



INTERNATIONAL RELATIONS AND FOREIGN POLICY
COMMITTEE | ILSA CHAPTER | SCHOOL OF LAW,
CHRIST (DEEMED TO BE UNIVERSITY)



CHRIST
(DEEMED TO BE UNIVERSITY)
BANGALORE • INDIA

CAUSA ET CONSILIUM

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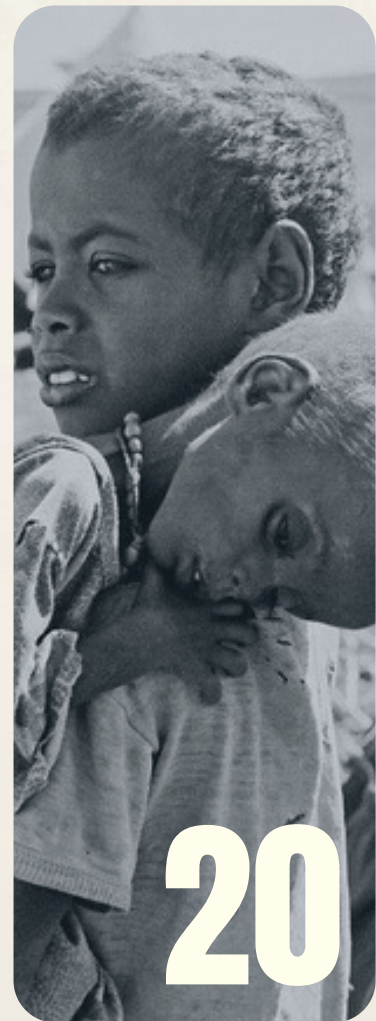
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MESSAGE FROM THE DEAN



The World is on the edge of an expanding theatre of war. Not much has changed since I scripted the last forward for this topical newsletter from the International Relations and foreign policy committee. Peace agreements seem fragile to fall through and global institutional mechanisms have been of little effect to mitigate war and its consequent miseries to humanity. As I pen this piece of academic encouragement to the policy makers of tomorrow, a 22-year-old youngster named Greta Thunberg who had a message of peace and humanitarianism has been deported from her endeavour. A world devoured and maimed by war kills institutions, principles and human values constructed and learnt from centuries of struggle for peace, norms and human rights. Today more than ever peace and conflict resolution studies need an emphatic boost in universities so that applied diplomacy can deliver and defuse tensions before the last resort of armed force. Further multilateral structures are being avoided and bilateralism being resorted to by a major power in world economy and politics affecting prospects in industry, commerce and development. In this bleak and confounding international environment, I laud the efforts of students of law at Christ University to chronicle their well-researched analysis of issues & challenges in international law and foreign relations. It will go a long way in sustaining hope and dialogue for a world gasping for peace.

-Dr. Jaydevan S Nair

Dean

School of Law

CHRIST(Deemed to be University)

MESSAGE FROM THE ASSOCIATE DEAN AND HOD



I'm happy to know that the International Relations and Foreign Policy Committee has put together the first edition of this year's August Round-up Newsletter: Causa et Consilium. The Newsletter is a testament to IRFPC's goal to foster active understanding of intricacies of International Law and Foreign Affairs. I commend the Committee's success in organizing multiple Guest Lectures and hosting reading circles. The IRFPC's efforts to come up with useful events for the students of School of Law, CHRIST (Deemed to be University) and continuing to providing a space to expand students' interest in International Law is noteworthy. I extend my warm wishes to the IRFPC and wish them best regards for the future editions of the Newsletter.

-Dr. Sapna S

Associate Dean and Head of Department

School of Law

CHRIST(Deemed to be University)

MESSAGE FROM FACULTY COORDINATORS

The IRFPC Newsletter: Causa et Consilium showcases students efforts to comprehend and articulate their perspectives, supported by rigorous research on the legal ramifications of global events. This newsletter represents a significant step toward IRFPC's ongoing mission to promote discussions and research in the fields of International Law and International Relations.



Ms. Shainy Pancrasius
Assistant Professor
School of Law
CHRIST (Deemed to be University)

Causa et Consilium, Newsletter aims at providing a platform for scholarly works, engaging discussions and opinions on contemporary dilemmas in international affairs. We strive to make this e-newsletter captivating and education for those interested in International Relations and Foreign Policy matters. The International Relations Foreign Policy Committee is comprised of enthusiastic and dedicated student members who have worked tirelessly to make this Newsletter enriching for the readers.



Dr. Vidya Ann Jacob
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CLIMATE CHANGE CRISIS: HOW THE ALLIANCE OF SMALL ISLAND STATES SHAPES GLOBAL POLICIES

SARVESH R B (FOURTH YEAR STUDENT, SCHOOL OF LAW, CHRIST (DEEMED TO BE) UNIVERSITY)

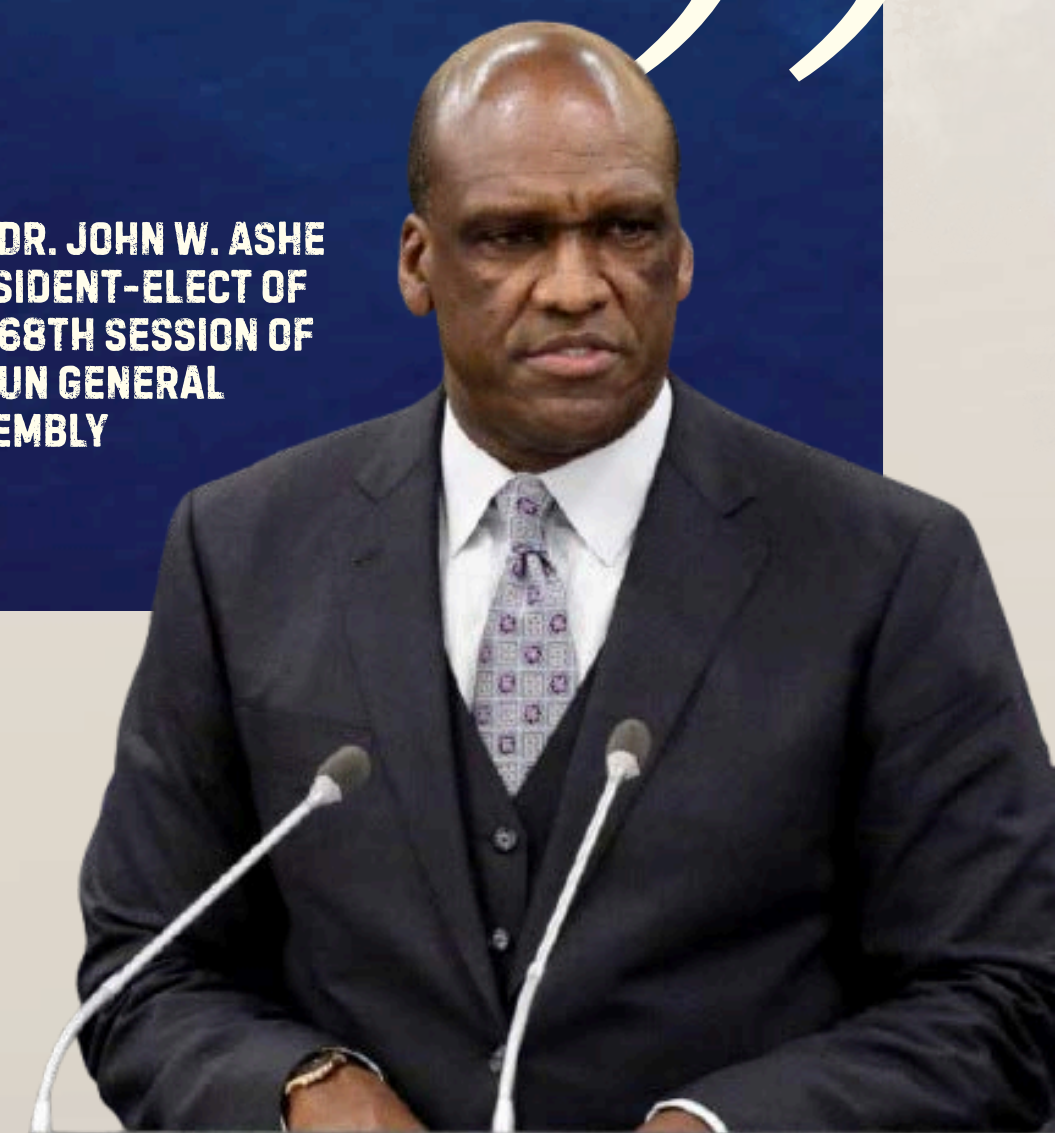
ABSTRACT

The article discusses the critical role of the Alliance of Small Island States (AOSIS) in shaping global climate policies, emphasising the existential threats small island nations face due to climate change. Rising sea levels, driven by melting ice caps and thermal expansion of seawater, pose immediate risks to these low-lying nations, eroding coastlines, contaminating freshwater, and threatening their very existence. Climate change is not just an environmental issue for these states but a fight for survival, dignity, and cultural preservation. AOSIS, formed in 1990, has been instrumental in advocating for small island states in international climate negotiations, particularly under the UN Framework Convention on Climate Change (UNFCCC).

