, pursuing equitable IPR laws would open up myriad avenues of innovative opportunities for India, propelling India's economic growth.

Keywords: Biotechnology, Digital Technology, India, Innovation, Intellectual Property Rights

THE LAWS AND REGULATIONS TO ADDRESS ONLINE TRADEMARK INFRINGEMENT IN THE GLOBAL CONTEXT AND ITS EFFECTIVENESS: A COMPARATIVE LEGAL ANALYSIS OF SELECTED JURISDICTIONS

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The exponential growth of e-commerce and digital platforms has amplified the risk of online trademark infringement, challenging traditional legal frameworks designed for offline contexts. This research aims to examine the adequacy and effectiveness of existing laws and enforcement mechanisms governing online trademark infringement in selected jurisdictions. The research adopts a doctrinal and comparative method approach, focusing on the United States, the European Union and Sri Lanka. The doctrinal research approach concentrates on finding the law in legal statutes, subordinate legislation, and judicial precedents to look into the purpose and policy of the law. The doctrinal and comparative analysis reveals that jurisdictions with robust intermediary liability regimes and efficient notice-and-takedown systems, such as the United States and the European Union, demonstrate higher effectiveness in addressing online trademark infringement. However, disparities in legal frameworks and enforcement mechanisms across borders highlight the urgent need for international harmonisation and stronger transnational cooperation. By identifying legal gaps and enforcement challenges in both developed and developing jurisdictions, this research contributes to the ongoing disclosure in digital intellectual property governance. It provides a foundation for policy reform and offers recommendations to strengthen international collaboration in protecting trademarks in the online environment.

Keywords: Digital Enforcement, Intellectual Property, Intermediary Liability, Online Infringement, Trademark Law

STRENGTHENING CRIMINAL ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS IN SRI LANKA: A COMPARATIVE ANALYSIS

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Even though the Intellectual Property Act No. 36 of 2003 in Sri Lanka consists of several concrete provisions to protect intellectual property rights in line with the Trade-Related Aspects of Intellectual Property Rights Agreement 1994. The main objective of this paper is to propose recommendations to reform the domestic legal landscape to achieve a better intellectual property rights enforcement regime, whilst assessing the adequacy of the existing Sri Lankan legal framework and appraising the international best practices of the selected jurisdictions. This paper emanates from black letter research coupled with a comparative analysis of the laws and practices on criminal enforcement of intellectual property rights in the selected key jurisdictions, namely, the European Union, the United States of America and Singapore. The inadequacy of the current legal framework has contributed to the failure to curb widespread intellectual property infringements. The comparative analysis demonstrates that Sri Lanka is lagging behind and has plenty of lessons to learn from the international legal arena to achieve the desired intellectual property goals in real. The dilemma of weak criminal enforcement of intellectual property rights is a direct attack on the national economy, reducing the attraction of foreign investors.

Keywords: Criminal enforcement, Intellectual Property Rights, Sri Lanka, Trade-Related Aspects of Intellectual Property Rights Agreement

IP-BACKED FINANCING FOR SRI LANKAN STARTUPS: THE IMPERATIVE FOR EVOLVING BANK ROLES

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Sri Lanka faces significant challenges in fostering innovation-driven economic growth. Start-ups and Small and Medium Enterprises, crucial for this transition, struggle to access traditional debt financing due to a lack of tangible collateral. While Intellectual Property represents a core asset for these ventures, its potential as loan security remains largely untapped by Sri Lankan banks. The objectives of the article are as follows: To identify the key barriers (institutional, regulatory, knowledge-based) hindering IPBF adoption; To explore the potential benefits of IPBF for banks, start-ups, and the national economy; and To propose actionable recommendations for banks to develop IPBF capabilities. The methodology of the study employed a mixed-method approach combining Desk Research and Analysis of existing literature, global IPBF models, and Sri Lankan regulatory/policy frameworks. Primary Data are collected from semi structured interviews with senior executives and credit officers of major commercial banks of Sri Lanka, start-up founders, IP attorneys, and representatives from innovation agencies. The study found Start-ups desperately need alternative financing, but banks are reluctant to give loans upon IPRs; Major impediments include inadequate IP valuation expertise within banks, unclear IP perfection/enforcement mechanisms, insufficient regulatory clarity/support, and limited internal bank capacity and Successful models exist internationally, requiring adaptation to the Sri Lankan context. This research underscores the urgent need for Sri Lankan banks to transform their role from traditional asset-based lenders to innovation financiers.

Keywords: Banking, Collateral, Intellectual Property Rights, IP Backed financing, Startups

THE POSITION OF WORLD TRADE ORGANIZATION IN RESOLVING INTELLECTUAL PROPERTY AND HEALTH DISPUTES IN A CHALLENGING TIME: A CRITICAL ANALYSIS

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The main objective of this research is to critically analyses the continuing relevance and evolving role of the World Trade Organization (WTO) in resolving disputes at the intersection of intellectual property (IP) and public health during challenging time. The WTO's TRIPS Agreement is inherently designed with flexibilities to balance interests of IP owners with public health safeguards, such as compulsory licensing (Article 31) and policy space under Articles 7 and 8. However, contemporary challenges ranging from pandemics to rising global health inequities have tested this balance and raised questions about the WTO's legitimacy and responsiveness. The research examines the WTO's legal and institutional frameworks through landmark cases including EC – Patent Protection for Pharmaceuticals and Australia – Tobacco Plain Packaging, demonstrating how dispute panels have interpreted TRIPS in light of public health concerns. It also reflects on the global debate surrounding the TRIPS waiver, highlighting the geo-political debates in the WTO mechanism, its position and continuing application in resolving global tensions over IP interests and equitable access to health technologies, particularly focusing the relisation of the interests of Global South. While WTO jurisprudence has, in some cases, affirmed public health as a legitimate basis for limiting IP rights, the study finds that systemic barriers, such as procedural complexity, power imbalances, and slow reform undermine the effectiveness WTO dispute settlement process. The research concludes with recommendations for strengthening the WTO's role as a fair and inclusive forum, including enhanced support for developing countries, expedited responses during health emergencies, and meaningful institutional reforms.

Keywords: WTO, TRIPS, Public Health, Intellectual Property Disputes

BALANCING INNOVATION AND CONSERVATION: A CRITICAL STUDY OF IPR IN BIODIVERSITY MANAGEMENT

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Intellectual Property Rights (IPR) have become increasingly influential in shaping access to and control over biological resources. While IPR frameworks were originally designed to incentivize innovation, their extension into the domain of biodiversity particularly through patents on plant varieties, seeds, microorganisms, and genetic material has sparked significant debate. The objectives of the study: To analyse the multifaceted role of IPR in the conservation, utilization, and management of biodiversity; To critically examine both the advantages and disadvantages of applying IPR to biodiversity; To evaluate the current legal structure that is overseeing these issues, and To explore the alternative measures to strike a balance between conservation and innovation. The study employs doctrinal method of research in this paper. The doctrinal research is based on both the primary and secondary sources of data, where the primary sources include legislations and international instruments and the secondary source includes judicial decisions, committee reports, books and published articles. The research highlights that IPR can encourage private sector investment in conservation technologies and genetic research through ABS (Access and Benefit Sharing (ABS), potentially aiding in the sustainable use of biodiversity. However, the current system often disproportionately benefits corporate entities and undermines local and indigenous communities' rights. The findings underscore the need for a more nuanced and inclusive IPR model that accommodates both innovation and ecological integrity. Policymakers must address the imbalances in current regimes to ensure that biodiversity is protected not just as a commodity, but as a shared global heritage.

Keywords: ABS (Access and Benefit Sharing (ABS) - Biodiversity - Clean Technologies- Innovation – Monoculture

BEYOND TRIPS: RECONSTRUCTING THE TRADE–IPR INTERFACE THROUGH LAW, POLICY, AND DEVELOPMENT IN THE GLOBAL SOUTH

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The twenty-first century has witnessed a radical turn towards global intellectual property rights (IPR) regulation driven by the spread of Regional and Free Trade Agreements (RTAs and FTAs) involving TRIPS-Plus features. These standards, forged in economically influential states and business lobbies, are reconfiguring IPR regimes in the Global South, largely at variance with local socio-economic needs, constitutional guarantees, and development policies. This paper presents an interdisciplinary account of how such IPR commitments tied to commerce shape legal systems, innovation landscapes, and access to medicine and knowledge. From India, Sri Lanka, and a selection of ASEAN nations, it responds to the critique of embedding TRIPS-Plus norms - particularly patentability, digital rights management, and traditional knowledge - within national law. It also examines how ISDS mechanisms drive regulatory overhang and chill public interest legislation. The study demands an equity-oriented, regionally empowered IPR governance structure, context-sensitive and aligned with equitable reform. It demands moving beyond model-based enforcement strategies and towards a pluralistic framework that will enable inclusive innovation and South–South cooperation in the emerging global trade order.

Keywords: Developmental Sovereignty, Intellectual Property Rights, Investor-State Dispute Settlement, South–South Cooperation, TRIPS-Plus, Trade and Innovation Governance

KNOWLEDGE AND ITS ACCESS IN INDIAN EPISTEMOLOGICAL TRADITIONS: REASSESSING COPYRIGHT EXCEPTIONS FOR LIBRARIES AND ARCHIVES

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The Indian epistemological ethos has always sustained knowledge as a spiritual endeavour as well as a social imperative, with ancient literature like the Upanishads, Thiru Kural, and Arthashastra providing deep insights into its attainment, dissemination, and moral dimensions. At the heart of Indian philosophy lies the doctrine of Pramana, the established vehicle of valid cognition, upon which rests the quest for jnana (knowledge) and the final aim of liberation. But history's transmission of knowledge in India was by no means egalitarian; access was methodically denied along caste, class, and gender lines, and the institutionalised epistemic injustice by Brahminical gatekeeping excluded Dalit, Bahujan, Adivasi, and women's voices from the mainstream intellectual field. Using doctrinal legal analysis and philosophical contextualization, the paper charts the present tension between intellectual property rights and public interest mandates, situating these exceptions in law within Indian epistemological principles and contemporary digital realities. It questions whether existing exceptions adequately enable intellectual freedom, social justice, and the democratisation of knowledge. Although the statutory scheme is progressive in intention, the analysis indicates that more profound structural changes are required. Finally, the paper promotes a rights-oriented and culture-centred reconsideration of copyright exceptions, bringing them closer to Indian philosophical conceptions of vidyā (knowledge) as a force of emancipation and international human rights commitments on access to information.

Keywords: Knowledge, Epistemology, Copyright Exceptions, Social Justice, Access to Information

VALUATION OF PATENT SECURIZATION BONDS BACKED BY SOCIAL IMPACT INVESTMENT

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Patents are valuable assets that provide a competitive edge, legally protecting intellectual ideas while promoting innovation and economic growth. They grant inventors exclusive rights, preventing unauthorised use and enabling financial gains through a monopoly. Patents demonstrate a commitment to R&D and foster ongoing innovation, encouraging collaboration among companies to create new solutions. In essence, patents are strategic resources that drive business success and technological advancement. Additionally, they can be used as collateral in financial transactions, allowing inventors and businesses to leverage their intellectual property for loans or investments, facilitating capital acquisition for R&D, expansion, or new product launches while retaining ownership of their ideas. Patents face several challenges that limit their effectiveness and innovation. These challenges include navigating the legal system, high costs for filing and maintenance, and technological changes that can render inventions outdated. There are also difficulties in valuing patents, as their worth changes with market demand and competition. This uncertainty makes it hard for investors to evaluate potential returns, which affects the utilisation of assets in the securitisation process. But securitisation is an established financial innovation when a well-framed model is implemented. In this backdrop, the paper aims to value the patent securitisation bonds based on the combination of the prevalent valuation models, e.g., Black Scholes and Ip (German Patent Attorney Association is based on the German Industrial standard DIN 77100). Black-Scholes is a popular model, and along with it, the paper combines another model known as IP2. The paper would also check the difference between the valuation of these bonds by applying the model and the discounted cash flow model, and examine its variations.

Keywords: Black-Scholes Model, Discounted Cash Flow Models, IP, Patent, Patent Securitisation, Patent Securitisation Challenges, Patent Securitisation Bonds, Social Impact Investment

THE GHIBLING EFFECT: INNOVATION, COPYRIGHT INFRINGEMENT, OR BIOMETRIC VIOLATION

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This research paper studies the Ghibli Effect, which has taken over the world in 2025 – the original artwork created by Hayao Miyazaki, which is made with meticulous hand-drawn techniques using bright acrylic and watercolours. This traditional art form of Studio Ghibli uses less than ten per cent of modern technology, such as computer-generated imagery. *The Wind Rises (2013)* had a busy market scene, which took animator Eiji Yamamori fifteen months to complete for a four-second scene. However, in 2025, ChatGPT has developed Ghibli-style photos which take about a few seconds to be created. Thereby, by infringing the Copyright of Studio Ghibli, as this Artificial Intelligence company has not taken any permission from the artist to use the copyrighted works to train Artificial Intelligence models like ChatGPT for developing Ghibli-style images, Artificial Intelligence companies continue to work in the grey area of laws. Further, the photos which are being shared on these platforms to create Ghibli style image are in fact not only collecting those photos but also metadata generated from these photos which are being stored under various clauses which more or less give them the right to perpetuality, royalty-free rights to use, reproduce or modify images for model training/fine- tuning/marketing even after one deletes their account. Perhaps, even contributing to the creation of one's deepfakes and one's biometrics, which can be used for any digital fraud. Therefore, this study will help in understanding not only what the Ghibli effect is but it's consequences on copyright owners who have to deal with the ever-growing Artificial Intelligence and the users of these AI technologies who face data privacy violation due to the sharing of one's photographs with such platforms just for fun or to get close to having self in the feeling of closeness to Studio Ghibli.

Keywords: Ghibli Art, Studio Ghibli, Ghibli Effect, Artificial Intelligence (AI), Chatgpt, Copyright, Biometrics, Deepfakes

NAVIGATING THE CHALLENGES OF IPR RELATING TO THE ONLINE GAMING INDUSTRIES: A STUDY

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With changing technology and innovation, the online gaming industry has a plethora of challenges to be met to include diversified business models. The complexity of applying intellectual property rights (IPR) in the online gaming sector is one of the main obstacles. There is a very thin line between uses which are legal and uses which are unauthorised, and to navigate this is a complicated piece of work. This research paper outlines the pivotal requirement for developing a diversified legal supporting structure which balances out the interests of all parties, encourages innovation and ensures fearless growth of the online gaming industry. The issues involve infringement of copyrights, trademark rights, publicity rights and the right infringement concerning new age technology such as blockchain. This research paper delves into the current application of IPR in online gaming and makes a comprehensive study of IPR in online gaming across various countries. This research paper also suggests the best practices which can be adopted by the online gaming industry to empower their legal framework in the field of IPR.

Keywords: Technology, Innovation, Blockchain, Copyrights, Trademarks

REGULATING ARTIFICIAL INTELLIGENCE IN INDIA: MAPPING THE LEGAL LANDSCAPE AND FUTURE PERSPECTIVES

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The emergence and usage of agentic AI in performing tasks involving life-or-death situations (autonomous vehicles) and social interactions (healthcare) have spurred discussions about the liability and regulation of AI technologies. The advent of generative AI has also shifted the AI discourse from productive assistants to weaponised tools of misinformation and scamming. India has introduced in the past various guidelines and national strategies for AI governance in the form of "soft law" regulations for fair and responsible use of AI, but it still lacks a robust "hard law" regulatory framework to govern its AI landscape. However, India is also building its own AI computing infrastructure for the digital economy under the 'Viksit Bharat 2047' mission. As the global AI regulatory landscape continues to evolve, AI regulations lack uniformity in approaches to regulating AI systems. International collaborative partnerships in adopting sophisticated regulatory measures are more effective than the post-hoc regulatory approach. This paper aims to provide a roadmap for a normative legal framework towards AI consisting of heterogeneous regulations. Hence, this paper will outline first the challenges and legal questions in the implementation of the legal and regulatory framework of AI in India. Second, it will examine the current soft law policies and hard law regulations for governance of AI and data protection at the global level. Third, it will address the challenges in regulating AI by analysing the models of law and regulation of AI in the wake of technological advancements. This paper employs a human-centric and ethical approach to advocate for an AI regulatory framework that focuses on identifying potential risks and addressing them before the problem arises. This paper is based on secondary literature. A review of legal statutes, academic writings, and various policy documents will be undertaken.

