

THE



DEPARTMENT OF
LEGAL
STUDIES



INQUISITOR

EDITION '24

WHERE BUSINESS MEETS JUSTICE, INNOVATION DRIVES SUCCESS!

2024

ISSUE 2



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BUSINESS & LAW MAGAZINE BY NSBM BUSINESS LAW SOCIETY



“ASPIRING FOR A FUTURE BEYOND LIMITS”

AFTER A/L

BUSINESS | COMPUTING | ENGINEERING | SCIENCE | LAW | DESIGN

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MESSAGE FROM THE

DEPUTY VICE CHANCELLOR

It is with great pride that I extend my warmest congratulations to the Department of Legal Studies at NSBM Green University on the release of the latest edition of INQUISTOR 24 magazine. This publication is a significant milestone of the unparalleled academic journey within our university, and I am pleased to see it continue to serve with the remarkable intellectual contributions from both our distinguished academics and our talented student body.

As the world around us evolves rapidly, so too does the field of business law, facing new challenges and emerging opportunities. INQUISTOR 24 provides a timely and insightful reflection on these changes. The thought-provoking articles showcased in this edition take an insightful look at emerging issues, offering fresh perspectives and in-depth analyses from those who are shaping the future of this important discipline.

I am particularly proud of the collaborative efforts behind INQUISTOR 24, as it brings together the voices of our academics, who bring years of expertise, and our students, whose fresh perspectives and innovative ideas continue to inspire. This publication is a reflection of the dedication, passion, and commitment to excellence that both groups demonstrate in their academic pursuits. I am confident that together, our students and faculty will continue to lead the way in addressing the pressing issues of today and tomorrow.

Congratulations once again to everyone involved in bringing this edition to life. It is my hope that INQUISTOR 24 will continue to spark intellectual curiosity, foster meaningful discussions, and contribute to the ongoing development within the legal community.



Prof. Chaminda Rathnayake
Deputy Vice Chancellor
NSBM Green University

MESSAGE FROM THE

DEAN - FACULTY OF BUSINESS

I extend my heartfelt congratulations to the Business Law Society for the successful launch of Inquisitor '24. This magazine is a testament to your dedication, creativity, and passion for exploring the dynamic world of business law.

The publication's title, Inquisitor, perfectly captures the spirit of inquiry and intellectual curiosity that defines both our society and this remarkable magazine. In a field as intricate and evolving as business law, fostering informed discourse and engaging with contemporary issues is vital. Your efforts in bringing together diverse perspectives, thought-provoking articles, and in-depth analyses contribute immensely to the academic and professional growth of your readers.

It's inspiring to see the level of effort you've invested in curating this edition. From the quality of the content to the design and presentation, Inquisitor '24 reflects the hard work and teamwork that went into its creation. Publications like this not only strengthen the society's reputation but also serve as a valuable platform for students, scholars, and professionals to exchange ideas and insights.

I have no doubt that Inquisitor '24 will leave a lasting impact, fostering a deeper understanding of business law while inspiring others to contribute to the field. I encourage you to continue striving for excellence and pushing boundaries in all your endeavors.

Once again, congratulations on this outstanding achievement. Wishing you and the Business Law Society continued success in your future initiatives.



Ms. Thilini De Silva

Dean

Faculty of Business

NSBM Green University

MESSAGE FROM THE HEAD OF DEPARTMENT OF LEGAL STUDIES



PROF. SHANTHI SEGARAJASINGHAM

It is with great pleasure and pride that I extend my heartfelt congratulations to the Business Law Society for the launch of their 2024 publication of *INQUISITOR*, a student journal dedicated to fostering the spirit of academic inquiry, research, and critical thinking within the realm of business law.

As the Head of the Department of Legal Studies at NSBM Green University, I have witnessed the remarkable potential and dedication of our undergraduates, and *INQUISITOR* is a testament to their commitment to excellence. This journal will provide an invaluable platform for undergraduate students to explore, analyze, and share their insights on a wide range of legal and business topics.

The ability to conduct in-depth research, critically evaluate legal issues, and communicate ideas effectively is crucial not only for academic success but also for the development of skills that are highly sought after in the legal and business professions.

Prof Shanthi Segarajasingham

LL. B(Hons), M.Phil, Ph.D, ASTHE, Attorney-at-Law
Head of Department of Legal Studies
Faculty of Business
NSBM Green University

Furthermore, I believe that this initiative will inspire a culture of intellectual curiosity, collaboration, and scholarly exchange within our university community. It will provide an important space for students to engage with current legal challenges, explore new perspectives, and enhance their academic profiles.

I commend the Business Law Society for their vision in creating *INQUISITOR*, and I am confident that it will be an invaluable resource for both students and faculty alike. Let us all support this initiative and continue to strive for excellence in both legal education and practice.

I look forward to seeing *INQUISITOR* grow and thrive as a respected academic journal that reflects the high standards of NSBM Green University.



MESSAGE FROM THE MISTRESS INCHARGE OF THE BUSINESS LAW SOCIETY

It is with immense pride and gratitude that I announce the launch of Inquisitor 2024, the annual publication by the Business Law Society. As the lecturer in charge of the Business Law Society I am truly delighted of the extraordinary hard work and dedication that our students have poured into the creation and launch of this magazine.

This year's edition marks another milestone in our commitment to fostering a deeper understanding of the intersection between law and business. After a year of dedicated effort and collaboration, we are proud to present this publication as a testament to the hard work, creativity, and intellectual rigor of our students. Inquisitor 2024 is a sequel of the outstanding efforts of the Business Law Society and all the talented undergraduates who have contributed to this year's edition. I would like to express my heartfelt thanks to all contributors, editors, and volunteers who have made this publication possible. I would like to specially appreciate the efforts and commitment of the President of the Business Law Society, Jeny Anthony and the Editor, Devindi Gunathilaka. It's inspiring to see how the collective energy of this team has transformed ideas into meaningful content that will resonate with readers for months to come.

I believe this magazine will become a valuable resource for all those passionate about law, offering a space for dialogue, reflection, and learning. I invite everyone to read, share, and contribute to future editions, ensuring that this magazine remains a dynamic and inclusive reflection of our vibrant Business Law Society. I look forward to seeing how the Business Law Society continues to grow and evolve, building on this remarkable success.



**MS. SAMITHRI
WANNIACHY**

Attorney-at-Law, Notary Public,
Commissioner for Oaths,
Lecturer,
Department of Legal Studies,
Faculty of Business,
NSBM Green University

MESSAGE FROM THE EDITOR-IN-CHIEF

It is with immense pride that I present to you the second issue of The Inquisitor, the official publication of the Business Law Society of NSBM Green University. This magazine reflects our unwavering commitment to making the study of law accessible, engaging, and relevant—even for those with no prior background in the subject. Each article within these pages is crafted to inspire curiosity, spark intellectual discussions, and provide valuable insights into the dynamic intersections of business and law.

This accomplishment would not have been possible without the extraordinary support and guidance of **Ms. Samithri Wanniyachy, our esteemed Mistress-in-Charge.** Her unwavering encouragement, thoughtful advice, and belief in my capabilities gave me the confidence to take on this significant responsibility and see it through. Her trust provided the foundation for this project and inspired me to deliver my best, adding depth and diversity to its content. I am deeply grateful for her leadership, which served as the cornerstone of this endeavor.

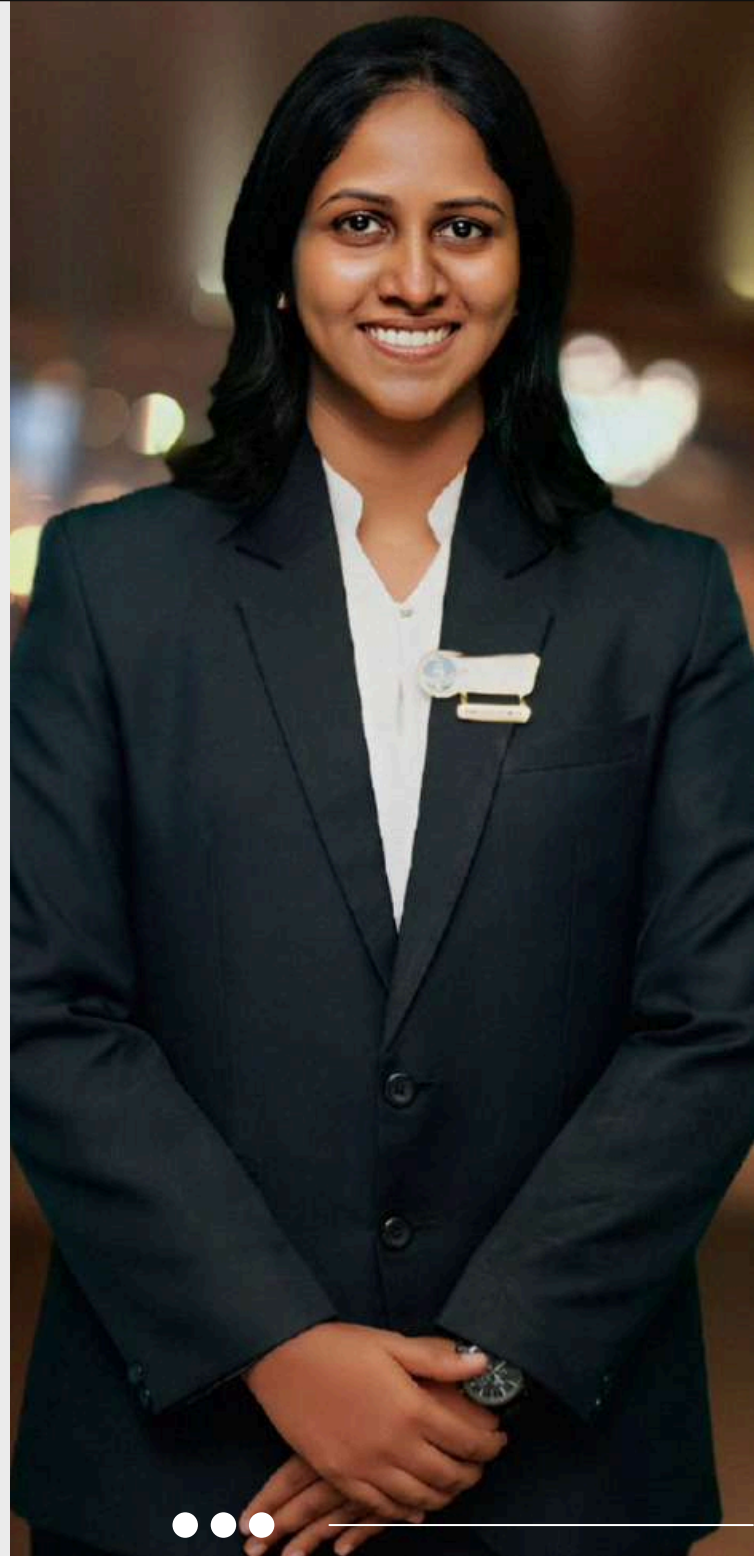
My heartfelt thanks also extend to Prof. Shanthi Segarajasingham, Head of the Department of Legal Studies, for her constant support and valuable suggestions, as well as to Jeny Anthony, President of the Business Law Society, for her collaborative efforts and significant contributions.

As you explore this issue, I hope it serves as a source of inspiration and a guide to navigating the ever-evolving world of business and law. Each article reflects countless hours of dedication, research, and creativity, aiming to bring you closer to understanding the complexities of these interconnected fields. Behind every page lies a story of collaboration, determination, and a shared passion for excellence, driven by a commitment to making knowledge accessible and engaging.

To everyone who believed in and supported this vision, thank you for being part of this journey.

DEVINDI GUNATHILAKA

Management Undergraduate



I am Jeny Anthony, deeply honored to be selected as the fourth President of the Business Law Society (BLS) and the first law undergraduate to hold this esteemed position. Reflecting on my journey, I am reminded of the initiation year of BLS, where I served on the steering committee. That one year's hard work and dedication have brought me to where I stand today.

The Business Law Society is a vibrant community dedicated to educating undergraduates in the fields of law and ethics, fostering a deep awareness of legal principles. As President, I had the privilege of leading a dynamic team that organized a series of successful events, including guest lectures, debate competitions, and the innovative "kuppi" sessions with participants from various faculties. These initiatives were made possible with the invaluable support of Ms. Samithri Wanniachy, our Mistress in Charge, and the guidance of our esteemed lecturers.

One of the most special things I learned during my tenure was the incredible power of team bonding. "Alone we can do so little; together we can do so much." – Helen Keller It was through our collective efforts that we were able to introduce "Kathika," a signature event that has now become a hallmark of our society. Our projects, ranging from revision sessions to panel discussions, were all driven by a shared vision and unwavering commitment.

This magazine, "Inquisitor," is a testament to the hard work and enthusiasm of our BLS Executive member, Devindi Gunathilaka, our MIC Ms. Samithri Wanniachy, the Head of the Department of Legal Studies, Prof. Shanthi Segarajayasingham, and the renowned lawyers who generously shared their knowledge. The goal of this magazine is to provide a comprehensive understanding of the broad concept of law to individuals who may not have prior knowledge of the legal environment.

I would like to extend my heartfelt thanks to everyone who contributed articles for this magazine. Together, we have achieved remarkable milestones, and I am confident that the Business Law Society will continue to thrive and inspire future generations.

MESSAGE FROM THE PRESIDENT OF BUSINESS LAW SOCIETY

JENY ANTHONY

LLB
Undergraduate



»» 2024 / 2025 ««

BUSINESS LAW SOCIETY



Business Law Society of NSBM functioning under the Faculty of Business, is dedicated to our mission of providing a gateway for law & business undergraduates to access diverse area of law. Our vision as a student circle is to faster a solid understanding of law by facilitating the facilitating the students with many opportunities. We stand for ethical practice of law, social responsibility and discipline which are the highest level of quality and integrity.

»»» **READ MORE**

VISION

The Business Law Society envisions to prepare a diverse body of students who would stand for ethical practice of law, be socially responsible, internationally competent and disciplined at the highest level of quality and integrity

READ MORE «««

To stand as pillars in providing the gateway to law and business students with access to diverse areas of business law while creating a venue for discussion of all issues that may arise in the field of business with the intend to place equal emphasis on social moral and psychological development of student

MISSION

PROJECTS OF BUSINESS LAW SOCIETY

"OUR JOURNEY OF EXCELLENCE: UNITING VISION, ACHIEVING MILESTONES, INSPIRING GROWTH"



CONSUMER RIGHTS DAY



Consumer Rights Day 2024: A vibrant showcase of advocacy and awareness, featuring insightful presentations, creative poster competitions, and distinguished guests, affirming our commitment to ethical business practices and safeguarding consumer interests

LAW ORIENTATION



The freshers' Orientation for the 24.2 batch for the NSBM LLB (Hons) and University of Plymouth LLB (Hons) was indeed a full-on introduction to Law complete with a debate on the topic "The absence of a codified Penal Code leads to uncertainty in Criminal Law." This event was further blessed with the presence of the eminent Scholar, Prof. Nigel Firth of the University of Plymouth

KATHIKA '24

Proudly hosted the Sinhala debate competition, KATHIKA '24. The event commenced with a workshop, followed by two preliminary rounds, and concluded with a thrilling final round. This highly anticipated competition showcased the exceptional talents of some of the brightest minds from all faculties of NSBM Green University.

The event culminated in the judges' deliberation and the announcement of the winning team, which was met with enthusiastic applause and celebration. This prestigious occasion not only highlighted the art of debate but also fostered critical thinking, public speaking skills, and camaraderie among the participants



For the NSBM Open Day, the Business Law Society organized an engaging and interactive experience for visitors. The event featured creative stalls, challenging knowledge test puzzles, and informative displays of law-related charts. Additionally, we incorporated fun games to ensure an enjoyable and dynamic atmosphere. This initiative aimed to showcase the relevance of legal studies while fostering curiosity and providing a platform for meaningful interaction with prospective students and visitors



OPEN DAY



BEACH CLEAN - UP

Being a part of the 2nd Annual International Beach Clean-up Collaboration of Sri Lanka, Thailand, Indonesia, Malaysia, Taiwan and Japan, a contingent of student societies along with the Business Law Society of NSBM Green University took part in cleaning the Mount Lavinia Beach on the 4th of October 2024.

This act reflects the contribution of the Business Law Society towards sustainable development of our nation. This is a step forward in gaining the everlasting impacts of SUSTAINANOVAION through the power of 3Ps of Sustainability, PEOPLE, PLANET and PROFIT

GUEST LECTURES DONE BY LEGAL PROFESSIONALS



Campus2Corporate for law undergraduates



Fundamentals and skills of debating



The role of the attorney general's department and state contracts



Role of legal professionals in bank with special focus on debt recovery



Practical aspects of burden of proof in criminal cases

NSBM Department of Legal Studies marks three years with "JUSTUS '24," a dynamic celebration exploring Digitalization and Legal Challenges, featuring esteemed panelists and university dignitaries, alongside vibrant showcases by LLB undergraduates and the Business Law Society



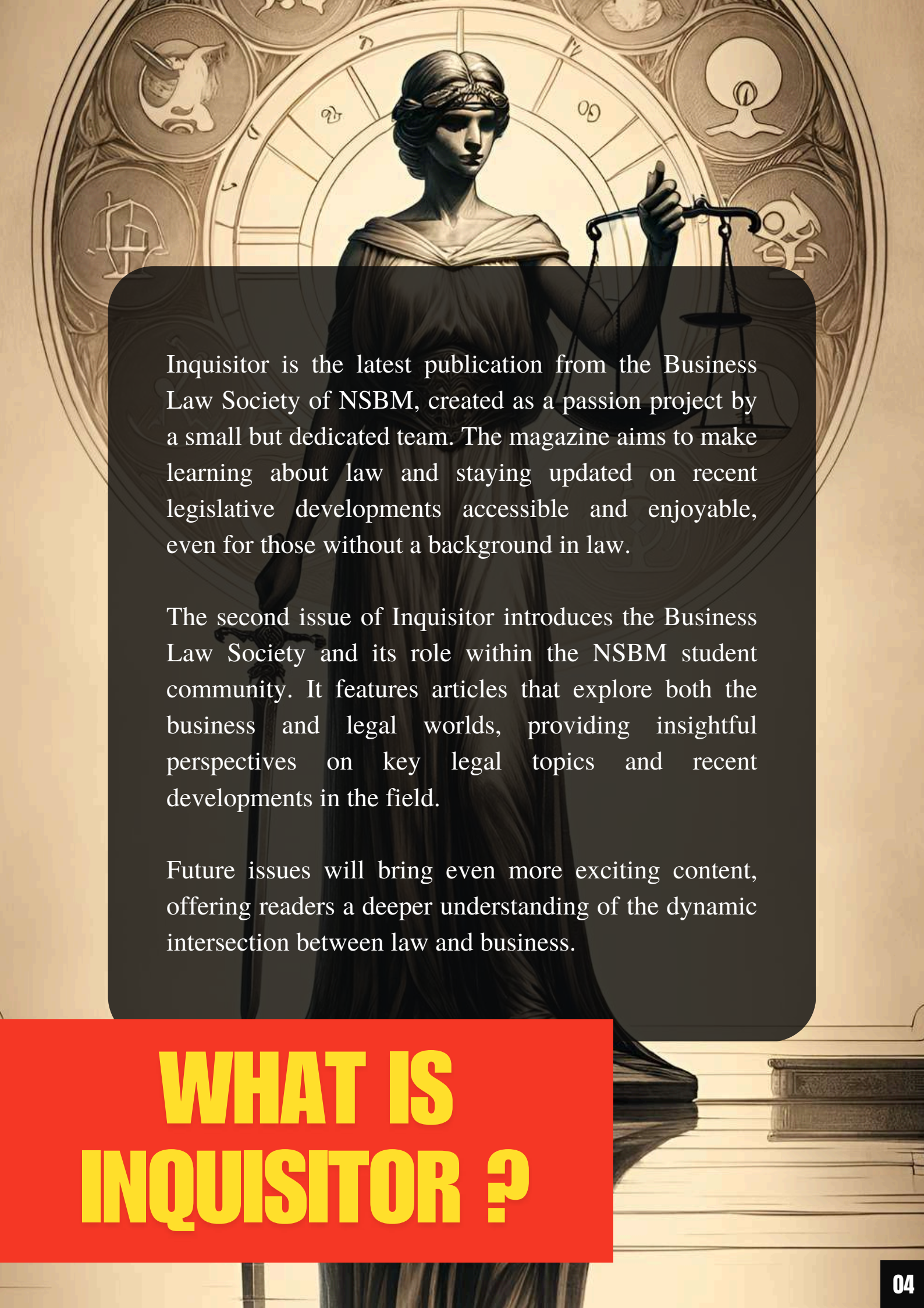
JUSTUS '24



PLAY FEAST

Business Law Society successfully organized Play Feast 2024, a vibrant CSR initiative aimed at supporting underprivileged children. The event featured games, mini challenges, and lively stalls, with attendees generously donating stationery items. All proceeds from the event were dedicated to empowering young dreams and making a meaningful community impact





Inquisitor is the latest publication from the Business Law Society of NSBM, created as a passion project by a small but dedicated team. The magazine aims to make learning about law and staying updated on recent legislative developments accessible and enjoyable, even for those without a background in law.

The second issue of Inquisitor introduces the Business Law Society and its role within the NSBM student community. It features articles that explore both the business and legal worlds, providing insightful perspectives on key legal topics and recent developments in the field.

Future issues will bring even more exciting content, offering readers a deeper understanding of the dynamic intersection between law and business.

WHAT IS INQUISITOR ?