The coalition has pushed for ambitious climate action, including limiting global temperature rises to below 1.5°C and ensuring no island is left behind. Despite internal challenges, AOSIS has successfully influenced global climate agendas, such as the Bali Roadmap and the Poznan negotiations, where they emphasised the need for climate risk insurance and adaptation measures. The 2014 International Conference on Small Island States highlighted the vulnerabilities of SIDS and the importance of collaboration, innovation, and sustainable development. Tokelau, for instance, showcased its transition to renewable energy, generating 90% of its electricity from solar power. The conference also stressed the need for robust mechanisms to monitor commitments and ensure accountability, with the UN playing a key role in supporting implementation. AOSIS has also integrated SIDS' perspectives into the Post-2015 Development Agenda, advocating for Sustainable Development Goals (SDGs) that address oceans' critical role in sustainable development. However, global greenhouse gas emissions continue to rise, and current pledges are insufficient to limit climate change, disproportionately affecting small island states.

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H.E. DR. JOHN W. ASHE
PRESIDENT-ELECT OF
THE 68TH SESSION OF
THE UN GENERAL
ASSEMBLY



People began to recognise the seriousness of these environmental challenges and their potential impacts on the planet. Climate change, one of humanity's most significant challenges, stems directly from the rise in emissions of industrial-era gases and pollutants. These by-products, released into the atmosphere over time, have become a driving force behind the environmental shifts we're experiencing today. These gases, called "greenhouse gases" (GHGs), include water vapour, carbon dioxide, methane, and chlorofluorocarbons. They're particularly good at trapping infrared radiation trying to escape from Earth while still allowing solar radiation to come in. This imbalance is what contributes to the warming of the planet. For small island states, this phenomenon is not just a distant threat; it's an immediate crisis. These islands, often low-lying and surrounded by vast oceans, are on the frontlines of climate change.

Rising sea levels erode coastlines, submerge land, and contaminate freshwater sources with saltwater, making it harder for communities to access clean drinking water and grow crops. Coastal flooding becomes more frequent and severe, damaging homes, infrastructure, and livelihoods. For many island nations, the loss of land threatens their very existence, as shrinking territories could displace entire populations, forcing them to become climate refugees. Beyond the physical damage, the cultural and emotional toll is profound. These islands are not just pieces of land; they are homes, histories, and identities. The fight against rising seas is a fight for survival, dignity, and the preservation of a way of life. For small island states, climate change is not just an environmental issue—it's an existential one.

At the December 2007 Bali climate change meeting, Micronesia reiterated the AOSIS stance, emphasizing that "no island should be left behind." This statement highlighted the coalition's commitment to ensuring that all small island nations are included and supported in global climate action efforts. At the Poznan meeting in December 2008, where climate risk insurance was a major topic, AOSIS took the lead in pushing for insurance to be included in any adaptation agreements. Later, on September 21, 2009, during the Climate Change Summit in New York, AOSIS made a strong statement by adopting the Declaration on Climate Change.

This declaration called for global efforts to keep the average surface temperature rise well below 1.5°C compared to pre-industrial levels, highlighting the urgent need for ambitious climate action to protect vulnerable nations.

Their goal was to stabilise greenhouse gas concentrations at well below 450 parts per million, ensuring that long-term global temperature rises stay as far under 2°C as possible. AOSIS emphasised the need for immediate, bold, and measurable short-term actions to achieve these long-term targets. They also stressed that protecting small island developing States (SIDS) from the worst impacts of climate change should be a key measure of success for any post-2012 climate framework.

In Vienna, the Alliance of Small Island States (AOSIS) outlined a set of guiding principles for any post-2012 plan aimed at tackling climate change. These principles were designed to shape a comprehensive and effective approach to addressing the global climate crisis. The principles are as follows:

- In line with Article 3 of the Convention, precautionary measures must be taken to anticipate, prevent, and reduce the causes of climate change while mitigating its harmful effects. The climate system must be safeguarded for both current and future generations.
- Efforts to implement the Convention should prioritize protecting the most vulnerable parties to the UNFCCC, both in the short and long term. Therefore, the ambition for future emission reductions should use the protection of small island developing States (SIDS) from climate change impacts as a key measure of success.
- Actions under the Convention must be urgent, practical, and ambitious.
- The "polluter pays" principle and the principle of "common but differentiated responsibilities and respective capabilities" should guide the obligations of different parties and groups.
- Any new framework must be developed within the United Nations system and should build on and expand the Kyoto Protocol rather than replace it.

In 2014, the third International Conference on Small Island States was organised jointly by the United Nations and Samoa between September 1- 4. The Conference featured daily Plenary Meetings, Multi-stakeholder Partnership Dialogues, and Side Events, providing a platform for participants to share their hopes and concerns for Small Island Developing States (SIDS).

Niue, the Cook Islands, and Tokelau, small nations under the Realm of New Zealand, actively participated, seeking collaboration with other SIDS. Although Tokelau, as a non-self-governing territory, was not allocated speaking time, New Zealand allowed its Ulu (leader), Aliko Faipule Kuresa Nasau, to address the Plenary. He highlighted Tokelau's vulnerability to climate change, citing coastal erosion and ocean acidification as immediate threats. Despite its minimal carbon footprint, Tokelau is leading by example, transitioning to renewable energy, with solar power now generating 90% of its electricity since 2012. The Ulu urged SIDS to unite and take collective action against shared existential threats like climate change.

In addition to government representatives, other speakers, such as John Ashe, President of the 68th UN General Assembly, addressed the Plenary. Ashe emphasized the long, challenging journey SIDS have faced in pursuing sustainable development, noting their unique vulnerabilities. He stressed the need for a supportive international environment and strong partnerships to help SIDS achieve lasting solutions. The Conference underscored the importance of collaboration and innovation in addressing the pressing challenges faced by SIDS. Participants at the Conference stressed the need for strong mechanisms to monitor the implementation of the Outcome Document. Many Small Island Developing States (SIDS) voiced concerns about the lack of follow-through on commitments from previous conferences in Mauritius and Barbados, emphasising the importance of ensuring accountability this time.

The lack of human, financial, and institutional resources in Small Island Developing States (SIDS) for integrating necessary climate actions can no longer be overlooked by external funders. Addressing these gaps requires training, technical assistance, and public education, which pose significant developmental challenges for SIDS policymakers. Climate change impacts, including sea-level rise, extend beyond coastal zones, affecting energy systems, industry, transportation, human settlements, tourism, insurance, and cultural values.

The Alliance of Small Island States (AOSIS) represents the collective voice of some of the world's most vulnerable nations in the fight against climate change. Despite their minimal contribution to global emissions, small island states face existential threats from rising seas, extreme weather, and environmental degradation. AOSIS has been instrumental in pushing for ambitious global climate action, advocating for stronger mitigation, adaptation, and financial support.

Looking ahead, their future depends on sustained international cooperation, innovative solutions, and equitable policies that prioritize their survival. For these nations, climate action isn't just about sustainability—it's about securing their homes, cultures, and very existence for generations to come.

UNIVERSAL JUSTICE OR SELECTIVE PROSECUTION? RETHINKING ICC'S ROLE



SUPRIYA IVATURY (THIRD YEAR STUDENT, SCHOOL OF LAW, CHRIST (DEEMED TO BE) UNIVERSITY)

INTRODUCTION:

The International Criminal Court made news throughout the world in May 2024 when it issued arrest warrants against prominent Hamas and Israeli leaders, one of the most contentious legal actions in the current conflict. With its roots in decades of geopolitical tension, violent cycles, and disputed territorial and identity claims, the Israel-Hamas conflict has frequently been accused of war crimes by both sides. The international world is increasingly demanding responsibility as the number of civilian victims rises. Established by the Rome Statute to bring war crimes, genocide, and crimes against humanity charges against people, the ICC has entered this fragile conflict with the intention of enforcing international justice.

Although the International Criminal Court has taken steps to address the Israel-Hamas conflict, its decision to issue arrest warrants raises serious concerns regarding the Court's consistency, impartiality, and ability to uphold universal standards of justice.

ICC JURISDICTION IN THE ISRAEL-HAMAS CONFLICT: LEGAL MANDATE OR OVERREACH?

The International Criminal Court (ICC) holds jurisdiction over grave international crimes—namely, genocide, war crimes, crimes against humanity, and aggression—committed by individuals, regardless of their official capacity. Under the Rome Statute, its jurisdiction extends to crimes committed by or within the territory of State Parties. In the context of the Israel-Hamas conflict, the severity of alleged war crimes and crimes against humanity clearly falls within the ICC's substantive mandate. However, the legal complexities arise due to the status of the parties involved. While Palestine acceded to the Rome Statute in 2015, thereby accepting the Court's jurisdiction, Israel is not a signatory.