Keywords: Agentic AI, AI Regulation, Governance, Hard Law, Models of Law

TACKLING ONLINE CHILD SEXUAL ABUSE: LAW, CRIME, AND TECHNOLOGY

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The exponential growth of digital technologies has transformed the lives of children globally, including in India. Still, it has also intensified their exposure to unprecedented online threats such as Online Child Sexual Abuse (OCSA). This paper critically evaluates the legal, technological, and criminological dimensions of OCSA with a special focus on India. The research aims to (i) identify legislative and institutional gaps in tackling online sexual exploitation of children, (ii) analyse emerging technological tools and digital forensics used to prevent and detect such offences, and (iii) offer actionable policy recommendations for an integrated child online protection framework. A systematic literature review (SLR) followed the PRISMA (Preferred Reporting Items for Systematic Reviews and Meta-Analyses) guidelines. This involved a rigorous analysis of 18 peer-reviewed journal articles published between 2005 and 2024 across interdisciplinary databases, including Scopus, web of Science and PubMed. The inclusion criteria were studies explicitly dealing with online child sexual abuse, legal responses, forensic technology, and preventive digital education in India and globally. Exclusion criteria were non-peer-reviewed literature and studies not addressing children as the primary focus. The findings highlight a fragmented legal ecosystem in India, with overlapping yet insufficient laws such as the Information Technology Act, 2000 and the Protection of Children from Sexual Offences (POCSO) Act, 2012. While initiatives like the Indian Cyber Crime Coordination Centre (IC4), CERT-In, and NCPCR provide partial frameworks, operational challenges persist due to jurisdictional issues, lack of digital forensic infrastructure, and undertrained law enforcement. Further, the study emphasises how evolving forms of abuse like sextortion, deepfake pornography, and encrypted grooming demand adaptive legal and technological countermeasures. Based on the findings, the paper proposes the development of a national child cyber safety framework incorporating real-time data sharing between ISPs and law enforcement, compulsory digital literacy curricula in schools, and investment in AI-based content filtering systems for CSAM. Cross-border mutual legal assistance treaties (MLATs) and inter-agency cooperation are imperative to mitigate jurisdictional hurdles in online investigations.

Keywords: Online Child Sexual Abuse, Cyber Law, Digital Forensics, PRISMA Review, India, POCSO

AI-DRIVEN MASS SURVEILLANCE: BALANCING SECURITY AND PRIVACY IN THE DIGITAL AGE

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The rise of AI-powered mass surveillance has ushered in what Shoshana Zuboff terms the "age of surveillance capitalism," where vast data extraction enables predictive control over individuals and populations. AI-driven surveillance technologies have created an unprecedented tension between national security objectives and the erosion of civil liberties, raising critical questions about the future of privacy and democratic freedoms. While proponents argue that mass data collection and predictive analytics are essential for public safety, critics warn that these tools enable systemic discrimination and normalise Orwellian social control. This study critically examines the evolution of surveillance from George Orwell's dystopian "Big Brother" to today's algorithmic policing, as analysed by Elizabeth E. Joh, where automated suspicion and predictive analytics redefine law enforcement discretion. While such technologies enhance cybersecurity, they also institutionalise pervasive monitoring, eroding privacy and due process. The study's objective is twofold: (1) to assess the adequacy of data protection laws in constraining AI surveillance across democratic and authoritarian regimes. (2) To analyse how mass profiling perpetuates systemic biases, undermining equality and due process. The study employs a comparative legal analysis of data protection frameworks. Key findings reveal that AI surveillance, unlike Orwell's centralised "telescreens," operates through decentralised, corporate-state partnerships, obscuring accountability. Joh's work on "automated suspicion" underscores how algorithmic policing entrenches racial and socioeconomic disparities, while Zuboff's framework highlights the commodification of personal data. The study argues that without strict safeguards such as bans on real-time biometric tracking and adversarial testing of AI systems, surveillance technologies will exacerbate inequality under the guise of security. The implications extend beyond privacy, threatening democratic governance itself. Policymakers must reconcile cybersecurity needs with fundamental rights, resisting the normalisation of a "digital panopticon."

Keywords: AI surveillance, data protection laws, civil liberties, predictive policing, privacy erosion

TRADITIONAL KNOWLEDGE, HUMAN RIGHTS, AND INTELLECTUAL PROPERTY: RECONCILING CULTURAL HERITAGE WITH GLOBAL LEGAL FRAMEWORKS

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This research paper examines the protection of Indigenous peoples' traditional knowledge within the framework of international human rights law, with particular attention to the tensions created by intellectual property regimes and globalisation. Traditional knowledge, encompassing ecological practices, medicinal systems, and cultural expressions, is central to cultural identity and sustainable development, yet it remains highly vulnerable to exploitation, misappropriation, and biopiracy. International law has advanced recognition through instruments such as the United Nations Declaration on the Rights of Indigenous Peoples, ILO Convention No. 169, and ongoing negotiations within the World Intellectual Property Organisation, but these frameworks remain fragmented and limited in practice. The study combines doctrinal legal analysis with empirical research, including interviews with Indigenous knowledge holders and surveys with stakeholders. This mixed approach highlights the normative advances of international law alongside the lived experiences of communities facing barriers to participation, limited recognition of collective custodianship, and inequitable benefit-sharing. Findings reveal that intellectual property laws often conflict with Indigenous epistemologies, which emphasise collective responsibility and intergenerational transmission over individual ownership, creating a gap between legal standards and community realities. The paper argues that meaningful protection of traditional knowledge requires transformative reforms that integrate Indigenous knowledge systems into international governance, promote genuine participation, and establish fair benefit-sharing mechanisms. By grounding legal analysis in empirical evidence, the study contributes to broader debates on cultural heritage, human rights, and global justice, demonstrating that safeguarding traditional knowledge is essential not only for Indigenous survival but also for strengthening the legitimacy and universality of human rights law.

Keywords: Benefit-sharing, Cultural Heritage, Human Rights, Indigenous Peoples, Intellectual Property, Traditional Knowledge

IP COMMERCIALISATION AND TAXATION IN INDIA: ALIGNING DOMESTIC LAW WITH GLOBAL BEST PRACTICES

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In an innovation-driven global economy, the commercialisation of Intellectual Property (IP) has become of significant importance. It is no longer just a legal right- it is a tradable asset, which makes it significant for both business strategy as well as public policy. While India's National IPR policy, 2016, emphasises the importance of IP commercialisation, it remains silent on the crucial issue of taxation of such income arising from the commercialisation of IP, such as royalty, licensing fees, and capital gains. This omission poses an obstacle to the creation of a conducive environment for innovation and weakens India's position in the global knowledge economy. This article examines how income generated from the use or transfer of IP is taxed in India, and what reforms are necessary to align it with international best practices. Using a doctrinal and comparative methodology, the paper argues for clearer legislative provisions and potential policy interventions to foster a tax environment that is competitive and compliant. The findings reveal inconsistencies in the classification and treatment of royalty income under the Indian Income Tax Act, 1961, and also in the classification of income as royalty/business income and/or capital gains. This creates ambiguity for right holders and foreign investors. The article, thus, aims to analyse: (1) the axe treatment of Intellectual Property under the Income Tax Act, 1961, (2) IPR laws related to licensing and royalties, and investigating various inconsistencies between the IT Act, 1961, and IPR laws, (3) explore international best practices to harmonise IP Commercialisation and Taxation. By addressing these gaps, the study contributes to the broader discourse on IP and the global economy.

Keywords: Global Economy, IP Commercialisation, Licensing, Royalty, Taxation

SUB THEME 7

TECHNOLOGY, INNOVATION AND LEGAL ETHICS

REIMAGINING RULE OF LAW WITH JUSTICE DELIVERY THROUGH E-COURTS IN THE ERA OF TECHNOLOGY

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As courts around the world turn to technology to make justice more accessible, India's journey with e-Courts offers both promise and important lessons. Introduced under the National e-Governance Plan, the e-Courts project aims to bring speed, transparency, and efficiency into a system often burdened with delays and complexity. This paper explores how far we have come in making that vision a reality and what challenges still remain. Through a combination of legal analysis and real-world data from official portals and reports, we look at how e-Courts are working across different levels of the judiciary. While the digital shift has accelerated in recent years, especially during the pandemic, it has also exposed gaps: unequal digital access, a lack of training for stakeholders, and concerns about fairness in virtual hearings. We also explore how this change affects fundamental legal values like due process, responsibility and accountability, privacy, and the right to be heard. Drawing on international experiences, the paper reflects on what India can learn and contribute to the global conversation on digital justice. Our core argument is that the future of e-Courts lies not just in technology, but in how we use it to create a more inclusive and citizen-friendly system in addition to ensuring the rule of law. We offer some grounded suggestions for moving forward, through better infrastructure, user-centric design, and sustained digital literacy efforts.

Keywords: Access To Justice, Digital Courts, E-Governance, India, Judicial Reform, Technology and Law

TECHNOLOGY INNOVATION AND LEGAL ETHICS

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India today is at the intersection of technological change and the urgent imperative to ensure that there is responsible governance of innovation. The convergence of Artificial Intelligence, blockchain, fintech applications and digital services under initiatives like Digital India has revolutionised service delivery, commerce and access to justice. However, this technical revolution has also introduced complex questions about data privacy, cyber governance, accountability and the professional ethics of legal professionals. This paper aims to analyse the intersection of technology, innovation and legal ethics in India: first, to examine the adequacy of the present legal frameworks and professional codes of conduct to the disruption by technology; and second, to suggest reforms that balance innovation with constitutional values of justice, fairness and equality. Methodologically, the study takes a qualitative and comparative approach through statutory provisions, case law and Bar Council of India guidelines and draws parallels with global best practices from jurisdictions including the GDPR framework of the EU and the guidelines of the Solicitors Regulation Authority of the UK. Our findings suggest that although India has made laudable progress in scaling up digital governance, the legal profession is grappling with fundamental moral questions in how it will adapt to AI-driven legal tools, virtual courts, and digital documentation. There is an absence of clear professional standards for issues such as online interactions with clients, client confidentiality in cloud-based systems and use of predictive algorithms, which may undermine public confidence in the justice system. The paper concludes that effective ethical training for lawyers, regular bar council reform and alignment of Indian regulations with international norms are crucial to ensure that technological innovation is both an enabler of justice rather than an exploitant.

Keywords: Artificial Intelligence, Digital India, Data Protection, Legal Ethics, Technology Innovation, Indian Legal Framework

ARTIFICIAL INTELLIGENCE LIABILITY REGIME FOR SRI LANKA

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With this evolution of AI, the foremost legal issue will be attributing non-contractual civil liability. It is foreseeable that third-party claimants may face insurmountable obstacles when attempting to prove fault when it is difficult to attribute to a specific human error. There are only limited judicial authorities on the liability of AI. The Singapore International Commercial Court in B2C2 Limited v Quoine PTC Limited1 is a good precursor for identifying issues arising from AI systems. It was held that when an algorithm is programmed to make an offer based on the external data it receives, and another algorithm is programmed to accept an offer that falls within certain parameters based on its received data, there is a valid contract. Liability will be attributed in terms of this contract. Yet, in non-contractual liability issues, this analysis would not be valid to determine fault due to the legal matters highlighted by the European Expert Group on Liability3. In this context, this paper will comprehensively investigate the existing legal regimes for third-party liability to ascertain whether these could be adapted to AI. Thus, the two research questions that this paper will seek to answer are A. In a damage-causing incident involving an AI system, is there any legal regime to attribute civil liability in Sri Lanka? B. If not, what remedies or solutions can be recommended? The search methodology will be qualitative, based on primary sources. The primary sources that will be considered will be the Sri Lankan, European Union (due to "the Brussels effect", as demonstrated later in this paper) and United Kingdom (UK) Legislation and judicial decisions. Thus, the paper concludes on the premise that while existing legal regimes may provide a patchwork of regimes for imposing such liability, there is a pressing need to adopt a new and efficacious legal regime for AI. Therefore, the paper recommends introducing a new liability as in the 1 [2019] SGHC (I) 03 [142] 2. In paragraph 26 of the judgement 3 Expert Group on Liability and New Technologies – New Technologies Formation 'Liability for Artificial Intelligence', (European Union, 2019). regime for Sri Lanka based on strict liability and compulsory insurance. This paper will be the very first to consider this aspect in a Sri Lankan context.

Keywords: Artificial Intelligence, Compulsory Insurance, Fault-Based Liability, Product Liability, Strict Liability

GREEN TECHNOLOGY TRANSFER: A TUG OF WAR BETWEEN HUMANITARIAN AND ENTREPRENEURIAL BENEFIT

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Environmentally sound technologies are pivotal in decarbonising. Green technology transfer includes knowledge and skill sharing. But the flow of such green technology from developed nations to developing nations is a far cry from reality due to diverse factors, given the fact that these technologies provide a competitive advantage to the inventors. Intellectual property rights provide a temporary monopoly to the inventors to commercially exploit their inventions, which serves as an obstacle to technology transfer. Currently, these technology transfers are widely influenced by market mechanisms and foreign direct investments. This implies that green technology will reach only larger economies. Though International communities are striving towards promoting technology transfer, it often ends up in vain. The TRIPs Agreement provides that developed countries shall provide incentives to the institution that promote technology transfer to least developed countries. The United Nations' technology transfer mechanism, through its Climate Technology Centre and Network, endeavours to make policies to promote technology transfer. The paper would discuss the concept of green intellectual property and its impact on green innovation. Furthermore, the paper would employ doctrinal legal research methodology to analyse the existing International legal frameworks and initiatives by world organisations to promote green technology transfer and the shortcomings of these mechanisms in enforcing the frameworks. The paper would also critically analyse the interplay between the current Intellectual property regime and green technology transfer, and the conflict between entrepreneurial benefit and humanitarian benefit posed by the IP regime. And finally, the paper would suggest a balanced approach to the environment and intellectual property to align with the Sustainable Development Goals.

Keywords: Benefit Sharing, Environmental Sound Innovation, Green IP, Sustainable Development, Technology Transfer

THE DISPARITY BETWEEN TECHNOLOGICAL GROWTH AND EXISTING POVERTY: IT'S NEXUS AND IMPACTS – CRITICAL LEGAL ANALYSIS.

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The world is rapidly developing in technological aspects, resulting in mankind starting to play God. The technological breakthroughs can be phased out in order as follows: computers and phones, internet, blockchain, and currently AI. When computers and mobile phones came into existence, they worked as Web 1.0, later Web 2.0 and currently Web 3.0. Conversely, according to the United Nations global Multidimensional Poverty Index, 2024, 1.1 billion people are in poverty across 110 countries, approximately. Though there is a claim of poverty reduction all over the world, the method for calculating such data is using consumption rather than income. The actual poverty check comes from improvements in usage of tangible resources, the capability to face inflation, the access to facilities and services and the awareness. Now the world has started to digitalise every possible material and information into data, including currencies, using these technologies. The major issue that is addressed in this paper is how the governments of various countries are going to connect this virtually advanced digitised world to the easy access of people below the poverty line. The importance of this research paper is to unveil the difficulties in the mirage of a well-developed world and to bridge the gap using such technologies. There is a major gap in legalising and regulating all these developing technologies, which will also be dealt with. The paper will follow mixed-method research to generate the best feasible suggestions for bridging this gap for social justice and social distribution.

Keywords: Bridging, Legalisation, Poverty, Regulation, Technology

ADVENT OF ALGORITHMS AND THE TRANSFORMING DIGITAL COMPETITION LAW IN INDIA: A COMPARATIVE ANALYSIS WITH THE ANTI-MONOPOLY LAW IN CHINA

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The advent of algorithms in digital markets is catalysing multiple changes in e-commerce. They have become an agent of sea change in how businesses function intelligently, efficiently, and cost-effectively. Market enterprises rely on various kinds of algorithms to monitor data trajectories, consumer preferences, and price calibration. This has led to the empowerment of dominant enterprises in digital markets. Here, the dominance is for the market, and not just within the market. It is also alleged that the dominance of one enterprise may extend over multiple markets. The dominant enterprise can retain its foothold over a large volume of data and foreclose competition for new entrants, MSMEs, and start-ups, which may not be able to segway into the digital market, due to a lack of data, affordability, thereby making it difficult to compete against the algorithmic matrix employed by dominant enterprises. Competition law in India has concerned itself briefly with questions surrounding algorithmic collusion in a handful of cases. And the recent legal intervention is the draft digital competition bill, which is also under scholarly gaze for its potential to address the above challenges in the characteristic digital markets. This article analyses advancements in algorithms within the competition law framework in India. It also contrasts this with the competition law developments in this area with a contemporary jurisdiction like China, which has also recently tabled new approaches to its laws concerning monopolistic behaviour, including algorithms and technology. The study is crucial to understanding the interplay of algorithms within emerging digital competition law in fast-growing economies like India and China.