SHAPING THE FUTURE

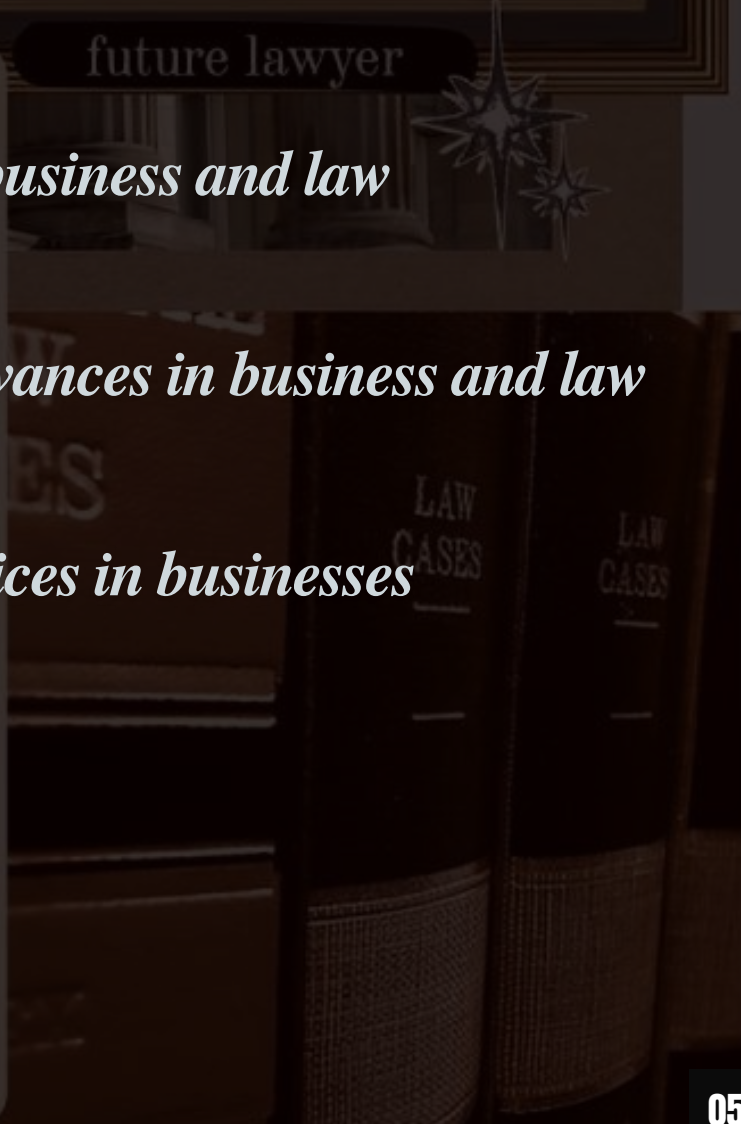
STUDENT REFLECTIONS ON



Recent trends in business and law

Technological advances in business and law

Sustainable practices in businesses



Justice
can
be
for
one
side
alone
but
must
be for
both.
—Eleanor Roosevelt

RECENT TRENDS IN BUSINESS AND LAW

DIGITAL TRANSFORMATION

**"REVOLUTIONIZING
BUSINESS & LAW"**

GLOBALIZATION IMPACT

**"BRIDGING BORDERS IN
BUSINESS"**

CYBERSECURITY LAWS

**"PROTECTING
TOMORROW'S DATA"**



Navigating the New Frontiers in Business and Law: Key Trends Shaping the Future of Corporate Strategy and Compliance

The business environment and legal framework are continuously changing, with emerging trends and developments that influence corporate operations and regulatory navigation. It is essential for businesses to grasp these recent trends to maintain competitiveness, reduce risks, and seize new opportunities. This article will examine significant trends affecting the fields of business and law, offering practical advice for companies to adjust and succeed in this ever-changing landscape.

In addition to the significant business trends, the legal and regulatory landscape has experienced substantial transformations in recent years. In response to societal needs, technological progress, and emerging threats, lawmakers and policymakers have introduced new legislation and enforcement strategies. Companies are now required to navigate a more intricate array of regulations, which include data privacy laws, antitrust regulations, and specific compliance mandates for various industries. Neglecting to keep up with these legal changes can lead to severe penalties, litigation, and damage to a company's reputation. Therefore, adopting proactive legal strategies and fostering strong relationships with legal professionals has become crucial for organizations aiming to manage risks, ensure compliance, and seize new business opportunities in this dynamic regulatory environment.

Increased Focus on Environmental, Social, and Governance (ESG) Initiatives

A major trend emerging in the business and legal sectors is the increasing focus on environmental, social, and governance (ESG) factors. Stakeholders,

including consumers, investors, and regulators, are increasingly valuing a company's ESG performance. This shift is prompting organizations to prioritize sustainability, social accountability, and transparent governance. Companies that adopt ESG principles and weave them into their strategic planning are more likely to draw investment, improve their brand image, and reduce regulatory risks.

Expansion of Remote and Hybrid Work Models

The COVID-19 pandemic has hastened the shift towards remote and hybrid work arrangements, prompting numerous organizations to acknowledge the advantages of enhanced workplace flexibility. This evolution necessitates the revision of policies, management approaches, and legal frameworks concerning aspects like data privacy, cybersecurity, and employee wellbeing. Companies that adeptly address the legal and operational complexities associated with remote work are more likely to attract and retain high-caliber talent, boost employee satisfaction, and enhance productivity.



Increased Importance of Data Privacy and Cybersecurity

With the growing dependence on digital technologies and the accumulation of extensive data, the significance of data privacy and cybersecurity has reached critical levels. Strict regulations like the General Data Protection Regulation (GDPR) and the California Consumer Privacy Act (CCPA) have heightened the urgency for organizations to secure customer data and avert data breaches. It is essential for businesses to keep up with changing legal standards and adopt comprehensive cybersecurity strategies to protect their resources and uphold customer confidence.

Practical Tips for Businesses:

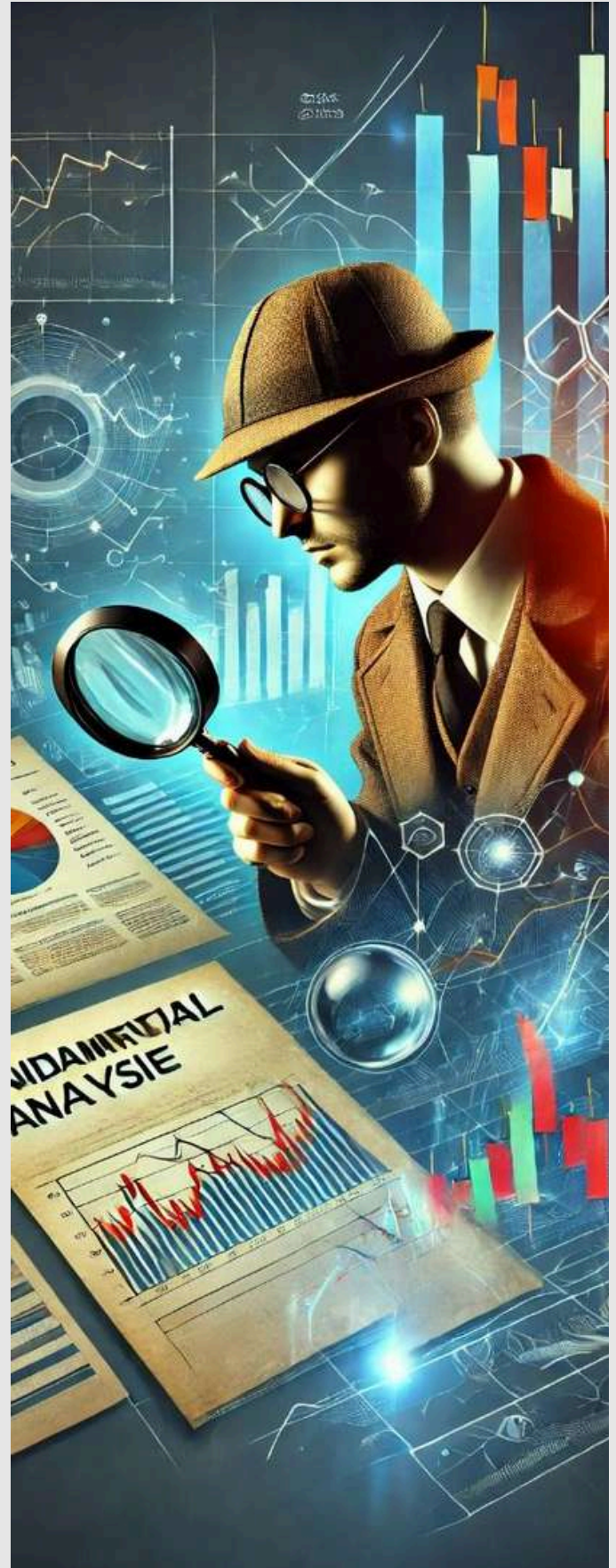
Formulate a Holistic ESG Strategy: Evaluate your organization's environmental footprint, social accountability, and governance frameworks, and create a well-defined, quantifiable ESG strategy that aligns with your corporate objectives and principles. Consistently report on your ESG outcomes to showcase your dedication to sustainability and openness.

Adopt Adaptive Work Structures: Establish policies and systems that facilitate remote and hybrid work setups, ensuring employees are equipped with the essential tools, training, and managerial support to excel in a flexible work setting. Reassess and modify your employment policies to consider legal and operational factors.

Enhance Cybersecurity Protocols: Allocate resources to implement strong cybersecurity measures, including employee education, data encryption, and routine security assessments. Keep abreast of changing data privacy laws and ensure your organization adheres to them to prevent significant fines and damage to your reputation.

Cultivate an Innovative Culture: Promote a culture of ongoing enhancement and flexibility within your organization. Regularly analyze industry developments, solicit input from employees and customers, and be prepared to adjust your business model or operations in response to evolving market needs and regulatory requirements.

Partner with Legal Professionals: Build a solid relationship with your company's legal advisors to remain updated on pertinent laws and regulations, and to proactively manage legal risks and compliance challenges. Seek legal counsel when making complex business decisions or launching new initiatives.



Implementing these practical strategies necessitates a deliberate and strategic mindset. For example, crafting a robust ESG strategy requires a comprehensive evaluation of your organization's environmental footprint, social responsibility efforts, and governance frameworks. This evaluation should involve collaboration among various teams to pinpoint critical areas of focus, establish quantifiable objectives, and weave ESG principles into the fabric of your business goals. Consistent progress updates and transparent communication regarding your ESG initiatives can foster trust among stakeholders and showcase your dedication to sustainability.

Adopting flexible work arrangements also demands a thorough assessment of your organization's technological capabilities, human resources policies, and management techniques. This could entail investing in collaborative technologies, launching employee wellness initiatives, and equipping managers with the skills to effectively oversee remote or hybrid teams. Achieving an optimal balance between employee independence and sustaining productivity and team cohesion will be essential for the success of your flexible work strategies.

Enhancing cybersecurity protocols should be a continuous endeavor, employing a comprehensive strategy. This might involve establishing strong data encryption measures, providing regular training for employees on recognizing and addressing cyber threats, and collaborating with specialized security firms to monitor and respond to emerging risks. Periodically reviewing your cybersecurity practices and adjusting them to meet evolving regulatory standards and industry benchmarks will be crucial in protecting your organization's digital assets and customer information.



By systematically applying these practical strategies, organizations can better equip themselves to adeptly navigate the shifting landscape of business and law, ensuring agility, resilience, and a competitive advantage.

The business and legal sectors are undergoing substantial changes, influenced by new trends in ESG, remote work, data privacy, and other factors. To succeed in this rapidly changing environment, companies need to remain aware of these trends, adjust their strategies accordingly, and take actionable steps to ensure compliance, reduce risks, and seize emerging opportunities. By adopting a forward-thinking and creative mindset, organizations can set themselves up for sustained success in the continuously evolving landscape of business and law.



OVINDYA JAYASINGHE

**BSc (Hons) Marketing Management
(University of Plymouth - UK)**



"Shaping Tomorrow: Emerging Paradigms in Business and Law for 2024"

A body of laws that control the formation, operation, and management of commercial entities and organizations is referred to as business law. A sole proprietorship is comparable in this regard. A competent business lawyer should ideally be tasked of managing all business-related issues, including contracts, limited liability, mercantile law, employee rights, state legislation, business decisions, transactions, debts, and other legally binding obligations. A corporate corporation must abide by all municipal, state, and federal laws.

Contracts, property rights, corporate governance, taxation, business formation and dissolution, consumer protection, limitations on the environment, and many other subjects are all covered under the broad umbrella of business law. Moreover, business law affects more than just corporations and other businesses; sole traders should learn about it as well versed in business law. There are numerous uses for business law. It safeguards individual rights, establishes standards for appropriate behavior, ensures fairness in business transactions between competing companies, and fosters economic stability by ensuring legal certainty.

The legal environment in the ever-changing corporate world is always changing to take advantage of new opportunities and problems. Businesses and legal experts need to stay up to date with the evolving landscape of business law as we approach 2024.

Several significant trends, ranging from global policy changes to technological advancements, are expected to influence the legal scene in the upcoming year. We will go deeply into the key developments that will shape the evolving field of business law in 2024. So those recent trends as follows,

Digital Transformation and Data Privacy

The way organizations work is being revolutionized by the rapid expansion of digital technologies, with a particular influence on data privacy. Complicated legal difficulties arise from the gathering, storing, and application of massive volumes of data for decision-making. We predict that data privacy rules will receive more attention in 2024, along with tougher enforcement measures and a greater emphasis on transparency.

Global events and technical developments may have an impact on new legislation that changes how organizations handle and safeguard sensitive data.

Additionally, companies will have to consider how future technologies like edge computing and blockchain may affect data privacy. Although these technologies offer creative answers, they could also pose new difficulties for legal structures. To help firms navigate these changes, legal experts will need to stay on top of them intricacies of digital transformation while ensuring compliance with evolving data protection regulations.

Promoting Alternative Dispute Resolution (ADR)

The use of alternative dispute resolution (ADR) techniques, like mediation and arbitration, is growing in popularity as a fast and affordable way to settle conflicts. ADR is becoming more and more popular in a variety of industries since it provides a more efficient process than traditional litigation.



Artificial Intelligence and Legal Tech

The profession of law is undergoing a major transformation with the incorporation of artificial intelligence (AI) and legal technology, leading to increased efficiency and accessibility. The deployment of AI in the legal sector is expected to significantly increase in 2024. Legal practitioners may now expedite their workflows and provide more accurate insights with the increasing sophistication of AI-powered solutions for contract review, legal research, and predictive analytics.

But there are moral and legal concerns with the legal industry's growing dependence on AI. Legal practitioners will have to deal with problems including algorithmic bias, decision-making process transparency, and the moral application of AI in the practice of law. It is probable that legislators will react by revising laws to guarantee responsible AI adoption in the legal sphere. Things around this juncture where technology and law will be crucial for legal professionals in 2024.



Remote Work and Employment Law

The increasing popularity of remote work has changed the dynamics of the traditional workplace and led to a review of employment rules. Remote work arrangements will remain popular in 2024; thus, it will be important to look more closely at the legal ramifications. As concerns about employee privacy, cybersecurity, and jurisdictional issues become more pressing, legal experts will be needed to provide guidance on compliance and risk management.

Moreover, the increasing prevalence of hybrid work patterns may necessitate the need for flexible employment contracts and rules. Legal experts will have to help companies navigate the rapidly changing world of remote work, making sure that rules maintain compliance with employment regulations while encouraging a happy and productive workplace.

Supply Chain Resilience and Legal Considerations

Global occurrences like the COVID-19 pandemic have caused interruptions, which has highlighted the significance of robust supply networks. Businesses will prioritize strengthening supply chain resilience in 2024, and legal issues will play a crucial role in this endeavor. Contractual agreements will need to be reviewed and modified by legal experts, who should include provisions that take force majeure situations, probable disruptions, and the dynamics of global trade into consideration. To reduce the risks associated with an excessive reliance on suppliers or geographic areas, organizations can also consider diversification methods. To ensure that firms stay flexible and compliant in the face of changing global issues, legal practitioners will need to provide guidance on the legal ramifications of decisions made about the supply chain.

Strengthening Environmental Regulations

As concerns about sustainability and climate change become increasingly urgent, environmental law is becoming more and more important. Regulations pertaining to emissions, corporate responsibility, and the environment are being modified. To meet societal needs and regulatory expectations, businesses must establish sustainable practices while navigating these legal restrictions.

Consumer Protection in the Digital Age

In 2024, the digitalization of commerce necessitates a renewed focus on consumer protection. Legal frameworks will evolve to address online transactions, data transparency, and deceptive practices. Legal professionals will guide businesses through digital intricacies, ensuring compliance with regulations and emerging technologies.



Environmental, Social, and Governance (ESG) Compliance

Sustainability and corporate responsibility are becoming crucial in corporate governance, with businesses facing increasing pressure to align their operations with environmental and social objectives. Legal frameworks will evolve to address ESG concerns, requiring proactive measures. Non-compliance may lead to legal consequences and reputational damage. Businesses must incorporate ESG considerations into risk management strategies, with legal professionals playing a pivotal role in guiding companies through the evolving landscape.

The commercial and legal trends of 2024 highlight the value of adaptability and vision in a constantly shifting environment. To succeed, businesses need to adjust to changing regulations, societal expectations, and technology breakthroughs. Likewise, to take advantage of new opportunities and challenges, attorneys need to be proactive and well-informed. Organizations and legal professionals can position themselves for success in a changing and interconnected world by adopting these trends.



D P V N RATNAYAKE

BSc in Business Management (special) - UGC

SUSTAINABLE PRACTICES IN BUSINESSES

SUSTAINABLE GROWTH

"PROFITS WITH PURPOSE"

SUSTAINABLE STRATEGIES

**"BETTER BUSINESS, BETTER
WORLD"**

PLANET-FRIENDLY PRACTICES

"LEADING WITH LESS IMPACT"





“The Role of Businesses in Achieving Sustainable Development Goals through Economic, Environmental, and Social Practices”

Economic development means the continuous increase in the gross domestic product of the country. This is an economic concept, and it is also measured annually. With the introduction of new concepts to the world, the concept of economic development is also improved, and the concept of "sustainable development" has to be introduced to the world.

Sustainable development is defined by the "World Commission on Environment and Development," which aims to move all the countries of the world towards sustainable development.

Development that meets the needs of the present without violating the right of future generations to meet their own needs.

A business is an economic activity that provides a product or service to satisfy the basic human needs. Accordingly, we can discuss the contribution of business to sustainable development under three main concepts.

One of the main sub-concepts of sustainable development is economic sustainable development. Accordingly, the current competitive market is important for this, and businesses are expected to move towards economic development by producing environment-friendly products that are suitable for the common people at a reasonable price. The main objective of this is to reduce the poverty of the poor people around the world and provide a high standard of living. Accordingly, new job opportunities will be created in society through the economic sustainable practices of the businesses.

Furthermore, the skills of the employees in the businesses will be empowered, and the resources will be used efficiently. By doing this, resources are protected, investments are improved for local economic development, businesses introduce new products, etc.

The second sub-concept of sustainable development is environmentally sustainable development. It is expected to meet the basic human needs and wants by maintaining the limited number of natural resources in the earth's sphere. Its purpose is to protect the global environment for future generations. The resources we get from the environment are replaced with consumption, and by consuming resources at a slower rate than the rate at which those resources are replaced, it becomes possible to protect environmental sustainability. Accordingly, through the environmentally sustainable practices of businesses, the people will have the opportunity to buy environmentally friendly things. It can also be seen that in the production process, resources such as raw materials, energy, and water are saved, 3R, 4R, and 5R concepts are used in waste management, and environmentally friendly energy sources such as solar energy are used.

Another sub-concept of sustainable development is social sustainable development. In order to ensure a sustainable future, the needs and wants of the people living in the society must be met equally and fairly. In order to achieve this goal in social sustainable development, several things must be fulfilled.



Equality, social capital, human rights, and social justice are the four things. Through socially sustainable practices in business, people have to respect diversity, protect human rights, contribute to social security activities, and ensure law and order. Accordingly, it is revealed that there are economic, environmental, and social sustainable practices in businesses, and through that, sustainable development can be achieved. The previous conversation emphasized how important businesses are to the advancement of sustainable development.

Businesses have the potential to make a substantial impact on the welfare of current and future generations by deliberately incorporating economic, environmental, and social sustainability into their operations.

The World Commission on Environment and Development defines sustainable development as focusing on meeting current demands without sacrificing the ability of future generations to meet their own needs.

By implementing sustainable practices, businesses, as economic entities, have a special opportunity to help achieve this aim.

In order to achieve economic sustainability, a competitive market that encourages fair growth and the eradication of poverty must be established. Companies can have a significant impact by creating goods that are accessible to the general public and meet environmental standard sat a reasonable cost. This not only reduces poverty but also opens up new career prospects and gives workers more authority.

Preserving natural resources and safeguarding the environment for coming generations are the main goals of environmentally sustainable development. Companies can help achieve this aim by implementing eco-friendly procedures, like cutting back on waste, saving energy, and utilizing renewable resources. Businesses may reduce their environmental impact and encourage more sustainable future by investing in green technologies and sustainable supply chains.

The goal of socially sustainable development is to address everyone's needs in society in a fair and equitable manner. Businesses that support social security initiatives, uphold human rights, and encourage diversity can help achieve this goal. Businesses may build a more equitable and inclusive society by participating in community outreach programs and cultivating a positive company culture.



Conclusively, the implementation of sustainable business practices is vital in guaranteeing a prosperous and sustainable future. Businesses can improve the well-being of current and future generations by incorporating economic, environmental, and social sustainability into their operations. Businesses may improve society, save the environment, and spur economic growth by implementing sustainable practices. The need for sustainable business practices is greater than ever, as creative and responsible solutions are needed to address the problems of resource depletion, inequality, and climate change.

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In order to achieve economic sustainability, a competitive market that encourages fair growth and the eradication of poverty must be established. Companies can have a significant impact by creating goods that are accessible to the general public and meet environmental standards at a reasonable cost. This not only generates new job opportunities and empowers workers; it also helps reduce poverty.

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Conclusively, the implementation of sustainable business practices is vital in guaranteeing a prosperous and sustainable future. Businesses can improve the well-being of current and future generations by incorporating economic, environmental, and social sustainability into their operations. Businesses may improve society, save the environment, and spur economic growth by implementing sustainable practices. The need for sustainable business practices is greater than ever, as creative and responsible solutions are needed to address the problems of resource depletion, inequality, and climate change.



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“Implementing Sustainable Business Practices for a Resilient Future”



Considering the escalating issues related to climate change and environmental decline, companies are progressively acknowledging the necessity of integrating sustainable practices into their operations. Embracing sustainability not only mitigates a company's ecological footprint but also offers significant long-term advantages, including cost reductions, enhanced brand image, and increased employee involvement. This article will delve into several essential sustainable practices that organizations can adopt to enhance their environmental responsibility and play a role in fostering a more sustainable future.

Reducing Energy Consumption

A highly effective approach for businesses aiming to enhance sustainability is to minimize their energy consumption. This can be accomplished through several strategies, including:

Investing in energy - efficient technologies:

Transitioning to LED lighting, utilizing Energy Star-rated computers and printers, and upgrading to high-efficiency HVAC systems can lead to substantial reductions in energy usage.

