



Editorial

The Journal and Publication Society, School of Law, CHRIST (Deemed to be University), takes pride in placing on record, the twenty first issue of the *Christ University Law Journal*. This issue of the journal is non-thematic and comprises researched articles authored by academicians and research scholars.

Articles

Abhijit Rohi in his paper titled, *Intellectual Property Rights and Informational Privacy Rights: Conceptualising the Intersection for the Data Protection Regulator in India* calls for a framework for effectively balancing intellectual property rights and informational privacy rights. The paper attempts to analyse the challenges posed by this intersection and the possible conflicts that could arise between the interests of the data principal and the data fiduciaries. The paper concludes by suggesting a suitable approach that could address these issues.

In the paper titled *The Expansive Domain of Rule of Law: Arguing from the International Legal Framework*, the author, Somabha Bandhopadhyay, analyses the nuances of the rule of law. The article begins by highlighting the origin and the principle of the rule of law. The author outlines the significance of the rule of law at work by using examples of domestic set-ups, such as The Indian and Singapore systems. The author critically analyses how international human rights find expression through this while bolstering the rule of law and how ultimately, they are mutually interrelated to each other. The article then critically reviews the implementation of the rule of law in the Indian judiciary at present. There is a lack of inclusivity in the Indian model of governance with regard to the incorporation of international instruments. The article concludes by drawing the inference that with the incorporation of the ideals and principles from the internationalised rule of law, the Indian model would benefit in recognising human

rights protection and give a greater voice and an impetus to keep the flag of human rights flying high.

In the paper, *Colonial India in the ILO and International Law*, the author Amritha V Shenoy analyses the role that India played in the formation of the International Labour Organisation and the nation's part in framing International law- its conventions, agreements and organisations. The author begins with a narration of the Europeanisation of all of international law and attempts to narrate an alternative TWAIL-based history of international law. The paper begins by tracing India's relationship with international law. The author, while recognising that India's role at the ILO was a mere pawn of the British, it also examines India's multi-civilisational interests voiced at their meetings. The author understands the colonial state's anomalous position at international fora in the period between 1919-1947 and the princely state's anomalous position as 'international orphans' and thus, in this context, traces India's participation at the ILO. The author, in conclusion, lauds India's progress from that of a mouthpiece of the British to its current membership at the ILO.

Chiradeep Basak, in his paper titled *Climate Change, Business Enterprises and Human Rights Due Diligence* explores the inter-relationship between business, human rights and climate change. The prime objective of the paper is to examine the shift of international environmental law from a soft-law-based framework to a norm-based approach and explore ways businesses could be nudged to respect human rights and, thus, as a consequence, climate change. Through this paper, the author analyses existing human rights frameworks that assign duties to corporations, like the Guiding Principles on Human Rights 2014, to internalise morality in profit-oriented companies and establish ethical corporate governance. The next section of the paper, recognising the lack of international legal instruments that regulate business entities and their

responsibilities towards climate change, looks to the OECD Guidelines for Multinational Enterprises and makes a feeble attempt to persuade enterprises to adopt environmental standards. Furthermore, the author recognises that climate change is now a business issue, with a direct cause-effect relationship between environmental degradation and profits earned. The author, in conclusion, looks to the Paris Agreement 2015, as the answer to this corporate responsibility dilemma. He concludes that while this slow-paced move in assigning legal responsibility to companies is detrimental to the environment by itself, the author recognises that effective implementation of obligations is key.

The Journal and Publications Society expresses its gratitude to all scholars and reviewers who have contributed to this issue of the journal and solicit their continued patronage and cooperation. We are grateful to the Christ University management, the Center for Publications, the Library personnel and the National Printing Press, for extending their support towards our humble mission of making effective contribution to legal research.

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