Keywords: Algorithms, Competition, Consumer Harm, Digital Competition, Digital Markets, Monopolistic Behaviour.

ARTIFICIAL INTELLIGENCE IN THE COURTROOM: EVALUATING PREDICTIVE JUSTICE THROUGH A LEGAL-ETHICAL LENS

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Predictive justice, driven by advancements in artificial intelligence (AI), represents a transformative shift in the legal system. This research paper explores the integration of AI technologies in judicial processes, highlighting the potential benefits, challenges, and ethical implications of AI-powered justice. Predictive justice seeks to improve the effectiveness, precision, and equity of court decisions by utilising machine learning algorithms and predictive analytics. The application of AI in the legal system has many benefits. Artificial intelligence (AI) systems are capable of analysing large volumes of legal data, prior case results, and pertinent statutes to give judges data-driven insights and suggestions. This can speed up court cases, cut down on backlogs, and guarantee more impartial and consistent decisions. Predictive justice can also help in mitigating discriminatory practices and promoting equality before the law. However, there are a lot of obstacles to overcome before AI is widely used in the judiciary. AI algorithms must be transparent and dependable. There is a risk of perpetuating existing biases if the data used to train these systems reflects historical inequalities. Ensuring that AI systems are interpretable and accountable is crucial to maintaining public trust and the legitimacy of judicial decisions. In conclusion, while predictive justice through AI-powered systems offers significant benefits, it is imperative to address the associated risks comprehensively. This research proposes a balanced approach, emphasising the need for continuous monitoring, ethical considerations, and legislative oversight to harness the potential of AI in enhancing justice while safeguarding fundamental legal principles.

Keywords: Predictive Justice, Judicial Ethics, Algorithmic Bias, Legal Uncertainty, Machine Learning

REGULATING ARTIFICIAL INTELLIGENCE: THE PRESSING NEED FOR A GLOBAL CONVERGENCE

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At times when the globe remains ruptured on every possible front of division, the advent of a highly advanced technology, Artificial Intelligence, with a deep potential to transform the existing global dynamics, is progressing at an exponential pace. The tech companies –old and new ones- are in their rocket race to ensure their presence and dominance through constant development and deployment of their AI products. Tech users are awestruck not only by the benefits the tech throws but also by the challenges associated. Nations worldwide are struggling to find ways to tackle the newer kind of problems thrown by AI and its ubiquitous applications. Whereas the Global North has been cautious and proactive in its efforts to address the issues through its legislative and administrative routes domestically, the Global South lags much behind. Awfully, there is not even clear consensus amongst the nation-states on principles and approaches towards regulating AI. The paper would explore these gaps and go on to establish the fundamental guiding principles that are required for setting the stage for a global convergence on this issue. The paper intends to identify and propose a range of options that are available to handle the issues safely and responsibly. The paper would go on to discuss the feasibility and suitability of each of the proposed options and evaluate them so as to arrive at an agreeable optimal solution. By highlighting the jurisdictional variances in the approach towards regulation, the paper will discuss the prospects for developing a universal collaboration for regulating AI at the global scale. Overall, the paper would serve as a blueprint for the nations to converge and take action to ensure progress in the most pressing legal issue of the contemporary era concerning the entire globe.

Keywords: Artificial Intelligence, AI Tech, Challenges, Global-Convergence, Regulation

INDIA'S MANDATORY CSR (SECTION 135): A LEGAL FRAMEWORK FOR CORPORATE ACCOUNTABILITY, SDG ALIGNMENT, AND GLOBAL LEGAL EDUCATION

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The global landscape of Corporate Social Responsibility (CSR) has historically favoured voluntary frameworks. India's Section 135 of the Companies Act, 2013, represents a significant jurisprudential departure, uniquely mandating a minimum of 2% of net profits for CSR expenditure. This legislative intervention, effective since 2014, positions India as a pioneering nation in legally enforceable CSR. This paper critically examines India's mandatory CSR regime, specifically: (1) Analyze the jurisprudence of Section 135, its statutory framework, and evolving enforcement, (2) Empirically assess its SDG alignment through recent spending data in CSR, (3) Articulate how this model signifies a potential legal shift in corporate law, providing key insights for legal education and corporate citizenship practices worldwide. The research employs a multi-faceted approach combining critical legal analysis of the Companies Act, 2013, and its CSR Rules, with an empirical review of FY 2023- 24 CSR spending data from listed Indian companies, complemented by qualitative analysis of selected case studies.

Keywords: Companies Act, Corporate Accountability, CSR, Enforcement, Jurisprudence, Legal Education, SDG Alignment

LEX CRYPTOGRAPHIA AND A NEW LEGAL ORDER: COMPARATIVE STUDY OF AI AND SMART CONTRACTS

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The growing use of artificial intelligence (AI) technology in law, especially in contract drafting and execution, has significantly disrupted the traditional concepts and principles that support contract law. The AI tools and blockchain-based smart contracts with autonomous systems spark questions regarding their compliance with the conventional contractual principles. In recent times, there has been a boom in Smart contracts being created and enforced in online transactions. This doctrinal research conducts an in-depth analysis of existing laws, pertinent judicial decisions and regulatory standards within the Indian legislation to evaluate the legal validity and enforceability of AI-generated smart contracts. Further, Comparative insights, i.e. the lessons from various jurisdictions with reference to legal approaches focusing on the UK, US, and Singapore, reveal varied responses to the challenge of AI and smart contracts. It is the need of the hour that India considers these implementations and shapes a legal reform regarding the AI- AI-generated smart contracts. India has the potential to become a global leader in the arena of AI and its application in different industries. The aim is to bring awareness about the law to boost technological innovation in the country and give India a strategic advantage in the global digital marketplace. The paper urges the lawmakers of India to frame sector-specific guidelines within confined legal boundaries. This research provides that timely intervention and awareness of the need for law are not mere social engineering tools for regulation, but rather a critical enhancer of innovation, trust and sustainable technological growth. India's interest is in aligning legal reforms with the practices in countries regarding AI and smart contracts.

Keywords: Artificial Intelligence, Smart Contract, Blockchain, Contract Law, Computer Programmes

QUANTUM UNCERTAINTY AND LEGAL PREPAREDNESS: RECASTING CAUSATION, LIABILITY, AND SECURITY FOR POST-QUANTUM RISK

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Quantum computing fundamentally disrupts established legal frameworks through probabilistic computational outcomes that destabilise traditional causation tests, while enabling "harvest-now-decrypt-later" attacks against current encryption that protects critical infrastructure. This research addresses the liability vacuum created by quantum computing's probabilistic nature. The analysis reveals three critical gaps requiring immediate doctrinal intervention. First, traditional causation tests fail when quantum computers produce unpredictable results, necessitating a Quantum Uncertainty Doctrine that substitutes calibrated probability thresholds for linear causation. Second, existing cybersecurity standards omit explicit deadlines for post-quantum cryptography adoption. We address this through a Quantum Preparedness Standard imposing anticipatory duties of care. Third, complex multilayer supply chains obscure responsibility for decoherence-induced failures, requiring a strict, tiered Quantum Interference Liability regime reallocating risks among hardware, firmware, and cloud service layers with clear indemnity structures. This liability architecture provides courts, regulators, and industry with actionable benchmarks for the quantum-advantage horizon. It deters regulatory paralysis while incentivising quantum transition budgeting and ensuring meaningful consumer redress. The framework offers a jurisdiction-agnostic model that helps legal systems keep pace with quantum engineering advances, protecting critical digital economies worldwide.

Keywords: Causation, Liability, Post-Quantum Security, Quantum Computing, Regulation, Uncertainty

SUB THEME 8

TRANSNATIONAL CORPORATE GOVERNANCE

TOWARDS AN INTERNATIONAL LABOUR REGIME: THE CHANGING NATURE OF LABOUR PRESCRIPTIVE IN THE ERA OF TRANSNATIONAL ALGORITHMIC MANAGEMENT OF WORK

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Labour arrangements are frequently regarded as localised activities under the jurisdiction of individual nations and regulated by sovereign legislation. The international dimensions of labour affairs have often been neglected by policymakers, labour attorneys, and legal scholars. However, the advent of globalised, platform-based employment models, coordinated and managed through transnational algorithms, has profoundly transformed traditional work structures and labour relations. This highlights the pressing need to address the increasing challenges associated with transnational labour issues amid automation, digitalisation, and the platformization of labour transactions in the global labour market. The present study seeks to elucidate the distinctive characteristics of the platform model of work arrangements, marked by flexibility, remoteness, and virtuality - such as the multi- and extra-territorial nature of the involved parties, the virtual multinational establishment of platform entities, and the uncertainty and shifting domicile of those engaged in platform-based labour transactions. Furthermore, the study demonstrates that the existing theoretical framework of employment within international law is insufficient to address the complex interrelations among the globalised market economy, global employment arrangements, and international employment law. Consequently, the study underscores the necessity of establishing a unified legal framework influenced by the fair work agenda to govern the labour affairs of digital labour platforms and to promote decent work in the age of transnational algorithmic management integrated with automated intelligence systems. To achieve this, the study employs a socio-technological approach, grounded in the theoretical foundations of utilitarianism and deontology.

Keywords: Automation, Algorithmic Management of Work, Digitalisation, Phantomization

LEGAL RECOGNITION OF CORPORATE SOCIAL RESPONSIBILITY (CSR) IN SRI LANKA: LESSONS FROM INDIA'S LEGISLATION FOR SRI LANKAN ECO BUSINESS MANAGEMENT.

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Corporate Social Responsibility (CSR) holds significant importance in Sri Lanka, serving as a vital mechanism for businesses to contribute positively to societal development. Corporate Social Responsibility (CSR) is a business model where companies integrate social, environmental, and ethical considerations into their operations and interactions with stakeholders. The purpose of this paper is to examine how eco-business management strategies enhance corporate social responsibility (CSR) initiatives by engaging stakeholders, fostering sustainable practices, and promoting accountability within organisations for long-term social and environmental benefits. Sri Lanka currently lacks a dedicated legal framework for governing Corporate Social Responsibility (CSR), with no specific laws or regulations mandating CSR activities for companies under the Companies Act, 2007. It also prompts an exploration of the broader implications of these differences on corporate behaviour and societal outcomes. This research highlights the need for companies to adopt eco-business strategies that prioritise stakeholder engagement to drive meaningful change and foster a sustainable future. The methodology involves analysing doctrinal legal research, existing literature reviews, and courts' interpretations to review the importance of doing eco-business management through corporate social responsibility. Results indicate that companies integrating eco-business practices into their core operations witness heightened stakeholder engagement, which subsequently drives the success of CSR initiatives. In this discussion, the researcher tries to showcase gaining effective eco-business management by establishing a Triple Bottom Line (TBL) entire management system. Also, the researcher critically evaluates the corporate social responsibility of companies with the Competitive Argument, Capability Argument, and the Self-Interest Argument to explore an efficient eco-business platform on this Mother Earth within the analysis of suitable case laws, which are decided in Sri Lanka and other jurisdictions.

Keywords: Company, CSR, Environment, Management, Sustainable Development, Triple Bottom Line

LEGAL INTERPLAY BETWEEN INVESTMENT AND CORPORATE GOVERNANCE

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The legal interplay between investment and corporate governance fundamentally concerns how legal structures and regulations frame the relationships between investors, managers, and other stakeholders to influence firm behaviour, capital allocation, and ultimately, economic performance. The globalisation of capital markets adds layers of complexity to the legal interplay, necessitating cross-border regulatory harmonisation to facilitate capital flows and corporate mobility. The main objective of the article is to critically analyse the connection between corporate governance and the investment laws of a country, which reflects on the national economy. This interplay is pivotal because effective corporate governance mechanisms have an impact on investor confidence, which is necessary for attracting and sustaining investment. The research gap of the article lies between the critical understanding of how the quality of enforcement modulates the effectiveness of governance laws, rules, and regulations in shaping investment and investment strategies. This research methodology, combining doctrinal legal analysis and cross-country comparison, provides a framework to examine how legal frameworks condition corporate governance mechanisms and investment efficiency. The coherent, creative effective management improves investor confidence and motivates investors to contribute regularly, which gives a perpetual rise in the investment arena.

Keywords: Cross-Border Regulations, Corporate Governance, Investment, Management, Regulations

SUB THEME 9
GLOBAL LEGAL EDUCATION AND KNOWLEDGE EXCHANGE

APPROACHES AND CHALLENGES IN TEACHING ENGLISH AND POLITICAL SCIENCE IN A FIVE-YEAR LAW COURSE OFFERED BY SAVITRIBAI PHULE PUNE UNIVERSITY

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In India, undergraduate law courses are offered in two ways: as a three-year course after basic graduation and as an integrated five-year course, mainly as BA LLB. The nature of Legal Education is inherently multidisciplinary in the sense that Legal studies ground themselves in the concepts and skills that are rooted in allied subjects like Political Science, Sociology, Language and Linguistics, etc. Five-year integrated courses are designed in such a way that a part of the total course comprises teaching and learning of the allied subjects with special reference to law. The researchers in the present paper take a stock of this multidisciplinary approach to Law by referring to the subjects of Political Science and English as a part of the curriculum of the five-year law course offered by Savitribai Phule Pune University, Pune, India. The present paper sheds light on the objectives, teaching methods, methods of evaluation, and challenges of delivering these subjects to undergraduate law students, thereby underlining the inherent interdisciplinary nature of Law and Legal Education. While the courses in Political Science introduce the fundamental ideas used in Law, such as State, Power, and Governance, courses in English, which is the official language of Courts in India, aim at developing linguistic competence, as we all the skill of reasoning and argumentation. Delivering such courses by establishing their relevance for the Law students has its unique challenges and requires developing a special pedagogy. The paper also briefly touches on further challenges posed by the advent of AI.

Keywords: Curriculum Development, ELLT and ESP, Legal Education, Multidisciplinary Approach, Political Science

IMPLEMENTING GIBBS' REFLECTIVE CYCLE IN CRIMINAL LAW EDUCATION: LESSONS FROM SOUTH AFRICA FOR SRI LANKA

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Clinical Legal Education (CLE) is increasingly recognised as vital for bridging theoretical criminal law education and practical criminal justice skills. Structured reflective practice, particularly Gibbs' Reflective Cycle, has proven effective in enhancing students' critical thinking, empathy, ethical reasoning, and understanding of criminal justice administration. Against this backdrop, this research evaluates the extent to which the integration of Gibbs' Reflective Cycle into criminal law clinics impacts student learning and professional development in criminal justice. The research objectives are to examine the effectiveness of Gibbs' Reflective Cycle in criminal law clinics, explore best practices from South African CLE programmes integrating reflective methodologies and recommend practical measures for integrating structured reflection into Sri Lankan CLE. This paper adopts a qualitative method based on primary and secondary resources to achieve these purposes. It is discovered that reflective learning using Gibbs' cycle significantly improves law students' understanding of criminal justice processes, ethical considerations, and practical lawyering skills. Students demonstrate deeper engagement with criminal law principles, better empathy towards clients, and heightened ethical awareness, directly enhancing their readiness for criminal justice practice. South African studies reinforce that structured reflection strategically advances legal literacy, social justice advocacy, and critical thinking in criminal justice education. Accordingly, it is concluded that Gibbs' Reflective Cycle in Sri Lankan criminal law clinics promises significant educational and professional benefits, creating more reflective, ethically grounded, and justice-oriented practitioners.

Keywords: Clinical Legal Education, Criminal Justice, Gibbs' Reflective Cycle, South Africa, Sri Lanka

RE-IMAGINING ACADEMIC FREEDOM: LAW, POLITICS, AND THE FUTURE OF HIGHER EDUCATION

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Academic freedom, historically conceived as a cornerstone of intellectual inquiry and university autonomy, is undergoing a profound transformation in the twenty-first century. Legal frameworks, political pressures, and global educational reforms are reshaping how scholars, institutions, and states negotiate the boundaries of free thought and expression. This paper critically examines academic freedom through a multidisciplinary legal lens, situating it at the intersection of constitutional protections, international human rights law, and contemporary political realities. Drawing on comparative perspectives, the paper highlights how diverse jurisdictions - from liberal democracies to authoritarian regimes - have adapted or curtailed academic freedom in response to changing governance priorities, market-driven education models, and digital surveillance. Particular attention is given to the Indian context, where state interventions, regulatory controls, and the evolving National Education Policy increasingly test constitutional guarantees. The analysis argues that academic freedom must be reconceptualised not merely as a privilege of universities but as an essential component of democratic resilience and social progress. By engaging with global jurisprudence, international indices, and policy debates, the paper seeks to propose a model framework for safeguarding academic freedom that balances institutional autonomy, scholarly independence, and accountability. Ultimately, it reimagines academic freedom as a future-oriented legal and political project vital to the survival of higher education and democracy itself.