This asymmetry raises critical questions: How far can the ICC extend its authority when one party to the conflict remains outside its legal framework? Can the Court issue arrest warrants against individuals from a non-member state without violating the principle of sovereign consent? These concerns form the crux of ongoing debates about the legitimacy and scope of the ICC's actions in this case. Examining the Court's legal basis for intervention—and whether it operates within its rightful bounds or risks overstepping them—is essential to evaluating the neutrality and effectiveness of international criminal justice.

Although Israel is not a party to the Rome Statute, the ICC's Pre-Trial Chamber ruled in 2021 that it has territorial jurisdiction over Gaza, the West Bank, and East Jerusalem. This is based on Palestine's accession to the Statute in 2015 and its recognized status as a non-member observer state by the UN General Assembly.

Furthermore, the principle of complementarity is vital. The ICC does not replace national courts—it intervenes only when a country is unwilling or unable to prosecute international crimes genuinely. Israel argues that it has an independent judicial system that actively investigates alleged violations, including over 50 internal military investigations. However, the ICC's willingness to proceed suggests that these domestic processes may be viewed as inadequate or lacking impartiality under international legal standards.

ARREST WARRANTS:

The ICC's decision to issue arrest warrants for both Israeli and Hamas leaders has triggered significant controversy, especially regarding the perceived equity of accountability. According to the ICC's Pre-Trial Chamber I, there were reasonable grounds to believe that Israeli leaders, including Prime Minister Netanyahu and Defence Minister Gallant could be held responsible, the charges against Netanyahu and Gallant include war crimes such as using starvation as a method of warfare, and crimes against humanity like murder and persecution, under Articles 7 and 8 of the Rome Statute. These arise from Israel's siege on Gaza, its control over humanitarian aid, and civilian casualties from military operations.

Likewise, Hamas leaders face charges including murder, torture, and hostage-taking, largely stemming from the October 7, 2023, attacks, in which civilians were deliberately targeted. The ICC frames these as both war crimes and crimes against humanity.

The core issue, however, lies in whether both sides' conduct should be treated equally. Israel contends that it was engaging in a justifiable war against Hamas, a terrorist organization responsible for the massacre of Jewish civilians in the worst attack since the Holocaust. In contrast, ICC Prosecutor Karim Khan stresses that international law must apply uniformly, warning that selective justice could undermine the legitimacy of the Court itself.

While Khan does not compare the two parties directly, his decision to hold both Israel and Hamas accountable for alleged war crimes, despite differing intentions and circumstances, has sparked a backlash, particularly from Israel. Critics argue that the ICC's stance risks overlooking the nuances of the conflict, suggesting that in its bid for fairness, it may be inadvertently applying a blanket approach to highly complex and asymmetric warfare. This approach raises questions about whether the ICC is overstepping its bounds by pursuing warrants against Israeli leaders, a move some view as undermining the Court's neutrality and credibility.

POLITICAL AND DIPLOMATIC RESPONSES:

The international response to the ICC's arrest warrants against Israeli leaders has been deeply polarized, revealing contrasting positions between Western and Global South nations. Western countries, such as the United States and several EU members, have expressed vehement opposition to the warrants. The U.S., in particular, has called the ICC's move "outrageous," asserting that the court does not have jurisdiction over Israel, while standing firmly with its ally against threats to Israeli security. In contrast, Global South countries like South Africa and Turkey have largely supported the ICC's decision, viewing it as a significant step towards justice for Palestinians and accountability for Israel's actions.

This divergence in reactions raises questions about selective justice. For instance, Belgium and Canada have emphasized the importance of holding all parties accountable regardless of their political status, echoing calls for impartiality in the pursuit of international law. However, critics argue that the ICC's actions seem inconsistent when compared to its handling of other conflicts. The Sudan case, where the ICC failed to take substantial action against the leadership of Omar al-Bashir, and the Russia-Ukraine conflict, where the ICC has not yet issued warrants for key figures, serve as prime examples.

These omissions have led some to accuse the ICC of applying a double standard, with its decisions often swayed by geopolitical interests. Moreover, the question remains: Can the ICC truly maintain neutrality in such highly politicized conflicts? The court's independence is often questioned in scenarios where global powers, such as the U.S. and Russia, exert significant influence on the judicial process. This concern of political interference is exacerbated by the ICC's failure to act in cases where powerful states are involved, suggesting that international law may be subject to the whims of diplomatic and political considerations.

The ICC's selectivity in issuing arrest warrants can be compared to its past cases, such as *Prosecutor v. Omar Hassan Ahmad al-Bashir* (2009), where the ICC issued an arrest warrant for Sudan's president, despite political resistance from powerful nations. This raises the issue of whether the ICC is truly impartial or if political dynamics shape its legal decisions.

CONCLUSION:

While the International Criminal Court (ICC) has made visible and unprecedented efforts to intervene in the Israel-Hamas conflict, most notably through issuing arrest warrants for leaders on both sides, these actions, though seemingly balanced, reveal deeper issues that undermine their credibility. The Court's legal justification, grounded in Palestine's accession to the Rome Statute and the principle of complementarity, appears sound in theory. Yet, in practice, the asymmetry in state participation, the complex political context, and the lack of uniform application of international standards raise valid concerns. The polarized international reactions and the ICC's uneven record in similar global conflicts cast doubt on its impartiality, consistency, and effectiveness. The evidence suggests that while the ICC aimed to demonstrate a commitment to universal justice, its actions may instead reflect a troubling trend of selective prosecution influenced by geopolitical considerations. The Court's failure to enforce warrants consistently in other high-profile cases and its susceptibility to political pressures challenge its claim to neutrality. Therefore, although the ICC did make efforts to address the conflict, these efforts were not wholly true, unbiased, or efficient in delivering justice. Rather than restoring faith in international law, the ICC's actions risk perpetuating the perception of international justice as politicized and unevenly applied.



HOW COUNTRIES USE TRADE AS A WEAPON

**AANCHAL PRASAD (THIRD YEAR STUDENT, SCHOOL OF LAW,
CHRIST (DEEMED TO BE) UNIVERSITY)**

Nations around the world routinely employ a broad spectrum of trade-related instruments-such as tariffs,export controls,sanctions, and trade agreements-as strategic tools to assert economic influence,exert political pressure,and enhance their geopolitical standing.Since the end of World War II,international trade has significantly expanded and at a historically unprecedented rate.However,despite the numerous advantages associated with liberalized trade,recent global developments are hinting a possible reversal of the liberal economic order that was institutionalized with the establishment of the General Agreement on Tariffs and Trade(GATT) in 1947.

Historically, the concept of international trade has not always been viewed positively. Prior to the 18th century, trade was largely perceived through the lens of mercantilism- a framework that considered economic interactions between nations as a zero-sum game. Under this particular view, the goal was to maximize exports while minimizing imports, thereby ensuring that one nation's gain came at the direct expense of another.Hence, the trade was inherently competitive rather than cooperative.

The idea of leveraging trade as a weapon is far from new. States have been resorting to imposing embargoes or selectively curtailing the flow of goods to and from rival nations as a means of exerting pressure and expressing disapproval for centuries. The United States grain embargo against the Soviet Union was enacted by the U.S. President Jimmy Carter in January 1980 in response to the Soviet Union's invasion of Afghanistan in December 1979 although the American farmers felt the brunt of the sanctions and it had a comparatively lesser effect on the Soviet Union. The current scenario is distinguishable due to the scale and interconnectedness of the global economy which makes the consequences of such actions significantly more profound and extensive. Countries today often resort to weaponizing trade for a variety of reasons which may stem from either broader geopolitical concerns or more immediate economic concerns. While trade-related measures are powerful tools, they are rarely the first response in international disputes. In most of the cases, states initially pursue resolution through diplomatic negotiations. For instance, before the United States took the step of imposing export restrictions to block the construction of a pipeline from the Soviet Union to Western Europe, it had already offered Germany several alternative sources of energy.

There continues to be various contemporary case studies on trade weaponization. U.S. trade with China has grown significantly and is crucial for both countries especially since China is one of the largest export markets for U.S. goods and services. After President Donald Trump began a trade war with China in 2018, there has been rising economic tensions between the US and China. Recently, President Donald Trump imposed steep tariffs of 145% on imports from China, prompting a swift and forceful response from Beijing, which retaliated by levying 125% tariffs on American goods. While the Trump administration granted a 90-day suspension of these tariffs to several other nations on the condition that their leaders engage in negotiations with the United States- China was notably excluded from this concession. In contrast, Beijing not only escalated its own tariff measures but also introduced additional economic countermeasures.