Adopting energy conservation practices:

Implementing straightforward measures such as switching off lights and electronic devices when not in use, fine-tuning heating and cooling schedules, and promoting energy-conscious habits among employees can result in considerable energy savings.

Considering renewable energy solutions:

Installing solar panels, procuring renewable energy from utility companies, or investing in on-site wind or geothermal energy sources can assist businesses in decreasing their dependence on fossil fuels and minimizing their carbon footprint.



Reducing Energy Consumption

Waste reduction and enhanced recycling initiatives are essential elements of sustainable business operations. Effective strategies for minimizing waste and promoting recycling include:

Establishing a robust recycling program:

By providing well-marked recycling bins for various materials such as paper, plastic, and glass, and educating staff on effective recycling methods, businesses can significantly reduce landfill contributions.

Reducing Urban Plastic Waste:

Transitioning from disposable products like water bottles, cutlery, and coffee cups to reusable options can greatly decrease plastic waste.

Implementing a digital workflow:

Moving towards a paperless environment by digitizing documents, utilizing electronic signatures, and promoting digital communication can lead to a substantial reduction in paper usage and waste.

Repurposing or donating surplus items:

Identifying opportunities to reuse or donate office furniture, equipment, and other materials can help keep them out of landfills.



Sustainable Supply Chain Management

The influence of a company's sustainability initiatives reaches beyond its internal operations and permeates its supply chain. Integrating sustainable practices within the supply chain may involve:

Choosing suppliers with robust environmental credentials:

Focusing on suppliers who exhibit a dedication to sustainability, such as employing renewable energy sources, minimizing waste, or adopting ethical labor standards.

Enhancing logistics and transportation:

Reducing the distance and frequency of product deliveries, utilizing more fuel-efficient transportation methods, and promoting the use of electric or hybrid vehicles can lessen the environmental footprint of a company's supply chain.

Eco-Friendly Packaging Shift:

Emphasizing the use of recyclable, biodegradable, or compostable packaging materials, while also reducing packaging waste, can significantly enhance the sustainability of the supply chain.



Employee Engagement and Education

Involving and educating employees about sustainable practices is essential for the effectiveness of any sustainability program. Approaches to enhance employee engagement and education include:

Offering sustainability training:

Conducting workshops, webinars, or online courses to educate employees on the significance of sustainability and the specific steps they can take to support the organization's sustainability objectives.

Promoting employee-driven initiatives:

Allowing employees to suggest and carry out sustainability projects, such as organizing recycling campaigns, minimizing office waste, or adopting energy-efficient practices, can cultivate a sense of ownership and involvement.

Acknowledging and rewarding sustainable actions:

Establishing a program to recognize and celebrate employees who show dedication to sustainability can reinforce the value of these practices.

Practical Tips for Businesses

Businesses can adopt several effective strategies to enhance their sustainability efforts:

Perform an energy assessment:

Engage a professional energy auditor to evaluate your organization's energy consumption and pinpoint areas for enhancement.

Establish a sustainable procurement policy:

Create a framework for purchasing that emphasizes eco-friendly products and services.

Facilitate sustainable commuting alternatives:

Offer incentives for staff to utilize public transport, carpool, or cycle to work, and consider the installation of electric vehicle charging stations.

Implement a waste management strategy:

Focus on reducing waste, reusing materials, and recycling rather than disposal, and investigate options for repurposing or donating surplus items.

Promote remote work and flexible hours:

Minimizing the necessity for employees to travel can greatly decrease the company's carbon emissions.

Collaborate with the local community:

Work alongside environmental groups, engage in activities like beach cleanups or tree planting, and motivate employees to volunteer in sustainability initiatives.

Track and communicate progress:

Consistently monitor and report on your organization's sustainability performance to evaluate advancements and discover opportunities for further improvement.



These actionable strategies lay a strong groundwork for companies aiming to incorporate sustainable practices into their operations. By performing an energy audit, organizations can obtain essential insights into their energy consumption and pinpoint specific areas for enhancement. Establishing a green procurement policy ensures that purchasing choices favor environmentally responsible products and services, while promoting sustainable commuting options motivates employees to lessen their carbon footprint.



"LEAD THE CHANGE, SUSTAIN THE FUTURE"

Embracing a waste management hierarchy that emphasizes reduction, reuse, and recycling over disposal can significantly decrease waste, and repurposing or donating surplus materials further mitigates environmental impact. Supporting remote work and flexible schedules diminishes the necessity for employee commuting, thereby reducing the overall emissions of the company. Collaborating with the local community through partnerships, volunteer efforts, and sustainability initiatives cultivates a culture of environmental responsibility, while consistently measuring and reporting on sustainability efforts enables businesses to monitor their impact and identify opportunities for ongoing improvement. Together, these actionable strategies empower organizations to make significant progress toward a more sustainable future.

Embracing sustainable business practices has transitioned from being a mere luxury to an essential requirement for companies aiming to stay competitive and foster a sustainable future. By adopting strategies that lower energy usage, reduce waste, responsibly manage supply chains, and involve employees, organizations can diminish their environmental footprint while also enjoying the long-term advantages of increased efficiency, cost reductions, and a stronger brand image. As global challenges related to climate change persist, it is imperative for businesses to spearhead the shift towards more sustainable operational models.



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“Technological Innovations Driving Sustainability in Business”

In an era where environmental concerns are at the forefront of global discourse, businesses are increasingly being called upon to adopt sustainable practices. The concept of sustainability, once relegated to niche markets and green startups, has now become a mainstream priority across industries. This shift is driven by a combination of regulatory pressures, consumer demand, and a growing recognition of the long-term benefits of sustainable practices. This article explores the evolution of sustainable business practices, highlights successful case studies, and offers practical advice for companies looking to integrate sustainability into their operations.

Understanding Sustainability in Business

Sustainability in business refers to the adoption of practices that meet the needs of the present without compromising the ability of future generations to meet their own needs. This encompasses a broad range of activities including environmental conservation, social equity, and economic viability. Sustainable practices can be grouped into several categories: environmental sustainability, social responsibility, and economic sustainability.

Environmental Sustainability: Focuses on reducing the environmental impact of business operations. This includes minimizing waste, reducing carbon footprints, conserving energy and water, and sourcing materials responsibly.

Social Responsibility: Involves ethical practices concerning labor rights, community engagement, and diversity and inclusion.

Economic Sustainability: Ensures long-term profitability while balancing environmental and social goals.

The Business Case for Sustainability

Integrating sustainable practices into business operations is not merely a matter of ethical obligation; it also makes sound economic sense. Here are several reasons why:

Cost Savings: Implementing energy-efficient technologies, reducing waste, and improving resource efficiency can lead to significant cost savings. For instance, companies that invest in energy-efficient lighting and heating systems often see substantial reductions in their utility bills.

Enhanced Brand Reputation: Consumers are increasingly making purchasing decisions based on a company's environmental and social performance. Businesses that adopt sustainable practices can differentiate themselves in the market and build stronger brand loyalty.

Regulatory Compliance: Governments worldwide are introducing stricter environmental regulations. Companies that proactively adopt sustainable practices are better positioned to comply with these regulations and avoid potential fines.

Attracting Talent: A commitment to sustainability can help attract and retain employees who are passionate about environmental and social issues. Younger generations, in particular, are more inclined to work for companies that align with their values.

Long-term Viability: Sustainable practices contribute to the long-term resilience of businesses by reducing dependency on finite resources and mitigating risks associated with environmental and social issues.

Successful Case Studies

Several companies have successfully integrated sustainable practices into their operations, demonstrating that environmental responsibility and business success can go hand in hand.

Patagonia: Known for its commitment to environmental sustainability, Patagonia has pioneered practices such as using recycled materials in its products, promoting fair labor practices, and supporting environmental activism. The company's dedication to sustainability has not only enhanced its brand reputation but also fostered customer loyalty and increased sales.



Unilever: This consumer goods giant has set ambitious sustainability goals through its Sustainable Living Plan, which aims to improve health and well-being, reduce environmental impact, and enhance livelihoods. Unilever's efforts include sourcing 100% of its agricultural raw materials sustainably and reducing greenhouse gas emissions across its value chain. The company's sustainability initiatives have contributed to its growth and helped it gain a competitive edge.



Tesla: Tesla's mission to accelerate the world's transition to sustainable energy has positioned it as a leader in the electric vehicle (EV) market. By investing in EV technology, renewable energy solutions, and battery storage, Tesla is driving innovation and contributing to a more sustainable future. The company's success underscores the potential for sustainability to be a core driver of business growth.

Practical Steps for Implementing Sustainable Practices

For businesses looking to embark on their sustainability journey, here are some practical steps to consider:

Conduct a Sustainability Audit: Assess your current operations to identify areas where improvements can be made. This audit should cover energy use, waste management, supply chain practices, and social responsibility.

Set Clear Goals: Establish specific, measurable, achievable, relevant, and time-bound (SMART) sustainability goals. These could include reducing carbon emissions by a certain percentage, achieving zero waste to landfill, or sourcing a percentage of materials sustainably.

Engage Stakeholders: Involve employees, customers, suppliers, and other stakeholders in your sustainability efforts. Their input can provide valuable insights and help ensure the success of your initiatives.

Invest in Technology and Innovation: Explore technologies and practices that can enhance your sustainability efforts. This might include energy-efficient equipment, renewable energy sources, or advanced waste management systems.

Monitor and Report Progress: Regularly track and report on your sustainability performance. Transparency in reporting not only helps build trust with stakeholders but also enables you to identify areas for further improvement.

Foster a Sustainable Culture: Cultivate a culture of sustainability within your organization by providing training, recognizing achievements, and integrating sustainability into your core values and business strategy.





Successful Case Studies

While the benefits of adopting sustainable practices are substantial, businesses may face challenges along the way. Common obstacles include:

Cost Implications: Initial investments in sustainable technologies and practices can be high. However, these costs are often offset by long-term savings and benefits.

Supply Chain Complexity: Ensuring sustainability throughout the supply chain can be challenging, especially for companies with global operations. Developing strong relationships with suppliers and setting clear sustainability criteria can help address this issue.

Resistance to Change: Organizational change can be difficult, and some stakeholders may resist new sustainability initiatives. Effective communication and demonstrating the benefits of sustainability can help overcome this resistance.

Conclusion

Sustainable practices are no longer a trend but a necessity for modern businesses. By adopting environmentally friendly practices, embracing social responsibility, and ensuring economic viability, companies can achieve long-term success while contributing to a healthier planet.

The journey toward sustainability may present challenges, but the rewards—including cost savings, enhanced reputation, and a positive impact on society—are well worth the effort. As more businesses recognize the value of sustainability, the collective impact can drive significant progress toward a more sustainable future for all.



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"Pioneering Sustainable Practices: A Strategic Approach to Ethics, CSR, and ESG in Business"

Introduction

In today's business world, ethical and sustainable practices are increasingly important. Companies are under pressure from stakeholders to prioritize moral values, respect human rights, and minimize environmental impact. Ethical business practices, including corporate governance, supply chain management, environmental stewardship, and social responsibility, are not only morally crucial but also strategically beneficial. They enhance reputation, mitigate risks, attract investment, and create long-term value. The concept of sustainability once considered an important concern, is now a central focus for companies across a variety of industries nowadays.



This shift is being driven by growing awareness of environmental challenges, social responsibility, and not short-term but long-term benefits of sustainable business practices. Sustainability in business is defined as adopting strategies and practices that meet the needs of the present without compromising the capability of future epochs to meet their own requirements. It encloses a wide range of activities, including reducing carbon footprints, minimizing waste, saving resources, and promoting social righteousness.

Businesses are now expected not only to generate economic growth but also to make a positive contribution to society and the environment. Assurance practices, such as internal control assessments, external audits, third-party certifications, and stakeholder engagement, are essential for ensuring the reliability and credibility of a company's ethical and sustainability efforts. These practices enhance clarity, accountability, and trust, aligning business operations with ethical and sustainable goals.

Despite the growing glory of the significance of assurance in promoting ethical and sustainable practices, there is still a gap in the literature regarding specific strategies and products. Many researchers

take a quantitative approach to investigate the role of assurance practices in promoting these goals, aspiring to provide empirical evidence on their effectiveness, challenges, and opportunities. The findings will contribute to managerial decision-making, regulatory policy, and academic discourse in business ethics and sustainability.

Sustainable Frameworks and Strategies

Corporations around the world are encountering significant challenges when it comes to embracing sustainability. Traditional Corporate Social Responsibility (CSR) practices often don't fully meet modern demands. Despite increasing regulatory and societal pressure, many organizations struggle to effectively implement Environmental, Social, and Governance (ESG) strategies that align with their core business goals.

Businesses are now expected to not only create economic growth but also to have a positive impact on society and the environment. Incorporating sustainable practices into business operations is not just a response to regulations or public expectations. It is increasingly viewed as a strategic necessity that can drive innovation, improve brand reputation, and create long-term value.



Companies that adopt sustainability are often better equipped to manage risks, attract talent, and tap into new markets. Additionally, they contribute to the broader goal of achieving a more sustainable and fair global economy.

The gap between sustainability intent and implementation highlights the need for a clear and practical guide to navigating sustainable business practices. "ESG Frameworks for Sustainable Business Practices" addresses this challenge by offering a systematic analysis of global ESG frameworks, providing organizations with the tools to integrate sustainability into their strategies. "Sustainable entrepreneurship is essential in today's business world. It involves adopting eco-friendly practices that balance economic success with environmental responsibility. Entrepreneurs are increasingly using green business models, such as circular economy approaches and sustainable supply chain management, to minimize their environmental impact.

However, they still face challenges such as market acceptance and regulatory constraints. Technology and innovation are crucial for advancing sustainable entrepreneurship, emphasizing the need for ongoing research to improve the effectiveness and scalability of green solutions."

“SUSTAINABILITY HAS TO BE A WAY OF LIFE TO BE A WAY OF BUSINESS”

“THE FUTURE IS GREEN ENERGY, SUSTAINABILITY, RENEWABLE ENERGY”

Integrating environmental and social responsibility into business strategies is essential for addressing global challenges. Leadership, stakeholder engagement, and green technologies are essential for achieving sustainable business outcomes, which ultimately contribute to a more ethical and sustainable global economy. The increasing focus on sustainable development has brought sustainability principles to the forefront.



One of the most notable initiatives in this regard is the UN Sustainable Development Goals (SDGs). As businesses play a crucial role in driving economic growth, they are increasingly integrating sustainability into their core strategies. Two key concepts that have emerged in this context are Corporate Social Responsibility (CSR) and Environmental Social Governance (ESG).

Corporate Social Responsibility (CSR) is a well-established approach that emphasizes a company's responsibility towards its social and environmental impacts. Over the years, it has evolved from a philanthropic initiative into a comprehensive strategy aimed at satisfying a broad range of stakeholders.



On the other hand, Environmental Social Governance (ESG) represents a more recent and holistic framework that incorporates environmental, social, and governance factors into business decision-making processes.

This shift highlights the growing recognition that ecological and social issues are integral to business performance and resilience. Both Corporate Social Responsibility (CSR) and Environmental Social Governance (ESG) have gained significant global attention, with many nations encouraging firms to adopt these practices.

However, the way these concepts are implemented varies widely across different countries, influenced by their unique economic, social, and political landscapes. While Corporate Social Responsibility (CSR) and Environmental Social Governance (ESG) are often treated as separate domains within the sustainability framework, there is a growing need for a comparative analysis to understand their evolution and application across the globe.



By examining how Corporate Social Responsibility (CSR) and Environmental Social Governance (ESG) practices have been adopted in various regions, we can gain valuable insights into the diverse approaches to sustainability. This comparative perspective not only enriches our understanding of these concepts but also highlights the broader implications for global sustainability efforts.

This monograph delves into the different aspects of sustainable business practices and examines the challenges and opportunities that organizations encounter in this evolving landscape. Through an in-depth analysis of research study, industry trends, and theoretical frameworks, the upcoming events will explore how businesses can successfully integrate sustainability into their core operations and strategies. Its objective is to offer insights and practical guidance for businesses aiming to navigate the complexities of sustainability while achieving economic success and making a positive impact on society and the environment.



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TECHNOLOGICAL ADVANCES IN BUSINESS AND LAW

LEGAL TECH

"EMPOWERING JUSTICE WITH
TECH"

BLOCKCHAIN & SECURITY

"TRUST IN EVERY TRANSACTION"

AI INTEGRATION

"INTELLIGENCE MEETS IMPACT"

A man in a dark suit and glasses is shown in profile, facing right. He appears to be in conversation with a digital avatar of a man's head and shoulders, which is composed of a glowing blue wireframe mesh. The background is dark with some blurred light spots, suggesting a futuristic or high-tech environment.

“Technology at the Crossroads of Business and Law: Innovations and Implications”

Introduction

The incredibly high speed of technological innovation has transformed nearly every aspect of modern life, especially in business and the legal field. Traditionally ruled and slow-changing industries have turned to cutting edge technologies in attempts at efficiency, accuracy, and globalization. This paper discusses the profound effect of technological development on business operation and legal practices in this digital age: specifically, the powerful transformation brought about by digital tools, automation, and artificial intelligence.

Technological Advances in Business

Technology has changed the way business operations are run in a variety of ways. The most important of these have come about within the very significant area of communication. Businesses can now easily connect with people worldwide thanks to the internet, which has removed the limitations of physical distance. Social media has a critical role in customer engagement, brand identity development, and sales. . In addition, technology has enhanced workplace efficiency by automating tasks, which reduces the time and resources required for any particular task. It has made supply chain management much easier, improved CRM systems, and supported data-driven decision-making processes leave alone the development of technology. Cloud computing allowed companies to store and access huge amounts of data remotely; hence, it improved collaboration and flexibility. It changed the face of retailing through e-commerce, offering new channels for businesses to market and sell products.

Expanding Market Reach

Through the advancement in technology, nowadays it becomes possible for business organizations to expand into new markets with a view to reaching new customers. Some other online marketing strategies include e-mail marketing, advertisements through social networks, and search engine optimization targeting demographics.

Technology can also enhance customer experiences by enhancing the tools of customer support and customized offerings. Alibaba, Amazon, eBay, Flipkart, and Rakuten are major platform of e-commerce which about 12% of global goods and services are trading.

Automation and Productivity

Although it is undeniable that better performance, efficiency, and productivity are major drivers of technology, organizations often fail to take advantage of available technologies, indicating that more work still has to be done in change management and training on how to use new tools. Activities more easily automatable involve physical activities in highly predictable and structured environments, data collection, and data processing. Overall, researchers estimate that roughly half of activities for which workers are paid nearly \$15 trillion globally have the potential to be automated by adapting demonstrated technologies.

Robotics and AI

Robotics, AI, and machine learning are leading a new breed of advancements, this ushers in a new age of breakthrough innovation and opportunity. Companies using automation technologies will be able to realize significant performance gains keeping them well ahead of others in their respective industries, even as their efforts contribute toward economy-level increases in productivity.



For instance, in financial services, automation in the form of "straight-through processing" digitized end-to-end workflows of transactions can increase the scalability of transaction throughput by 80% and decrease errors by half. Robotic systems have been developed that make procedures less invasive in medical settings and restore functions for amputees and the elderly through robotic prosthetics and exoskeletons.

Remote Work and Collaboration Tools

COVID brought major changes to business collaborations and is now typically done with the help of platforms like Zoom, Slack, and Microsoft Teams. These tools enable communication and the management of projects across distributed teams; thus, companies remain productive even while far apart. Interestingly, there have been new forms of business models, such as remote-first companies and gig-driven companies, which are more likely to stay post-COVID.

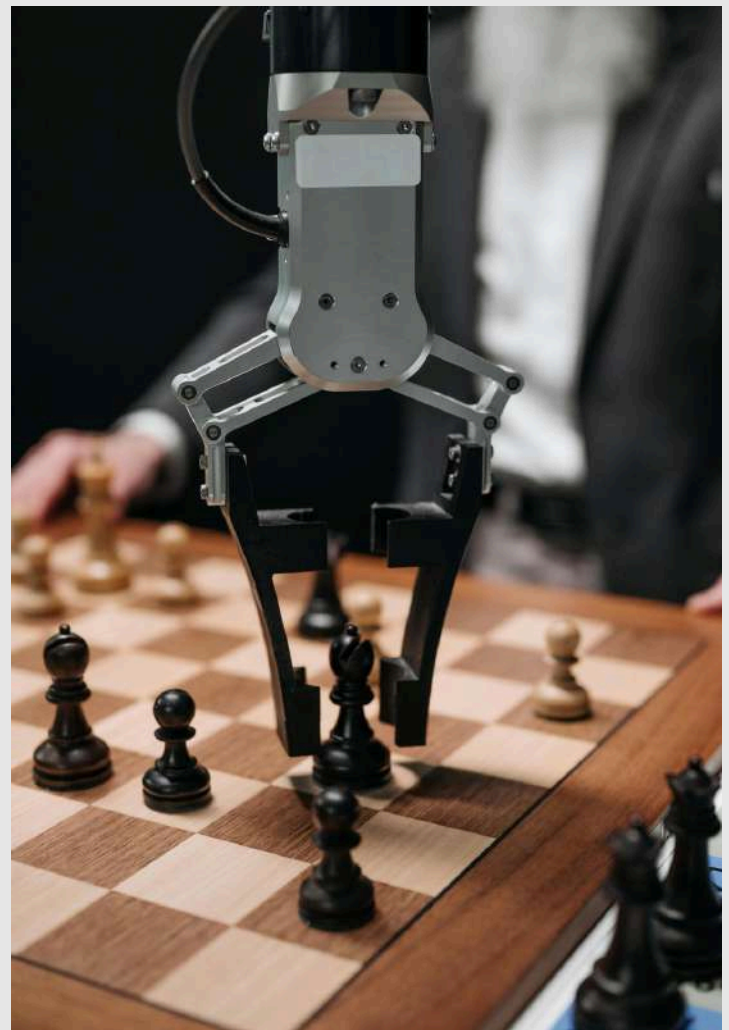
Practical Tips for Keeping Up with Technological Advancements

Being up to date with technology helps a business stay ahead of its competition. Here are pragmatics on how to go about it:

Invest in Employee Training - Continuous learning is key to a fast-up change in the technological landscape. By the provision of programs for training and workshops, the employees acquire new skills and remain updated with the latest tools and technologies.