Keywords: Academic Freedom, Higher Education, Constitutional Law, Human Rights, International Law, University Autonomy, National Education Policy, Comparative Perspectives, Democracy, Legal Reform

SUB THEME 10

INTERNATIONAL CRIMINAL LAW AND ACCOUNTABILITY

CHILD SOLDIERS AND INTERNATIONAL CRIMINAL RESPONSIBILITY: RECONCILING JUSTICE WITH REHABILITATION IN INTERNATIONAL LAW

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Child soldiering remains a pressing and pervasive issue in contemporary armed conflicts, particularly within developing countries burdened by political fragility, economic instability, and social unrest. With an estimated 300,000 children currently participating in state and non-state military forces and this phenomenon has contributed to egregious human rights violations, including acts of violence committed by the children themselves. While International legal norms increasingly condemn the recruitment and use of child soldiers, a critical gap persists concerning their criminal accountability. Specifically, International law lacks a coherent and universally accepted framework to determine whether, and under what conditions, children involved in armed conflict should be prosecuted for serious international crimes such as war crimes, genocide, and crimes against humanity. The paper highlights two principal challenges in attributing criminal responsibility to child soldiers: the developmental variability in acquiring *mens rea*, and the absence of a universally recognised minimum age of criminal responsibility under international law. The findings expose a significant lacuna in the global legal framework, revealing that while international law implicitly leans toward rehabilitation, it lacks explicit procedural and normative guidance. The paper concludes that child soldiers should be treated primarily as victims of exploitation. It advocates for a child-centred approach grounded in restorative justice, emphasising rehabilitation and reintegration over prosecution as more consistent with International legal standards and the broader aims of transitional justice.

Keywords: Child Soldiers, Criminal Responsibility, International Criminal Law, Rehabilitation

ANALYSIS OF THE INTERNATIONAL LAW RELATING TO HUMAN TRAFFICKING FOR CYBERCRIMES

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In recent years, economic hardship and political instability, especially in developing countries, have led to a significant rise in global migration. In this context, many skilled workers, lacking awareness and reliable networks, have become targets of black-market recruitment agencies. As a result, new forms of exploitation have emerged. Mainly with the advancement of technology, human trafficking has evolved beyond traditional forms and now includes exploitation for cybercrime operations, a modern form of slavery. Victims of human trafficking are often forced into carrying out criminal activities which have international consequences, such as online fraud, scams, and other illicit digital activities. However, the prevailing traditional laws focused on human trafficking have often been criticised as it is insufficient to address the modern challenges presented by human trafficking, which have international consequences. This paper analyses the international legal framework addressing human trafficking for cybercrimes and highlights the insufficiency of national legislation to combat this complex and global issue. It argues that relying solely on governmental regulation, including the monitoring of social media platforms, is inadequate. Further, the critical analysis of international law proves that there is no widely encompassing international agreement that applies to human trafficking intended to carry out cybercrimes. Therefore, in order to effectively combat this emerging threat, the study emphasises the need to identify root causes and adopt a multidisciplinary and international approach.

Keywords: Human Trafficking, Cybercrime, International Law, Exploitation, Modern Slavery

POST–WAR ACCOUNTABILITY AND HUMANITARIAN OBLIGATIONS: THE ROLE OF TRANSITIONAL LAW IN SRI LANKA

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The prolonged non-international armed conflict in Sri Lanka has left intense humanitarian and legal challenges necessitating a meticulous exploration of the role of transitional law in shaping the humanitarian response of the country. Transitional law frameworks, encompassing truth, accountability, reparations and guarantees of non-recurrence, are integral to post-conflict societies seeking to address the consequences of grievous atrocities. However, the incorporation of transitional legal principles into the humanitarian response has been sporadic and contested, leading to concerns about compliance alongside international legal standards and the realisation of the rights of victims. The research critically examines the extent to which transitional law has leverage the humanitarian response of Sri Lanka to conflict-affiliated atrocities. The study seeks to (1) assess the use of transitional law in humanitarian responses, (2) evaluate its compatibility with domestic frameworks, and (3) propose reforms for improved legal and policy integration in Sri Lanka. Adopting a doctrinal legal methodology complemented by qualitative analysis of case studies, this research scrutinises compatible legislations, policy instruments and institutional practices. It interrogates the efficiency of transitional legal norms in enhancing victims' rights to truth, justice and reparation and identifies the underlying legal and political challenges hindering their implementation. The key argument advanced is that while transitional law ensures a reliable normative framework for post-conflict humanitarian responses, the approach of Sri Lanka remains fragmented and inconsistent, impeding meaningful redress and the restoration of dignity to victims. This research indicates that inadequate efforts to integrate transitional legal principles into humanitarian response mechanisms exacerbate victim marginalisation and perpetuate impunity. The implications of this research present insights into the role of transitional law in conflict-affected societies and suggest legal measures essential for victim-centred, rights-based humanitarian response.

Keywords: Accountability, Humanitarian Law, Transitional Law, Victims' Rights

SUB THEME 11

CULTURAL HERITAGE, LAW AND GLOBALIZATION

A CRITICAL ANALYSIS OF CULTURAL HERITAGE, LAW AND GLOBALISATION IN THE NORTH-EAST STATE OF INDIA WITH A SPECIAL FOCUS ON MANIPUR

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This research entitled, **"**A Critical Analysis on Cultural Heritage, Law and Globalization in the North-East State of India with a special Focus on Manipur" under the main theme- Multidisciplinary Perspectives on Law and Contemporary Challenges and the indicative sub-theme- Cultural Heritage, Law, and Globalization is a work which analyses the changes that have been brought about by the globalization in the field of cultural heritage and law with a special focus on Manipur State. Every region or place has its own original culture and tradition, which are entangled as cultural heritage. The north-east part of India is particularly famous for its socio-cultural diversity. It comprises of the states namely: Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, and Tripura. The north-eastern region of India is the place of various ethnic groups with numerous cultural heritage sites, and in many other unknown heritage areas still not identified from the prehistoric era, having their own uniqueness. The research adopts the mixed-methods approach, combining empirical and doctrinal analysis along with the exploratory method using the secondary sources of data, collaborating with some primary data. Again, it is true from the findings that the 'Law', with its implementation considering various factors of globalisation and sustainable development goals, the cultural heritage of the State can be preserved from extinction and deterioration. The study tries to enhance and harmonise the customary law and the new policies, including the trade policies, in an approach to solve the issues related to globalisation and the law to protect the cultural heritage.

Keywords: Culture, Cultural Heritage, Globalisation, International Law, Manipur, Municipal Law

INTANGIBLE CULTURAL HERITAGE AND THE LAW: GLOBAL CHALLENGES AND LOCAL SOLUTIONS

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Intangible Cultural Heritage (ICH) - which includes oral traditions, ceremonial practices, traditional performing arts, community knowledge systems, and indigenous customs - embodies the living memory and identity of cultures globally**.** In the era of globalisation, ICH faces increasing threats from cultural homogenization, misappropriation, and commercial exploitation. Due to its dynamic, collectively owned, and culturally embedded nature, standard legal systems often fall short in offering effective protection. This research critically reassesses both international and domestic legal approaches to ICH safeguarding. The study aims to: (1) Analyze key international instruments for ICH protection, (2) Examine national and community-level legal mechanisms safeguarding cultural practices, (3) Identify overlaps, contradictions, and legal gaps across these systems, and (4) Propose locally grounded yet globally coherent legal solutions for sustainable ICH preservation.

Keywords: Intangible Cultural Heritage (ICH), Globalisation, Legal Frameworks, Community Participation, Cultural Sustainability

CLIMATE-INDUCED LOSS OF CULTURAL HERITAGE SITES: EVALUATING STATE ACCOUNTABILITY UNDER THE WORLD HERITAGE CONVENTION AND THE PARIS AGREEMENT

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The intensification of climate change has brought about rising sea levels, unprecedented flooding, and extreme weather phenomena, thereby presenting an existential threat to culturally significant heritage sites. This is soberingly exemplified by the inundation risks presently being faced by Venice, the erosion of archaeological sites in Micronesia, and flooding at the *Sundarban* mangrove forests. International instruments, notably the *World Heritage Convention* (1972) and the *Paris Agreement* (2015), do impose obligations on states to preserve heritage assets and mitigate climate impacts, respectively. The paper begins by contextualising the social importance of heritage sites to indigenous communities and the ramifications of the former's destruction upon the latter. Thereafter, it is sought to critically examine the specific legal obligations states hold under both of the aforementioned instruments. Interpretative ambiguities surrounding preventive duties and remedial responsibilities toward climate-induced damage are observed as a result. Subsequently, the paper evaluates whether current provisions thereunder are sufficient or require amendments to establish clearer thresholds for state liability. Further, the viability of three currently prevailing remedies is analysed, namely, financial reparations, heritage-focused adaptation funding, and collaborative transnational conservation initiatives. Lastly, the paper endeavours to synthesise ascertained findings to propose a normative model of state accountability that is culturally sensitive, precise, and operationally enforceable.

Keywords*:* Climate Change, Climate-Induced Damage, Heritage Sites, International Instruments, State Accountability

PRESERVING CULTURAL HERITAGE IN A GLOBALISED WORLD: A MULTIDISCIPLINARY LEGAL APPROACH

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In today's interconnected world, globalisation has significantly impacted cultural identities, traditions, and heritage. While it has opened avenues for cultural exchange and economic development, it has also posed serious challenges to the preservation and protection of cultural heritage. This paper explores the intersection of cultural heritage, law, and globalisation through a multidisciplinary lens which brings together insights from international law, anthropology, history, and global policy. The study investigates how legal frameworks at national and international levels address the protection of tangible and intangible cultural assets, especially in the face of global trade, digitalisation, and tourism. It also highlights the threats posed by illicit trafficking of cultural property, exploitation of indigenous knowledge, and cultural homogenization. Using recent case studies and international conventions such as the UNESCO World Heritage Convention and the 2003 Convention on Intangible Cultural Heritage, the paper analyzes gaps in enforcement, colonial legacies in repatriation debates, and the role of state and non-state actors in cultural governance. The research further examines how legal reforms and international cooperation can be strengthened to strike a balance between cultural preservation and global development. By adopting a multidisciplinary approach, this paper underscores the need for culturally sensitive, legally sound, and globally coordinated policies to safeguard cultural heritage for future generations. It calls for harmonised legal instruments that respect diversity while adapting to the realities of globalisation.

Keywords: Globalisation, Cultural Heritage, International Law, Intangible Cultural Heritage, UNESCO Conventions, Cultural Identity, Cultural Governance, Indigenous Knowledge

SUB THEME 12
MODERN TREND IN CRIMINAL JUSTICE

JUSTICE AND RETRIBUTIVE JUSTICE: TOWARDS A HYBRID MODEL IN THE CRIMINAL JUSTICE SYSTEM

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The criminal justice system is historically rooted in a predominantly retributive framework, which focuses on punishment for the crime, deterrence, and imposition of the penalty proportionate to the crime committed. While this approach aims to uphold public order and assign culpability, this traditional approach often overlooks the cause of a crime, victims' needs, and the need to create a reformative approach in society. In contrast to this theory, restorative justice offers a paradigm which focuses on repairing the harm caused, fostering a dialogue between the offender and the victim, and promoting reintegration through accountability and reintegration. This abstract emphasises that a purely retributive model fails to achieve holistic justice and proposes the need for a balanced model that circumspectly integrates principles from both restorative and retributive philosophies, which would ensure a more thoughtful mode of serving justice in society, thereby eliminating the root cause of the crime rather than cutting it from the edges. The integration of such a model would complement the capacity of the retributive system to uphold the rule of law and ensure accountability for offences of a serious nature, thereby keeping the societal interest on a larger pedestal while simultaneously incorporating restorative practices like victim-offender mediation, compounding of offences, and other practices. The main aim of the model is to address the psychological and procedural harm experienced by victims during the process of justice and facilitate the rehabilitation of the offender. This model seems more functional as it will reduce the pendency of cases, and the criminal justice system can move towards a more balanced approach, which is socially beneficial and would ultimately enhance the efficacy and legitimacy of justice delivery across the nation.

Keywords*:* Restorative Justice, Retributive Justice, Victim-Centric Approach, Criminal Justice Reform

EFFECTIVENESS OF CRIME PREVENTION POLICIES AND STRATEGIES: A COMPARATIVE ANALYSIS.

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Crime is becoming a major social problem in Sri Lanka; therefore, implementing precautionary measures to minimise crime rates in society is pivotal to preserving its well-being. Different categories of crimes are reported to the Sri Lanka Police, and based on the seriousness of those crimes, they are further categorised into different categories. The most serious crimes are known as grave crimes, and those can be further divided into twenty-six categories. According to the grave crime abstract that was published by the Sri Lankan Police for the year 2023, it includes several crimes such as house breaking, rape, robbery, etc. The surge in crime has rigorously shaken the daily life of the people. As a consequence, society has a lack of opportunity to spend time in peace. Generally, crime prevention takes place before the operation of the formal justice system. There are several strategies and policies included in crime Prevention measures, which work on reducing crime rates and probable detrimental impacts on both individuals and society. The scope of this paper encompasses qualitative research of a doctrinal and comparative nature. There are a number of strategies and policies involved in crime prevention in Sri Lanka. This paper mainly focuses on discussing the effectiveness of those policies and strategies based on the impact of those measures on reducing crime rates and improving community trust in law enforcement while providing a comparative analysis with United Kingdom (UK) and United States of America (USA) jurisdictions by searching areas of modern trends and success to identify potential improvements that can be incorporated into the Sri Lankan context because crime prevention measures play a vital role in law enforcement efforts and the operation of law enforcement agencies, including police and courts, in order to protect society.

Keywords: Crime Prevention, Modern Trends, United Kingdom, United States of America, Strategies

LIFE WITHOUT PAROLE: A HUMANE ALTERNATIVE TO CAPITAL PUNISHMENT

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Civilisation is the basis of human coexistence, regulated by standard rules, values, and laws that promote harmony and progress. Within this framework, crime or offence emerges as a violation of these accepted standards, posing a threat to both individual and social well-being. Punishment is a societal response to crime, intended to deter wrongdoing, reform criminals, and uphold justice. The death penalty has traditionally signified society's more difficult retribution for its most serious offences. However, as the world grapples with the moral and practical consequences of ending life for justice, Life Imprisonment Without Parole (LWOP) has emerged as a viable option that preserves both justice and humanity. The Hon'ble Apex Court of India and other countries like the United States and Europe, in their landmark judgments like *Bachan Singh v State of Punjab* in India, *Furman v Georgia* in the United States, and *Vinter and Others v the United Kingdom* in Europe, highlight the evolving legal recognition of LWOP. These decisions reflect a broader shift towards sentencing regimes that prioritise fairness and dignity above irreversible punishment. Employing a comparative legal framework, the research incorporates findings from doctrinal studies, Human Rights Conventions, and Policy assessments to demonstrate how LWOP accords with a more humane conception of justice. It explores the sentencing model's practical merits, such as its potential to decrease expenses, prevent erroneous executions, and preserve rehabilitation objectives. This study analyses LWOP as a compassionate alternative to death punishment, emphasising its ability to provide responsibility while honouring the sanctity of life. By focusing on humanity in legal systems, centering humanity in legal systems, we can move closer to a vision of justice that reflects our highest ideals, protecting society while preserving the dignity of all its members.