Western nations tend to reserve sanctions for what they consider egregious moral behavior- support for terrorism, human rights violations etc. In response to Russia's invasion of Ukraine in 2022, the West imposed a wide array of sanctions targeting key sectors such as energy, finance and technology. Russian banks were removed from SWIFT, and there were bans on oil and gas imports. While the sanctions were intended to cripple Russia's war machinery, the effects turned out to be mixed. The EU also adopted sanctions against Belarus, Iran and North Korea in response to their support for Russia in the military aggression against Ukraine. In theory, sanctions work best when imposed globally and agreed by the United Nations (UN), but because Russia and China are permanent members of the UN Security Council and are able to veto council resolution, it proved to be not possible which meant that individual states would have to use their own domestic legislative powers to impose unilateral sanctions.

Article XXI of the GATT allows countries to deviate from trade obligations for reasons of national security. However, its "self-judging" language has led to a number of controversies, such as in the Russia-Transit case, where Russia cited national security for restricting transit of Ukrainian goods. The majority of the 22 original contracting parties to the GATT had little objection to the exception clause proposed by the United States. Historical records indicate that the negotiators, including the U.S., understood that whether the exception applied in a given situation would need to be assessed according to the terms of the new trade agreement. It is evident from the negotiation history that the United States did not initially interpret Article XXI as a blanket justification for any trade restriction simply labeled as a national security measure by the implementing country.

The former head of the WTO, Roberto Azvedo had stated that if the nations continued to disregard the international rules for trade, the global economy would return to the "law of the jungle". Between the 1996 and 2019, WTO members filed an average 23.7 requests for dispute settlement proceedings a year although there was a drop in the years subsequent that with the average rate of new disputes filings falling to a 7.3 a year.



In the context of settler-colonialism, the concept of development needs to be revisited by the recognition of the fact that indigenous-led development plans, which are very likely to focus on economic sovereignty, the preservation of culture, and autonomy, are a necessity to happen. Such an acknowledgment of historical wrongs against these communities requires an unrelenting commitment to helping redress those wrongs. Advanced development, ultimately, should be centred on the rights and dignity of indigenous peoples, rather than allow the dominant Western worldview that has harmed indigenous peoples so much over time to go unchallenged.



BANGLADESH IN CRISIS: POLITICAL UPHEAVAL AND ITS RIPPLE EFFECTS ACROSS SOUTH ASIA

RITURAJ MAL DEKA (FOURTH YEAR STUDENT, SCHOOL OF LAW, CHRIST (DEEMED TO BE) UNIVERSITY)

In the wake of Prime Minister Sheikh Hasina's resignation in August 2024, Bangladesh entered a period of significant political and social upheaval. The appointment of Nobel laureate Muhammad Yunus as the head of an interim government brought initial hope for democratic restoration, but the challenges facing the nation proved to be formidable.

The immediate aftermath of Hasina's departure was marked by widespread violence and communal tensions. Reports indicated that minority communities, particularly Hindus, faced targeted attacks on their homes, businesses, and places of worship. Between August and December 2024, over 2,200 incidents of violence were reported, including attacks on 152 temples and the deaths of 23 individuals. These events underscored the fragile state of communal harmony in the country.

The interim government, composed primarily of civil society members and student leaders, pledged to restore democratic norms and hold free and fair elections. However, the administration faced significant hurdles, including restoring law and order, addressing human rights violations, and managing economic instability. Inflation rates soared, with food inflation reaching 14% and general inflation at 11%, exacerbating the hardships faced by the populace.

Internationally, the crisis in Bangladesh had broader implications for regional geopolitics. India, a longstanding ally of Hasina's government, was particularly affected. The influx of refugees strained resources in bordering Indian states, and the political instability threatened bilateral trade relations. India's immediate response was to offer Hasina refuge, a move seen by some as a calculated effort to ensure a peaceful transition of power.

The interim government also faced criticism for its handling of press freedom and human rights. Reports emerged of journalists being harassed, with over 354 journalists facing various forms of persecution, including criminal charges and revocation of press credentials. These actions raised concerns about the government's commitment to democratic principles and freedom of expression.

Despite these challenges, the interim government initiated reforms across various sectors, including the establishment of commissions tasked with bringing about institutional changes. However, the effectiveness of these reforms remained uncertain, with critics arguing that the government struggled to break from the entrenched power structures of the past.

As Bangladesh navigated this tumultuous period, the international community, particularly neighboring countries like India, needed to engage constructively to support a peaceful and democratic resolution. Ensuring the protection of minority rights, restoring economic stability, and establishing a robust democratic framework were essential steps toward a more stable and prosperous future for Bangladesh and the South Asian region as a whole. The political vacuum led to a surge in communal violence, particularly targeting Hindu minorities. Reports indicated widespread attacks on Hindu homes, temples, and communities, resulting in numerous deaths and displacements. The rise of Islamist groups, such as Jamaat-e-Islami, exacerbated fears among minorities and raised concerns about the country's secular fabric.

India, sharing a long and porous border with Bangladesh, was significantly affected by the turmoil. The influx of refugees, particularly from minority communities, strained resources in bordering Indian states. Moreover, the political instability threatened bilateral trade, which saw a decline from US\$12.21 billion in 2022–23 to US\$11 billion in 2023–24. India's longstanding support for Hasina's government also complicated its relations with the new interim administration.

The crisis in Bangladesh had broader implications for regional geopolitics. With the interim government seeking to balance relations with major powers, there was potential for increased Chinese influence in the country. Additionally, warming ties between Bangladesh and Pakistan could alter traditional alliances and impact initiatives like the South Asian Association for Regional Cooperation (SAARC).

Bangladesh's economy, particularly its garment industry, suffered due to the unrest. Factory closures and disruptions led to significant losses, affecting both domestic employment and international trade. Foreign investors grew wary, and ongoing instability threatened to reverse years of economic progress.

Bangladesh's political crisis underscored the fragility of democratic institutions in the face of authoritarian tendencies and social unrest. The repercussions extended beyond its borders, affecting regional stability, economic ties, and geopolitical alignments. As the interim government navigated these challenges, the international community, particularly neighboring countries like India, needed to engage constructively to support a peaceful and democratic resolution.

The path forward for Bangladesh required not only internal reconciliation and institutional reform but also a concerted effort to rebuild trust with its neighbors and the broader international community. Ensuring the protection of minority rights, restoring economic stability, and establishing a robust democratic framework were essential steps toward a more stable and prosperous future for Bangladesh and the South Asian region as a whole.

One of humanity's most fundamental needs, food, has become an influential geopolitical weapon in a world of growing dependence and conflict. Food is not a neutral commodity; it is used as a weapon in international conflicts when the power struggles are asymmetrical. The use of food to further military or political goals is exemplified by current conflicts as the one between Israel and Palestine, Russia and Ukraine, and the recent humanitarian situation in Yemen.

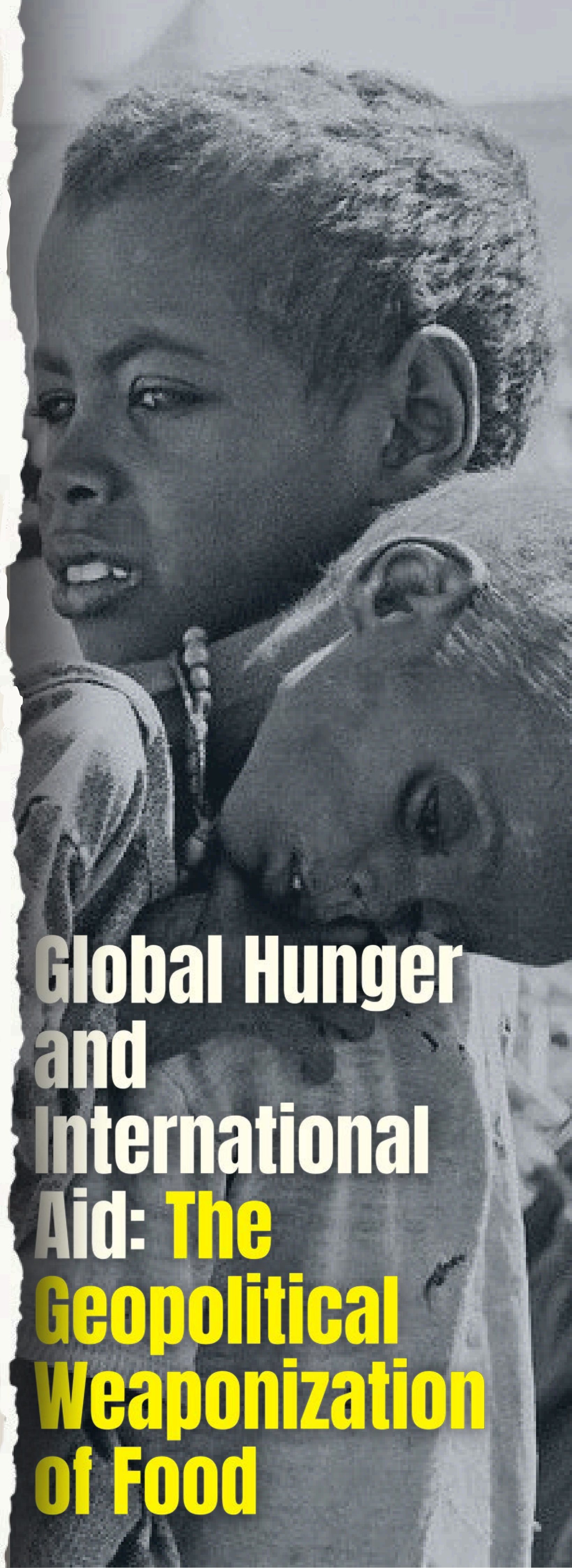
Food insecurity has always had a political dimension. From colonial famines through Cold War-era foreign aid policies, controlling access to food has been a way of control, compliance, or coercion. The 21st century has seen this trend carry on, yet in more developed and globalized forms. With food supply chains now spanning across the globe, food is both a strategic resource and a potential liability. The Global North- that is, politically and economically dominant countries, generally dominates the economic institutions, agricultural industries, and trade policies that organize the food economy worldwide. The Global South, on the other hand, where the majority of food-insecure people live, is the one to suffer the costs.