Accept Change and Innovation - Embrace a culture of change. Encourage an imaginative culture among new ideas and technologies within your setup. Test new cutting-edge solutions and see if they are fit for integration into your business processes.

Use Technology Consultants - Sometimes going through a maze of technological changes will require outside expertise. Technology consultants will bring a wealth of tailored advice and solutions to align the business for survival and success.



Technological Advances in Law

The realm of law is typically viewed as a traditional, paperwork-laden field heavily reliant on human decision-making. However, the onset of innovative technology has ushered in an era that is changing the way legal professionals work. With the availability of artificial intelligence and automation, it becomes quite clear for legal professionals today to raise their career through these disruptive technologies. The next section explores how lawyers can make use of artificial intelligence (AI) and automation in Career Growth.

Automation and Efficiency

In the current world of document management, the prevalence is that of highly advanced systems. These tools make organizing, storing, and retrieving legal documents easier, eliminating the need for manual labor and significantly reducing errors. Advanced document management systems and automation tools can generate, with no input from the human, standard legal documents and contracts. What's more, virtual mediation and arbitration platforms provided by ODRs are breaking geographical boundaries. An ODR platform allows parties to settle differences online, offering accommodation and ease never considered. Whether parties are separated by continents or restricted by time-constrained schedules, virtual dispute resolution is a cost-effective alternative.

Artificial Intelligence and Machine Learning

Artificial intelligence and machine learning algorithms are changing the face of legal research, contract analysis, and due diligence as practiced today. AI-driven platforms can scan huge legal data, analyze case laws, and present valuable insights before practitioners of law. Thus, such analytical tools help attorneys make decisions based on data and assess the possible outcomes. For example, legal research tools such as Case text run AI algorithms that permit attorneys to get quickly to the relevant cases, statutes, and regulations with much less waste of time and more complete and accurate results than traditional research.

Legal practice management and collaboration tools

Legal practice management software makes it easier to manage the internal operations of a law firm, administer cases, and improve communication with clients. They have document management features, time tracking, billing, and client portals. Some of the collaboration tools also allow lawyers to work on a document seamlessly with other lawyers, irrespective of geographical location, hence making the process more productive both for the attorney's productivity and better service to the client.



Intersection of Business and Law

Regulatory Compliance and Technology

With the embracing of new technologies by businesses, they must confront complex regulatory environments in terms of compliance with both local and international law. Regulatory technology solutions help companies efficiently manage their compliance using AI, machine learning, or other monitoring and updating regulations, and automation of compliance processes. This is an extremely fundamental relationship between technology, business, and law for companies working in highly regulated industries like finance and health.

Intellectual Property (IP) and Digital Innovation

IP law now faces a whole new set of possibilities and challenges because of the digital age. Businesses are investing a lot of money in IP protection methods to safeguard their competitive advantage when new goods and technology come to market. However, when it comes to IP enforcement, several digital advancements, including software and online content, have shifted the objectives. It is for this reason that legal practitioners need to keep up with emerging technology and revise IP rules to address the problems that these applications of the digital era present.

Globalization and International Law Concerns

As corporations now operate in multiple nations with disparate legal systems, globalization has increased the complexity of cross-border legal issues. Businesses may now handle cross-border transactions, adhere to international regulations, and resolve disputes using online platforms thanks to technology. Indeed, international corporations and practitioners alike will increasingly focus on this intersection of business, law, and technology as global trade continues to increase.

Challenges and Future Trends

Challenges and risks are some of the greatest drawbacks that come with technological innovation.

Companies and legal practitioners will find some pertinent challenges about to deal with: cybersecurity threats, ethical concerns, and the digital divide. It is critical in ensuring that the technology is used responsibly and equitably to maximize its positive impact while at the same time minimizing its potential harm.

Looking forward, the list of future technological trends that will continue to revolutionize the business and legal environments includes, but is not limited to, quantum computing, breakthroughs in AI, and further blockchain development. This is destined to spur innovation and hence bring about many new challenges and opportunities. These evolving technologies will require that businesses and legal practitioners be informed and change-oriented if they are to be competitive and effective.

Conclusion

The digital era is revolutionizing business and legal practice. From AI to blockchain, e-commerce, and telecommuting, there is a pervading effect of digitality in improving efficiency, transparency, and accessibility across businesses and the legal community. With these technologies continuing to develop, thoughtfulness and responsibility must be their companions. Staying ahead in terms of technological trends and challenges allows us to harness this power of technology in driving innovation toward better outcomes and a more just and fairer world.



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“Navigating the Future: How Technological Advances are Reshaping Business and Legal Landscapes”

The fast-paced digital era is witnessing significant technological advancements that are dramatically altering the realms of business and legal practice. Innovations such as automation, artificial intelligence, cloud computing, and blockchain are challenging conventional frameworks and opening new avenues for organizations to boost efficiency, refine decision-making processes, and provide greater value to their clients and customers. This article examines several pivotal technological innovations that are transforming the business and legal sectors, along with actionable strategies for utilizing these advancements to achieve success.

Embracing Digital Transformation

Central to the ongoing technological revolution affecting both the business sector and the legal profession is the idea of digital transformation. This significant transition entails the strategic incorporation of digital technologies to fundamentally reshape how organizations function, create value, and interact with their customers or clients.

In the business realm, digital transformation can take various forms, including the automation of essential processes, the implementation of cloud-based solutions and infrastructure, the application of data analytics for informed decision-making, and the creation of cutting-edge digital products or services. In a similar vein, the legal industry is experiencing modernization through digital transformation, utilizing tools such as e-discovery, document management systems, and online collaboration platforms.

Adopting digital transformation demands a thorough, organization-wide strategy that aligns technological efforts with overarching business or operational objectives. It also requires a cultural shift, as employees across all levels must be empowered and prepared to adapt to the changes introduced by new technologies. By adopting a comprehensive and forward-looking approach to digital transformation, both companies and law firms can position themselves for success in an increasingly technology-driven environment.

Automation and AI in Business

A major technological trend currently shaping the business landscape is the emergence of automation and artificial intelligence (AI). Tools powered by AI are allowing organizations to automate an expanding array of routine and repetitive functions, including tasks related to accounting, payroll, customer service, and inventory management.

By assigning these repetitive tasks to advanced software, companies can enable their human employees to concentrate on more strategic and high-level initiatives. For example, chatbots and virtual assistants can manage frequent customer queries and offer round-the-clock support, while machine learning algorithms can sift through extensive datasets to reveal insights that guide important business choices.

The integration of automation and AI also promises to boost productivity and minimize errors, resulting in enhanced operational efficiency and cost reductions. As these technologies progress, we can anticipate their growing adoption across various sectors.





Cloud Computing and Collaboration

The extensive integration of cloud computing represents a significant shift in the business landscape. By transitioning data and applications to the cloud, organizations gain enhanced flexibility, scalability, and accessibility. This allows employees to securely access vital information and tools from any location, facilitating smooth remote work and improved collaboration across departments.

Cloud-based productivity tools, file-sharing services, and project management applications enable teams to communicate, coordinate, and collaborate in real-time, dismantling barriers and promoting a more agile and interconnected work environment. As a result, this can lead to increased innovation, better customer responsiveness, and more efficient decision-making processes.

Additionally, the cloud's pay-as-you-go pricing model enables businesses to adjust their IT infrastructure according to their needs, eliminating the substantial upfront costs typically associated with on-premises solutions. This adaptability is especially advantageous for small and medium-sized enterprises, allowing them to utilize cloud technologies to compete effectively with larger organizations.

Blockchain and Smart Contracts in Law

The legal profession is beginning to leverage innovative technologies, paralleling the rapid adoption seen in the business sector, particularly with blockchain and smart contracts.

Blockchain technology, which serves as the foundation for cryptocurrencies, provides the legal field with a secure, transparent, and immutable method for recording and verifying transactions, contracts, and essential data. By removing the necessity for centralized intermediaries, blockchain can optimize workflows, decrease administrative costs, and foster greater trust among parties involved.

Smart contracts, which are automated agreements encoded and executed on a blockchain, are transforming the management of legal documents. These digital agreements can autonomously enforce the specified terms and conditions, thereby minimizing the likelihood of disputes and reducing the need for expensive litigation. Additionally, they facilitate the development of intricate, multi-faceted agreements that can be executed more swiftly and efficiently.

As the adoption of blockchain and smart contracts continues to grow, legal professionals can anticipate enhancements in areas such as contract management, intellectual property safeguarding, and international transactions. These advancements hold the potential to revolutionize the operations of the legal industry, promoting increased transparency, efficiency, and cost savings.

Practical Tips for Leveraging Technology

To assist businesses and legal professionals in harnessing the transformative potential of technology, consider the following actionable strategies:

Cultivate an innovative culture:

Create an atmosphere that promotes experimentation and the pursuit of new technological advancements. Encourage employees to recognize challenges and suggest creative solutions to overcome them.

Invest in skill enhancement and training:

Ensure your team possesses the essential skills and knowledge to effectively engage with emerging technologies. Offer continuous training and development programs to keep up with the fast-paced evolution of tools and platforms.

Emphasize data security and privacy:

As you integrate more digital solutions, prioritize data security and privacy. Implement strong cybersecurity protocols, including encryption, access controls, and routine software updates, to safeguard sensitive information.

Encourage cross-departmental collaboration:

Promote teamwork between your business and IT departments to ensure that technology initiatives align with your organization's strategic goals. This collaboration can enhance the value derived from your technology investments.

Adopt a flexible and agile approach:

Stay ready to adapt and pivot as new technologies arise. Embrace a flexible, agile mindset that enables you to swiftly test, refine, and scale solutions as necessary.



Utilize external expertise:

Explore partnerships with technology providers, consultants, or specialized vendors who can offer expert advice and support in navigating the fast-changing technological landscape.

Regularly assess and evaluate:

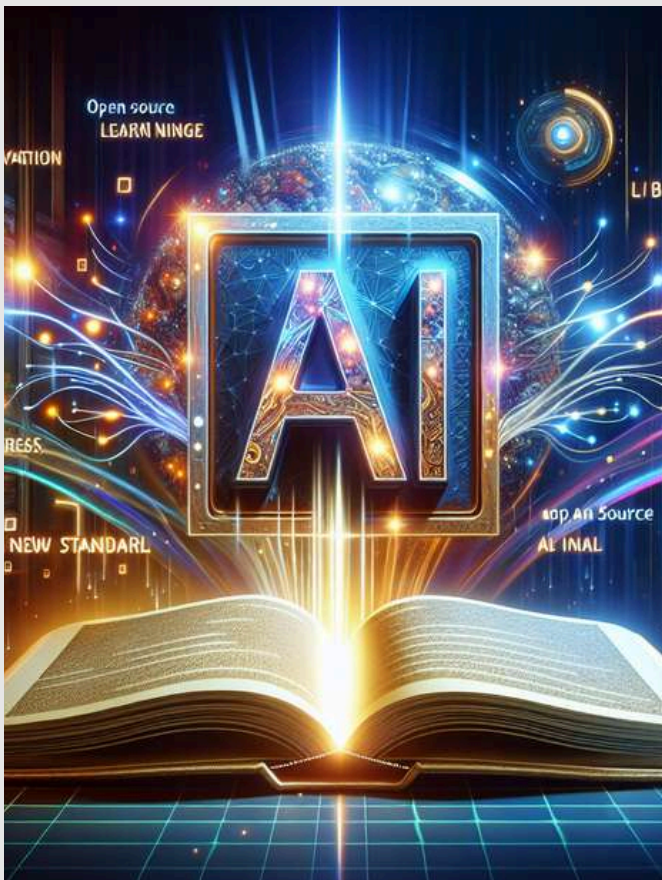
Continuously monitor the performance and impact of your technological solutions to identify improvement opportunities and ensure they are delivering the anticipated benefits.

By adopting these actionable strategies, companies and legal practitioners can leverage the transformative capabilities of technology to foster innovation, improve efficiency, and maintain a competitive edge.



By actively embracing these technological changes, businesses and legal practitioners can discover new avenues for growth, enhance their competitive position, and offer greater value to their stakeholders. Fostering a culture of innovation, prioritizing skill development, and utilizing external expertise will enable organizations to thrive in the digital era.

As the speed of technological evolution continues to increase, the capacity to adopt and effectively utilize these transformative technologies will become a crucial factor for success in both business and legal fields. Those who can adeptly navigate this changing environment will be well-equipped to prosper in the future.



The rapid technological advancements are significantly altering both the business and legal sectors, presenting a mix of excitement and disruption. Innovations such as automation, artificial intelligence, cloud computing, and blockchain are fundamentally changing how organizations function, interact, and provide services to their clients.



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“The Impact of Emerging Technologies on Business Practices and Legal Frameworks: Opportunities and Challenges”

As technology continues to grow faster than current legal frameworks, the convergence of technology and business law becomes more and more important, posing both opportunities and challenges for enterprises. It is important to comprehend how technology affects legal frameworks and company practices in order to effectively navigate this intricate terrain. Technology has an impact on many areas of corporate law, including cybersecurity, e-commerce legislation, data privacy, and intellectual property. Businesses using emerging technologies like block chain, artificial intelligence, and the Internet of Things (Iota) face changing legal challenges that need prompt and knowledgeable answers. For example, the growth of digital data makes strict data protection laws like the CCPA and GDPR necessary, which forces companies to reconsider their compliance and data management plans. Similar to this, technological advancements frequently result in disagreements about intellectual property rights. as new inventions and digital content challenge traditional legal concepts of ownership and protection

This paper aims to give a thorough study of the ways in which technological improvements are changing the field of business law and to highlight the main opportunities and legal issues that result from this confluence. It attempts to investigate how particular technologies affect corporate practices and legal frameworks, providing insights into risk management, regulatory compliance, and ethical issues. The monograph aims to demonstrate the practical effects of technological advancements on corporate operations and legal norms through an analysis of case studies and real-world examples. It will also explore how regulatory, and policy frameworks might be adjusted to meet the new realities of technology, providing advice on how to manage the convergence of law and technology for businesses, legislators, and legal practitioners.

The monograph's scope covers a number of important areas: it will examine how technological developments like block chain, artificial intelligence, and cybersecurity affect corporate law. It will address legal topics including e-commerce, intellectual property, and data privacy that are impacted by these technologies. The monograph will also look at international regulatory frameworks and how different countries handle technology concerns. Through its prospective outlook on current trends and prospective advancements, the book will furnish significant perspectives for maneuvering through the dynamic terrain of technology and company law. By providing stakeholders with the information, they need to handle present legal issues and foresee future developments, this all-encompassing strategy seeks to enable them to manage the nexus of corporate law and technology.



Artificial Intelligence and Machine Learning

Artificial intellect (AI) is the emulation of human intellect in computers intended to carry out tasks like learning, reasoning, and problem-solving that normally need human cognition. Algorithms used in machine learning (ML), a branch of artificial intelligence, enable computers to learn from and adjust to new data without the need for explicit programming. AI systems can recognize patterns, forecast outcomes, and enhance their performance over time through experience thanks to machine learning. When combined, AI and ML spur innovation in a number of domains, allowing for more intelligent automation, customized services, and improved decision-making.

Legal Implications:

Artificial intelligence (AI) and machine learning (ML) have significant legal ramifications in a number of important fields. Issues with intellectual property are important, especially when it comes to who owns work created by AI. The question of who owns the rights to AI-generated works—the AI itself, the developer, or the user—can create new authorship and originality issues and complicate existing intellectual property regulations. There are issues with accountability and liability for judgments made by AI systems. It can be challenging to assign blame when an AI makes a mistake or hurts people, which could result in disagreements over who is ultimately at fault—the AI, its creators, or its operators.

Furthermore, as AI frequently uses enormous volumes of personal data processing, privacy considerations are critical. Strong data protection protocols must be in place in order to Artificial intelligence (AI) and machine learning (ML) have significant legal ramifications in a number of important fields. Safeguarding individuals' rights requires adherence to privacy standards like GDPR, while also preventing unwanted access and misuse. Laws and frameworks must be continuously updated to address these legal concerns and keep up with the quick speed at which technology is developing.

Business Implications:

Business operations are being profoundly changed by the incorporation of Artificial Intelligence (AI) and Machine Learning (ML) into legal services. Automation technologies reduce the time and expense involved in repetitive procedures like contract review and legal research by streamlining these activities. Artificial intelligence (AI) has the ability to quickly scan through vast amounts of legal papers, find pertinent sections, and even forecast legal outcomes based on past performance, all of which improve efficiency and accuracy.

This change allows legal practitioners to concentrate on more intricate and strategic areas of their work while also speeding up the supply of services. AI also affects regulatory reporting and compliance by making it possible to respond to changing regulations more precisely and promptly. Automated systems have the capacity to provide compliance reports, monitor modifications in regulatory requirements, and guarantee that companies fulfill their responsibilities effectively.

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Robotic Process Automation (RPA)

The technique known as robotic process automation (RPA) uses software robots, sometimes known as "bots," to automate repetitive and rule-based processes that are typically completed by people. RPA performs tasks including data entry, transaction processing, and workflow management by simulating human interactions with digital systems. It improves efficiency by simplifying processes, cutting down on errors, and cutting expenses across a variety of areas, such as banking, healthcare, and customer service. RPA increases productivity and operational excellence by automating repetitive tasks, freeing up human resources for more strategic and value-added work.

Legal Implications:

The implementation of Robotic Process Automation (RPA) has various legal ramifications that organizations must carefully consider. Compliance and regulatory issues arise when RPA systems handle sensitive data and conduct jobs that must follow industry-specific standards. To prevent penalties and legal concerns, organizations must verify that their RPA implementations are compliant with data protection legislation such as GDPR and sector-specific rules. Furthermore, RPA has a substantial impact on labor laws and employment rules; automating regular jobs can result in job displacement and adjustments in workforce requirements. This raises concerns about fair labor practices and the importance of legislative systems that address the implications of automation on employment.

Furthermore, intellectual property difficulties arise because RPA systems may develop or utilize proprietary algorithms and data. Determining ownership of these technologies and safeguarding intellectual property from infringement is critical. Data protection is another crucial consideration, as RPA systems handle vast amounts of personal and company data. To protect against breaches and misuse, it is critical to implement strong data security measures and follow privacy regulations. Addressing these legal issues necessitates a proactive strategy to ensure that RPA technologies are utilized responsibly and in compliance with applicable laws and regulations

Business Implication

Robotic Process Automation (RPA) has significant business consequences, particularly in terms of efficiency and cost savings. By automating repetitive and mundane processes, RPA speeds up workflows, decreases human error, and lowers operational expenses. This technological breakthrough enables businesses to optimize procedures like data entry, invoice processing, and customer support contacts, resulting in shorter response times and more accuracy. As a result, firms can shift resources to more strategic and value-added activities, increasing total productivity and competitiveness.



However, the deployment and maintenance of RPA needs significant legal issues. Organizations must manage regulatory compliance challenges, ensuring that RPA systems follow industry norms and data protection regulations. This involves protecting personal and sensitive information handled by the bots, as well as addressing any privacy issues. Additionally, businesses Furthermore, enterprises must consider contractual and intellectual property issues, such as determining ownership rights for RPA solutions and ensuring that the usage of these technologies does not violate existing patents or trademarks. Proper legal frameworks and governance structures are critical for mitigating risks and ensuring that RPA deployments comply with both legal and organizational requirements, resulting in sustainable and compliant corporate operations.

Conclusion

Finally, the integration of Artificial Intelligence (AI), machine learning, and robotics automation into business and law constitutes a paradigm change with far-reaching ramifications. These technological developments are generating considerable transformation in both industries, allowing for unparalleled levels of efficiency, precision, and strategic insight. AI and machine learning are transforming corporate operations by improving data analytics, forecasting, and customer personalization. AI-powered computers can analyse massive volumes of data to deliver actionable insights, and machine learning models improve over time, allowing for more accurate forecasts and tailored marketing strategies.

Robotics automation streamlines regular processes like inventory management and customer service, lowering operational costs and freeing up human resources for more complicated activities. Together, these technologies not only optimize processes, but also promote innovation and competitive advantage in a continually changing market. Similarly, in the legal field, AI and machine learning are revolutionizing traditional procedures by automating legal research, contract assessment, and case prediction. These developments improve the accuracy and speed of legal work, save expenses, and allow lawyers to concentrate on more strategic and complex areas of their practice. Robotics automation contributes to these improvements by automating administrative tasks, improving client relations, and efficiently managing case workflows.



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(Special) - UGC**

"The Convergence of Technology, Business, and Law: Navigating Innovation and Challenges in a Digital Era"

In today's quickly changing digital economy, the convergence of business, law, and technology is critical in defining the future. Businesses have a vital role in the creation of regulatory frameworks and technical advancements, and their involvement is critical for pushing constructive change. The intersection of technology, business, and law has resulted in a dynamic landscape in which innovation is altering industries at unprecedented speed. As businesses strive to streamline processes, decrease costs, and improve customer experiences, technology developments are critical.

Simultaneously, the legal area, which has traditionally been resistant to change, is undergoing a technological transition. As technology advances and changes the way we do business, so do legal challenges. Many Washington-based technology startups may aspire to be the next Apple, Amazon, Uber, Atlassian, or Canva, disrupting old business methods and brands. It is critical to learn from these experiences not only in Australia, but around the world. Globally, we have observed an increase in litigation, emphasizing the significance of strong legal and business frameworks that support each stage of growth and decrease risk along the route to company innovation.

Technology presents numerous obstacles to all businesses. Recent cyber security incidents in Australia have raised worries about privacy and data protection. The news of Facebook users claiming data breaches related to the Brexit campaign is currently making headlines. The famed \$1 billion smartphone patent fight between Apple and Samsung exemplifies the fragility of digital intellectual property. Following the accident in Arizona, Uber has turned the focus of its Advanced Technologies Group, which conducts research on self-driving vehicles, solely to automobiles. Every case teaches us something. Where there is technology, there are significant business and legal challenges. Drawing on what we've learned thus far, here are some essential considerations for negotiating the rising interplay between technology, corporate innovation, and the law.

The Impact of Technology in Business

1. Automation and Artificial Intelligence (AI)

Operational Automation

Businesses are increasingly using automation to improve productivity, streamline operations, and eliminate human error. From production to customer service, automation techniques are reducing the need for physical involvement. Robotic Process Automation (RPA) automates repetitive operations like data entry, invoice processing, and order management, resulting in cost savings and increased productivity.

AI and Decision-Making

AI-driven analytics are transforming commercial decision-making processes. By examining massive amounts of data, AI computers may uncover patterns and deliver previously unattainable insights. This is especially noticeable in industries like finance, where AI is utilized for predictive analytics, risk assessment, and fraud detection. AI can help marketers personalize customer experiences and optimize advertising campaigns.



