



Editorial

The Journal and Publication Society at School of Law, Christ University takes pride in bringing the second issue of its law journal. This edition analyses the developments that have taken place in divergent areas of law, both at the national and international levels. Crucial questions of law that have emerged for consideration in recent years in areas relating to human rights, environment, arbitration, Constitution etc. have been discussed at length by legal academia, the corporate sector and the student fraternity in this Journal.

Articles

Ogwezzy Michael C in his article *Violation of Human Rights in Nigeria: An Appraisal of the Activities of the Transnational Oil Corporations in the Niger Delta Region* gives an insight into the operation of the transnational corporations and their impact on human health and environment in the Niger delta region. The article debates the extensive harm caused to environment by oil companies and its consequential effects on the fragile ecosystem of the region. The author emphasises the need for a stricter implementation of the laws to ensure that the fundamental rights guaranteed to the citizens under the Nigerian Constitution are better safeguarded and the conservation of the pristine glory of natural resources is promoted in a sustainable manner.

An independent judiciary armed with powers of judicial review is a sine qua non for a true democracy. Often legislature seeks to oust judicial review of legislations by placing the same in the Ninth Schedule of the Constitution. *Ouster Clause: Legislative Blaze and Judicial Phoenix* by Sandhya Ram S A examines the anomalies that emerge for consideration when legislations are immune from attack as a result of them being placed in the Ninth Schedule.

Human rights are inalienable rights. Often there are blatant violations of these rights. These violations take place on a larger scale during times of war and armed conflict. The violation of rights not only deprives the individuals of their right to life but also cases of disappearance of individuals are reported. This raises

crucial questions about the measures that the international community has to adopt to safeguard the security and life of individuals and their immediate families. Shabina Arfat and Beauty Banday in their article *Victims of Involuntary Disappearance: An Overview of International Law*, makes an analysis of various rights available to individuals under international instruments and calls for a greater protection of the same.

Sexual offences against children are on the rise in recent times. They are one of the most vicious crimes against mankind. The victim's voice is very often lost in the societal barriers. Gargi Whorra and Sudipto Mitra in their article *Pedophilia and Child Sexual Abuse: A Socio Legal Perspective* seeks to examine the physiological and psychological effects of sexual abuse on children. The author also critically analyses the Protection of Children from Sexual Offences Act 2012.

Liberalisation, privatisation and globalisation have paved the way for economic development of our country. At the same time, these economic policies have opened the doors for the entry of non state actors to establish their business operations in India. These entities through their operations have been making unreasonable intrusions into the lives of the citizens, thereby depriving them of their sacrosanct rights guaranteed under the Constitution. Sanu Rani Paul in her article *The Need for Horizontal Application of Fundamental Rights in India with Reference to State Action Doctrine in the Context of Globalisation* analyses these crucial issues in greater detail and calls for inclusion of non state actors within the ambit of Article 12 of the Constitution, so as to make them amenable to the writ jurisdiction of the Supreme Court and the High Courts.

Natural disasters take a heavy toll on human lives. During these times, the teeming millions of the country are left without basic amenities such as shelter and sanitation. The situation may be described as abysmal. Subhradipta Sarkar in his article *Right to Sanitation: A Challenge in the Post Disaster Situations* examines the legal and policy framework relating to water supply and sanitation facilities. The article explores ways and means of ensuring adequate sanitation facilities during catastrophic events.

Established by the United Nations General Assembly by its Resolution 2205 (XXI) of 17 December 1966, the United Nations Commission on International Trade Law has promoted the progressive harmonization and unification of arbitration laws. The UNCITRAL Arbitration Rules 1976 has been in force for more than thirty years, until it was revised in 2010. The article *UNCITRAL Arbitration Rules 2010: A Review* by Badrinath Srinivasan critically analyses the revisions made in the 2010 Rules.

The crime of aggression in the context of international criminal law has not been effectively dealt with, although mechanisms for combating and initiating prosecution against the same exist in the Rome Statute adopted in 1998. Edrine Wanyama, in his article, *Demystifying the Crime of Aggression: A Case for the International Criminal Court*, deals with the role of the International Criminal Court, its jurisdiction and the conditions for the exercise of its jurisdiction. The author also addresses some of the contentious issues relating to the crime of aggression.

The Journal and Publication Society expresses its gratitude to all the scholars and reviewers who have contributed to this issue of the Journal and solicit their continued patronage and cooperation. It places on record its gratitude to the Christ University management, the Centre for Publications, the library personnel and the National Printing Press for extending their support in our humble mission of making effective contribution to legal research.

Editorial Board