For the majority of developing nations, reliance on imported food leaves them at the whim of market forces, export prohibitions, and geopolitics. When richer nations hoard grains or reroute exports to politically aligned nations, it harms vulnerable individuals in less affluent nations. Food becomes, therefore, not just a source of sustenance but a tool of bargaining in global diplomacy and a silent arbiter of foreign policy.

UKRAINE AND RUSSIA: BREADBASKET TURNED BATTLEFIELD

Russia and Ukraine are two of the largest grain exporters in the world and together share close to 30% of wheat exports prior to the outbreak of war in 2022. Ukraine alone exports huge volumes of wheat, maize, and sunflower oil to food-deficient areas such as parts of Africa, the Middle East, and South Asia. The invasion of Ukraine and the following blockade of ports in the Black Sea led to record grain prices and a scramble by nations to seek alternatives, significantly impacting food availability in poor economies.

President Vladimir Putin has brazenly employed food as a weapon of war by attacking Ukraine's



Global Hunger and International Aid: The Geopolitical Weaponization of Food

agriculture infrastructure- grain silos, export pipelines, and ports- to unsettle its economic foundation and international reputation as a reliable supplier. This economic war has contributed to renewed global food insecurity amidst broader economic uncertainty. Russia has also used grain exports as a geopolitical tool, selectively providing or withholding food aid based on political allegiances, thereby weaponizing food not only through direct military actions but also through economic coercion.

ISRAEL AND PALESTINE: STARVATION AS SIEGE

The Gaza war has led to a grave humanitarian crisis, with the media reporting that starvation is being used as a weapon of war. Senior Israeli commanders have been known to openly declare their intent to deny civilians in Gaza the basic things like food and water, actions Human Rights Watch reports are part of a systematic policy. The crisis has resulted in acute food shortages, with rising rates of starvation and child mortality due to malnutrition.

Wrecking of important infrastructure like bakeries, flour mills, and cultivated land has paralysed Gaza's food system. Therefore, families cannot access essentials, as some of these have been driven to the south and found full shelters, deserted markets, and skyrocketing prices. The UN High Commissioner for Human Rights said that over one hundred days of fighting have caused the food system in Gaza to be devastated (OHCHR). The Integrated Food Security Phase Classification (IPC) reports that the entire Gaza Strip is in IPC Phase 4 (Emergency), with approximately 133,000 people facing catastrophic food insecurity (IPC Phase 5) and 664,000 in emergency food insecurity (IPC Phase 4). Acute malnutrition rates have surged to levels ten times higher than before the conflict.

International law prohibits the starvation of civilians as a weapon of war yet limiting humanitarian relief and the Gaza blockade severely limited access to life-saving relief. The international community is urged to act quickly to bring an end to the mounting humanitarian crisis and permit humanitarian agencies unfettered access to help vulnerable populations.

YEMEN: FAMINE AS A WEAPON OF WAR

The Yemen war is possibly the most catastrophic instance of food as a weapon. The Saudi-led coalition, fighting Houthi rebels, has had a de facto blockade on Yemeni ports since 2015, aiming at disrupting supply chains and infrastructure necessary for bringing in food. As Yemen imports over 90% of its food, the blockade has been apocalyptic.

Airstrikes have targeted farms, markets, and fishing vessels, while administrative bottlenecks at ports prevent humanitarian assistance from reaching where it is needed. Both sides have been accused of using food as a weapon- by looting food aid shipments, denying access to enemy-controlled areas, or using starvation to quell resistance.

The resulting famine is not collateral damage; it is a deliberate policy. UN staff have repeatedly warned that Yemen's famine is man-made, driven by decisions prioritizing military gain over survival among civilians. Under such conditions, hunger is not an accident, it is intentional.

GLOBAL NORTH VS. SOUTH: THE UNEQUAL BURDEN

While the Global North has immunized itself more or less against the worst effects of food crisis, the Global South is at the forefront as always. Affluent countries are able to absorb shocks through subsidies, buffer stock, and diverse imports. Poorer nations have to contend with runaway prices, climate shocks, and predatory terms of trade.

This imbalance realizes a profound injustice: individuals most innocent of geopolitical conflict face most intensely its effects. Insecurity around food also reproduces other structural injustices, such as poor health, political disturbance, and dislocation. It also constrains the autonomy of Global South nations within the international system.

Moreover, when Global North actors use food aid as a soft power tool- attaching it to conditions like political alignment, trade liberalization, or military cooperation, it again deepens dependency. Such a dynamic blurs the line between humanitarian assistance and strategic manipulation.

International humanitarian law, in the form of the Geneva Conventions, prohibits starvation as a weapon of war. But enforcement is weak, and punishment for offenders is rare. Institutions like the UN Security Council are consistently foiled by vetoes and geostrategic rivalry. Thus, food war continues with impunity in most of the world. There is a broader moral requirement. Food access is a fundamental human right. Using it as a weapon, by withholding relief, destroying crops, or manipulating prices, is a breach of international legal standards and basic human decency.

The global community requires more effective tools to prevent these types of abuses and punish their perpetrators. Solutions to enhance global action to prevent and punish crimes of starvation have also been suggested, including a revision of the Rome Statute to expressly criminalize starvation in non-international armed conflicts.

More equitable and sustainable food systems require addressing the structural imbalances that enable food weaponization. This includes reshaping trade policies that undermine Global South producers, investing in local agriculture, and advocating for food sovereignty. This also includes resisting food commodification by multinational corporations that prioritize profit over people. Technology and innovation are some help, ranging from climate-resilient crops to decentralized supply chains. But without global solidarity and political will, however, these options will be little more than sticking plasters on a severed limb.

Humanitarian organizations must also be free to operate autonomously, unshackled from pressure from military or political players. Neutral routes, guaranteed access, and unhindered delivery of aid are not luxuries, these are life-and-death issues.

The weaponization of food is a brutal manifestation of a deeper crisis in global governance, a collapse in prioritizing human life over power politics. In Eastern Europe's fertile breadbaskets, Gaza's besieged enclaves, and Yemen's war-torn ports, hunger has become a language of war, used deliberately to break civilian populations. This tactic creates disproportionate suffering among the most needy- children, the elderly, and displaced households- making subsistence a humble human right an instrument of desperation and coercion.

Attacking farming infrastructure, roadblocks strangulating supply chains, and tampering with food relief not only kill local economies but have a snowball effect, undermining global food security. Abolishing this inhumane practice needs more than legislation; it needs a radical change of world consciousness, thinking about food as the foundation of peace, not the weapon of war. Constructing well-balanced and sustainable food systems, safeguarding humanitarian access, and punishing perpetrators of the practice of using food as a weapon should be at the centre of this change. In a truly just world, bread will feed the poor and not fuel the engines of war.



GROWTH & DEVELOPMENT IN EX-COLONY NATIONS

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INTRODUCTION

The concept of development has been the underlying rationale for progress and modernization, particularly in the instance of former colonies. Yet, this notion has been heavily critiqued for its Eurocentric and elitist foundations, which have helped to solidify the nature of Western knowledge and power systems (Escobar, 1995). Settler-colonialism has significantly affected the concept of development, as it has been relied upon to clarify the displacement and marginalization of indigenous peoples, as well as the seizure of their lands and natural assets. Settler-colonialism is a particular kind of colonialism in which a new society is established on an indigenous people's land with the intention of displacing the native population with colonists (Veracini, 2010). This process has involved Western development models of economic growth, urbanization, and modernization, which have proved to be devastating to indigenous forms of living (McMichael, 2008). The effects for indigenous populations have been devastating, as they have been forced to adopt alien economic systems, languages, and cultural norms that are often incompatible with their customary ways (Fanon, 1963).