2. Blockchain Technology

Transparency in Supply Chain

Blockchain technology enables unprecedented transparency in supply chains. By providing an immutable database of transactions, blockchain ensures that every stage of the supply chain is documented and verified. This has important consequences for industries like pharmaceuticals, food, and luxury items, where provenance and authenticity are vital.

Smart Contract

In the world of business transactions, smart contracts—self-executing contracts with the terms of the agreement explicitly inscribed into code—are decreasing the need for middlemen and reducing conflicts. These contracts execute automatically when certain circumstances are met, assuring compliance and lowering the risk of fraud.

3. The Internet of Things (IoT)

IoT is transforming company operations by connecting objects and systems for real-time data sharing. In manufacturing, IoT-enabled sensors track equipment performance and forecast maintenance requirements, lowering downtime and operational expenses. In retail, IoT is used to track inventories in real time, streamline supply chains, and enhance the consumer experience with personalized offers. - Data-Driven Decision Making: Massive volumes of data generated by IoT devices are being used to inform data-driven decisions. Businesses can use this data to discover patterns, improve operations, and create new goods and services that are tailored to client needs.

4. Cloud Computing

Scalability and Flexibility

Cloud computing has emerged as the backbone of modern company operations, providing scalable and flexible solutions that enable firms to respond swiftly to changing demands. Companies can now store and process massive volumes of data without having to make big upfront infrastructure investments. This has democratized access to powerful computing resources, allowing small businesses to compete with larger ones.



Remote work and collaboration

The COVID-19 epidemic has pushed the adoption of cloud-based collaboration solutions, making remote work and virtual collaboration more accessible. Platforms such as Microsoft Teams, Slack, and Zoom have become essential to company operations, allowing teams to collaborate effortlessly from several locations.

Technological Developments in Law

1. Legal Technology (LegalTech)

Automated Document Review

LegalTech is revolutionizing the profession of law by automating mundane operations and increasing efficiency. One of the most notable breakthroughs is the use of artificial intelligence for automated document screening. Machine learning algorithms can evaluate legal papers, find significant material, and highlight potential errors, dramatically decreasing the time and cost of typical document review processes.

Legal Research and Analytics

AI-powered legal research tools are changing the way lawyers undertake research. These systems can examine massive databases of legal texts, case law, and statutes and return relevant results in a fraction of the time that a human researcher would. This not only expedites the research process but also increases the accuracy and breadth of legal analysis.

E-discovery

Technology has transformed the process of e-discovery in litigation, which involves seeking, locating, and searching for electronic material to use as evidence. Advanced e-discovery systems can sift through huge volumes of digital data to locate relevant documents and organize them for examination, saving time and money.



2. Blockchain and Smart Contracts in Law

Smart Contracts in Legal Agreements

Smart contracts are being used to bring blockchain technology into the legal area. When certain criteria are satisfied, these digital contracts execute and enforce an agreement's provisions automatically. This lowers the need for intermediaries, such as lawyers, to monitor contract execution, decreasing costs and expediting transactions.

A Blockchain for Secure Transactions

The legal industry is also looking into using blockchain to provide secure and transparent transactions. Blockchain can be used to record property deeds, intellectual property rights, and other legal documents, making them tamper-proof and easily verifiable.

3. Virtual Law Firms and Online Legal Services.

The emergence of virtual law firms

Technology is enabling the emergence of virtual law firms, which do not have a physical presence. Lawyers can now perform legal services remotely by utilizing cloud-based communication, document sharing, and case management tools. This concept not only lowers overhead costs but also provides more freedom to both lawyers and clients.

Online dispute resolution

The introduction of online dispute resolution (ODR) services is changing the way legal issues are settled. These platforms offer a speedier, less expensive alternative to traditional court proceedings for dispute resolution. ODR is especially effective for small claims, consumer disputes, and international conflicts.

Regulatory Technology Compliance management

Regulatory Technology is the use of technology to assist firms comply with regulatory regulations. Regulatory Technology solutions are used in the legal profession to automate compliance management, monitor regulatory developments, and guarantee that businesses follow the rules and regulations. This is especially crucial in businesses like finance, where regulatory requirements are complicated and changing.

Technological developments in business and law are revolutionary forces that reshape entire industries, not incremental improvements. AI, blockchain, IoT, and cloud computing are boosting efficiency, innovation, and competition in the corporate world, but they also present new difficulties in data privacy, cybersecurity, and ethical concerns. LegalTech, blockchain, and online services are transforming the practice of law, making it more efficient, accessible, and digitally adaptive.

The convergence of business and law in the context of technology emphasizes the importance of a collaborative approach to navigating this new world. Businesses must collaborate with legal experts to maintain compliance, preserve intellectual property, and resolve ethical concerns. As AI, quantum computing, and other future technologies advance, they will bring both exceptional opportunities and complicated challenges, necessitating the development of novel legal and regulatory frameworks. Finally, the future of technology in business and law will be determined by how successfully these industries adapt to and accept change. Businesses and legal professionals can contribute to a more efficient, transparent, and fair society by using technology safely and strategically.



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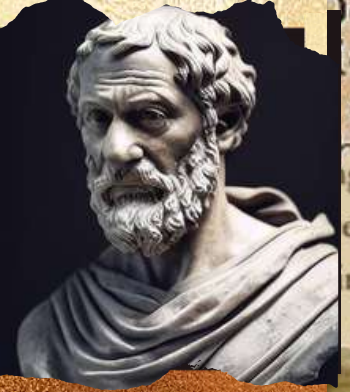


QUOTATIONS

VOICES OF GREAT MINDS

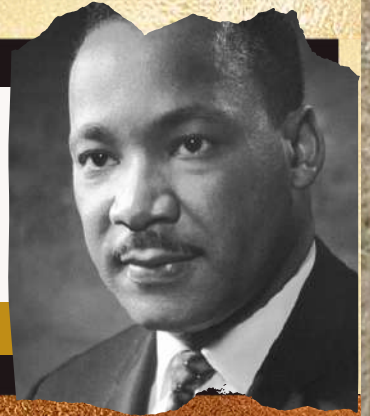
“The law is reason, free from passion.”

- ARISTOTLE



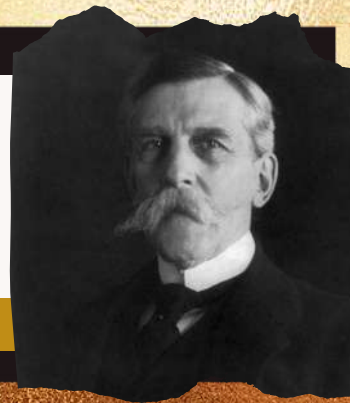
“Injustice anywhere is a threat to justice everywhere.”

- MARTIN LUTHER KING JR



“The life of the law has not been logic; it has been experience.”

- OLIVER WENDELL HOLMES JR



“Justice is the constant and perpetual will to allot to every man his due.”

- JUSTINIAN I



The law is a bridge for every divide,
A compass to justice, our trusted guide.
It speaks for the voiceless, the lost, the small,
An unwavering force that justifies all.

No throne too high, no soul too low,
Its light shines where all must go.
It binds the guilty, frees the just,
A beacon of hope, a symbol of trust.

For those who falter, for those who strive,
The law ensures all dreams survive.
Its scales are even, its path is clear,
It stands for truth, it conquers fear.

Oh, sacred law, forever stay,
Our shield, our voice, our righteous way.
In your embrace, no one shall fall,
For the law stands firm, justifying all.



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WHY HAVE A CAREER IN LAW?

JUSTICE



ANCIENT SILK ROUTE TO BRI: EXPLORING SRI LANKA'S FUTURES WITH CHINA IN INTERNATIONAL BUSINESS

COLOMBO

About the Author

Elisha Fernando is an Attorney-at-Law by profession and further a Visiting Faculty to Department of Law at NSBM Green University and to Faculty of Defence and International Relations at KDU. She is also the Founder/ Managing Director of Foresight Envoy, which is Sri Lanka's first organization on Futures Studies. Elisha is currently a Ph. D Candidate in Law, She holds an MSc. in Defence and Strategic Studies (KDU), LL.M in Criminal Justice Administration (OUSL), LL. B (Hons.) (KDU), E.Diploma in Human Rights (CSHR-Colombo). She is also an Asia Pacific Leadership Program (APLP) Fellow at EWC, USA.



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Abstract

Sri Lanka is geographically located at the crossroads of international trading routes. Ancient maritime silk route passed across this island nation and presently, Sri Lanka is again at the center stage of the Belt Road Initiative (BRI) by China. In this backdrop, it is imperative to understand the significance of Sri Lanka in the international business discourse and thereby it is necessary to question what business opportunities have we overlooked when other nations have identified? Ancient silk route is about the past, OBOR is about the present and this study strives to explore the futures of Sri Lanka in international business. Therefore, the problem question of this study is to analyse the impacts of BRI on Sri Lanka's futures economy.

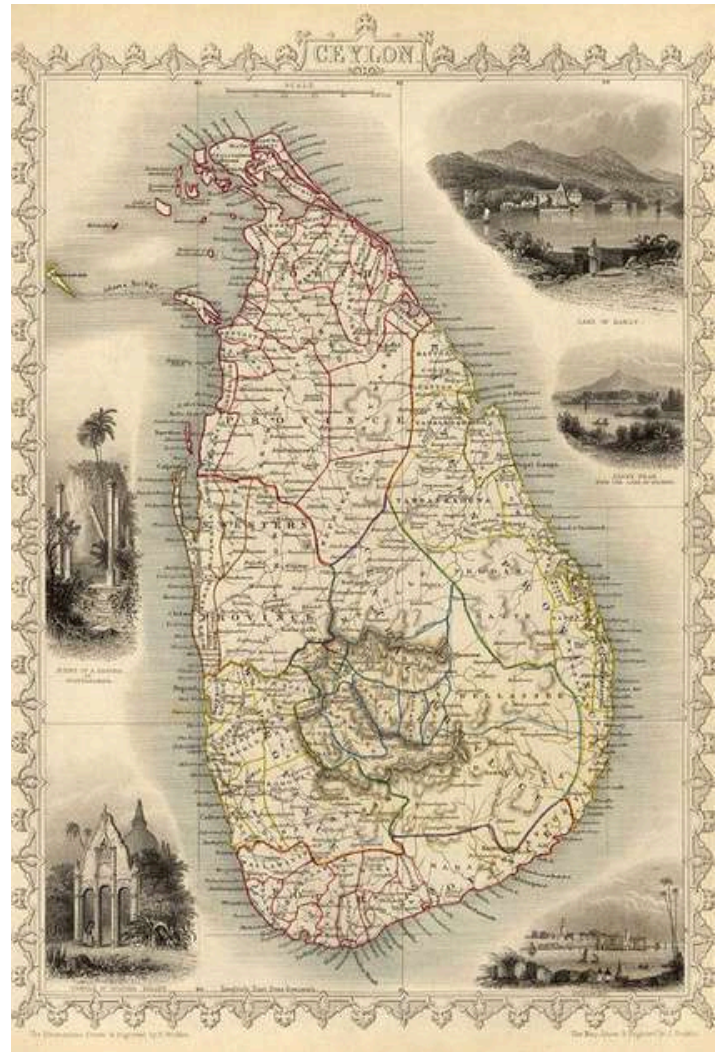
In finding feasible avenues towards the research outcomes, this paper will evaluate the facts using interdisciplinary approach in terms of business, defence and futures by navigating the research question through diverse subjects of economics, defence and security studies and futures studies. To achieve this objective, the research methodology adopted in this paper is Futures Studies research methodology of Futures Triangle in evaluation of the research findings gathered from secondary sources. Ultimately, the aim of this paper is to gauge the spotlight to the plausible futures of Sri Lanka to expand the international business horizons.

Key words: BRI, International Business, Sri Lanka, Futures Triangle, Futures Studies

Introduction

A tear dropped shaped island located in the very close proximity of the Indian continent, but separated from Indian peninsular by the Palk Strait, also known as the pearl, of the Indian Ocean, which was called by several names since ancient era by the kingdoms, empires and voyagers from the different parts of the world i.e. Lanka, Ratnadweepa, Serendip, Taprobane, Sihladweep, Ceilao, Zeilan and Ceylon. Finally, 'Lanka' remained to her, which was the oldest reference to the last ancient King of the island, Ravana.

Despite the latitude and longitude geographical situation as declared by the Greenwich, ancient Indian text on sacred geometry, the Surya Siddhanta, describes Lanka at the centre of the earth. (Jayawardene, 2024, p.4) Some texts even claimed this island as the 'Garden of Eden', which God created for Adam and Eve, referred the first chapter Genesis of the Holy Bible, thus yet lacks archaeological proof.



With these narrations, the island has gained its importance in the world economics since the ancient era with the 'Maritime Silk Route'. This route fell across the Eurasian continent connecting the historical trading ports which connected the world east to world west. As reported, it began by the 2nd century BCE and flourished until the 15th century CE. Geographically, the ancient maritime silk route had two paths, one from China to the Eastern China Sea linking to the Korean peninsula and the second from China to South China Sea, Southeast Asia, South Asia, Arabian Sea, Indian Ocean and the Persian Gulf. (Iftikhar et al, 2016) As Wakkumbura (2018) explains, 'As the Mahavamsa indicates, the diffusion of Buddhism from India to Sri Lanka was primarily facilitated by ancient maritime trade routes.' Further, the country's significance in the global trade of the history is apparent in Ptolemy of Alexandria's world map. Therefore, it is apparent that the island's strategic geographic centrality has enabled maritime transactions in terms of both trade and religious, cultural since at least 2nd century BCE.



The Impacts of Belt Road Initiative (BRI) in Sri Lanka

Besides the ancient Silk Route ties, in the recent past, the Rubber Rice Pact between Sri Lanka and China signed in December 1952, mark a significant milestone in the bilateral ties between the two nations and moreover, this was one of the first agreements that China has signed with a non-communist country. Furthermore, China funded Sri Lanka to build BMICH to host the 5th Summit of the Non-Aligned Movement in August 1976, which became prominent as this Summit was the biggest international conference ever held in Sri Lanka with the participation of 86 States' Heads and BMICH became the first purpose-built conference hall in Asia.

'Belt Road Initiative' (BRI), in other words 'One Belt One Road' (OBOR), is a mega project of reconnecting the ancient silk routes by China. Since the launch of BRI in 2013 by Chinese President Xi Jinping, Sri Lanka joined. As a result, in 2024, after 12 years into BRI, China's major investments in Sri Lanka are i.e. Colombo Port City also called as the Colombo International Financial City (CIFC), Hambantota Port and adjoining industrial estate, Colombo Port expansion, Mattala Rajapakse International Airport, the Colombo Katunayake Expressway, the Norochcholai Coal Power Plant, the Moragahakanda Multipurpose Development Project, the Matara- Kataragama Railway Line and several other monetary investments. Among them the CIFC and Hambantota Port are the flagship projects of the BRI.

It is significant that BRI presents both opportunities and challenges for Sri Lanka. As explained by Wijayasiri et al (2018), "Sri Lanka gains key infrastructure, capital and skills that could put it well ahead in connectivity and trade facilitation. Combined with these are the added benefits of trade and investment promotion, development of an economic hub, participation in global value chains, employment generation, technology and knowledge transfer that will help with economic growth in the

foreseeable future. On the other hand, there is concern around the environmental impact of such infrastructure development and the geopolitical and sovereignty issues that come with partnering with China and taking on significant amounts of debt". The real question is to what extent have Sri Lanka gained these opportunities and the reality of these challenges in the present context.

In the analysis of the benefits of BRI for Sri Lanka, it holds out the prospect to bridge significant infrastructure gap, link local markets to regional and global value chains and business ties with other participating countries. China is the world's second largest economy by nominal GDP and "while Sri Lanka is not an important trading partner of China, China has emerged to become Sri Lanka's second largest trading partner, after India in terms of Sri Lanka's total trade with the world" (Wijayasiri et al, 2018)

The 'String of Pearls' strategy, China's stance is to gain advantage over the ports and infrastructure across South Asia i.e. Gwadar in Pakistan, Chittagong in Bangladesh, Kyaukpyu in Myanmar to contain India. Further, India has openly rejected the BRI, saying that China's projects with neighbouring Pakistan infringe on its sovereignty. In these circumstances, China's investments in Sri Lanka especially in ports of Colombo and Hambantota see of strategic importance. Most importantly, the visits of Chinese submarines at the port of Colombo in 2015 when Chinese President graced the opening ceremony of Port City and then, hand overing Hambantota Port on a 99-year lease in December 2017 raised red alarms in India.



In terms of the growing debt burden on Sri Lanka, “Existing investments in Sri Lanka as part of the BRI amount to approximately US\$8 billion, while China has offered up to an additional US\$24 billion in financing” (Wijayasiri et al, 2018) Thus, the main accusation against BRI is the so called ‘Debt Trap’ theory. As reported by Legrand (2018), ‘Sri Lanka’s debt equals 81.6 percent of its gross domestic product, which is the third highest ratio among emerging economies, where China is Sri Lanka’s largest creditor’. Throughout, it was apparent that the Government of Sri Lanka has had difficulty making repayments on debt obligations and has had to restructure the debt agreements with the Chinese government. One of the best examples is that ‘due to the inability to repay the \$1.4 billion loan from China, the Sri Lankan Government has granted the Chinese Government an exclusive 99-year lease on the Hambantota port in exchange of US\$ 1.1. billion of debt write off” (New York Times, 2017) This further proves the ‘String of Pearl’ strategy of China through BRI.

As reported by Fernando (2024), “by the end of year 2022, Sri Lanka owed USD7.4 billion to Chinese lenders according to the China Africa Research Initiative and USD 1.74 billion to India respectively”. It must also be noted that currently, there is an intense geopolitical rivalry between China and India to gain foothold in Sri Lanka.

The Futures of Sri Lanka with BRI

The research methodology adopted in finding answers to the research question to analyse the impacts of BRI on Sri Lanka’s futures economy, is the Futures Triangle research methodology. The reason behind utilizing Futures Studies methodology is to test the feasibility of the core research argument of the paper in the futures landscape of Sri Lanka.



1.1. Diagram - Futures Triangle (Inayatullah, 2003)

Futures Triangle was invented by Sohail Inayatullah (2003), and he explained that among the three foundational approaches to futures, future as contested is imperative, because the future as contested is where ‘future is seen as created by a variety of factors- pushes, pulls as well as weights (patterns of history, paradigms). The future is to be decolonized, challenged, rethought, and then an alternative future created’. This provides the gist of the Futures Triangle. In applying the research findings gathered from the secondary sources to the Futures Triangle, in analysing the impacts of BRI on Sri Lanka’s futures economy.

Firstly, the three elements of the futures triangle were analysed with the positive impacts of BRI on Sri Lanka’s futures economy. The weight of the past is that China’s long-term strong international relations with Sri Lanka i.e. Rubber Rice Pact 1952, BMICH and assisting Sri Lankan Government during the war against terrorism. The push of the present is that already commenced and continuing infrastructure projects and other FDIs and financing. The pull of the future is that China currently being the second largest economy in the world and in the near future with the prospects of becoming the world’s largest economy by passing USA, then China’s potential of becoming Sri Lanka’s No.1 trading partner over India.

Next, the three elements of the futures triangle were analysed with the negative impacts of BRI on Sri Lanka’s futures economy. The weight of the past is that Sri Lanka owes US\$ 7.4 billion to China and handing over Hambantota Port on 99-year lease to China. The push of the present is that Sri Lanka is in difficulty making repayments on debt obligations and has had to restructure the debt agreements with the Chinese government as well as with IMF mainly following the economic crisis occurred in 2022. The pull of the future is that India and USA are in a power rivalry with China in IOR and Sri Lanka, if to poise a non-aligned stance will have to geopolitically balance the interests of India as well as USA, thereby, Sri Lanka will be in a difficult position to navigate the foreign policy of the country.

Conclusion

In a nutshell, summing up the research outcomes, it was evident that analysing the impacts of BRI on Sri Lanka's futures economy, both positive and negative impacts were revealed via the futures triangle research methodology. As a result, in the plausible futures of Sri Lanka's economics, the positive impact of BRI is that China's prospects of becoming the world's largest economy in the near future and then Sri Lanka's potentiality of becoming the No. 1 trading partner of China and thereby, the prospects on further economic opportunities. On the other hand, the negative impact of BRI in the plausible futures of Sri Lanka's economics is the literal alignment towards China due to owing debts

as well as 99-year lease over Hambantota Port and thereby, Sri Lanka's impossibility to play neutral in the IOR power rivalry game over India and USA. Ancient silk route is about the past, BRI is about the present and as afore argued, according to the research findings, even the futures of Sri Lanka's economy will have to be China dependent to expand the international business horizons.



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CORPORATE SOCIAL RESPONSIBILITY: LAW AND REALITY

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1. Introduction

Corporate Social Responsibility (CSR) refers to the responsibilities of corporates/companies towards their stakeholders.[2] It emphasizes responsible behaviour which means good governance, accountability, transparency, ethical practices and many more. Corporates are granted rights and powers under their respective Articles of Association and statute, also bear duties under the statute and common law; and therefore, logically, they owe obligations to stakeholders who contribute to their success.

2. Methodology

This monograph is centered around the problem that CSR is often misconceived and misused by corporates, general public and students. It is because there is inadequate legal framework. The research

3. Historical Context

The concept of CSR has been discussed since the early 1900s due to the societal impact of corporate actions. However, the U.S. court in *Dodge v. Ford Motor Company* [3] rejected what we now consider the essence of CSR. The case upheld the principle of "shareholder primacy," emphasizing profit for shareholders over broader social responsibilities. Nonetheless, the court also affirmed the 'business judgment rule', granting corporations significant discretion in their operations.

Howard R. Bowen, regarded as the "Father of CSR," posited in 1953 that corporate responsibility is not a panacea but a necessary consideration for ethical business operations. He framed CSR as a balance of competing claims to corporate resources, emphasizing the mutual dependence between companies and society. The notion that businesses thrive in a healthy society has since gained traction. [4]

4. What is CSR?

CSR is an idea of balancing competing claims to corporate resources. It is believed that corporate managers are trustees who have accepted of philanthropy as a manifestation of business's support to good causes. An idea of mutual dependence between companies and the society developed over the years. This canvasses that healthy business cannot exist in a sick society and therefore the society should be developed which cannot be done without contribution from the wealthy element in the society, that is corporate.