Keywords: Capital Punishment, Human Rights, Judicial Reforms, Life Imprisonment without Parole, Penal Reforms

REVISITING THE DEATH PENALTY IN LIGHT OF THE NEW CRIMINAL LAWS IN INDIA

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The death penalty has been a matter of debate for decades, leaving abolitionists and retentionists sharply divided. It was once again in debate prior to the enactment of the Bhartiya Nyaya Sanhita, 2023 ("BNS") in India. Interestingly, the BNS has increased the number of offences punishable with death but has not prescribed a single offence for which death is the only punishment. It is pertinent to note that the legislature has consistently prescribed the death penalty for very few offences, and the judiciary has even more sparingly inflicted the death penalty. It is only in the case of certain heinous crimes that the death penalty is, in fact, inflicted and executed. While the judiciary developed the '*rarest of rare*' doctrine for inflicting the death penalty, it has continued to uphold the constitutional validity of the same. The judiciary has examined and ruled on various aspects such as the constitutional validity of the death penalty and sentencing procedure, the effect of delay in execution of death sentences, the constitutional validity of the mode of execution of the death penalty, viz., hanging, and the right to human dignity at all stages of the criminal trial, including post-sentencing. Many of these judicial decisions are several decades old, but continue to hold the field. At first glance, the legislative and judicial approach towards the death penalty may appear confusing because, on one hand, the death penalty continues to be retained. Still, on the other hand, it is sparingly inflicted and executed. However, this delicate balance needs to be retained because it is not only the rights of the convicts but also the rights of the victims and society at large that have to be borne in mind.

Keywords: Death Penalty, India, Judiciary, Rarest of Rare, Victims' Rights

ENSURING ADMISSIBILITY OF DIGITAL EVIDENCE: STRENGTHENING FORENSIC PROTOCOLS IN INDIAN CRIMINAL INVESTIGATION.

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As criminal activities increasingly adopt digital forms, the role of digital forensics in criminal investigations has become vital. The ability to extract, analyse, and preserve digital evidence from devices and networks significantly impacts case outcomes, especially in crimes involving cyberstalking, financial fraud, and electronic communication. This paper aims to examine the current practices and challenges associated with digital forensic investigations in India. It evaluates the reliability, admissibility, and legal treatment of digital evidence, with an emphasis on enhancing procedural integrity and evidentiary value within the criminal justice system. Using a doctrinal research method, the paper critically analyses Indian legal provisions, including the Information Technology Act, 2000, and relevant sections under the Bharatiya Nagarik Suraksha Sanhita (BNSS). The study also incorporates selected judicial decisions and real-world case studies to highlight both successes and deficiencies in forensic practice. While tools such as Cellebrite, Magnet AXIOM, and EnCase are increasingly used, law enforcement agencies face gaps in training, infrastructure, and adherence to chain of custody protocols. Courts, too, vary in their understanding and acceptance of complex digital evidence, affecting fair trial standards. The paper recommends a multi-pronged approach: forensic training for police and prosecutors, judicial sensitisation, establishment of certified labs, and a standardised protocol for handling digital evidence. Such reforms are critical to ensure that digital forensics becomes a reliable pillar of modern criminal investigation, upholding both justice and due process.

Keywords: Admissibility, Chain of Custody, Digital Forensics, Evidence Integrity, Indian Law

SUB THEME 13
RULE OF LAW, JUDICIAL REVIEW AND GOVERNANCE

UNIFIED POLICY FRAMEWORK FOR HEALTHY AGEING: A CAPABILITIES APPROACH

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The world is witnessing a demographic transition; people are living longer globally. As per the population forecast for the year 2030, one in every six people will be aged above 60 years. This demographic shift, if not addressed, is poised to bring in multiple challenges across the globe in terms of the distribution of welfare measures, resulting in delayed developmental milestones, leading to a grave human rights crisis. It is to be recalled that the majority of the Indian population is self-employed, and they continue to work beyond the stipulated retirement age of 60 years. The shift in the family system from the traditional joint family to the nuclear family has led to intergenerational conflict, resulting in the elderly feeling isolated and lonely. This, coupled with poverty and other socio-economic crises, has made the lives of the elderly very vulnerable. Hence, it is a mandate that every Welfare State needs to address the growing concerns of population ageing. This paper focusses on the demographic transition of the population, the living condition of the elderly, the challenges faced by elderly, the necessity to recognize the capabilities and the need to capitalize the potential of the elderly, the remedial measures to counter the negative impact of population ageing and also on the necessity to positively capitalize the capabilities, expertise and the experience that the elderly possess and strongly advocates the need for a centralized policy frame work.

Keywords: Population Ageing, Demographic Transition, Individual Dignity, Unified Policy Framework

NAVIGATING THE INTERSECTION: RULE OF LAW AND ARTIFICIAL INTELLIGENCE

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The study of law and information technology comes with an inherent dichotomy in that technology develops rapidly and embraces notions like globalisation, whereas traditional law, for the most part, can be slow to react to technological advances and is mostly confined to national boundaries. This study investigates the changing dynamics between established legal principles and technological advancement, specifically the redefinition of concepts such as transparency, accountability, and due process, and to what extent they affect the principle of the rule of law. The present work is purely doctrinal, based on primary and secondary sources. The researchers attempt a content analysis to study the nexus between the rule of law and artificial intelligence. The 'black box' dilemma and the general lack of understanding of automated decision-making pose several challenges to the application of the rule of law. In the absence of an open and accountable decision-making process, decisions may be influenced by systemic biases. The advantages of AI applications may widen the digital gap, impacting equality. It is envisaged that all organisations may establish strategies to mitigate the digital gap with the aid of the Rule of Law. The researchers have confined their study to a doctrinal method, highlighting the recent developments under international law concerning AI and the rule of law with special reference to India.

Keywords: Accountability, Artificial Intelligence, Digital Divide, Equality, Rule of Law

IMPACT OF BULLDOZER JUSTICE ON CONSTITUTIONAL IDENTITY AND A STUDY OF INDIAN SUPREME COURT GUIDELINES

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This research paper examines the recent and tragic phenomenon of "Bulldozer Justice," a term used for extrajudicial action where properties are demolished without adherence to any due process of law, which is often linked to alleged criminal activities of persons. This paper focuses on the impact of this practice on fundamental rights guaranteed by the Indian Constitution, specifically the right to equality (Article 14) and the right to life & liberty (Article 21), by observing the cases of Jahangirpuri and Prayagraj demolitions in 2022. It also covers the relevance of Article 300A of the Indian Constitution in the current situation relating to property rights. It explores how this phenomenon challenges the rule of law, corrodes public trust in the Indian judicial system, and has substantial social and economic consequences for affected individuals and communities. It examines the role of higher courts in mitigating the negative impacts of "Bulldozer Justice." It critically reviews the recent guidelines issued by the Honourable Supreme Court of India under Article 142 of the Indian Constitution in November 2024. It covers the effectiveness of new guidelines at a more significant level and identifies the gaps and limitations in the current framework. The research paper proposes recommendations for strengthening these guidelines and stricter penalties for violations. Further, the paper explores the implications of "Bulldozer Justice" in the context of international human rights standards and maintaining the rule of law. However, this research paper aims to contribute to a deeper understanding of this issue from the perspective of constitutional law and the need for advocacy for a more active and equitable approach to law enforcement in India.

Keywords: Bulldozer Justice, Fundamental Rights, Extrajudicial Demolition, Judicial Review, International Human Rights Law

REVISITING THE SPIRIT OF MAKING THE CONSTITUTION OF INDIA A CONTENT ANALYSIS IN THE POSTMODERN ERA

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The metaphor 'Revisiting the spirit of making the Constitution of India' refers to empowering "We, the people of India, having solemnly resolved to constitute India into…." and vesting the Constituent power of the people of India in Article 368 to amend and modify within the 'Basic Structure Principles', through the independent Supreme Court's power as envisioned in Article 145, in consonance with the external and internal environment. The sustenance of the Political system against the odds of time and global challenges is possible only by adapting itself to the changing needs of the nation to respond to the domestic and global challenges. The second method is the 'Meaning Making' method, which is vested with the constitutional bench of the Supreme Court under Article 145, wherein, by way of 'Deconstruction of the meta-narratives', so as to allow the winds of transformation to flow into the Constitution by the Meaning Making method. This article attempts to navigate through the constitutional amendments and the Supreme Court's Constitutional Bench judgments that deconstruct the existing metanarratives by constructing the Constitution in consonance with the spirit of Liberalisation, Privatisation and Globalisation (LPG) ideology. Further traversing into research attempts to analyse the Constitutional amendments and judgments on those articles by applying mixed Research Methodology combined with Content Analysis that emulates a comprehensive and nuanced understanding of the topic.

Keywords: Indian Constitution, Meta or Grand Narratives, Post Modernism Deconstruction of Meta Narratives, Amendment & Meaning Making Method

NAVIGATING JURISDICTIONAL BOUNDARIES BETWEEN THE NCLT AND THE ENFORCEMENT DIRECTORATE: A LEGAL AND INSTITUTIONAL ANALYSIS

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This article delves into the evolving and complex interplay between the Insolvency and Bankruptcy Code, 2016 (IBC), and the Prevention of Money Laundering Act, 2002 (PMLA), especially in the context of corporate insolvency, where assets are attached as "proceeds of crime". While the IBC aims to provide time-bound insolvency resolution and asset value maximisation through mechanisms such as the moratorium under Section 14 and the immunity provision under Section 32A, the PMLA seeks to prevent money laundering and confiscate illicit assets through enforcement actions by the Directorate of Enforcement (ED). The crux of the legal tension lies in determining who has jurisdiction when the ED attaches assets of a corporate debtor undergoing insolvency. Over the years, the courts have adopted varying approaches, initially holding that PMLA attachments are unaffected by the IBC's moratorium, especially if initiated prior to the commencement of the Corporate Insolvency Resolution Process (CIRP). However, divergent views later emerged, suggesting that ED actions post-CIRP initiation should be subject to IBC's framework. The primary aim of the research paper is to delve into the recent Supreme Court judgment, which intends to demarcate the jurisdiction between these two Quasi-Judicial bodies. The Secondary aim of this Article is to analyse whether the NCLT and NCLAT have the jurisdiction to interfere with attachment orders passed by the Enforcement Directorate after approval of a resolution plan under the IBC, and the final aim is to determine how the Supreme Court's ruling affects the balance between insolvency resolution and anti-money laundering enforcement.

Keywords: Attachment of Assets, Corporate Insolvency, IBC, Jurisdiction, PMLA

PRIVACY: A CONSTITUTIONAL RIGHT IN A TECH-DRIVEN SOCIETY

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We are living in a digital age where technological progress is occurring at an unprecedented pace, significantly transforming the ways in which individuals and societies function. While technological progress brings numerous benefits, it also possess significant risks to data privacy. It is essential to understand that privacy is not just about hiding one's affair from the public eye; but it is about having the control and freedom to choose what information about oneself can be shared and who has access to it. With more of our everyday activities happening online, the significance of understanding and maintaining digital privacy increases. The concept of privacy can be traced back to ancient Hindu texts. Even in the Ramayana, Lord Rama's expression of anguish over the violation of personal boundaries mirrors the contemporary ideals enshrined in Article 21 of the Indian Constitution, the right to life and personal liberty. This article examines the evolution, recognition and the scope of the right to privacy as a fundamental human right, with special emphasis on the landmark judgment, Justice K.S. Puttaswamy v. Union of India, which established privacy as a constitutional right under Article 21 of the Indian Constitution. Adopting a doctrinal research methodology, the study delves into existing of the booming field of data privacy law, role of the state and non-state actors, and the lack of comprehensive data protection legislation. The paper reviews legal statutes, case law, and policy frameworks to identify how technology influences privacy laws. In conclusion, the author highlights the necessity of comprehensive and enforceable privacy regulations worldwide to protect personal data in the modern age.

Keywords: Article 21, Data Privacy, Indian Constitution, K.S. Puttaswamy v. Union of India, Ramayana, State and Non-State Actors

THE INFLUENCE OF EU PRIVATE LAW ON POLISH CIVIL LAW

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Over the past few decades, the harmonisation efforts of the European Union have significantly impacted the development of national private law systems. This paper explores the influence of EU private law on the Polish legal order, with a particular focus on substantive and procedural aspects of civil law following Poland's accession to the EU. The study begins by outlining the constitutional foundations of EU law, including the principles of supremacy, direct effect, and the autonomous interpretation of Union law. These are examined through an analysis of the Treaty on European Union (TEU), the Treaty on the Functioning of the European Union (TFEU), and key rulings of the Court of Justice of the European Union (CJEU). Special attention is given to the legal mechanisms that ensure the primacy of EU law over national legislation. The second part focuses on selected EU instruments that have reshaped the domestic legal landscape. Regulation (EC) No 593/2008 (Rome I) and Regulation (EU) No 1215/2012 (Brussels I bis) are discussed as examples of directly applicable laws that have limited the role of national provisions in cross-border and, increasingly, domestic civil matters. The paper also analyses the structure and legal effect of directives, including Directive 2011/83/EU on consumer rights, Directive 93/13/EEC on unfair contract terms, and Directive 2008/48/EC on consumer credit. In conclusion, the paper assesses the depth of EU law's influence on Polish civil law and reflects on broader legal transformations, such as harmonisation, legal pluralism, and the partial recodification of traditional civil law systems. It also considers the evolving role of Member States within a multi-level system of governance.

Keywords: Civil Law, EU Directives, Harmonisation, Poland, Supremacy of EU Law

SUB THEME 14

MODERN TRENDS IN MARITIME LAW AND LAW OF THE SEA

TAMING THE TEMPEST: NAVIGATING THE COMPLEXITIES OF RESOURCE ALLOCATION IN THE SOUTH CHINA SEA

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"The World Has Enough for Everyone's Need, But Not Enough for Everyone's Greed"

- Mohandas Karamchand Gandhi

Around the world, everywhere we look, there is a competition for resources. The Developed countries have a clear edge over the rest, and through their policies take over an overwhelming number of resources, simply because they have the means to do so. The principle of Common Heritage of Mankind, in its rudimentary interpretation, is that the sharing of Natural resources should be shared and protected for all people. The South China Sea issue is a glaring issue that is fueled by a competition for resources among the parties involved. A major factor fueling the issue is the issue of Resource Competition amongst those nations of that region. It is an enticing prospect as the region generates 100 billion USD worth of Revenue Annually. The paper aims to hypothesise solutions to solve the issue at hand by applying the principle of the common heritage of Mankind. The nine-dash line and other territorial ambiguities, such as those related to the Second Thomas Shoal of the Spratly Islands, Scarborough Shoal, and other landforms that have marine ambiguity in terms of the territorial extent of the EEZs of the stakeholders involved. This paper suggests various solutions, but the key amongst them is the establishment of a body regarding the sharing of resources, and further, the body shall endeavour to pursue a treaty as a solution to the larger problem of resource sharing in the South China Sea and effectively find a permanent solution to the above problem.

Keywords: Resource Competition, Common Heritage of Mankind, UNCLOS, Territorial Disputes, Maritime Governance

MANAGEMENT OF ISLANDS AND COASTAL AREAS- A LEGAL PERSPECTIVE

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Islands and coastal areas possess fragile ecosystems that require specialised protection distinct from mainland regulations. While the Coastal Regulation Zone (CRZ) Notifications of 1991, 2011, and 2019 have restricted harmful industrial activities, their prohibitory framework lacks proactive measures for sustainable management, biodiversity conservation, and safeguarding local livelihoods. A Special Administrative Code for islands and coastal regions is essential to balance environmental preservation with socio-economic protection of the inhabitants. Such a code must prescribe non-permissible and regulated activities, site-specific conservation of coral reefs, mangroves, and wetlands, scientific waste management, sustainable tourism norms, and disaster resilience strategies. It should also provide compensatory mechanisms, livelihood security, and multi-hazard-resistant housing. Importantly, the code must accommodate regional peculiarities-such as those of Kerala's densely populated backwater islands-while integrating climate change adaptation and human rights perspectives. This approach would ensure ecological conservation alongside social justice for island and coastal populations.

Keywords: Coastal Regulation Zone, Environment Protection, Island Ecology, Livelihood Security, Special Administrative Code

BRIDGING LEGAL GAPS IN POLLUTER ACCOUNTABILITY: A COMPARATIVE STUDY OF LIABILITY ENFORCEMENT ARISING FROM MARINE CASUALTIES IN SRI LANKA AND OTHER JURISDICTIONS

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Marine accidents, such as collisions, fires and groundings, often result in significant marine pollution, causing irreversible damage to marine ecosystems and coastal states' economies. Though the international conventions and national acts provide legal frameworks for ensuring accountability and establishing compensation mechanisms, law enforcement is sometimes in question due to gaps in legal frameworks. The regulatory gap has been seen in existing legal institutional mechanisms during Sri Lanka's recent responses to major marine pollution incidents, particularly the motor vessel X-Press Pearl disaster. It has also revealed the critical weakness of identifying the responsible parties, enforcing laws on liabilities, finding environmental remediation, solutions for economic impact, identifying officials for their responsibilities, addressing social damages to the fishermen's rights, evaluating social ramifications for beach users and assessing the impact on seafood consumers. The aim of the research is to analyse gaps in Sri Lanka's legal framework for the enforcement of liability of laws on damage arising to the marine environment from marine casualties, compared to other jurisdictions, such as the United Kingdom and India, where laws have been effectively implemented for claims and compensation while identifying the responsible parties. Actions taken by the coastal states for the recent marine accidents that occurred in UK's east coast, off India's west coast, causing severe marine pollution have been studied as a comparative study to identify the gaps in Sri Lanka's legal provisions, including lack of liability clauses, weak enforcement of laws, and insufficient compensation mechanisms, which delay the effective responsibilities and protection of the environment. In contrast, the research finds a need for stronger legal frameworks and proactive legal enforcement mechanisms to facilitate the identification of polluters, prosecution, and remediation methods and to identify the personal liability of officers responsible for their duties assigned. The finding of the research highlights the vital requirement to revisit Sri Lanka's Admiralty and National laws to align with international standards and to enhance the identification and enforcement against parties responsible for marine pollution.