The appropriation of indigenous lands and the extraction of their natural resources have frequently been justified under the guise of development. In spite of the extensive history of indigenous populations in Australia, the British colonization of Aboriginal land was justified by the doctrine of terra nullius, or unoccupied land (Reynolds, 1987).

Similarly, Indigenous peoples in Canada were forced to adopt European systems of agriculture and education systems by the Indian Act, with the objective of assimilating them into white Canadian society (Miller, 1996).

The exclusion and marginalization of indigenous knowledge and epistemologies from mainstream development discourses are an indication of how far settler-colonialism has shaped the concept of development (Simpson, 2014). Western ideas of development, focusing on economic advancement and modernization and supra-traditional ways of life, have compelled indigenous peoples to make adjustments. Poverty, inequality, and social injustice continue unabated, while indigenous knowledge systems, cultures, and languages are threatened with extinction (Alfred, 2005). Settler colonialism, thus, which compelled indigenous peoples to embrace a Western modernization and progress agenda, has profoundly influenced the idea of development. Indigenous peoples, therefore, have been hard hit, necessitating them to adjust to new normative standards, economic systems, and languages that are incompatible with their own ways of life. Focusing on indigenous knowledge and epistemologies in development agendas is equally critical as acknowledging, both in the past and now, the legacy of settler colonialism on the concept of development.

Case Study

The settler colonialism in the region of Palestine by the state of Israel has had serious human rights violations and continues to bar development so as to systematically displace Palestinians from their land and take their land. It is characteristic of colonialism, where the indigenous people are replaced by an encroaching settler community (Veracini, 2010). The Israeli state uses a very broad range of repressive measures, from military occupation and settlement expansion to land appropriations, which have resulted in the severe damage caused to the socioeconomic opportunities for Palestinians and prevented them from flourishing. Land appropriations usually made through legal technicalities, military orders, as well as violence, played an integral role in building Israeli settlements.

This implies removing parts of residential houses and cultivated farmland from inside Palestinian territorial spaces. It relates the people to the extent that there are dispossession and restriction of the local means of earning (Wolfe, 2006). There is incessant complaint of assault and vandalism and persecution from settlers' side towards Palestinians and that causes them more tension and frustration (B'Tselem, 2018). Furthermore, the Israeli military has developed a framework of restrictions that severely limit Palestinian movement and access to fundamental resources, such as farmland and water.

The construction of the separation barrier has caused immense damage to the local agricultural practices and livelihoods tied to them, which have limited access to farmland and isolated the Palestinian community from their residential areas (Farsakh, 2016). Fragmentation of Palestinian land via the erection of checkpoints and military areas further complicates the already difficult task that the inhabitants face in attaining employment, health, and educational services, creating a vicious cycle of poverty and dependency on foreign handouts (Farsakh, 2016). Besides, the protracted siege of Gaza has brought about a humanitarian crisis marked by a high rate of unemployment, poverty, and lack of basic services. The United Nations has at one time in history described the situation in Gaza as a humanitarian crisis. Policies of Israel that discourage infrastructure development, imports, and generally the environment that has become unfavourable for economic opportunities have made the crisis worse (United Nations, 2021).

Palestinians have faced intense psychological trauma besides economic issues because of the settler colonial structure. The long-term socio-psychological impacts arise from the continuous fear of violence, displacement, and cultural erasure that have eroded social cohesion and cultural heritage (Pappé, 2014). Key characteristics of settler colonialism in Palestine are extreme human rights abuses and a systematic destruction of Palestinian gains. These components include international recognition of the rights of Palestinians, punishment for offenses committed, and a commitment to real self-determination and sustainable development as part of addressing these severe injustices.

Conclusion

It follows, then, that settler-colonialism is closely interrelated with the concept of development, especially as this powerful force has shaped indigenous lives globally. Economic dependency, cultural devastation, and the loss of traditional ways of life have resulted from colonial cultures adapting to the "West's methods of development." An important example that shows how settler-colonialism prevents development and promotes the continuance of poverty, displacement, and human rights violations is the case of Palestine.

So instead of relying on the WTO's lengthy process of dispute resolution to mitigate their trade disagreements, the US, China and other nations have adopted unilateral trade penalties as a more efficient manner to protect their respective economies. Although there is common belief that tariffs can resolve issues of inequality, it instead results in an increase of the overall cost of living and consumers having to pay higher prices which reduces consumer purchasing power and limits product availability.

There tends to be broader consequences of Trade Weaponization. Weaponizing trade undermines the global rules-based order. Countries increasingly rely on bilateralism or regional trade blocs instead of multilateral agreements which weakens cooperative frameworks and leads to a race for economic leverage. Trade wars and sanctions often produce spillover effects, disproportionately affecting the developing countries wherein the nations face reduced market access, supply disruptions and massive inflations despite having no direct involvement in the geopolitical disputes. Countries have also begun to analyse and reevaluate their dependencies and adopt 'friendshoring' to reduce vulnerability. The US government has stressed its intention to obtain components and raw materials from 'friendly countries' with shared values rather than being highly reliant on countries where there exists geopolitical tensions.

Trade has become a pivotal instrument of statecraft. While it offers powerful leverage, the weaponization of trade also risks destabilizing the global economic system and weakening institutions like the WTO. Moving forward, international law must adapt to regulate security-based exceptions and revive dispute resolution mechanism wherein a balanced approach is essential to ensure that strategic trade measures do not undermine the foundation of international trade and economic cooperation.

GOVERNING ARTIFICIAL INTELLIGENCE AND QUANTUM COMPUTING IN WARFARE AND CYBERSECURITY: LEGAL CHALLENGES AND POLICY IMPERATIVES UNDER INTERNATIONAL LAW

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In 2025, artificial intelligence (AI) and quantum computing are transforming warfare and cybersecurity, wielding unprecedented power from autonomous drones to quantum algorithms that threaten global encryption. These technologies outpace international legal frameworks, risking misuse, unaccountability, and destabilization. This article explores their revolutionary potential, the legal challenges they pose under international law, and the policy imperatives needed to ensure they serve humanity rather than imperil it.

THE QUANTUM LEAP: AI AND THE POWER OF QUANTUM COMPUTING

AI is reshaping warfare with capabilities rivaling the most advanced human strategists. Machine learning powers autonomous drones, predictive logistics, and real-time battlefield analytics, as seen in the U.S. Department of Defense's Project Maven, which uses AI to process surveillance data. Yet, AI's potential skyrockets when paired with quantum computing, a technology grounded in quantum mechanics. Quantum mechanics governs the subatomic realm, where particles like electrons exist in superposition—multiple states simultaneously until measured. Quantum computers exploit this using qubits, which, unlike classical bits (0 or 1), can represent 0, 1, or both at once. Through entanglement, qubits become interconnected, their states correlated even across vast distances, enabling exponential computational power. Google's 2019 quantum supremacy experiment solved a problem in 200 seconds that would take a classical supercomputer 10,000 years. This speed supercharges AI, accelerating neural network optimization, vast dataset analysis, and complex problem-solving, such as decrypting military communications.

In warfare, quantum-enhanced AI could simulate entire battlefields in real time, optimizing strategies with unparalleled precision. In cybersecurity, quantum computing is a double-edged sword. Algorithms like Shor's could break RSA encryption, used by NATO and global banks, in seconds. Conversely, quantum key distribution (QKD) offers theoretically unbreakable encryption, as demonstrated by China's 2017 Micius satellite, which transmitted secure keys over 1,200 kilometers. However, quantum-AI cyberattacks could cripple infrastructure, amplifying the stakes for governance.



LEGAL CHALLENGES UNDER INTERNATIONAL LAW

International law, rooted in treaties like the Geneva Conventions and the UN Charter, was designed for human combatants and conventional weapons. AI and quantum computing expose critical legal gaps, threatening global stability.

1. Autonomous Weapons and Accountability

Autonomous weapons systems (AWS), such as AI-driven drones, select and engage targets without human oversight. International humanitarian law (IHL), codified in the 1949 Geneva Conventions and their Additional Protocols, mandates distinction between civilians and combatants and proportionality in attacks. Yet, AI errors—such as misidentifying civilians—raise profound questions of liability. The Conventions assume human intent, offering no framework for machines. Who is accountable: the programmer, commander, or manufacturer? The International Criminal Court's discussions on AWS accountability, under the 1998 Rome Statute, have stalled, reflecting resistance from major powers.

The Campaign to Stop Killer Robots advocates for a preemptive ban, but global adoption faces hurdles, as states prioritize strategic advantages. Legal principles like *mens rea* (guilty mind), central to international criminal law, don't apply to AI, complicating prosecutions.

2. Quantum Cyber Warfare and Attribution

Quantum computing redefines cyber warfare. The Tallinn Manual 2.0, a non-binding guide on applying IHL to cyber operations, assumes classical systems. A quantum-powered attack—disabling critical infrastructure like power grids—could qualify as an “armed attack” under Article 51 of the UN Charter, justifying self-defense. However, quantum tools could obscure attribution, making it nearly impossible to identify perpetrators, whether state or non-state actors.