5. CSR and Profit Maximization

The mid-20th century saw rapid growth in CSR discourse. Milton Friedman, a staunch advocate of free-market economics, famously argued against CSR's broader societal focus. [5] He stated:

"There is one and only one social responsibility of business—to use its resources and engage in activities designed to increase its profits so long as it stays within the rules of the game."

He further argued that,

"Companies should not be diverted from their pursuit of profit; it ultimately harms a free society if entities such as companies try to act for a wider good other than its own self-interest, because it is hard to know what the wider good is and damages the primary goal of companies: responsibility to shareholders".

Friedman viewed attempts to pursue wider societal goals as potentially harmful to businesses' primary purpose: profit maximization.

6. Theoretical Framework

Theoretically, CSR encompasses a wide range of duties, including:

- Profit generation and equitable sharing
- Environmental stewardship
- Respect for human rights
- Adherence to labour standards
- Ethical business practices
- Community involvement, such as poverty alleviation and charitable activities
- Corporate governance and sustainability efforts
- Consumer/customer activities
- Charity/reducing poverty (community involvement)
- Ease the burden of the State and on the whole, being a responsible corporate citizen

7. Why CSR?

There can be a question as to 'Why CSR?'. CSR encapsulates the wider role & responsibilities of businesses which cannot be 'one way'. When corporate take benefits, they need to return at least a part of it. Further, it is impossible for welfare States to investigate every 'need' of the society. In addition, CSR is the modern mode of sustainability of businesses and sustainable development. It is seen as a bridge of good relationship between corporate citizens and the community and stakeholders. However, it is sad to note that corporates use CSR as an image building activity for corporate awards and to be known as a good corporate citizen.

In a nutshell, CSR should follow honest business practices, pave way to live in harmony with environment,[6] have concern for vulnerable stakeholders such as society, employees & creditors and look at CSR broadly in terms of sustainability, beyond narrow economic, technical & legal requirements. It shouldn't be for publicity, just for a couple of digits in the balance sheet for corporate awards, using CSR to defend themselves from unethical practices or single unsustainable activity.

8. International Approach

The OECD guidelines on CSR perceive a new way for businesses to contribute to societal goals.[7] It suggests that a company's commitment to sound labour and environmental practices and good community relations plays an important role not only in how it is perceived by the public but also in increasing workers' satisfaction and sense of belonging to the company. It adds that companies engaged in CSR strategies have also a role in contributing to local development and can become an important stakeholder and partners for local authorities.

9. New approach

There is a new approach to CSR, that is known as 'Responsible Business Conduct' (RBC). RBC means that businesses should make a positive contribution to economic, environmental and social progress with a view to achieving sustainable development and that businesses have a responsibility to avoid and address the adverse impacts of their operations. While the concept of CSR is often associated with philanthropic corporate conduct external to business operations, RBC goes beyond this to emphasize integration of responsible practices within internal operations and throughout business relationships and supply chains.[8]

10. Criticism on CSR

There are arguments against CSR and it says that –

- (i) Businesses are owned by their shareholders and therefore money spent on CSR by managers is theft of the rightful property of the owners.
- (ii) The leading companies who report on their CSR are only basket cases, the most effective business leaders don't waste time with this stuff.
- (iii) Some may say "Our company is too busy surviving hard times to do this. We can't afford to take our eye off the ball - we have to focus on the core business".
- (iv) It's the responsibility of the government and politicians to deal with all this stuff. It's not the role of companies to get involved.
- (v) Directors' view is that, 'We have no time for this. We have got to get out and sell more to make our profit line'.
- (vi) Corporations don't really care - they're just out to screw the poor and the environment to make their obscene profits.
- (vii) There is no 'model' for both CSR & CC, and therefore, where to start and where to end? Is an unanswered question. [9]





More and more, Sri Lankan corporates are using CSR as a means to enhance the image and show the public that they are good corporate citizens through these 'projects' while on their dark side they are resorting to devious ways in acquiring profit. There are many examples to show how corporates deceive the public in pretending to do good, donate lavishly to the community and get a lot of publicity out of it. Quite a few are companies that have dubious records but through CSR projects which get more publicity that they deserve through the media, are able to impress an often, gullible public. [10]

A common criticism is that advanced economies have often moved their dirtier industries to other parts of the world where there are less stringent environmental and social standards. As a result, other countries may be polluting on their behalf, and these indexes do not factor those in. [11]

In Sri Lanka, we have a company by the name CSR Sri Lanka Guarantee Ltd. [12] The role of CSR Lanka includes creating a common understanding about CSR. [13] How successful this organisation in its endeavours is yet to be investigated.

11. Legal Framework

The legal framework in Sri Lanka for CSR lies only in the Listing Rules of the Colombo Stock Exchange that is applicable only for quoted public companies. Listing Rules 9.2 on Policies provide that listed entities should adopt policies on Corporate Governance and Policy on Environmental, Social and Governance Sustainability. In addition, the Code of Best Practices on Corporate Governance 2017 issued by the Institute of Chartered Accountants of Sri Lanka provides that the Company's annual report should contain sufficient information to enable investors and other stakeholders to assess how ESG[14] risks and opportunities are recognized, managed, measured and reported.

In contrast, the Companies Act of India 2013 enforces more stringent CSR regulations. Companies meeting specific financial thresholds must form CSR committees and allocate funds for CSR activities.[15] It further requires a company, which meets the CSR applicability criteria, to constitute a CSR committee comprising 3 or more directors and at least one of them should be an independent director.

12. Conclusion

CSR is more than a tool for profit or publicity—it is a framework for sustainable development and ethical corporate citizenship. It demands honest business practices, respect for the environment, and concern for vulnerable stakeholders. Moving forward, Sri Lanka must enhance its legal mechanisms to ensure CSR serves its true purpose: creating a harmonious balance between corporate success and societal well-being.

Although it is accepted that companies shouldn't be stringently regulated with regard to their profits provided that they pay the governmental taxes, it is high time we consider an amendment in the Companies Act 2007 of Sri Lanka similar to India to strengthen CSR enforcement.





FOOTNOTES:

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[2] CSR is founded on Governance Structure for the benefit of stakeholders who are the shareholders, employees, consumers, the State and the creditors of the company.

[3] 204 Mich 459; 170 NW 668 (1919)

[4] Rediscovering Howard R. Bowen's Legacy : The Unachieved Agenda and Continuing Relevance of Social Responsibilities of the Businessman, Aurélien Acquier, Jean-Pascal Gond and Jean Pasquero. Available at file:///D:/Downloads/BusinessSociety-2011-Acquier-607-46.pdf

[5] A Friedman doctrine-- The Social Responsibility of Business Is to Increase Its Profits, Milton Friedman, Sept. 13, 1970. See: <https://www.nytimes.com/1970/09/13/archives/a-friedman-doctrine-the-social-responsibility-of-business-is-to.html>

[6] *Bulankulame v. Secretary, Ministry of Industrial Development* [2000, 3 SLR 243] is an example for the judiciary's concern on the environment. It was held in this case that the Art.126(3) of the constitution, Rio de Janeiro Declaration, Stockholm Declaration and s.17 of National Environment Act pronounce that "Humankind has a solemn responsibility to safeguard and improve the environment for the benefit of present and future generation".

[7] Accountability, Human Rights, . Business Conduct & Provision of Information(disclosure or transparency), Labourincluding industrial relations, Labour including industrial relations, Environment, . Consumer Interests & Due diligence in the supply chain, Science & Technology, Competition, Taxation, Combating bribery

[8] <http://oecdinsights.org/2016/01/22/2016-csr-is-dead-whats-next/>

[9] See: <http://www.mallenbaker.net/csr/against.php#shareholdertheft>

[10] <https://www.sundaytimes.lk/150510/business-times/real-csr-vs-bogus-csr-147860.html>

[11] <https://www.globalissues.org/article/723/corporate-social-responsibility>

[12] CSR Sri Lanka is the facilitator, challenging company's CSR to take a step further to exercise the modern international CSR practices. Initiated and steered by a group of private sector companies and corporate leaders, CSR Sri Lanka commenced its operations in 2013 and is backed by the United States Agency for International Development (USAID).The motivation drive for the formation of CSR Sri Lanka is the existing gap between ad hoc CSR and corporate leaders' desire to create sustainable value by delivering strategic direction and essential resources. <https://lk.linkedin.com/company/csrsrilanka>

[13] The objectives of CSR Sri Lanka Guarantee Ltd are

- To be the apex body to promote and synergize CSR efforts and to align them to international standards,
- To be the central repository of technical information and expertise on strategic CSR
- To provide a platform for knowledge exchange and experience sharing
- To facilitating sectoral, multi sectoral and cross sectoral collaboration
- To be a body for policy advocacy on CSR
- To facilitate capacity building

[14] ENVIRONMENT, SOCIETY AND GOVERNANCE (ESG) - under Principle H.1. See: https://www.casrilanka.com/casl/images/stories/2017/2017_pdfs/code_of_best_practice_on_corporate_governance_2017_final_for_web.pdf

[15] S.135 provides that that every company with net worth of 500 crore or more, or turnover of `1,000 crore or more or a net profit of `5 crore or more during any financial year will constitute a CSR committee. Section also deals with the applicability criteria for CSR.

TAXATION CHALLENGES UNDER THE DIGITAL ECONOMY: GLOBAL AND SRI LANKAN READINESS

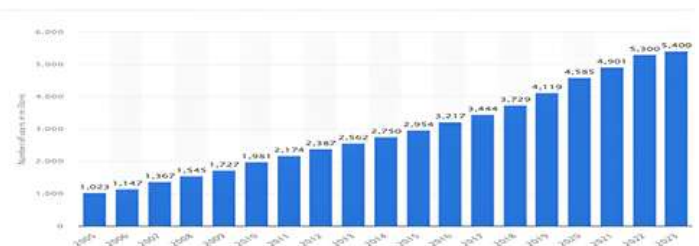


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Adaptability is the key to survival. This famous Darwinian idea is suitable, albeit metaphorically, for a contemporary analysis of the international tax regime. The rapid expansion of digitalization, together with the liberalization of trade policies, has accelerated the pace of globalization and induced a continuous structural transformation of economies. Advancement of information and communication technology has made a huge impact to redefine traditional business models and provide new ways for buyers and sellers to interact both locally and globally. There are 5.35 billion people using the internet in 2024, equating to 66.2 percent of the world's total population. Internet users have grown by 1.8 percent over the past year, with 97 million new users coming online for the first time during 2023. The rapid growth and development of the communication and information technology has changed the pace of the world. Figure 1 shows the broad perspective of world internet usage from 2005 to 2023.

Figure 1: Number of Internet Users Worldwide From 2005 to 2023



Source: Statista 2024

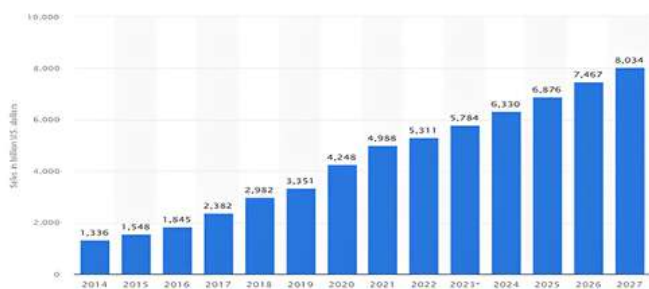
E-Commerce can be identified as one of the greatest innovations of the last decade, and an emerging trend that coordinates the entire business world into one market. The development of E-Commerce presents both opportunities and challenges for governments and business. The digital economy is highly reliant on intangible assets, massive use of data and widespread adoption of multi-sided business models which leads to difficulty in determining the jurisdiction where value creation occurs.



Many of the biggest companies in the world are fully digitalized, including Google, Amazon, Facebook, Apple and Microsoft. The digital economy offers great benefits to society, but its unique attributes have generated considerable tax challenges. This is mainly due to the fact that the business models are highly digitalized and do not adjust to traditional characterizations of international taxation. As highly digitalized businesses can earn profits in foreign economies without creating physical presence, significant profits remain untaxed by market jurisdictions despite the sustained involvement of highly digitalized enterprises in those market jurisdictions.

E-Commerce has become an indispensable part of global retailing in recent years. Like many other industries, the buying and selling of goods has undergone significant changes with the advent of the Internet and, thanks to the increasing digitalization of modern life, consumers around the world are now enjoying the benefits of transactions online. With the rapid increase in Internet access and adoption globally and with more than five billion Internet users worldwide, the number of people shopping online is constantly increasing. Global retail e-commerce sales are estimated to exceed \$6.3 trillion in 2024, and this figure is expected to reach new heights in the years to come. The Retail E-Commerce Sales Worldwide from 2014 to 2027 is depicted in Figure 2 below.

Figure 2: Retail E-Commerce Sales Worldwide from 2014 to 2027 (in billion U.S. dollars)



Source: Statista 2024

Table 1 below provides an illustration on the global E-Commerce Sales and its growth which is a result of the wide application of internet and related products.

Year	Global E-Commerce Sales	Global E-Commerce Sales Growth Rate
2027*	\$ 8.0 trillion	7.6%
2026*	\$ 7.5 trillion	8.6%
2025*	\$ 6.9 trillion	8.6%
2024*	\$ 6.3 trillion	9.4%
2023	\$ 5.8 trillion	8.9%
2022	\$ 5.3 trillion	6.5%
2021	\$ 5.0 trillion	-

Source: Statista.

* Projected values

E-Commerce statistics confirm the revolutionary pace at which it has developed worldwide with B2C E-Commerce sales amounted to more than 5.8 trillion US dollars in 2023 with a growth rate of 8.9 per cent. There were 2.64 billion online shoppers worldwide in 2023. This makes up 33% of the global population. Meanwhile, e-commerce sales accounted for 19.5% of retail sales worldwide in 2023. However, with the increase in smartphone penetration, social commerce, M-commerce, digital payment integrations, etc., online shoppers are estimated to reach 2.71 billion in 2024 and 2.77 billion in 2025. As a result, global e-commerce sales will grow at a rapid pace. In 2024, e-commerce sales are estimated to make up 20.3% of retail sales worldwide.



The rise of the digital economy has challenged traditional tax systems for all major taxes, with particular concerns around tax planning for multinational companies. As digital services and e-commerce have become increasingly dominant aspects of the global marketplace, concerns have been raised about how tax systems will adapt to this change. International tax treaties, in particular, appear outdated and ill-prepared for the digital economy. Under existing traditional brick and mortar rules and regulations, multinational companies do not pay their fair share of taxes to market countries where profits are generated, as the latter can only tax companies that have a physical presence there. Multinational companies in particular are benefitted by existing tax rules by shifting profits to low-tax jurisdictions and thereby avoiding taxes in the country of residence where their parent companies are located.

An increasing number of firms are digitalizing, leading to several issues that raise or intensify challenges for the international tax system. The first problem concerns increasingly sophisticated information and communication technology systems that have facilitated increase in remote sales between jurisdictions, decoupling the economic and the physical presence. Additionally, with this ability to market and sell goods and services from a distance, online retailers are also challenging and supplanting traditional physical retailers. The second problem is that intangible assets play a more important role than ever, modern multinational companies get more value from Intellectual property that is easy to transfer across borders and difficult to value for transfer pricing purposes due to lack of comparable. The third problem relates with the fact that the online user is considered as a key driving force behind the value of digital services. Digitalization has enabled businesses to collect data and insights about their users on an unprecedented scale.

To understand the challenges posed by digitalization, consider some fundamental principles of international taxation. The international tax framework is founded on a broad network of bilateral income tax treaties. These include three notable model conventions, with which bilateral treaties generally confirm: the OECD Model Tax Convention on Income and on Capital, the U.N. Model Double Taxation Convention between Developed and Developing Countries, and the U.S. Model Income Tax Convention.

Some of the main challenges faced by tax authorities can be summarized as follows:

(i) Tax residency and Permanent establishment issues

Tax residency rules are based on where a company is registered and/ or the place of business or place of management. A problem arises regarding physical presence in the digital domain. In the present scenario, the definition of PE poses many challenges for the tax authorities. Since website itself does not have any place of existence, it becomes challenging for the tax authorities to confirm a fixed place of business and prove presence of PE

(ii) Withholding tax issues

Websites host many advertisements on display by different vendors. Such advertisements are charged against fee that does not get characterized as either royalty or fee for technical services. Therefore, the tax authorities are unable to collect any withholding tax at source on such advertisement revenue earned by companies operating and maintaining websites in their jurisdictions

(iii) Identifying the taxpayer, especially when an Internet user is involved

(iv) Obtaining access to verifiable information and documents

(v) Identifying audit risks and developing audit trails to ensure compliance

(vi) Obtaining access to encrypted data

(vii) Developing a response to the advent of electronic money (e-cash) and ensuring efficient mechanism for collecting tax especially from non-resident taxpayers

(viii) Tax Evasion and Avoidance

The digital economy is not governed by a traditional “North-South,” “East-West,” or “developed-developing” divide. The growing digital transformation poses great international tax challenges, as current international tax law and its principles have failed to adapt to global business practices.

On October 9, 2019, the Secretariat of the OECD published a “Proposal for a “Unified Approach” under Pillar One,” designed to address the tax challenges of digitalization and grant new taxing rights to market jurisdictions. The proposal established a new taxing right independent of physical presence, applied through global and market revenue thresholds. The proposal set forth a new rule that would allocate a share of a foreign company’s deemed residual (non-routine) profits to the market jurisdiction.

On October 14, 2020, the OECD released a “Report on Pillar One Blueprint” providing foundation for a future agreement on international tax reform. Pillar One consists of three main components: a new taxing right for market jurisdictions over a portion of residual (non-routine) profits calculated at the MNE-group level; a fixed return for baseline marketing and distribution functions that physically transpire in the market jurisdiction; and dispute prevention and resolution mechanisms. For businesses falling within the Pillar One scope, a new taxing right (Amount A) is introduced, and applies on top of existing nexus and profit allocation rules. It will apply where a business has a sustained and significant involvement in the economy of a market jurisdiction irrespective of its physical presence in that jurisdiction.

On November 8, 2019, the Secretariat of the OECD published a proposal for Pillar Two of its two-pillar approach titled “Global Anti-Base Erosion Proposal (“GloBE”): Pillar Two.” On October 14, 2020, the OECD released its Report on the Pillar Two Blueprint, together with the Pillar One Blueprint. Pillar Two complements Pillar One by addressing remaining BEPS challenges. It is designed to ensure that the profits of MNEs are subject to a minimum rate of tax irrespective of where they are headquartered or the jurisdictions in which they operate.

Sri Lankan Approach

E-Commerce in Sri Lanka has grown significantly with the increased use of the internet and smart devices, especially during the COVID-19 pandemic. According to the Information and Communication Technology Agency (ICTA) of Sri Lanka and the United Nations Conference on Trade and Development, Sri Lanka's Digital Economy was 4.37 percent of GDP in 2022. This increase is due to the increased use of electronic payments, electronic banking, online doctor consultations and e-sports. About 43 percent of the estimated 11 million Internet users have made online purchases. Western Province is geographically the largest e-commerce market, accounting for approximately 50% of total orders. The most commonly purchased products online are electronics, clothing and personal care products. Around 56 percent of Internet users say they purchased a product or service after seeing an advertisement on the Internet.

The Electronic Transactions Act No. 19 of 2006 facilitates electronic commerce by removing legal barriers and providing legal certainty both in Sri Lanka and internationally. Several other laws also support e-commerce, such as the Evidence Act No. 14 of 1995, Payment and Settlement Systems Act No. 28 of 2005, Payment Devices Frauds Act No 30 of 2006, and the Computer Crimes Act of No 24 of 2007. Following Sri Lanka's ratification of the United Nations Electronic Commissions Convention (UNECC) in 2015, the government amended the Electronic Transactions Act in 2017 to give greater legal validity to E-Commerce operators and e-business and guarantee the international validity of these e-contracts.



Currently, Sri Lanka does not have a local body to regulate E-Commerce businesses. Increased competition from international E-Commerce sites such as booking.com and Airbnb have resulted in demands by the Tourist Hotels Association of Sri Lanka (THASL) for the government to consider regulating E-Commerce businesses. eCommerce Intellectual Property Rights are protected under several laws: Evidence (Special Provisions) Act No.14 of 1995, The Intellectual Property Act No. 36 of 2003, Electronic Transactions Act No. 19 of 2006, and the Computer Crimes Act No. 24 of 2007. An infringer who offers counterfeit products for sale online could be held liable under the Intellectual Property law.

In Sri Lanka, Revenue in the E-Commerce Market is projected to reach US\$2,229.00m in 2024 with an annual growth rate (CAGR 2024-2029) of 12.39%, resulting in a projected market volume of US\$3,997.00m by 2029. In the E-Commerce Market, the number of users is expected to amount to 3.1m users by 2029. User penetration will be 14.0% in 2024 and is expected to hit 14.1% by 2029. The average revenue per user (ARPU) is expected to amount to US\$1,083.00.

Conclusion

As businesses in almost every sector take advantage of the benefits of digitalization, the need to address the shortcomings and unresolved issues within the international corporate income tax system has become that much more urgent. Multiple solutions and analyses have been presented, together with unilateral actions by countries “jumping the gun” to improve their own positions, yet at the same time providing insights on the various options for reform.

Even though the Sri Lanka's E-Commerce penetration is not as advanced as most of the developed countries, yet it is imperative that a serious study of the ramifications of E-Commerce on taxation be undertaken at this juncture with a proper understanding of how E-Commerce impacts on taxation. Only through such a course of action could the interests of key stakeholders, namely, government, tax authority, taxation community, tax treaty partners, potential investors, and judiciary be protected.