Keywords: Coastal State Responsibility, Marine Accidents, Marine Pollution, Polluter Accountability

MODERN TRENDS IN MARITIME LAW AND THE LAW OF THE SEA

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This study explores contemporary developments in maritime law and the law of the sea, with a focus on evolving legal frameworks, technological advancements, and emerging global challenges. Rooted in the principles of the United Nations Convention on the Law of the Sea (UNCLOS), modern maritime law addresses a broad spectrum of issues, including navigation rights, exclusive economic zones, deep-sea mining, environmental protection, and maritime security. Recent trends reflect the growing importance of regulating offshore renewable energy, combating piracy, managing marine biodiversity beyond national jurisdiction, and addressing climate change impacts on coastal states. The study also examines the interplay between international legal norms and regional agreements, alongside the influence of maritime arbitration and dispute resolution mechanisms. By assessing legal responses to these dynamic challenges, this work underscores the need for adaptive, cooperative, and technology-driven approaches to ensure sustainable and equitable use of the world's oceans.

Keywords: Maritime Law, Law of the Sea, UNCLOS, Offshore Renewable Energy, Marine Biodiversity, Maritime Security, Environmental Protection, Climate Change, Dispute Resolution

SUB THEME 15

GENDER SENSITIVITY AND SEXUALITY

RIGHT TO MARRIAGE OF HOMOSEXUALS: A COMPARATIVE ANALYSIS OF THE INTERPLAY OF MORALITY AND LAW IN SOUTH ASIAN COUNTRIES

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The right to marriage is a fundamental right of every person, and it is an essential attribute of the right to development. This very nature of marriage denies homosexual marriage the status of a legal relationship. It is intriguing to look at the heterogeneous legal landscape of homosexual marriages in South Asia, with Nepal and Thailand as the first South Asian countries to legalise same sex marriage. Pakistan, Afghanistan, Bangladesh, the Maldives, and Sri Lanka criminalise same sex unions. India and Bhutan decriminalised same sex unions, but marriage is still not legalised. This paper delves into the minimum content of morality to be present in homosexual laws, the interplay between law and morality in the legalisation of homosexuality. The purpose of the study is (1) to analyse the status of homosexual marriages in the context of socio-cultural and religious standpoints, and to ascertain the impediments towards the legalisation of the same, and (2) to analyse the interplay of law and morality to ascertain the impediments towards the legalisation of homosexual marriages. The research methodology adopted in this research refers to a doctrinal-based study utilizing primary and secondary data. The approach would be comparative, analytical, philosophical, and descriptive. The key findings are: An introspection would reveal religious beliefs and a conventional approach as a reason for the same; Integration of equality is important to realize the right to self-determination, which is a basic human right; and Social transformation through legal reforms demands non-adherence to traditions and customs to determine the minimum content of morality. The human right to self-determination is fundamental to the existence of a human being and the enjoyment of all other freedoms. Thinking beyond sexual binary norms can lead to social transformations, ensuring the highest well-being of a person, which is the ultimate objective of law.

Keywords: Homosexuality, Morality and Law, Same Sex Marriage, Legal Capacity, Comparative Analysis

BEYOND THE GLASS CEILING: GENDER EQUITY AND LEADERSHIP STRUCTURES IN THE DEMOCRATIC REPUBLIC OF CONGO

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It is well acknowledged that gender diversity and inclusion (D&I) promote institutional responsibility, innovation, and resilience. Their impact continues to exist in the Democratic Republic of the Congo (DRC), despite all. Access to leadership and decision-making is still restricted by structural injustices, which become worse due to systemic exclusion and historical marginalisation, especially for women and minority groups. The study examines how the "glass ceiling" restricts organisational growth in the Democratic Republic of the Congo, as well as the interconnecting institutional, social, and cultural barriers that minority actors face. It also offers targeted reform ideas that can lead to more inclusive leadership systems. It's based on secondary data from national reports, global indices, policy frameworks, and civil society literature, which were examined from 2019 to 2024 using a qualitative desk-based approach based on thematic analysis. Four tables were created to evaluate inclusion trends, parity data, institutional responses, and reform barriers. The findings demonstrate ongoing disparities in authority, representation, and access to organisational power. Between 2019 and 2024, women and minorities had less than a 2% gain in parliamentary and administration representation. While D&I are becoming more prevalent in institutional discourse, their implementation remains limited, particularly in rural and marginalised populations. This study contributes to feminist and intersectional organisational theory by contextualising leadership exclusion in the Democratic Republic of the Congo. It proposes a shift from symbolic inclusion to measurable reform, based on equity-driven design and local realities that prioritise women and minority representation.

Keywords: Equity, Gender Inclusion, Glass Ceiling, Organisational Leadership

CONSTITUTION ACTS AS A "BOON AND BANE" FOR GENDER SENSITIVITY IN LAW

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The inequality and challenges encountered by vulnerable sections of society have adorn custom and tradition. If it explicitly promotes inequality in the constitution, it augments it as worse to society with absurdity. This research focuses on the comparative constitutional legal framework, "adaptation and inclusion" of gender dimensions to transform the set notions on gender sensitisation and address its challenges. The Constitution is shifting from originalism to living constitutionalism by incorporating further interpretation to promote equality through provisions. In contrast, Commonwealth countries enacted the legislation by adhering to their constitution provision, like Ghana (Anti-Homosexuality Act, 2014), Uganda, and Nigeria (Same-Sex Prohibition Act, 2013) still follow tradition for LGBTQI+ and same sex marriages, explicitly promote inequality and reflect originalism in the constitution to preserve the cultural splits. This Research paper deals specifically with constitutional provisions that bar equality to the third gender and require reforms in the constitution to provide equal opportunity. It aims to demonstrate that the constitution can be used as a weapon against upliftment or in support of empowerment. This research is purely a doctrinal research, including legislation and case laws by adopting the comparative method targeting the constitution analysis of Asia and Africa constitution analysis. Additionally, key findings of this paper are that policies shall be emphasised to promote gender sensitivity and empower them through representations in every sector, merely recognising in any legislation, as legislation "does or does not" implemented in society, in reason the promoters of gender gap acquisition by other means.

Keywords: Anti-Homosexuality Act, Commonwealth Countries, Constitution, Gender Gap, LGBTQI+, Same-Sex Prohibition Act

TARGETING WOMEN, TEARING FAMILIES: ACCESSING THE ADEQUACY OF LAW AND POLICIES TO GOVERN ALCOHOL AND CIGARETTE INDUSTRIES IN SRI LANKA

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The alcohol and Cigarette industry in Sri Lanka has caused serious social and health problems throughout the country. Specifically, the majority of women and children are suffering from toxic life conditions because of family relationships which are destroyed by alcohol and cigarettes. In Sri Lanka, consuming alcohol and Cigarettes is also linked with gender and culture. As a result, consuming habits, frequency and amount of consuming fluctuate among different ethno-religious communities and socio-economic classes in the country. Accordingly, compared to Western countries, female consumption of alcohol and cigarettes is negligible because the paternal family concept in Sri Lanka generally does not tolerate wives consuming the same. Similarly, it is a growing trend that promoting and marketing alcohol and cigarettes by using women and sports events may cause to popularize the same more than ever among the South Asian community. As a result, Asian women have now started to shift to a liberal approach in terms of Alcohol and cigarettes. Accordingly, this study will be conducted to synthesise evidence to identify the way how the alcohol and cigarette industry has target women in Sri Lanka and used them as marketing tools to promote the same while harming the family and community well-being at large. Similarly, the study will amylase the adequacy of the existing legal framework to regulate alcohol and cigarettes in response to women's consumption of alcohol and cigarettes. A qualitative analysis with a triangular methodical approach will be adopted in the study. In terms of legal and policy implications, this research enlightens policymakers on the compelling need for modernising laws pertaining to drugs and alcohol and related policies to enhance protection for women in Sri Lankan society.

Keywords: Women, Alcohol, Cigarettes, Alcohol Policy, Drug Law

CONTEMPORARY DEVELOPMENTS IN CRIMINAL JUSTICE ON CRIMES AGAINST WOMEN, FOCUSING ON MARITAL RAPE

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The Indian criminal justice system has struggled with crimes against women, largely because of deep-rooted patriarchal values. Even though many modern laws recognise marital rape as a serious crime, Indian law still does not address it. The debate over criminalising marital rape highlights the clash between personal laws, social attitudes, and changing human rights standards. This paper explores current legal trends related to crimes against women, focusing on how marital rape is recognised and dealt with in India. It looks at court rulings, legislative efforts, and international examples to see how ready Indian law is to handle this form of violence. The study uses a doctrinal approach, examining laws, court cases, and constitutional rules, along with scholarly articles, law commission reports, and international human rights materials. It also compares India's stance with countries like the UK, Canada, and South Africa, where marital rape is a criminal offence. The research shows a slow but important change in how courts view marital rape, with more focus on consent and bodily autonomy. However, lawmakers and society remain resistant to change. Marital rape can be a reason for divorce, but is not treated as a crime, showing inconsistency in the law. This study adds to the ongoing conversation about improving criminal justice to better protect women. It stresses the urgent need to make marital rape a criminal offence to meet constitutional rights and international human rights standards.

Keywords: Bodily Autonomy, Consent, Criminal Law Reform, Gender Justice, Marital Rape

GENDER DISPARITY AND PERSONAL LAWS: A CONSTITUTIONAL EXAMINATION OF RESTITUTION OF CONJUGAL RIGHTS IN INDIA

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The concept of "restitution of conjugal rights" (RCR) refers to the legal right of a spouse to compel their partner to come back to them and live together under the same roof. This is embedded in various Indian personal law systems, raising critical questions about the intersection of marital obligation and gender parity. While originally conceived as a tool to preserve marital unity, it came under intense scrutiny for its potential violation of fundamental rights, especially in the context of women's bodily autonomy, freedom and equality. This paper undertakes a constitutional examination of personal law provisions governing RCR, with a focus on their implications for gender rights and human dignity. The central objective of the paper is to assess whether such laws are consistent with the Constitutional guarantees of equality principles, especially following key judgments like *Justice K.S. Puttaswamy v. Union of India* and *Joseph Shine v. Union of India*, as well as Law Commission of India recommendations for the repeal of RCR. The methodology employed is doctrinal and analytical. The paper analyses statutory provisions and case law, supported by feminist legal theory and comparative perspectives from jurisdictions where similar laws have been repealed or declared unconstitutional. In doing so, it interrogates whether the enforcement of RCR constitutes state-sanctioned coercion, incompatible with evolving constitutional morality and gender justice. The significance of this study lies in its potential to contribute to ongoing debates on personal law reform and gender-sensitive legal interpretation, especially in a diverse country like India. The paper concludes with judicial directions for harmonising personal laws with constitutional values, ensuring that marital rights do not override fundamental rights, particularly those of women.

Keywords: Family Law, Gender Rights, RCR, Women

SHARED HISTORY WITH SHARED PRESENT: REVISITING THE JOURNEY OF THE CONSTITUTION OF INDIA AND SRI LANKA THROUGH THE LENS OF CONSTITUTIONALISM

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The constitutional trajectories of India and Sri Lanka, though rooted in similar colonial experiences under British rule, have diverged significantly in their post-independence development. While both countries inherited a Westminster-style parliamentary system, their socio-political realities, ethnic compositions, and post-independence political leadership shaped the destinies of their constitutional orders in different ways, other than on the constitutionalism front. India and Sri Lanka both adopted constitutional frameworks inspired by liberal democratic ideals, yet their implementation reveals critical flaws. India, despite a robust Constitution emphasising secularism, federalism, and judicial independence, often falters in practice. The misuse of constitutional provisions during the Emergency (1975–77), growing majoritarian politics, and weakening institutional autonomy have challenged the spirit of constitutionalism. Judicial delays and executive overreach further erode constitutional accountability. Sri Lanka, on the other hand, entrenched majoritarianism through a unitary structure and gave primacy to Buddhism, marginalising Tamil and Muslim minorities. The 1978 Constitution concentrated power in the presidency, reducing checks and balances, and repeated amendments served ruling regimes more than democratic consolidation. Both nations show a gap between constitutional ideals and political realities. While India risks diluting its foundational pluralism, Sri Lanka has yet to fully embrace inclusive governance. Strengthening constitutionalism in both requires commitment to genuine democratic reforms and minority protections. Long periods of civil war (1983–2009) severely undermined constitutional norms in Sri Lanka. Constitutionalism was often sacrificed for national security and ethno-nationalistic agendas. This paper adapts a mixed approach of comparative analysis and interdisciplinary inputs, attempting to examine constitutional texts, amendments, judicial decisions, parliamentary debates, and foundational documents from both nations, incorporating political science, sociology, and conflict studies to understand broader societal impacts.

Keywords: Constitution of India, Constitution of Sri Lanka, Constitutionalism, Political instability, Popular Sovereignty

THE STATE OF HUMAN RIGHTS OF THE TRANSGENDER COMMUNITY: A COMPARATIVE ANALYSIS OF CONSTITUTIONAL - LEGAL SAFEGUARDS AND CHALLENGES AHEAD

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The transgender community has played a pivotal role in reshaping the discourse on gender justice by challenging binary gender norms and advocating for inclusive legal and social frameworks. Their activism has resulted in Legal Reform. Progressive policies worldwide now recognise gender identity and protect transgender rights. Yet Transgender individuals face significant challenges, including discrimination, violence, and a lack of legal recognition. While international human rights frameworks emphasise the importance of protecting gender identity and expression, the implementation of these principles varies across jurisdictions. The special feature of this paper is that it provides a comparative analysis of European and Asian societies. The paper also examines the state of human rights of transgender individuals from constitutional and legal perspectives, focusing on global trends, landmark legal decisions, and ongoing challenges. The study aims to provide a comprehensive analysis of the progress made and the gaps that still persist in ensuring transgender rights. The paper is based on secondary data and reports given by national and international organisations. The study is descriptive and analytical in nature. The paper concludes that while Europe has made significant progress in ensuring transgender rights through self-identification laws, anti-discrimination protections, and state-funded healthcare, Asia remains a region with stark contrasts. Legal reforms, judicial activism, and human rights advocacy are crucial in advancing the state of transgender rights globally.

Keywords: Transgender, Rights, Europe, Asia, Comparative, Legal, Healthcare

THE FICTION OF NEUTRALITY: REVISITING THE 'BEST INTEREST OF THE CHILD' IN A COMPARATIVE LEGAL FRAME

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In a globalised world, even the deepest embers of the traditional legal system are no longer insulated from international norms. *'Best interest of the child'* is one such construct in international family law, which is often presumed universally valid and neutral, owing to its entrenchment in instruments like the UN Convention on the Rights of the Child and the Hague Abduction Convention. This paper contends that 'best interest' is a black box that conceals reductionist assumptions derived from the Western school of thought. Using a multidisciplinary critique, it examines law's tendency to treat the child as a procedural subject, the psychological trend towards universalisation of developmental stages and trauma, and most critically, the philosophical framing of the child as a proto-autonomous rights bearer. Thus, it engages in a comparative scrutiny of selected eastern and western jurisdictions such as India, Sri Lanka, China, Japan, Korea, the U.K., France, and the U.S.A. to analyse the divergent conceptualisation of child welfare and the normative friction they expose. Ultimately, it questions the *'Anglo-Eurocentric legal imagination'* which is embedded within the *'best interest'* framework, which has no other purpose than to override indigenous or community-rooted child-rearing norms in non-Western cultures. Thus, by theoretical as well as practical examination of this normative hegemony, this paper tests the necessity of an alternative approach where epistemological plurality is a rule rather than an exception.