IHL's principle of distinction falters when quantum cyberattacks cascade into civilian systems, such as hospitals or water supplies, violating proportionality. The lack of treaties addressing quantum cyber warfare exacerbates these challenges.

3. Privacy and Surveillance

AI's reliance on vast datasets clashes with the International Covenant on Civil and Political Rights (ICCPR), particularly Article 17, which protects against arbitrary privacy interference. Military AI systems often draw on civilian data, raising concerns about mass surveillance.

Quantum computing amplifies this threat by potentially decrypting encrypted communications, as explored in China's quantum research programs. The EU's 2023 Artificial Intelligence Act, limiting surveillance in sensitive contexts, sets a precedent, but global standards remain elusive.

POLICY IMPERATIVES FOR GLOBAL GOVERNANCE

The legal voids surrounding AI and quantum computing demand robust policy responses. Geopolitical rivalries complicate consensus, but the following imperatives offer a path forward.

1. Modernizing Treaties

The Convention on Certain Conventional Weapons (CCW), adopted in 1980, has debated AWS since 2014 but lacks binding protocols. A new CCW protocol mandating human-in-the-loop oversight and clear liability for AI errors could bridge gaps. Similarly, a UN treaty on quantum cyber warfare could define thresholds for “armed attacks” and establish attribution standards, building on the 2015 GGE Report on cyber norms.

Regional frameworks can accelerate progress. The EU's 2023 AI Act, emphasizing transparency, could inspire similar initiatives in ASEAN or the African Union, fostering a patchwork of norms that coalesce globally.

2. Ethical Standards and Transparency

Ethical guidelines are essential. The IEEE's 2021 Ethically Aligned Design framework advocates auditable AI algorithms, a principle militaries should adopt. Transparency in quantum research could prevent arms races, requiring open dialogue through UN forums like the Group of Governmental Experts on Lethal Autonomous Weapons Systems. The U.S.'s open-source quantum initiatives contrast with restrictive approaches, highlighting the need for cooperative standards.

3. Equitable Access and Capacity Building

The quantum-AI divide risks destabilizing global security. Developing nations, with limited access to these technologies, face exclusion. The UN's technology equity programs, supported by nations like Japan, could train developing countries in quantum-AI applications, fostering trust and broader treaty participation.

4. Public and Civil Society Engagement

Public awareness drives policy. Civil society groups like Amnesty International and the Future of Life Institute have shaped debates on AI ethics. Education campaigns and participatory forums can pressure governments to prioritize human-centric governance, ensuring technologies align with societal values.

THE HUMAN COST: WHY GOVERNANCE MATTERS

AI and quantum computing hold immense promise—AI diagnostics in conflict zones, quantum-secured humanitarian networks—but ungoverned, they pose catastrophic risks. Unregulated autonomous weapons could escalate conflicts, while quantum cyberattacks could paralyze economies. History offers hope: the 1997 Ottawa Treaty banned landmines despite opposition, proving collective will can triumph. Governing AI and quantum computing requires similar resolve—dialogue, innovation, and a commitment to humanity.

CONCLUSION

AI and quantum computing, rooted in the surreal beauty of quantum mechanics, are rewriting warfare and cybersecurity. Their potential to enhance security is matched by their capacity for destruction, exposing legal gaps in accountability, attribution, and privacy. Policy imperatives—modernized treaties, ethical standards, equitable access, and public engagement—offer a roadmap to governance. The clock is ticking. The question is not whether we can govern these technologies, but whether we will act before they redefine our world beyond our control.

NATIONAL SECURITY VS. INDIVIDUAL PRIVACY: RECALIBRATING DIGITAL RIGHTS AS HUMAN RIGHTS IN THE GLOBAL ARENA

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In the digital age, the internet is no longer a mere utility — it is the oxygen of modern life, permeating every corner of society from political discourse to personal interaction. As the world grows more interconnected, our traditional understanding of human rights must evolve to meet the unique challenges of cyberspace. Digital rights — encompassing the right to privacy, freedom of expression, and unfettered access to information — are now essential to the fabric of a democratic society. However, this expansion of liberty in the digital sphere has not come without friction. Increasingly, governments across the globe are invoking the mantle of national security to assert control over the internet, often at the expense of individual freedom. We are witnessing a high-stakes tug-of-war between state power and personal autonomy, unfolding on the virtual battlefield.



Digital rights are not new rights but extensions of existing ones into a new terrain. The Universal Declaration of Human Rights, adopted in 1948, established core freedoms — the right to privacy under Article 12, and freedom of opinion and expression under Article 19. In the 21st century, these rights have leapt from parchment to pixels. Privacy today means safeguarding personal data, encrypting communications, and maintaining autonomy over one's digital identity. Expression encompasses the right to speak and the right to be heard in the boundless expanse of the online world. In short, to participate meaningfully in public life, digital rights are indispensable. Without access to the internet and the ability to operate freely within it, individuals are effectively silenced and disenfranchised.

Yet, this virtual renaissance of rights is being rolled back by an alarming wave of digital authoritarianism. Across continents, the internet is being carved up and fenced in under the banner of national security. In the United States, the post-9/11 era ushered in sweeping surveillance powers under laws such as the Patriot Act and the Foreign Intelligence Surveillance Act (FISA). These tools, ostensibly crafted to prevent terrorism, were revealed by Edward Snowden in 2013 to be operating with a breadth and opacity that stunned the global community. Mass surveillance, once the stuff of dystopian fiction, had become a chilling reality.

China represents the archetype of a state that has gone the whole hog in digital control. Its Cybersecurity Law mandates data localization and empowers state agencies to demand unfettered access to private data. Through its notorious "Great Firewall," China censors information with an iron grip, tightly controlling what its citizens can see and say. Surveillance technology, facial recognition, and AI-powered monitoring systems form the nerve center of what many have called a digital panopticon — a society where everyone is watched and no one is free. The internet, once a symbol of borderless freedom, has in China been transformed into a meticulously patrolled walled garden.

India, the world's largest democracy, too, has begun to tread a delicate path. The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules of 2021 introduced sweeping obligations for social media intermediaries, including requirements to trace the origin of encrypted messages and remove content deemed objectionable by the government. Critics argue that these measures undermine end-to-end encryption and stifle dissent, turning platforms into instruments of state control.

In the name of public order, the state's reach into digital spaces has extended worryingly far, raising legitimate concerns about the health of its democratic ethos.

These policies, though cloaked in the language of safety, extract a steep price from civil liberties. The chilling effect on free speech is not theoretical; it is real and pervasive. When people believe they are being watched, they often bite their tongues. From journalists and activists to everyday users, the knowledge that one's words could be used as a noose around the neck is enough to deter honest discourse. In authoritarian regimes, and increasingly in fragile democracies, digital surveillance becomes a tool not of safety, but of subjugation. The use of sophisticated spyware like Pegasus — deployed against opposition leaders, lawyers, and human rights defenders — demonstrates how the machinery of surveillance is often weaponized against those who dare to speak truth to power.

Equally troubling is the erosion of individual control over personal data. In many parts of the world, data is harvested like a cash crop by governments and private corporations, often without users' informed consent. In this data-driven economy, individuals have become unwitting commodities, their digital footprints tracked, stored, and sold. The right to privacy, once considered inviolable, has been traded on the altar of convenience and commerce.

Encryption, one of the last bastions of digital privacy, is also under siege. Governments frequently argue that encrypted communications aid terrorists and criminals — a classic case of throwing the baby out with the bathwater. Demanding backdoors into encryption is akin to leaving the front door open in a rough neighbourhood; it weakens the security not just for malicious actors but for all users, including whistleblowers, journalists, and victims of abuse who rely on secure communications to survive.

Despite these encroachments, glimmers of resistance shine through in legal and judicial responses. Around the world, courts have begun to recognize the sanctity of digital rights and have not hesitated to push back against state overreach. In Europe, the Court of Justice of the European Union struck down the EU-U.S. Privacy Shield in the landmark *Schrems II* judgment, citing the inadequate protection of EU citizens' data under U.S. surveillance laws. The ruling reaffirmed that data protection is not merely a policy preference but a fundamental right that transcends borders.

The United Nations has also stepped up to the plate. The Human Rights Council and various Special Rapporteurs have consistently emphasized that the rights individuals enjoy offline must also be respected online. Their calls for global standards on data protection, encryption, and surveillance oversight reflect a growing international consensus that digital rights cannot be left to the whims of individual states.

India's own judiciary has shown commendable foresight. In *Justice K.S. Puttaswamy v. Union of India* (2017), the Supreme Court of India declared the right to privacy a fundamental right under Article 21 of the Constitution. The Court laid down a robust threefold test — legality, necessity, and proportionality — for any state intrusion into personal privacy. This judgment, hailed as a constitutional milestone, now serves as a bulwark against arbitrary surveillance and data misuse.