THE FUTURE OF THE LEGAL PROFESSION: AI CHALLENGES



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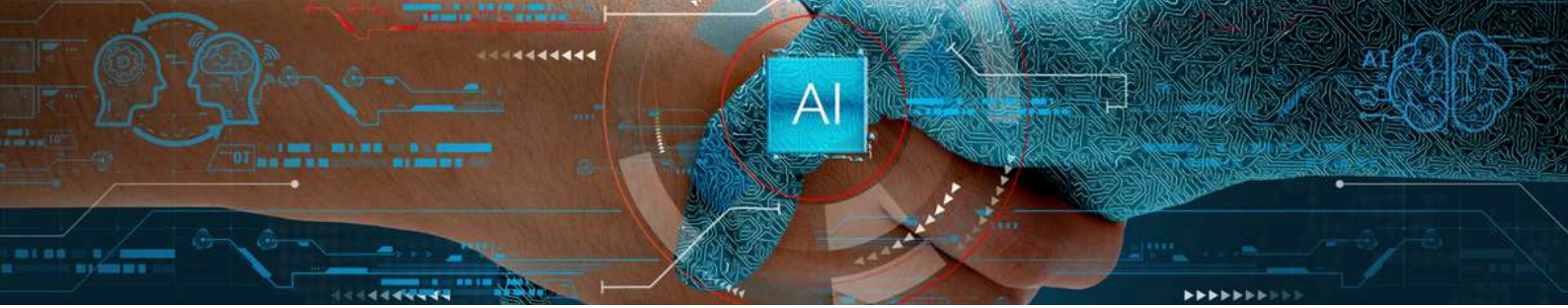
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Introduction

Artificial Intelligence (AI) has seen rapid development over the past decade, transforming industries with innovations in machine learning, natural language processing, and automation. Today, AI powers applications from personalized recommendations to advanced medical diagnostics, driven by vast amounts of data and powerful computing capabilities. Its growth is accelerating as AI becomes more accessible, with cloud computing and open-source frameworks allowing broader adoption. In the legal profession, this expansion holds great promise for enhancing efficiency, accuracy, and access to legal resources. In the future, AI is expected to support lawyers in tasks like legal research, contract analysis, case prediction, and even offering initial legal advice, ultimately reshaping how legal services are delivered and making them more accessible to the public.

As AI technologies continue to evolve, they reshape how legal services are delivered on everything from research and document review to case management and predictive analytics. But more importantly, this begs critical questions about the future of the profession, such as: will AI replace human lawyers or will it become an augmentation tool? This study will investigate the impact of AI on the legal profession by conducting a review of the literature, world trends, and likely scenarios that may take place in the future. These findings will put the record straight, as they will reveal the relationship between AI and the legal profession and thus answer the central question.



Literature Review

The intersection of AI and the legal profession has become a point of great academic interest. Indeed, most of the literature on this topic to date has identified both the promise and limitations of AI in legal contexts.

AI and Legal Research, Katz et al. (2017) proceed with a study that illustrates the way in which AI can make research in legal contexts more efficient. Indeed, their research showed that AI-powered tools could save lawyers a lot of time in combing through case laws and statutes. As a matter of fact, they did find out that AI systems, especially those designed through NLP, could deliver relevant legal information faster compared to conventional methods. However, the authors did warn that while AI improves efficiency, subtle interpretation of legal texts is better left to human judgment.

Document Automation and Review, Remus and Levy (2016) [2] investigated the impact of AI upon contract review and drafting. Their findings showed that AI can successfully review standard contracts and provide indications of potential issues that could arise, thus reducing due diligence time. However, they did point out that complex transactions do still require human judgment and negotiating abilities, which suggests that, in those circumstances, AI might assist rather than replace lawyers.

Ethical and Accountability Concerns, Susskind (2019) [3] identified a few ethical issues related to AI in legal practice. He gave such reasons as biased algorithms and an absence of transparency in decision-making algorithms. According to Susskind, although AI can help lawyers make better decisions, automated systems lack accountability and hence pose great risks. This calls for human intervention in all AI-assisted legal processes.

Global Standpoints on AI in Law, the comparative study done by the World Economic Forum (2020) emphasized that there is a difference in approach toward AI across different jurisdictions. Some, like Singapore, have actively embraced AI into their respective legal frameworks by developing "smart courts" to facilitate ease of access and efficiency in the administration of justice. Other countries, such as the United States, remain somewhat conservative in their approach to AI, with regulatory frameworks still in development. This divergence is important in highlighting that an understanding of the way that AI is perceived and utilized necessarily differs across a number of different legal landscapes.

Job Loss vs. Job Opportunities, Research efforts relate to the studies performed by the McKinsey Global Institute (2017) on how AI may influence employment rates within the legal profession. According to the report, some jobs are likely to become automated; however, new professions will emerge, such as legal tech development, AI ethics and compliance. This means that the mythology of job loss-versus-generation may be more nuanced, involving losses but also the emergence of new ones.

Global Perspectives on AI in Law

Reactions to the incorporation of artificial intelligence in the legal sector is dependent on nations owing to culture, policies, and development of technology.



United States

In the US, there is a slow increase in the use of AI law. As per the American Bar Association report, issued in 2021, almost 30 percent of practicing lawyers have AI tools for purposes of legal research, document editing, and billing to mention a few. Most of the lawyers opine that AI is an assistive or complementary tool towards their practice. However, issues about job replacement and the ethics of it still linger. Embattled polled 58% of the legal professionals on whether they see the risk of AI taking over part of their practice, which unsurprisingly suggested a huge fear of the future.

United Kingdom

The attitude towards the incorporation of AI in the practice of Law is rather positive in the UK. According to a Law Society 2020 report, about 40% of legal professionals held the view that AI would enhance their jobs. However, just 10% considered AI to pose a real danger to their jobs. This demonstrates a positive attitude towards onboard AI amongst UK lawyers who view it as an augmentation to their practice rather than a threat.

China

The country is in the vanguard when it comes to using AI in the legal field, especially with the blessings of the authorities. “Smart courts”, inter alia, allow for the use of AI in case management, archive searching, and even predicting case outcomes. In China, a survey conducted in 2022 found that more than 60% of lawyer respondents appreciated the role of AI in increasing operational efficiency though concerns regarding its fairness and transparency were still commonplace.

Europe

The use of AI in law in Europe has drawn mixed reactions to this technology, with great care laid on ethical concerns, particularly. However, studies have revealed that in the last six months the percentage of legal professionals who were more worried about this has increased over 50%. Thus far, the European Union has been working on a regulatory framework that would ensure the ethical standards that AI technology should follow. It emphasized accountability and transparency.

[4]



Research Findings

The key question—whether AI could ever take over the profession—is not one that can be answered in a straightforward fashion. The findings indicate that even though AI can replace certain activities, it is far out of the question to consider that lawyers will be altogether unnecessary. Instead, the practice of law in the future will be more of a partnership in which AI will be employed in conjunction with lawyers.

1. Routine work and how it can be done by AI

As a rule, AI is perfect in performing routine data-centric tasks which has the potential of being very useful in legal practice. Some of those are field day tasks for every lawyer, including but not limited to, contract review, legal research, and simple contract drafting, can be done through AI and give more time for complicated legal matters that need human level reasoning. For instance, it takes a professional AI one second to complete a task that a human lawyer would take a month to do – read hundreds of documents in search for relevant law and provide a synopsis. This transition allows lawyers to use their time to strategize and meet clients.

2. The Human Element in Law

The legal profession, despite the rise of AI, is deeply anchored in human judgment, ethics, and emotional intelligence. Lawyers are tasked with managing intricate client relationships, negotiating agreements, and making decisions that involve moral dilemmas—areas where AI falls short. For instance, practicing law often requires a nuanced understanding of a client's specific situation, offering compassionate advice, and standing up for justice—traits that AI simply cannot replicate. Thus, while AI can streamline certain legal processes, the essential role of human lawyers is irreplaceable.

3. Collaborative Future

The most likely future for the legal profession involves a partnership between AI and human lawyers. AI tools can support lawyers by offering insights, forecasting outcomes, and handling large

large volumes of information, which enhances the overall efficiency and effectiveness of legal work. For example, predictive analytics can aid lawyers in evaluating the chances of success in litigation based on past data, enabling them to make well-informed strategic choices. This collaboration can result in improved outcomes for clients and a more efficient legal system as a whole.

4. Economic Implications

The integration of AI into the legal profession may lead to significant changes in the job market. While some roles may become obsolete due to automation, new opportunities will emerge in fields such as legal technology, compliance, and AI ethics. A 2021 report by the World Economic Forum indicated that by 2025, 97 million new roles may emerge as technology continues to evolve, emphasizing the need for legal professionals to adapt to this changing landscape. Legal education will need to incorporate technology training to equip future lawyers with the skills necessary to thrive alongside AI.

5. Regulatory and Ethical Challenges

The deployment of AI in legal contexts raises critical ethical and regulatory concerns. Issues such as data privacy, algorithmic bias, and accountability must be addressed to ensure fair and just legal outcomes. The lack of transparency in AI decision-making processes poses risks, particularly in sensitive legal matters. Legal professionals must engage in ongoing dialogue with technologists, ethicists, and policymakers to navigate these challenges and develop frameworks that promote ethical AI use in law.

6. Legal Education's Role

Legal education will, therefore, necessarily need to change as the profession is continuously impacted by AI. Training in technology and AI should be added in legal curricula, focusing on data literacy, ethics, and the use of AI tools in practice. Secondly, continuing legal education for practicing professionals will be necessary in order to keep them abreast of the shifting technological landscape before the profession.



Conclusion

While AI presents challenges and opportunities for the legal profession, it is still unlikely to take over from the human lawyers. The future of law is likely to be along the line of a collaborative model whereby AI enhances the abilities of the legal professional rather than rendering them useless. As the legal space keeps getting competitive, lawyers must be ready to move with changing technologies while remaining devoted to a practice anchored by ethics, empathy, and justice. The integration of AI in the practice of law requires continuing discussion over ethical considerations, schemes of regulation, and the essentiality of human interaction in the practice of law. These challenges overcome, the legal profession stands at a position to avail itself of the potentiality of AI in better access to justice, simplifying processes, and improving the practice of law in the 21st century.

Footnotes:

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[2] Remus, D. A., & Levy, F. S., The Paradox of Artificial Intelligence in Legal Practice (Cambridge University Press, 2016).

[3] Susskind, R., Online Courts and the Future of Justice (Oxford University Press, 2019).

[4] The Future of AI in the Legal Profession: Will Robots Replace Lawyers? (Institute of Professional Will writers Blog, 15 February 2024)



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CONSEQUENCES OF UNFORESEEN CIRCUMSTANCE IN CONTRACT: A LEGAL ANALYSIS



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Introduction

Termination of a contract occurs when the remaining obligations or performances of a given agreement are cancelled. This can happen due to Frustration of the contracts because of unforeseen circumstances. Upon the occurrence of unforeseen circumstances, if both parties to the contract are not parties to any fault but it becomes unable to execute the terms or obligations they were bound with, the contract gets frustrated. Parties to contracts underwent numerous consequences due to the inability of performance during the Covid 19 global pandemic situation which is accounted as such frustrating event.

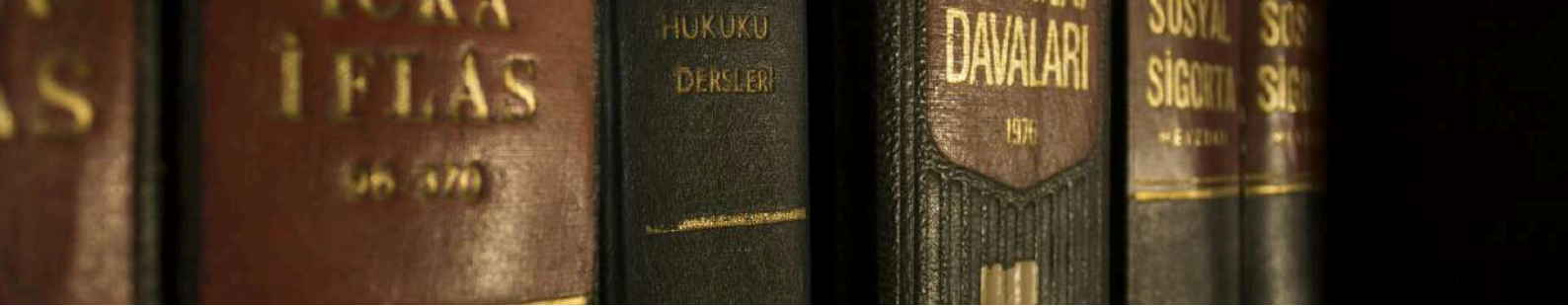
However, when such a frustrating event occurs whether a recovery of prior payments can be done is wholly dependent on the legislation on frustrated contracts named as, Law Reform (frustrated contract) Act 1947 [1] from the English Common Law jurisdiction.

This article examines the consequences for parties in contracts affected by unforeseen circumstances,

covering key topics such as the definition of unforeseen circumstances, the concept of frustration, force majeure clauses and their role during COVID-19, relevant laws, practical application, reasons why parties may not claim damages.

Unforeseen Circumstances, Frustration and Force Majeure Clause

Unforeseen circumstances are referred to the conditions or occurrences which parties to a contract cannot anticipate when they entered the contract. These circumstances can be act of God such as torrential rains, floods, earthquakes, tsunamis, volcanic eruptions, epidemic or pandemic situations, economic crisis or any other of such kind which significantly affect the performance of the contractual obligations of either party to the contractor making it impossible or impractical to perform. Covid 19 pandemic is a classic exemplary situation in the current context for such circumstance.



In the presence of such a phenomenon, the already made contracts are frustrated.

Frustration is a doctrine encountered in the English Law Principles which applies as a remedy for the parties to particular contract where they are exempted from all the upcoming contractual obligations because of the above stated unforeseen circumstances. *Paradine v Jane* [2] appears to be the commencement of the law on frustration. This becomes applicable in situations such as, where the unforeseen event or circumstance was not anticipated or predicted by the parties prior to forming the contract, if such event or circumstance significantly impacts a core obligation of the contract, if the performance of a prior agreed obligation has become illegal or profoundly different and when none of the parties are at fault for the inability of such performance. Lord Radcliffe stated Frustration as “*Non haec infoedera veni*” which is translated as ‘it was not this that I promised to do’ [3].

‘Force majeure’ is a French term that is translated as ‘superior strength’. As priorly stated comprehensively, a force majeure event refers to unforeseeable circumstances which prevent an individual from fulfilling their obligations to a contract. A force majeure clause signifies a contractual provision that can be either a common or standard clause which condones both parties to the contract from their contractual liabilities or obligations. In general, the force majeure clause dismisses the application of the doctrine of frustration as parties have already accounted for extraordinary events in prediction of such, by negotiating a force majeure clause. The force majeure clause gives a legal framework to act in unforeseen circumstances which prevent the contract from frustrating. The legal framework could be incorporated into terms with proceedings to claim

damages from parties or what are the alternate dispute resolution methods that the parties should follow. The baseline rationale is to act as a remedy to unforeseen circumstances and prevent the parties from shifting to frustrating the contract. Theoretically, including a force majeure clause amounts to fewer frustrated contracts. After the Covid 19 period, force majeure clauses became more common in contracts. When a contract is frustrated, it’s either discharged or terminated. However, when there is a force majeure clause, the parties own the liberty to decide the future proceedings on the basis of the force majeure clause.

Consequences for parties in contracts affected by unforeseen circumstances

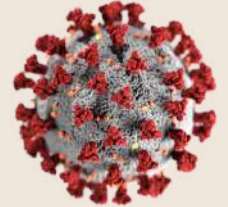
The rights and liabilities of parties to a frustrated contract are governed by the Law Reform (Frustrated Contracts) Act 1943. The main provisions of the Act state that if a contract becomes impossible to fulfil or is frustrated, both parties are discharged from their obligations [4].

Any sums paid before the contract was contracted can be recovered and sums due to be paid cease to be payable [5]. However, if the receiving party incurred expenses related to the contract before the frustration, they may retain or recover some or all the amounts paid, but only to the extent of those expenses, provided the court finds this fair [6]. Additionally, if one party received a valuable benefit before the contract was frustrated, they may have to compensate the other party, up to the value of that benefit, considering any costs incurred by the benefiting party and the circumstances leading to the contract's frustration [7]. In estimating expenses, the court may include reasonable overhead and personal work costs [8].



Furthermore, any insurance payments arising from the frustration of the contract will not be considered unless there is a specific obligation to insure included in the contract [9]. Lastly, if obligations under the contract were assumed based on benefits conferred on a third party, the court may treat those benefits as if they were obtained by the party assuming the obligations, if considered just.

Effect of force majeure clause in Covid19 and 2020 Economic Crisis



A Force majeure clause typically allows parties to suspend or terminate contracts without causing any damage. The COVID-19 pandemic and the 2020 economic crisis in Sri Lanka prompted many businesses to invoke these clauses, leading to many legal disputes and discussions on their validity. According to Central Bank of SL 2020 annual report approximately 30 percent of small and medium enterprises (SMEs) reported failure.

Evidently as depicted above in the Sri Lankan context, the affected party has barely claimed damages to contracts that underwent such circumstances. As mentioned above this was a commonly encountered scenario during the Covid 19 pandemic situation. Individuals or parties to contracts are unaware of their rights for damages in such circumstances because of the lack of awareness as well as the ambiguities of the existing law.

Recommendations and Research Outcomes

When exploring the context of the consequences faced by parties to a contract in unforeseen circumstances, it appears as if the lack of awareness among the parties entering into a contract and the voids of the process of implementation process to be at the top tier of the reason as to why they do not recover or claim their rightfully owned damages. Initially, the public who enter contracts are unaware of the fact that they can claim damages if or when they are the affected party to a contract that has become frustrated.

To address the significant issue of parties not receiving any compensation when a contract is frustrated,

the establishment of a Common Fund for Contract Frustration is considerable. Since it is impractical to monitor every contract at the initial stage this could be implemented only to the government contracts with private parties and government parties. This fund would be established by requiring parties entering into a contract to contribute a percentage (e.g., 1-5%) of the contract's total value at the time of signing. These contributions would be pooled into a central fund managed by a designated governmental authority or regulatory body to ensure transparency and accountability.

In the event of contract frustration such as unforeseen circumstances like natural disasters, pandemics, or legislative changes the affected parties with the force majeure case or without force majeure clause could apply for compensation from this fund. The compensation would be distributed based on a predefined formula that considers the contributions made and the extent of loss incurred by each party. This approach ensures that both parties receive fair support during challenging times, reducing their financial burden and encouraging contractual compliance.

If a contract is successfully fulfilled without any issues, the contributions made to the common fund would be returned to both parties at the end of the contract term, reinforcing trust and encouraging cooperation in business relationships.

Conclusion

In summary, the termination of a contract due to frustration affects the rights and obligations of parties involved in contracts. The COVID-19 pandemic and similar global events have shown the importance of understanding the legal frameworks governing frustrated contracts, including the provisions of the Law Reform (Frustrated Contracts) Act 1943 and the role of force majeure clauses and the consequences of it. While these legal principles provide essential remedies, there remains a notable gap in awareness among parties regarding their rights to claim damages. This lack of knowledge, combined with ambiguities in existing statutes, often leads to damages, further exaggerating the financial burdens faced by parties.

To address these challenges, the proposed recommendation of a Common Fund for Contract Frustration represents a proactive solution, support for parties affected by contract frustration. As we navigate the contractual connections in an unpredictable world, it is crucial for all parties to remain aware of safeguarding their rights while fostering collaborative business practices that can withstand unforeseen challenges.

FOOTNOTES:

[1] Law Reform (Frustrated Contracts) Act 1943 (LRA)

[2] *Paradine v Jane* [1647] EWHC KB J5 “when the law casts a duty upon a man which, through no fault of his, he is unable to perform, he is excused for non-performance; but if he binds himself by the contract absolutely to do something, he cannot escape liability for damages for proof that as events turned out performance is futile or even impossible”

[3] *Davis Contractors Limited v Fareham UDC* [1956] AC696

[4] Law Reform (Frustrated Contracts) Act 1943, s 1

[5] Law Reform (Frustrated Contracts) Act 1943, s 2

[6] Law Reform (Frustrated Contracts) Act 1943, s 3

[7] Law Reform (Frustrated Contracts) Act 1943, s 4

[8] Law Reform (Frustrated Contracts) Act 1943, s 4

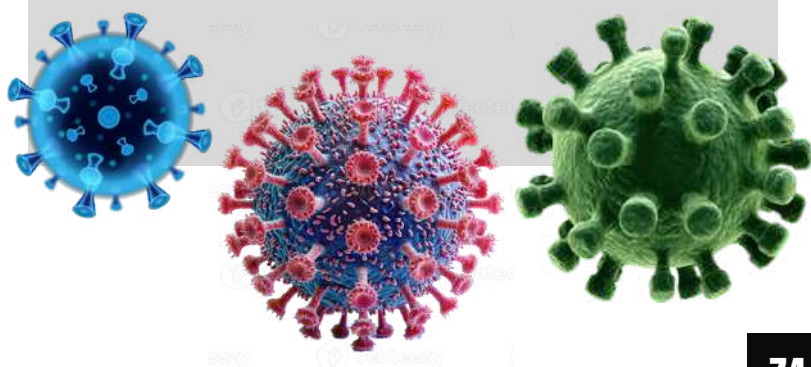
[9] Law Reform (Frustrated Contracts) Act 1943, s 6

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Law Reform (Frustrated Contracts) Act 1943, s.2.



ANALYSING THE LEGALITY OF PORNOGRAPHY IN SRI LANKA



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Introduction

“Loss of time... You can be there physically but still not be there, and that is what drugs, and porn took away from me... it took me away from being present” - Lamar Odom (professional athlete)

Pornography can be broadly defined as images, stories, or videos that depict sexual behavior to induce arousal. This type of content can take many forms, from books and films to digital media, and sparks varied reactions depending on the culture, time period, and individual viewpoint. The word itself comes from the Greek words *porni* (“prostitute”) and *graphein* (“to write”), originally meaning any art or writing that showed the lives of prostitutes.

Furthermore, pornography is tricky because what is considered “pornographic” changes widely between cultures and communities. Some people make a distinction between “pornography” (which they may view as explicit or inappropriate) and “erotica” (which is often seen as art).

For example, when European travelers in the 19th century saw the carvings on Hindu temples in India that showed scenes of sexuality, they were shocked and labelled it as “pornography,” even though it was part of the local religious and cultural tradition.

Today, people might see these carvings differently as historical art rather than something offensive. This example shows that the idea of what is pornographic varies a lot, depending on culture and perspective, and continues to evolve over time.

Different forms of Pornography

When studying pornography in depth, several forms can be identified. They are,

- **Extreme pornography**

Extreme pornography includes explicit content depicting acts like child exploitation, bestiality (sexual activities with animals), and violent sexual acts, often involving severe degradation or harm.



These forms are widely condemned due to ethical concerns, risks to public safety, and the exploitation of vulnerable groups. Most countries strictly regulate or ban such materials, especially child pornography, homosexual activities and animal-related content, to prevent harm and uphold social standards. However, debates continue about balancing personal freedoms with protections, especially as cultural views vary on what is considered extreme.