Keywords: Best Interest, Universalism-Relativism, Child Psychology, Child Welfare Norm, Epistemic Violence.

FOETAL VIABILITY AND REPRODUCTIVE RIGHTS IN A TECHNOLOGICAL ERA: A COMPARATIVE STUDY OF INDIA AND USA

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Abortion has historically been regulated on the grounds of fetal viability (the stage at which the fetus can survive outside the womb). Fetal viability was introduced to regulate abortion and to balance the rights of the pregnant person and the State's interest in protecting the life of the fetus. This paper intends to analyse the legal, medical, and ethical dimensions of viability in the context of evolving reproductive technologies by comparing the legislation of India and the United States of America. While the United States allowed for the regulation of abortion *Women's Health Organisation* based on the grounds of viability under *Roe v. Wade*, the judgment in *Dobbs v. Jackson* Women's Health Organisation set aside Roe, transferring the authority to states. In India, the Medical Termination of Pregnancy Act of 2021 provides for abortion care till a specific gestational limit, and judicial interpretation provides for constitutional protection. The law in India was not based on the grounds of viability but instead was brought forth to reduce unsafe abortion rates. This paper argues that viability as a standard to regulate abortion is neither scientifically stable nor legally consistent. The study concludes that continued reliance on viability would reinforce unequal access to abortion and underproductive rights and calls for a rights-based legal framework that protects autonomy and dignity and helps reduce unsafe abortion rates.

Keywords: Abortion Law, Constitutional Rights, Fetal Viability, India, Reproductive Justice, United States

THE INTERSECTION OF GENDER JUSTICE AND SUSTAINABLE DEVELOPMENT IN THE GLOBAL CONTEXT: AN ANALYTICAL STUDY WITH SPECIFIC REFERENCE TO THE CONCEPT OF MARRIAGE IN INDIA

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This research paper mainly throws light on the intersection of Gender Justice and Sustainable Development in the global context, with specific reference to the concept of Marriage in India. Gender inequality has been a crucial social issue all over the world for centuries. Sustainable Development Goal 5 (SDG 5) focuses on achieving gender equality and empowering all women and girls. SDG 5 aims to eliminate all forms of discrimination and violence against women and girls, ensuring their equal access to education, healthcare, economic resources, and political participation. Gender equality is a crucial aspect of the broader 2030 Agenda for sustainable development. Therefore, achieving gender equality is vital for sustainable development. It is a commitment to address the gendered impacts of environmental degradation and support equitable resource management and economic empowerment for women, for the benefit of whole communities. Ultimately, integrating gender equity into environmental initiatives creates results that benefit people and the planet, contributing to a more just and sustainable world overall. By integrating the idea of gender justice with sustainable development, it aims to consolidate information that is often scattered or semi-structured. Data is gathered through methods including desk research, descriptive analysis, and theoretical observations. The significance of achieving gender justice in the pursuit of sustainable development is underscored in this research paper. Furthermore, the present study investigates the correlation between the advancement of sustainable development and the notion of gender justice. This research paper enhances the existing understanding and stresses the importance of gender justice for achieving effective and sustainable development.

Keywords: Gender Justice, Global, Intersection, Marriage, Sustainable Development

SUB THEME 16

CONTEMPORARY CHALLENGES AND MARTIAL LAW

THE FINAL ACT OF CHECKMATE: A PERSUASIVE SHIFT IN THE GLOBAL NARRATIVE FOR SOUTH ASIA

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Often, political verdicts do not make it to become decent reasons for research, despite proofreading. The tale-telling of standing mics and dressed suits thankfully remains with the critics, at least in the present academic underdevelopment. The brewing mania of national dominance and administrative complexity, overlooking the larger global consequence for the sake of point proving is a classic case in point. Betraying ethical loyalties and overall, just making life challenging for other countries in the name of progression, as a political portfolio, is one good example of appearing self-sufficient while continuing to stab the back of others. In the era beyond globalisation, where protectionism has reigned in, interconnectivity has been glorified as a menace, being anti-national to state interests. This paper will deal with the recent global tariff war triggered by the Trump administration from D.C., leading to the violent, civic and uncivil consequences. The central investigation will be regarding international implications of dominant powers intermingling with pure economics, sometimes for the right and sometimes for the not-so-right reasons. Retrospectively reaching the legal implications of the unlawful pressures and persuasions that money and politics lead to. It is high time to turn the page of the old order of a repressive reality to a new order of democratisation, especially in the case of tariff laws being instrumentalised to meet unfair negotiations. South Asia is a hope of latitudinal economic partnerships. In this final act of checkmate mate there is no one king and not many pawns - the key is to persist in the pressures from the western administration while maintaining the long-term dream of national interest.

Keywords: Ethical Loyalties, Global Tariff War, International Implications, Political Verdicts, Protectionism

ELECTORAL INTERVENTION AS AN ARMED ATTACK: A SOUTH ASIAN PERSPECTIVE

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Electoral intervention is linked with the sovereign rights of states. An intervention of a foreign state in the electoral exercise of another state is unacceptable. George Washington's warning that foreign influence is an enemy of a republican government is relevant to date, as the United States and the Russian Federation lock horns with every passing election. South Asia is no stranger to such averments. South Asian states' politics are influenced and intervened in by the movements and discourses of the region. Likewise, South Asian states have been both a party and a victim of interventions from non-South Asian states. Hence, determining whether electoral intervention would qualify as an armed attack under the United Nations Charter is necessary. The research methodology adopted is primarily doctrinal. Historical and analytical methods have also been used to supplement the existing literature. The contemporary signed-up method of electoral intervention primarily involves cyberattacks. A fundamental problem with cyberattacks is their impunity. Nevertheless, it cannot be left unattended. In suggesting a state's remedy, the Charter's self-defence and the collective security resolution *modus* are discussed while delineating the attached encumbrances. The attribution of state responsibility in this regard has been comparatively discussed vis-à-vis the practical control test propounded in the *Nicaragua* case, further confirmed in the *Bosnia Genocide* case, and the overall control test in the *Tadić* case. It would protect them from the hegemonic dominance of states in and out of the region. As a result, regional stability would ensue from the states' independence.

Keywords: Electoral Intervention, South Asia, Armed Attack, Cyber Attack, State Responsibility

SUB THEME 17
INTERDISCIPLINARY

REGULATORY ALTITUDE OR STRUCTURAL DESCENT? A CRITICAL LEGAL ASSESSMENT OF INDIA'S CIVIL AVIATION TRAJECTORY

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India's civil aviation sector is expanding exponentially and has unveiled pertinent doctrinal and regulatory incongruities in the approach to airline insolvency. This paper undertakes a focused jurisprudential analysis of India's current insolvency regime and, deriving from the postulate that the Insolvency and Bankruptcy Code, 2016, which is derived from an undifferentiated corporate rescue paradigm, fails to engage with the industry-specific requirements of civil aviation as an industry that is characterized by capital intensity, cross-border asset co-dependency, safety critical operations, and an essential service use-value. This paper presents the principle of sectoral exceptionalism, and it provides a normative basis for differentiated treatment of such insolvency in aviation, using the comparative law perspectives of EU Regulation 1008/2008 and the U.S.'s Chapter 11. Using this principle of sectoral exceptionalism, it assesses the normatively misaligned doctrinal principles and structural rigidity of the Indian regime to deal with airline distress, illustrated by the cases of Jet Airways and Go First. This paper outlines a foundational theoretical architecture for a tailored insolvency framework in the civil aviation sector that emphasises the coexistence of restructuring pragmatism with state supervision and continuity safeguards, as it reconceptualises insolvency as a regulatory function of governance in critical infrastructure instead of as a commercial remedy. This approach not only contributes an original theoretical framework to the legal scholarship in Indian jurisdictions, but it also advocates for a necessary change in the lens through which insolvency law, infrastructure, risk, and public interest operate in developing countries.

Keywords: Civil Aviation, Insolvency, Regulatory Asymmetries, Bankruptcy Code, Sector-Specific Exigencies

A LEGAL ANALYSIS OF ESG REPORTING STANDARDS AND GREENWASHING IN INDIA'S REAL ESTATE SECTOR

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The real estate sector in India, a significant concern for environmental degradation and a hindrance to sustainability, is facing growing scrutiny over its sustainability efforts. By the recent SEBI regulation, ESG (Environmental, Social, and Governance) reporting has gained prominence. With this, concerns about the reliability, transparency, and standardisation of this disclosure, particularly in the real estate sector in India, have also grown. Inconsistent reporting and the absence of sector-specific audit requirements have led to potential greenwashing practices. This study is an attempt to assess ESG reporting in India's real estate sector, with a special focus on detecting regulatory gaps that allow superficial compliance and greenwashing. This paper seeks to recommend reforms for enhancing disclosure integrity and legal accountability. The study adopts a doctrinal and empirical approach and examines the provisions of CSR (Corporate Social Responsibility) under the Companies Act, 2013; SEBI (LODR) Regulations; and the BRSR (Business Responsibility and Sustainability Reporting) framework. The study reveals that ESG disclosures, especially in the real estate sector, are often generic, poorly audited, and lack third-party verification. The current regulatory framework permits excessive flexibility, which enables companies to report only positive indicators while obscuring environmental liabilities. The paper shows how the lack of clear-cut sector-specific indicators, poor audit and enforcement mechanisms in existing regulations, lead to greenwashing.

Keywords: BRSR Reporting, ESG Compliance, Greenwashing, Real Estate Sector, SEBI, Sustainability

BEYOND THE ALGORITHM: UPHOLDING THE RULE OF LAW IN THE AGE OF ARTIFICIAL INTELLIGENCE

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The rule of law, a "foundation for healthy communities of justice, opportunity and Peace," comprises an array of formal and procedural principles. In recent years, the deployment of Artificial Intelligence (AI) in "decision-making" has impacted the substantive rights and procedural aspects of the Rule of Law. Scholars believe that the "black-box" phenomena and the inhibition of law to ensure transparency within the "digital decision making" are exacerbating the threat. However, AI, being a disruptive technology and due to its paradoxical nature, can be utilised judiciously to strengthen the rule of law instead. Therefore, the study aims to explore whether AI can be integrated into the legal system to strengthen and uphold the rule of law and how. The objective of the study is to provide an alternate approach towards AI "decision-making" and its impact on the rule of law. This research adopts a qualitative, doctrinal legal research methodology to examine the conceptual, normative, and institutional frameworks governing the subject matter. Further, through analysis and critique of existing laws, judicial decisions, treaties, and scholarly commentary, the article will emphasise the characteristics that AI is going to strengthen, such as transparency and accountability. The study will also focus on understanding the complexity and opaqueness of AI as well. It will also reflect upon and analyse the current trend of the decline of the rule of law and the role of AI with regard to the same. Lastly, the study suggests robust human oversight along with algorithmic auditing for smoother integration of AI with the rule of law.

Keywords: Accountability, Algorithmic Auditing, Artificial Intelligence, Rule of Law, Transparency

RIGHT TO HOMOSEXUAL MARRIAGE

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In this paper, the practice of homosexual marriage with reference to its validity has been established. Firstly, the concept of marriage according to the Vedas as well as the Upanishads has been analysed and shown of eligibility for homosexual marriage to be a subpart of such marriage. According to the relation of homosexual marriage, a thorough analysis of Article 21 of the Indian Constitution, i.e. the concept of personal liberty, has been conducted, thus validating the same. Following the arguments which were made by the Supreme Court for invalidating homosexual marriage has been analysed and proved to be quite vague in it's stand. Then a list of cases has been presented where having a specified way of marriage has an adverse effect upon people, thus paving the way to choose partners irrespective of the opposite sex. Lastly, the entire matter has been summarised.

Keywords: Homosexual Marriage, Right to Personal Liberty, Validation, Vedas, Upanishads

EXAMINING THE IMPACT OF AI-GENERATED SPEECH ON LEGISLATIVE AUTONOMY AND SCOPE OF PARLIAMENTARY PRIVILEGES IN INDIA

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Parliamentary privilege is a cornerstone of legislative autonomy and democratic governance. It ensures that members of the legislature can perform their duties without external interference or fear of legal consequences. However, with the growing integration of artificial intelligence into legislative processes, particularly in drafting and speech generation, a critical question arises: Can AI-generated speech be protected under the same privileges that shield human legislators? As it has been seen that AI enhances policy-making through data-driven insights, it also poses threats such as algorithmic bias, surveillance, and erosion of human deliberation. The Indian government's "Digital India" initiative and NITI Aayog's National AI Strategy (2018) emphasise AI's role in efficient governance. However, concerns persist about legislative autonomy, privacy, and AI-driven manipulation."AI systems are not above the law. We must ensure that their creators are held accountable for their actions" In the UK, parliamentary privileges apply strictly to human members. The US Constitution's Speech and Debate Clause similarly ties protections to elected representatives. No jurisdiction currently extends these privileges to non-human or autonomous systems. Therefore, it is incumbent to know whether AI-generated speech is protected under parliamentary privilege in India or not? This paper explores the emerging intersection of artificial intelligence and law relating to Parliamentary Privileges in India, focusing on whether AI-generated speech can be protected under parliamentary privileges as enshrined in Articles 105 and 194 of the Indian Constitution. It examines the legal, constitutional, and ethical dimensions of attributing human privileges to non-human actors and identifies the implications for the future of legislative processes.

Keywords: Artificial Intelligence, AI-Generated Speech, Legislative Autonomy, Parliamentary Privileges.

THE FRAGILE FRONTIER: MANAGING SPACE SUSTAINABLY

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Kessler Syndrome, a situation where the concentration of space debris in low Earth orbit creates a cascade of collisions, is a profound danger to the long-term use of Earth's orbital environment. As the dependency on satellite technology increases for climate observation, communication, navigation, and disaster response, the sustainability of orbital space becomes a requirement for attaining broader environmental and development objectives. This abstract examines the connection between Kessler Syndrome and environmental sustainability, highlighting the necessity to handle orbital space as a finite and fragile environment. Just like terrestrial environments, the near-Earth space environment also needs careful management. Meeting this requirement necessitates international cooperation, sustainable space mission planning, debris mitigation measures, and the invention of active debris removal capabilities. The incorporation of orbital sustainability into environmental policy contexts is critical to guaranteeing the safe and ongoing utilisation of space on behalf of future generations.

Keywords: Kessler Syndrome, Space Debris, Orbital Sustainability, Orbital Environment, International Cooperation.

EVOLVING SPACE LAW IN THE AGE OF ARTEMIS ACCORDS

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As humanity enters the space era, the fast expansion of space research and commercial operations in outer space has resulted in substantial advancements in international space law, which need regular examination and revision. International space law, which is based on basic accords like the Outer Space Treaty of 1967, emerged during a time when there were fewer spacefaring nations and simpler technical objectives. However, the breadth and scale of space exploration have grown substantially, with new state and commercial entities launching lunar, asteroid, and Mars missions. The Artemis Accords, a recent US-led attempt to develop principles for joint lunar research and resource utilisation, are essential to this changing terrain. While the accords set norms for safe and cooperative space operations, they have aroused worldwide discussion over the consequences for sovereignty, resource rights, and inclusion. This article, titled 'evolving space law in the age of Artemis accords', examines the trajectory of space law, its foundational principles, and the pressing need for reforms that align space governance with the evolving technical, ethical, and geopolitical landscape of space exploration. It also aims to provide a detailed analysis of the Artemis Accords' key provisions, examine their alignment with existing space treaties, and explore their reception among both traditional and emerging spacefaring nations. By exploring the accords' implications, opportunities, and challenges, this article provides a comprehensive view of how international space law can evolve to support peaceful and sustainable space activities amidst growing participation and technological advancements.

Keywords: Evolution, Exploration, International Responsibility, Sustainability, Space

SPACE DEBRIS POLLUTING THE ORBIT: LEGAL ACCOUNTABILITY AND ENVIRONMENTAL CONSEQUENCES IN OUTER SPACE

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Space junk has become the most dangerous threat to human activity in outer space today, not only for spacecraft systems but also for the safety of astronauts on missions. The increasing orbital trash is composed of dead satellites, used rocket stages, and debris from intentional or accidental collisions. The present research explores the origin of space debris, the dangers it presents to operational space missions, and its implications on the delicate outer space environment. The environmental impacts of space debris are profound and long-term. In contrast to land pollution, orbital debris cannot break down naturally or be readily removed; instead, it lingers for decades or centuries, risking a devastating chain reaction called the Kessler syndrome. Such a situation could make critical orbital space zones unusable and threaten satellite-based services essential to communications, weather forecasting, navigation, and earth observation. The reason for the urgency of this subject is the accelerating commercialisation and militarization of space, in which rising numbers of launches by private and public players are leaving behind the evolution of robust regulatory measures. Current international legal structures, notably the Outer Space Treaty (1967) and Liability Convention (1972), provide only general principles without binding enforcement powers or specificity on accountability. The paper contains a detailed analysis of space debris legal gaps, environmental effects, and human implications. Unless enforceable global collaboration and reform are achieved, the orbit can soon change from a path of innovation to an area of irreparable danger for humanity.