While the state wields the sword, the private sector often holds the shield — though not always for the public good. Tech giants like Meta, Google, and Apple sit atop vast repositories of user data, wielding power that rivals, and at times surpasses, that of governments. Some, like Apple, have taken strong pro-privacy stances, resisting efforts by states to weaken encryption. Others have folded under pressure, enabling censorship or facilitating surveillance in repressive regimes. The role of private actors in the digital rights debate is thus a double-edged sword — they can be guardians of liberty or its unwitting executioners.

The need of the hour is a comprehensive international framework that enshrines digital rights as non-negotiable human rights. This could take the form of a binding digital rights treaty, under the aegis of the United Nations, which articulates standards for data protection, freedom of expression, encryption, and internet access. Laws modelled on the European Union's General Data Protection Regulation (GDPR) must become the global norm, not the exception. Surveillance programs must be subject to judicial scrutiny, public transparency, and rigorous oversight. Encryption should not be sacrificed at the altar of security but protected as a tool of individual empowerment. Most importantly, whistleblowers, journalists, and human rights defenders must be shielded by strong legal protections and international solidarity.

In sum, the global battle over internet freedom and privacy is not a mere legal or technical skirmish — it is a defining struggle for the soul of our digital future. At stake is nothing less than the integrity of democracy, the autonomy of the individual, and the universality of human dignity. Security and liberty need not be cast as adversaries; they are partners in a democratic society, reinforcing each other when governed by principles of accountability and justice. But when the scales tip too far — when surveillance eclipses privacy, and control stifles expression — we risk building not safe societies, but silenced ones.

In this critical moment, we must recognize that digital rights are not privileges to be granted or withdrawn at the whim of the state, but fundamental freedoms intrinsic to every human being. The internet must remain a space where voices are heard and protected, data is collected and respected, and freedom is not just promised but practiced. To defend digital rights is to defend democracy itself. And in the face of rising authoritarianism and unaccountable power, silence is complicity. The world must act — not later, not eventually, but now — to enshrine digital rights as human rights and ensure that the internet remains a force for liberation, not domination.



ERASED IDENTITIES: STATELESSNESS AND THE QUEST FOR RECOGNITION IN CAMEROON

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In a world where legal identity is often a gateway to basic rights, access, and dignity, statelessness remains one of the most overlooked human rights crises. Cameroon, nestled in Central Africa, offers a haunting portrait of this global issue. While the nation boasts a rich tapestry of cultures and ethnicities, it also hosts a growing number of individuals whose lives are defined by an absence—a lack of official identity that denies them education, healthcare, freedom of movement, and even recognition as citizens. The plight of the Baka and Bagyieli Indigenous communities in Cameroon highlights pervasive issues of statelessness and identity under public international law. Statelessness is a profound concern, leaving millions worldwide without access to fundamental rights such as education, healthcare, and employment.

THE REALITY OF STATELESSNESS IN CAMEROON

In Cameroon, the issue of statelessness is not solely a legal anomaly- it is in fact a deeply entrenched socio political crisis. According to a 2024 AP News report, thousands of children and adults live without birth certificates or national identification, particularly among nomadic communities like the Mbororo, as well as displaced populations in conflict affected/prone regions. These individuals are effectively stateless- in essence not recognized by the state, despite being born within its borders.

For these communities, obtaining a birth certificate- often a prerequisite for acquiring a national ID- remains a bureaucratic nightmare. Many births occur outside formal health institutions, especially in rural or conflict-prone areas, where civil registration offices are either non-existent or inaccessible. Parents without identification themselves are unable to register their children, creating a cycle of invisibility that extends across generations.

Cameroon's Anglophone crisis- which has displaced hundreds of thousands since 2016, has further exacerbated this problem. Internally displaced persons (IDPs), particularly children, frequently find themselves without documentation, compounding their vulnerability. For many, the lack of a birth certificate is not just a missing piece of paper- it is a denial of belonging and legitimacy.

THE HUMAN COST OF STATELESSNESS

Statelessness in Cameroon manifests most starkly in children's lives. Without documentation, they are often denied access to schools, vaccinations, and public services. Their futures are stunted before they begin. Adolescents who come of age without identification cannot legally work, vote, own property, or even obtain a SIM card. They become ghost citizens- present, but legally non-existent.

For women and girls, the consequences are particularly severe. Without IDs, they are excluded from reproductive healthcare, legal protections, and government aid. In cases of sexual violence or early marriage- which are both rather vastly prevalent in conflict zones- lack of documentation can prevent victims from seeking justice. This invisibility fosters systemic discrimination and poverty, breeding frustration and fuelling cycles of marginalization. Without recognition, people are stripped not only of rights but also of identity, agency, and hope.

Moreover, statelessness impacts the wider public international law framework in an adverse fashion. Under the framework of jus cogens norms, the right to nationality represents a peremptory obligation recognized in Article 15 of the Universal Declaration of Human Rights (UDHR), asserting that no individual should be arbitrarily deprived of it. Cameroon's shortcomings in safeguarding this right mirror systemic issues worldwide- such as the Rohingya in Myanmar, whose statelessness stems from discriminatory citizenship laws, or the Dominicans of Haitian descent, affected by retroactive nationality revocations. These violations undermine erga omnes obligations owed to the international community and a breach of specific treaty commitments under the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, exposing the gaps in global enforcement of these principles. By acceding to these conventions, Cameroon commits itself to the principle of pacta sunt servanda, which underscores that treaties are binding and must be performed in good faith. However, the lack of effective implementation mechanisms, such as birth registration-undermines this commitment. Statelessness among the Baka and Bagyieli Indigenous communities also raises concerns under the principle of - pacta tertiis nec nocent nec prosunt, as addressing cross-border statelessness requires regional collaboration that extends beyond mere bilateral agreements.

The systemic exclusion of these Indigenous groups further violates the principles of non-discrimination and proportionality. The International Covenant on Civil and Political Rights (ICCPR) guarantees equality before the law, while the African Charter on Human and Peoples' Rights protects cultural identity and forbids forced assimilation. The Baka and Bagyieli's inability to access national identity documents perpetuates their marginalization and exposes the gap between Cameroon's obligations and its domestic realities.

A GLOBAL ISSUE WITH LOCAL NUANCES?

Statelessness is not unique to Cameroon. Worldwide, the United Nations High Commissioner for Refugees (UNHCR) estimates there are more than 4.2 million stateless people, although the actual number is likely far higher due to underreporting. In Myanmar, the Rohingya are one of the most internationally known stateless populations, denied citizenship under the country's 1982 law. In the Dominican Republic, Dominicans of Haitian descent have faced arbitrary revocation of nationality. Kenya's Nubian population has long struggled to obtain documentation due to their historical status as non-indigenous.

Yet what makes Cameroon's case unique is its intersection with regional conflicts, colonial legacies, and weak civil infrastructure. Colonial administrative practices in Cameroon- namely. first by the Germans, then the French and British- left behind a rather fragmented legal systems and inconsistent civil registration practices. Today, this historical patchwork contributes to the chaos in identity management, particularly in Anglophone regions and among pastoralist groups whose lifestyles do not conform to sedentary bureaucratic expectations.

PATHWAYS TO RECOGNITION

Despite these challenges, efforts are being made to address statelessness in Cameroon. Civil society organizations, such as UNHCR and local NGOs, are working to raise awareness, streamline birth registration processes, and provide legal aid. Mobile registration units have been introduced in some regions, helping bridge the gap between isolated communities and the state.

However, these initiatives remain limited in scale and scope. What is needed is a comprehensive national action plan, aligned with the UN's #IBelong campaign, which aims to end statelessness by 2030. Such a plan should include legislative reform, mass registration drives, decentralized civil registration systems, and robust monitoring mechanisms.

It should also emphasize the importance of data collection, as the true scope of statelessness in Cameroon. Cameroon's legislative reforms should align with regional initiatives like the Abidjan Declaration, aiming to eradicate statelessness in Africa. These efforts must adhere to the principle of proportionality, ensuring measures do not disproportionately affect marginalized groups. This approach can definitely strengthen regional and international partnerships to effectively address statelessness and uphold human rights.

RECOGNITION IS JUSTICE

The fight against statelessness in Cameroon is not merely about paperwork- it is about restoring dignity to those who have been denied it. Recognition is justice. It is the acknowledgment of existence, belonging, and equality under the law. For countries like Cameroon, addressing statelessness is not only a human rights imperative but also a step toward social cohesion, peace, and development. Without legal identity, millions remain excluded from the very systems meant to protect them. And without inclusive governance, no nation can thrive.

Cameroon stands at a crossroads. It can continue to perpetuate a cycle of exclusion or it can choose to recognize the unrecognized, giving voice to the voiceless and names to the nameless. Statelessness may be an invisible problem but its consequences are painfully real.