- **Revenge porn**

Revenge porn involves the sharing of intimate images or videos of someone without their consent, often with the intent to humiliate or cause emotional harm. This act can take place both online and offline, exposing victims to severe psychological distress. In response to the rising cases and impact, a law was introduced in England and Wales in 2016 that criminalizes the distribution of revenge porn, with offenders facing up to two years in prison.

- **Prostitution – related materials**

Pornographic material depicting individuals engaged in sexual activity in exchange for money or other forms of compensation is classified as prostitution-related content.

Reports of usage

Further studies on pornography can be continued with contemporary data reports. They are,

- According to Statista reports, most popular pornographic websites worldwide as of May 2024, by total visits are pornhub.com and Xvideos.com.[3]
- United States, Indonesia, Brazil are top three countries of web traffic to pornhub in selected countries worldwide in January 2024 according to statista records [4]

- Sri Lanka has beaten Ethiopia which was ranked first for searching for sex in 2020, and 2019 according to google trend tracking data

United Kingdom's situation and law regarding the pornography

In the UK, pornography is legal, but certain types, like those depicting violence or involving animals, are prohibited. Additionally, distributing pornography to minors is illegal. Furthermore, there is no legal cover for viewing extreme pornography, but the distribution and possession of such material is an offence (Obscene Publications Act 1959). Accordingly, viewing, distributing, and possessing child pornography is a serious offense (Protection of Children Act 1978).

The Obscene Publications Act 1959 is a UK law that makes it illegal to publish or possess obscene material across all forms of media, including books, magazines, films, and websites. The test for obscenity is whether the material would tend to "deprave and corrupt" those who see it, a low standard that has resulted in the banning of various items, including some not traditionally considered pornography.

A notable example is D. H. Lawrence's *Lady Chatterley's Lover*, first published in 1928, which was not widely available in the UK until 1960 due to required edits to comply with the Act. In addition, police have the authority to seize and destroy material considered "obscene" or "offensive," arrest individuals in possession of such material, and act against those involved in producing or distributing pornography, including shutting down websites. UK pornography laws are among the strictest globally, with even minor possession potentially leading to imprisonment, while the maximum sentence for possessing or distributing child pornography is 10 years.

In the **DPP V Shaw (1962)** case the defendant produced magazines containing advertisements for prostitutes, violating the Street Offences Act 1959. He was convicted of conspiracy to corrupt public morals, living on the earnings of prostitution, and publishing an obscene article. The appeal was dismissed, and the conviction upheld. The Court recognized conspiracy to corrupt public morals as a legal charge, stating it was within their discretion to create such an offense to protect societal morals and welfare.

Overall, the law regarding pornography in the UK is not relaxed, and only prostitution related materials can be viewed legally.

The legality of pornography in the United States

The United States has very lenient laws regarding pornography. They do not see this as a serious offence. They read this as a human right and oppressing a minority does not make it a crime and offence. That is,

The "Hicklin test," established in England in 1868, allowed for the prosecution of those distributing obscene materials if the publication could potentially provoke lustful thoughts in the minds of the most impressionable readers, typically young individuals. However, in the **Roth v. United States (1957)** case the Supreme Court of the United States revisited and ultimately discarded the Hicklin Test, finding it too restrictive and out of step with the principles of free speech under the First Amendment. Instead, the Roth decision set forth a new standard, which focused on whether the material, taken as a whole, would appeal to the "prurient interest" of an average person, applying contemporary community standards. This meant that works would no longer be judged by isolated parts or solely on their impact on the most susceptible people.

The Roth court argued that sex and obscenity were not synonymous, acknowledging that the portrayal of sex in art, literature, and science does not automatically make it obscene. The decision affirmed that discussions of sex in these contexts deserved First Amendment protections unless they were "patently offensive" and "utterly without redeeming social importance."



As well as **Miller v. California (1973)** case builds on Roth v. United States, where the Supreme Court first defined obscenity as material lacking redeeming social value that appeals to prurient interests. Miller refined this by establishing a three-part test: whether the average person, using contemporary community standards, finds the work appeals to prurient interests; whether it depicts sexual conduct in a patently offensive way as defined by state law; and whether it lacks serious literary, artistic, political, or scientific value. This evolution emphasizes local community standards while safeguarding valuable content.

Accordingly, the US sees this as an individual right.

Sri Lankan previous and current situation regarding pornography (laws)

Several sources containing laws on this topic can be identified. They are,

- **Vagrants Ordinance No. 04 of 1841**

It stated that, any person who intentionally exposes themselves indecently or displays any obscene print, picture, or other indecent material in a street, road, highway, public place, or anywhere else, causing annoyance or disgust to others.



- **Obscene Publication Ordinance No. 4 of 1921**

This criminalizes the trade, distribution, production, or possession of "obscene writings, images, films, or other obscene objects."



- **Penal Code**

According to this, in 1995, Sri Lanka introduced the criminal offense of sexual exploitation of children under Section 360B of the Penal Code. This was the first law to make child exploitation a criminal act. The section states that anyone who allows a child to be present on any premises for sexual activities or pornography is considered an offender

- As well as Sections 4 and 5 of the Evidence (Special Provisions) Act of 1995 in Sri Lanka allow audio-visual recordings and computer-generated statements to be admissible as evidence in both civil and criminal cases.
- Currently, Online Safety Act No. 09 Of 2024 stated that, any person whether in or outside Sri Lanka, who publishes a photograph, audio, or video of an abusive or pornographic nature involving a child through an online account or platform, commits an offense and, upon conviction, may be sentenced to imprisonment for a term of two to twenty years, a fine of up to one million rupees, or both and to register websites that provide social media platforms to users in Sri Lanka, following the rules set by this Act.[5]

However, none of the laws in Sri Lanka define the term "obscenity." Black's Law Dictionary vaguely defines "obscene" as something "extremely offensive by current community standards of morality and decency" and "deeply offensive to widely accepted ideas of what is appropriate."



The growth of pornography, the impact it has had, the reported incidents

The discourse on obscenity in Sri Lanka recently came to the fore after the widespread circulation of an obscene video shot by a couple near a waterfall in Sri Lanka, popularly known as the "Pahanthudawa incident". that couple received one month in prison for actions seen as damaging Sri Lanka's reputation, prompting a swift, controversial Bill targeting obscene publications. It was gazetted without public consultation but later withdrawn due to civil society objections, with promises of a consultative process before resubmission. Also, these days there is a trend of writing erotic internet short stories and the best example of that is the gay internet short story "Kasturi Suvada" which is very popular on Wattpad website recently. It is a work with sexual themes created around two school students.

In this country where homosexuality is not legalized, is it not a serious offense to create such sexual stories? In addition, through social media such as telegram, groups and channels are created for various purposes and through them, videos are distributed for money, people are searched for obscene acts through chat groups, obscene online short stories are created and propagated rapidly. Furthermore, many dangerous dating apps like sihina, wily, crush, tinder, grindr, bumbel are very popular in Sri Lanka, and if these are used by children, they cause great destruction. Also, pornhub, Xvideo, XNXX and other websites are constantly releasing extremely obscene videos to the society.

Need for new laws, need for amendments in existing laws, suggestion

In Sri Lanka, even a person under the age of 18 can easily access erotic websites online. Anyone can access it after answering "yes" to the automatic notification asking if you are over 18 to enter. Here, instead of that notification, it can be suggested that a system can be created so that the ID card can be scanned to confirm the identity of user and with the rapid development of technology, a suitable legal framework should be created for Sri Lanka.

Because the culture of our country is completely different from the culture of countries like Europe. Therefore, the leniency given to pornography in those countries cannot be replaced in this country. But certain things can be followed from those rules. For example, laws against child abuse.

In further study, it would be desirable if the Telecommunication Regulatory Commission could introduce some technical censorship (blocking system) so that people under the age of 18 cannot use such websites, apps, and media. Also, there is a need to revise the existing very old laws in this regard in Sri Lanka. Because technology is very advanced now. In addition to this, various campaigns, conferences, lectures, events, street dramas that read about adverse results, can be implemented to educate the society.

Conclusion

Different countries interpret pornography differently depending on the individual's social status, knowledge and understanding. In Sri Lanka's interpretation of it, the country is still a religious state with ethical behaviour and respect for culture. Therefore, if the laws of western countries are replaced in this country, we will have to face various problems. Hence, laws that are suitable for this country should be further implemented, and Sri Lankan pride can be preserved further by keeping the dimensions of new technology such as pornography within limits.

FOOTNOTES:

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- [2] Jeny Anthony, Undergraduate, Department of Legal Studies, NSBM Green University, Sri Lanka.
- [3] Statista, most popular pornographic websites worldwide as of May 2024, <https://www.statista.com/statistics/1445661/most-visited-porn-websites-worldwide/>
- [4] Statista, Web traffic to Pornhub in selected countries worldwide in January 2024, <https://www.statista.com/statistics/1459791/pornhub-traffic-by-country/>
- [5] Online Safety Act, No 9 of 2024, Sri Lanka, <https://www.parliament.lk/uploads/acts/gbills/english/6311.pdf>

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TERRORISM AT SEA: MARITIME SECURITY CHALLENGES IN SOUTH ASIA



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In recent years, piracy and maritime terrorism have emerged as significant threats in the Indian Ocean, a crucial area for international sea lanes of communication (Kraska & Wilson, 2011). As the world's third-largest ocean, the Indian Ocean holds immense strategic value, particularly in the transport of vital energy resources (Chaturvedi, 2020). Around 40% of global trade passes through these waters, and it serves as a key link between the Atlantic and Pacific Oceans (International Maritime Organization [IMO], 2023). The Indian Ocean is not an entirely open space; its access is tightly controlled through key chokepoints like the Bab el Mandeb, the Straits of Hormuz, the Straits of Malacca, and the Sunda and Lombok Straits (UNCTAD, 2020).

In today's global economy, which heavily relies on international trade, maintaining the free flow of traffic through these chokepoints is critical (World Trade Organization [WTO], 2022). Any disruption of Sea Lines of Communication (SLOCs) could have devastating impacts on the global economy (Smith & Bueger, 2021).

This presentation aims to explore the security challenges posed by asymmetric, non-state actors, particularly in the context of South Asia.

Since the late 15th century, European powers, with their naval dominance, began to control the sea lanes of the Indian Ocean. Their maritime strength enabled them to colonize much of Asia and Africa (Ghosh, 2018). By the late 18th century, the British emerged as the dominant naval force, turning the Indian Ocean into a "British Lake" (Friedman, 2009). However, following the gradual retreat of British military bases from the East of Suez after World War II, a naval rivalry between superpowers emerged in the region (Tharoor, 2015). This growing militarization and the superpower competition in the Indian Ocean led newly independent countries, including Sri Lanka, to fear the potential threats to their sovereignty (DeSilva, 1974).

In response, Sri Lanka's Prime Minister, Mrs. Sirimavo Bandaranaike, proposed to the United Nations that the Indian Ocean be declared a zone of peace. The UN General Assembly Resolution 2832 (XXVI), passed on December 16, 1971, officially



declared the Indian Ocean as a zone of peace, but it specifically referred to the naval forces of the great powers (UN General Assembly, 1971). Initially, Sri Lanka's proposal included both great powers and littoral states, but under pressure from influential Indian Ocean nations, the proposal was revised to focus only on the naval forces of the great powers (UN General Assembly, 1971).

It is notable that Sri Lanka's proposal did not consider non-state actors as potential threats to the peace and stability of the Indian Ocean region. This was understandable at the time, as non-state actors did not pose significant threats (Ranaweera, 1980). Conventional maritime security challenges, such as major-power rivalries and interstate conflicts, were the primary concerns. However, in recent years, non-state actors have become a prominent source of insecurity in the region (Klein, 2013).

Piracy has surged globally in recent years, with estimated annual losses of US\$13 to US\$16 billion (Oceans Beyond Piracy, 2020). Pirates have targeted ships in areas like the Gulf of Aden, the east coast of Africa, the Bay of Bengal, and the Strait of Malacca (IMO, 2023). In 2009, the number of piracy attacks surpassed the previous year's figures, particularly due to increased incidents off Somalia. Between January and September 2009, attacks rose to 306 from 293, with pirates boarding vessels in 114 instances and hijacking 34 ships (International Maritime Bureau [IMB], 2009). Additionally, gun violence in piracy incidents increased significantly, from 76 cases in the previous year to 176 in 2009 (IMB, 2009).

The term "piracy" traditionally referred to acts of robbery or criminal violence at sea by private parties (Murphy, 2009). However, the distinction between piracy and maritime terrorism has become increasingly blurred. Historically, piracy was

motivated by non-political objectives, primarily for personal gain. Today, terrorist organizations are believed to use piracy as a means to fund their political agendas (Chalk, 2008). Evidence shows that terrorist groups participate in drug trafficking and human smuggling, generating significant revenue to finance the purchase of weapons (United Nations Office on Drugs and Crime [UNODC], 2021). Pirates and terrorists are often connected to organized crime syndicates, further complicating the maritime security landscape (Bueger, 2015).

Terrorist attacks targeting military vessels have underscored the evolving threat. Notable incidents include the attack on the USS Cole in October 2000 in Aden and the French supertanker MT Limburg off Yemen's coast in October 2002 (International Maritime Organization [IMO], 2023). Concerns persist about terrorist groups potentially collaborating with pirates to hijack an oil tanker or ship and detonate it near critical chokepoints, severely disrupting global trade (Kraska, 2011).

South Asia remains central to terrorist activities, with increasing connectivity among groups operating across the Middle East, Central Asia, South Asia, and Southeast Asia (Ranaweera, 2020). Narcotics trafficking, particularly from the Golden Crescent (Pakistan, Afghanistan, and Iran) and Golden Triangle (Myanmar, Thailand, and Laos), serves as a major funding source for these organizations (UNODC, 2021).

Among the few terrorist organizations with significant maritime capabilities, the Liberation Tigers of Tamil Eelam (LTTE) stood out as "the world's most militarily and technologically advanced terrorist organization" (Gunaratna, 2003). The LTTE established a naval unit, the "Sea Tigers," which carried out sophisticated operations



such as the 2000 attack on the Trincomalee naval base and the 2006 assault on the Dakshina Naval Base in Galle (Sri Lankan Navy, 2023). The LTTE also hijacked vessels like the MV Cordiality (1997), killing five Chinese crew members (Sri Lankan Maritime Report, 2007). Furthermore, the LTTE pioneered suicide bombing tactics, including maritime suicide missions carried out by its "Black Sea Tigers" (Chalk, 2008). Its limited air force demonstrated the potential to threaten Sri Lanka's navy by flying under radar to conduct strategic missions (Gunaratna, 2006).

Terrorist organizations today utilize fleets of ships under false identities, leveraging Flags of Convenience (FOC) registrations to obscure their illegal activities (Murphy, 2009). The LTTE, for example, used its fleet for transportation and criminal operations, including drug trafficking and arms smuggling (Gunaratna, 2003). Between 2006 and 2008, India collaborated with Sri Lanka to patrol the Palk Straits, while the Sri Lankan Navy adopted the "Small Boats Concept," effectively countering the LTTE's "wolf-pack" suicide tactics. The Navy destroyed eight LTTE weapons supply ships, weakening their offensive capabilities significantly. This success is evident in the declining number of naval engagements: 21 in 2006, 11 in 2007, and just two in 2008. Maritime journalist Tim Fish remarked, "Bringing the conflict to a conclusion after 30 years of war would not have been possible without the Sri Lankan Navy" (Fish, 2010).

The military defeat of the LTTE marked a reduction in security threats across South Asia. However, the LTTE's tactics, including suicide bombings and maritime terrorism, have influenced other terrorist organizations globally (Chalk, 2008). Achieving lasting peace in Sri Lanka requires addressing ethnic tensions and the demands for power devolution from minority communities (Ranaweera, 2020).

Maritime terrorism continues to threaten ships, ports, and energy terminals worldwide. In South Asia, Pakistan and the Maldives have experienced attacks leveraging the sea for asymmetric warfare. A prominent example is the November 26, 2008, Mumbai attacks by Lashkar-e-Toiba terrorists, who traveled by sea from Karachi,

hijacked an Indian fishing vessel and used inflatable boats to infiltrate Mumbai. These attacks, which killed 164 people and injured 308, underscored the vulnerability of India's 7,500-kilometer coastline (UNODC, 2021). Despite prior intelligence warnings from U.S. officials, lapses in coordination between federal and local authorities exposed significant gaps in preparedness (Das, 2009).

India's expansive coastline, encompassing 13 major ports and nearly 200 minor ones, alongside thousands of fishing vessels, presents immense challenges for maritime security. Coastal communities must be integrated into national security strategies, with Vice Admiral P.S. Das emphasizing that "fishing villages should be treated as an asset and not a liability," advocating for their involvement as the "eyes and ears" of maritime defense (Das, 2009).

The Maldives has also faced maritime terrorism, as demonstrated in November 1998 when Sri Lankan guerrillas, hired by a Maldivian national, launched an attack on Male. The intervention of Indian paratroopers ultimately neutralized the threat, saving the capital (Gunaratna, 2003). Following the Mumbai attacks, concerns over maritime terrorism in the Maldives have grown. India's Defense Minister A.K. Antony offered naval patrols and aerial surveillance to strengthen the Maldives' maritime defenses, enhancing regional cooperation against threats such as terrorism, piracy, and drug trafficking (Ranaweera, 2020).



The region faces additional challenges from piracy, particularly off Bangladesh's coast, where numerous attacks have been reported. These interlinked issues of terrorism, piracy, and maritime security emphasize the critical need for regional collaboration and comprehensive strategies to secure South Asian waters (Bueger, 2015).

Observations on Maritime Security in South Asia

- **The UN Global Counter-Terrorism Strategy and Long-term Approaches:**

The **UN Global Counter-Terrorism Strategy**, adopted in 2006, emphasizes a holistic approach to counterterrorism. It goes beyond security measures and law enforcement, advocating for addressing the root causes of terrorism. For South Asia, particularly in the Indian Ocean region, this means finding ways to address underlying issues such as political instability, economic chaos, and lack of state control, which contribute to maritime security threats. The rise in piracy off the coast of Somalia is a clear example of how state dysfunction can lead to increased maritime insecurity.



While the military defeat of the LTTE (Liberation Tigers of Tamil Eelam) has reduced maritime threats in South Asia, the potential for the resurgence of such groups remains unless a lasting political solution is found to address the ethnic issues in Sri Lanka. Much like the end of apartheid in South Africa improved security in the Southern African region, a similar political solution could stabilize South Asia's maritime environment.

- **SAARC's Commitment and the Need for a Coordinated Approach:**

SAARC (South Asian Association for Regional Cooperation) countries recognize the need to enhance their maritime security. During the 31st Session of the SAARC Foreign Ministers, they reiterated their commitment to sharing expertise and information about terrorists, their activities, and weapons, specifically focusing on maritime and coastal security. However, the existing frameworks such as **STOMD (SAARC Terrorist Offenses Monitoring Desk)** and **SDOMD (SAARC Drug Offenses Monitoring Desk)** are insufficient for addressing the variety of sectors threatened by terrorism. There is a need for an integrated mechanism capable of gathering intelligence and providing actionable insights on maritime and other sectors critical for national security.

- **Transnational Cooperation and Regional Organizations:**

Given the transnational nature of modern terrorism, SAARC countries should seek support from other regional organizations to strengthen their maritime security. Countries like India, Pakistan, Bangladesh, and Sri Lanka are already members of the **ASEAN Regional Forum (ARF)**, which facilitates security and defense cooperation among Asia-Pacific countries. SAARC countries could benefit from the **ASEAN Anti-Piracy Pact**, which promotes cooperation on sharing information and intelligence on piracy and maritime threats. Strengthening these regional partnerships can bolster South Asia's collective ability to tackle piracy, terrorism, and other cross-border crimes that affect maritime security.





- **Naval Presence and Intra-regional Cooperation:**

There is a strong naval presence in the Indian Ocean, both from extra-regional powers (such as the United States and China) and littoral countries (those bordering the ocean). While some littoral states resist the presence of extra-regional powers, intra-regional competition among countries for maritime influence and access is inevitable. However, the region must focus on developing cooperative maritime strategies to address common threats, particularly from non-state actors like terrorists and pirates.

Conclusion

maritime security in South Asia requires a multi-faceted approach, combining political solutions, regional cooperation, and practical security measures to address both traditional and emerging threats. By improving coordination among SAARC countries and regional organizations, strengthening their maritime capacities, and ensuring the active involvement of extra-regional powers, the region can enhance its ability to safeguard the maritime domain and its national security.



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CROSSWORD OF LEGAL TERMS

Ever you?

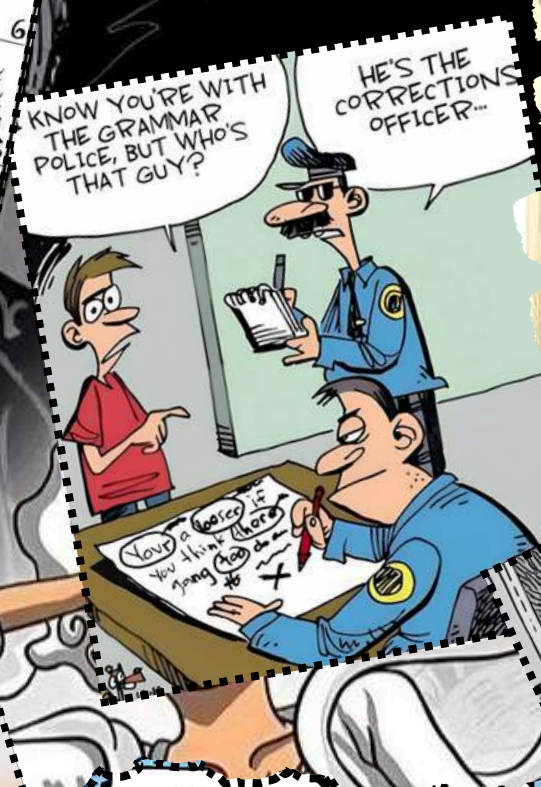
Across

1. A formal accusation of a crime
2. A person who brings a lawsuit
3. A formal written order issued by a court
4. A person who defends someone accused of a crime
5. A legal principle or rule established in a previous judicial decision
6. A sworn statement of facts

Down

1. A hearing or trial
2. A person who presides over a court
3. A person who testifies under oath
4. A formal decision or judgment
5. A lawyer's formal request or demand
6. A person who is sued





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