Keywords: Debris, Space Debris, Space Environment, Orbital Waste, Legal Policy

THE MISSING INTERSECTION: GENDER, DISABILITY, AND THE LIMITS OF INDIAN ANTI-DISCRIMINATION LAW

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Women with disabilities often face unique and layered forms of disadvantage that are not adequately addressed under existing legal protections, such as the Constitution, the Rights of Persons with Disabilities Act, 2016 (RPwD), and the Protection of Women from Domestic Violence Act, 2005. The absence of a clear legal recognition of intersectional harm has resulted in systemic exclusion from justice, services, and equal participation. Beginning with the Supreme Court's recognition of intersectional discrimination in Patan Jamal Vali v. State of Andhra Pradesh (2021), and further reinforced by the Madras High Court's observation in M. Sameeha Barvin v. The Joint Secretary, Ministry of Youth & Sports & Others (2021)—where it acknowledged that women athletes with disabilities often face dual discrimination on the grounds of both gender and disability—the issue has increasingly entered mainstream legal and public discourse. The objectives of the paper are to examine the extent and nature of discrimination faced by disabled women, To assess the limitations of the Indian anti-discrimination legal framework in addressing intersectional discrimination based on gender and disability, and to assess whether current constitutional and statutory frameworks are in line with our international obligations under CEDAW and CRPD. The research employs doctrinal legal analysis, supported by a critical reading of relevant statutes, constitutional provisions, and judicial decisions. The study will be analytical in nature. It will also analyse international legal instruments, such as CEDAW and the CRPD are examined for comparative insight. The study reveals that Indian law conceptualises discrimination in isolated categories, rendering invisible the specific experiences of disabled women. Judicial interpretation has largely failed to evolve an intersectional lens. This research calls for a paradigm shift in anti-discrimination law to ensure substantive equality for all, particularly those at the margins of multiple identities.

Keywords: Anti-Discrimination Law, Disability, Equality, Gender.

THE MOON, PLANETS, AND LAW: CAN INTERNATIONAL LAW REGULATE THE NEW 21ST CENTURY SPACE RACE?

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Humans have created a system of rules to reduce the disorder in a society built by and for humanity. But there exists the mighty universe, to which applying the man-made legal landscape seems insignificant. However, it is something that needs to be done. Because, with the growth in human civilisation and technological advancement, man's curiosity multiplies. The urge to discover the secrets of the universe and to explore what is beyond the bounds of the atmosphere increases. Innocent curiosity, greed, and insatiability get coupled. Unfortunately, space remains a means for some to mint wealth. In the 21st Century, multiple events have transpired that indicate a space race akin to the Soviet Era's space race. This contemporary space race is not between States but rather non-state actors. The paper explores whether the current traditional international law framework regarding space, which primarily makes states the main subjects of the treaties and conventions, is equipped to deal with the 21st-century space race. This paper is segregated into three parts. The first part focuses on the existing international laws that apply to the celestial bodies. The second part analyses the need for a systematic regulation concerning international space laws. The third part examines how the existing international legal framework concerning space can be made efficient to regulate the disadvantages of the new 21st-century space race. Suggestions are made to make international organisations more active in the supervision of state activities in space.

Keywords: Celestial Bodies, International Law, Space Exploration, Space Law, Space Race

THE DOUBLE-EDGED HELIX: NAVIGATING GENE-EDITING INNOVATIONS AND THE RISING THREAT OF BIOWARFARE

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The rapid proliferation of advanced biotechnologies, particularly revolutionary gene-editing tools like CRISPR-Cas9, presents a profound dual-use dilemma for the international community. While offering unprecedented potential for therapeutic and agricultural advancement, these innovations concurrently lower the barrier for the development of sophisticated biological weapons, escalating the threat of modern biowarfare. This paper analyses the critical and widening gap between the pace of biological invention and the efficacy of global regulatory oversight. Through a comparative examination of existing international frameworks-including the United Nations' Biological Weapons Convention, European Union directives, and security alliance protocols from NATO and ASEAN, this research demonstrates their profound inadequacy. Furthermore, the analysis investigates the complex role of state-sponsorship, where national funding and institutional support for biotechnological research inadvertently accelerate a potential arms race, blurring the line between defensive research and offensive capability development. This paper concludes by proposing a multi-layered governance model for the responsible stewardship of biotechnology. Recommendations include the modernisation of international treaties to specifically address gene editing, the establishment of agile and intrusive verification mechanisms, and the promotion of a global ethical framework for dual-use research. Proactive, collaborative international action is imperative to mitigate these rising threats and ensure biotechnology serves humanity's welfare, not its destruction.

Keywords: Biosecurity, Biowarfare, Food Security, Governance, International Law, State-Sponsorship

AI ARBITRATORS: THE WHETHERS, WHATS, AND WHYS

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Artificial Intelligence (AI) has expanded its influence across sectors, and the legal domain is not an exception. As the impact of AI in the legal field may become unfathomable over time, a question that should be asked persistently now is, 'Can AI-generated decisions be deemed credible enough to resolve commercial disputes through arbitration?' Answering this question, definitely, is not the end in itself but rather a critique. The deeper challenges lie in examining the preparedness of the existing legal framework, which currently lacks clear guidance on the delegation of decision-making-related tasks in arbitration to AI. The development of technology seems rapid and has evolved beyond mere clerical tasks - it now contributes to legal research, analysis, translations, and specific aspects of fact-finding. This advancement presents complex legal and ethical questions regarding its potential role as an arbitrator. Hence, introducing numerous questions on the weather, what's, and whys in the ongoing legal discourse. The author, through this research, proposes to put forth a study on the legal questions that should be answered in order to understand the implications of using AI in arbitral decision-making. The research is divided into three parts, starting with AI and its implications in the field of arbitration, followed by a discussion of present legal qualifications (hard and soft) to become an arbitrator, and finally, identifying the fundamental legal and ethical questions that must be addressed before AI can be credibly incorporated into arbitral decision-making.

Keywords: AI, Arbitration, AI Arbitration, Decision-Making, Legal Qualifications

THE GREAT CONVERGENCE AND THE WORLD SYSTEM RECONFIGURATION TOWARD A NEW WORLD ORDER

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The concept of the global world order has long been dominated by a few established powers, primarily the United States and Western European countries. However, in recent decades, the dynamics of international relations and economic influence have undergone significant transformation due to the rise of emerging powers such as China, India, Brazil, and Russia. As these emerging powers continue to grow in economic and political stature, understanding their role and influence is crucial for anticipating the future trajectory of international relations and the global balance of power. This abstract will focus on this matter mainly from a geoeconomic perspective. From a geoeconomic perspective, the impact of emerging powers is particularly noteworthy. For instance, the Belt and Road Initiative (BRI) by China is a monumental project that seeks to enhance global trade routes and infrastructure, thereby expanding China's economic reach across Asia, Africa, and Europe. Similarly, India's rapid economic growth and its initiatives to strengthen ties with Southeast Asian and African countries highlight its increasing clout in global markets. The BRICS group (Brazil, Russia, India, China, South Africa and new members such as Iran, Egypt, Ethiopia, The United Arab Emirates, Belarus, Bolivia, Cuba, Indonesia, Kazakhstan, Malaysia, Thailand, Uganda, and Uzbekistan) is another manifestation of this shift, aiming to create alternative financial institutions and mechanisms that challenge the hegemony of Western-dominated entities like the International Monetary Fund (IMF) and the World Bank. This book is the result of professors from different countries who have a common interest in geoeconomics, and they are interested in the new world order.

Keywords: Emerging Powers, Geo-Economics, Multipolarity, International Relations, Global Governance

A STUDY ON ANTI-CATEGORICAL LENS OF INTERSECTIONALITY THROUGH CASE ANALYSIS

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The paper aims to delve into the necessity of incorporating an anti-categorial lens of intersectionality in the Indian legal landscape in addressing violence against women, with a primary focus on significantly distinct and overlapping challenges faced by Dalit and Upper caste women. Intersectionality lays strong emphasis on how race, class, gender, sexuality, caste, ethnicity, nationality, ability, and age intersect, not as separate or exclusive categories, but as intertwined structures that shape individual experiences in interaction, corresponding with the facets of society. In India, this perspective has provided a foundation for understanding the unique struggles of Dalit women, revealing gaps in the societal and legal comprehension of caste and gender as intersecting systems of oppression. However, the current plight indicates that intersectional approaches often position Dalit and upper-caste women as opposites, which can overlook the collective patriarchal oppression experienced by women irrespective of their class and caste. Drawing on McCall's (2005) framework, encompassing intra-categorial, inter-categorial, and anti-categorial analyses, this research examines societal responses to cases of aggravated violence against women from different caste backgrounds and how these responses are influenced by intersecting social factors. The study relies on an anti-categorial approach, which questions and deconstructs rigid social hierarchies to effectively address and combat the injustices faced by women.

Keywords: Anti-categorical Analysis, Caste, Class, Dalit Feminism, Intersectionality, Patriarchy, Rape, Sexual Assault, Violence Against Women

BHAGAVAD GITA, A CONSTITUTIONAL TEXT, A KELSENIAN ANALYSIS

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Research that examines the intersection between Hans Kelsen's Pure Theory of Law and the Bhagavad Gita, proposing that the Bhagavad Gita can be interpreted as a form of constitutional text within the philosophical and normative framework of Kelsenian legal theory. The Bhagavad Gita, which conforms to the norms and rules of the Pure Theory of Law, can be devised as a tool for self-administration, organisational administration, management, or a constitution for a state. Kelsen's theory advocates for a hierarchical system of norms with a Grundnorm at its apex, providing validity to all subordinate norms. The Bhagavad Gita, a seminal philosophical scripture within the Mahabharata, prescribes ethical duties (dharma), conduct principles, and conflict resolution guidelines, potentially serving as the foundational 'Grundnorm' for societal conduct. Through a doctrinal and philosophical analysis, this paper argues that the Gita, like a constitution, provides a supreme normative order guiding individual and collective actions, transcending temporal legal systems. The research draws parallels between the constitutional supremacy and the Gita's moral authority, concluding that its teachings embody both deontological and teleological legal principles, making it consistent with Kelsen's conceptual model of a legal order.

Keywords: Bhagavad Gita, Hans Kelsen, Pure Theory of Law, Grundnorm

POLICY OR PREJUDICE? LEGAL AND LEGISLATIVE CHALLENGES OF ANTI-CONVERSION LAWS IN INDIA – A COMPARATIVE ANALYSIS WITH ANTI-CONVERSION FRAMEWORKS IN NEPAL AND SRI LANKA

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India's constitutional framework guarantees the right to freedom of religion under Articles 25 to 28. However, in recent decades, several Indian states have enacted anti-conversion laws purportedly to prevent conversions by force, fraud, or inducement. These laws - often referred to as "Freedom of Religion Acts"- raise significant legal and ethical concerns. This paper critically explores whether such laws are legitimate state policies to preserve religious harmony or if they reflect deep-seated prejudice against minority religions. Drawing on landmark Supreme Court and High Court judgments, the paper highlights how vague definitions and selective enforcement contribute to the persecution of religious minorities and tribal communities. A comparative analysis with Anti-conversion frameworks in Nepal and Sri Lanka will provide broader insights into how South Asian democracies navigate religious freedom and state control. It interrogates the role of political rhetoric, media narratives, and majoritarian mobilisation in shaping public perception around religious conversions. By situating anti-conversion laws within broader debates on nationalism, religious identity, and state power, the paper underscores the need to critically assess how law can be both a tool of governance and a vehicle for ideological assertion.

Keywords: Anti-Conversion Laws, Freedom of Religion, Religious Minorities, Indian Constitution, Secularism in India, Legal Reform, Religious Liberty, Human Rights

DISASTER MANAGEMENT: A ROLE OF THE NATIONAL DISASTER MANAGEMENT AUTHORITY [NDMA] IN REHABILITATION

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The National Disaster Management Authority (NDMA), headed by the Prime Minister of India, is the apex body for Disaster Management in India. Setting up of NDMA and the creation of an enabling environment for institutional mechanisms at the State and District levels is mandated by the Disaster Management Act, 2005. This is planned to be accomplished by adopting a Technology-Driven, Pro-Active, Multi-Hazard and Multi-Sectoral strategy for building a Safer, Disaster Resilient and Dynamic India. The objectives of the paper are to study the vision of the NDMA; To discuss the evaluation of NDMA; To make known projects adopted by NDMA for rehabilitation in India, and to examine the functions and responsibilities for rehabilitation of disasters. The present study depends on secondary data, which is collected from websites and magazines.

Keywords: The National Disaster Management Authority, Rehabilitation, Technology, Safety

BALANCING SOVEREIGNTY AND INVESTORS' RIGHTS: RETHINKING FAIRNESS IN INTERNATIONAL INVESTMENT LAW IN THE CONTEXT OF NATIONALIZATION

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In the last few decades, foreign direct investment (FDI) inflows have dramatically increased around the world and an expansive growth of bilateral investment treaties (BITs) and investor-state dispute settlement (ISDs) are in operation. They were meant to shield FDI from state behavior like nationalization. But in many instances, they have fettered the policy space of host states, particularly those of the Global South, curtailing their capacity to undertake legitimate public policy measures. As a result, a contentious debate has flourished about whether the international investment law regime is both equitable and sufficiently responsive to the many different interests at stake. This research explores the conflict between a state's sovereign right to regulate and nationalize its assets and the protections afforded to foreign investors and examines whether the existing system represents an appropriate minimum in the light of both investor security and state sovereignty. By referencing various global cases of nationalization, it analyzes the relationship between investor rights and national development goals. Highlights of the research are the application of moral hazard, the dogma of treaty interpretation and the lack of certain reality on the part of arbitral tribunals. This research employs a desk-based doctrinal methodology, conducting a thorough legal analysis of case studies related to BITs, ISDSs, and international frameworks. It examines the outcomes of disputes, revealing persistent imbalances where investment protections frequently outstrip the host state's ability to adapt to evolving socio- economic circumstances. The research recommends to mitigate these concerns, a more "fair and just" benchmark in contrast to the strict "fair and equitable treatment" standard in investment agreements, for a more equitable and sustainable investment system better aligned with the common interests of investors and states.

Keywords: Sovereignty, Investor's Rights, Nationalization, Fairness

INTERSTELLAR INVESTMENT DISPUTES: ICSID'S LEGAL GAPS IN MULTI-STATE SPACE VENTURES

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The explosive rise of private-sector Space ventures financed by multiple States exposes structural weaknesses in the ICSID jurisdictional framework, leaving investors vulnerable when contract defaults occur. Under Article 25, ICSID's jurisdiction depends on bilateral written consent between a foreign investor and a single host State, yet multi-state financing arrangements - often governed by consortium MOUs - create fragmented or unclear consent mechanisms. Private space operators typically base their investments on commercial contracts - such as spectrum leases, launch services, and data rights - rather than investment treaties. Absent an express ICSID clause within these agreements, contractual defaults remain outside the purview of investment arbitration, leaving significant mission-critical disputes without clear remedies. Compounding this, key space-sector assets—orbital slots, frequency licenses, and proprietary data - are largely intangible and regulatory, and although telecom arbitrations have recognized such assets as protected investments, ICSID tribunals have not yet addressed their status in space contexts, exposing a critical coverage gap. Additionally, Space law principles such as non-appropriation, liability for debris, and environmental protection are not integrated into existing investment treaty frameworks, discouraging tribunals from applying norms crucial to disputes over mission failures or defaults. This lacuna undermines ICSID's ability to provide robust adjudication for cutting-edge multi-state space ventures. The article accordingly advocates a doctrinal overhaul: incorporating consortium-based consent mechanisms into BITs and financing MOUs; embedding ICSID referral clauses in commercial contracts; explicitly recognizing space-specific intangibles as protected investments; and issuing guidance for tribunals to integrate international space-law obligations. By bridging these gaps, ICSID can evolve to meet the demands of 21st-century space commerce, providing legal security for private investors operating in orbit under complex, state-backed financial structures.

Keywords: ICSID Arbitration, Space Law, Multistate Financing, Private Space Ventures, Spectrum Licenses

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