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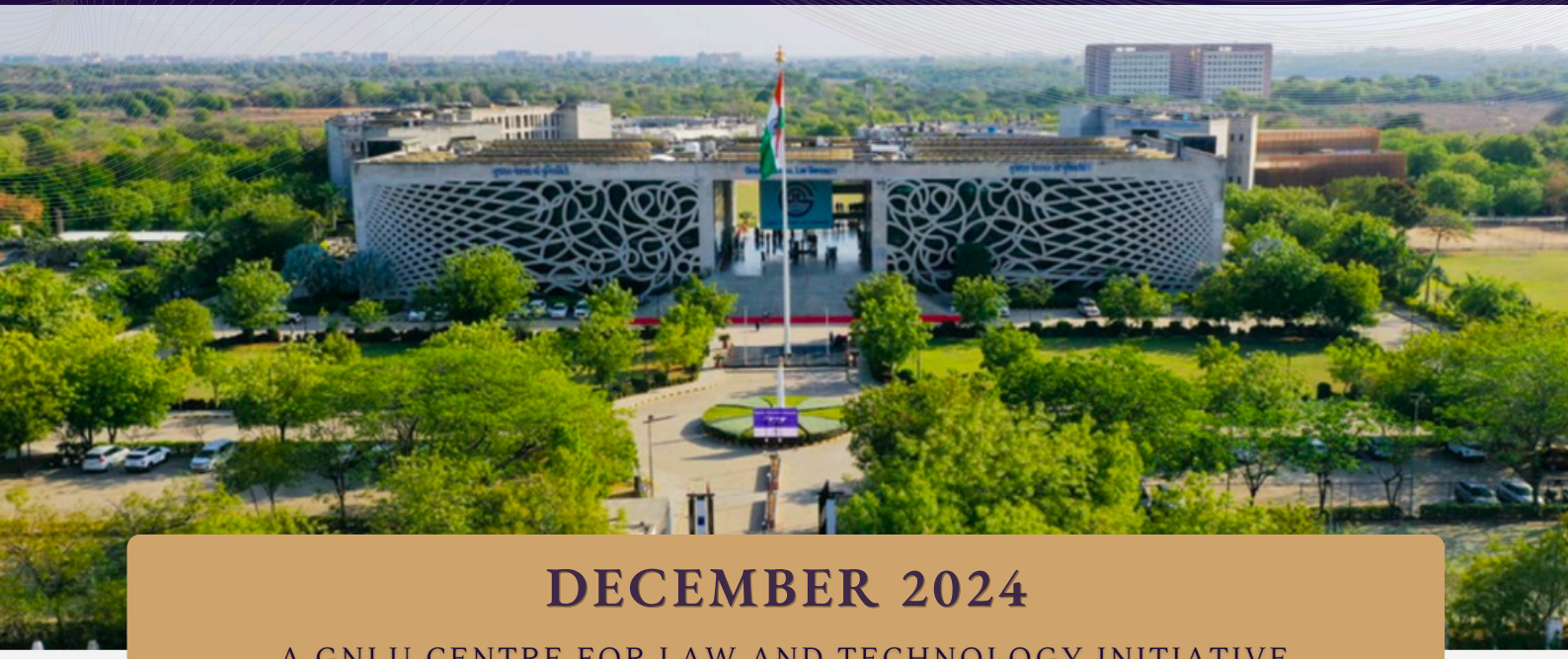

DECEMBER 2024

A GNLU CENTRE FOR LAW AND TECHNOLOGY INITIATIVE

Monthly Newsletter - TechTalk

Welcome to the GNLU Centre for Law and Technology Newsletter! Serving as the conduit to the dynamic intersection of science, technology, and the law, our mission is to provide updates on the latest developments, promote academic excellence, and empower legal professionals to navigate this ever-evolving landscape. Join us in bridging the gap between these crucial fields and shaping the future of legal practice in our interconnected world.

Enclosed in this newsletter are the following highlights:

Updates on law and technology, showcasing the latest developments in this ever-evolving field. Our curated content might just spark your next research topic idea. Stay informed and stay inspired and keep reading!

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HEADLINES OF THE MONTH

01 AMIT SHAH PUSHES FOR TECH-DRIVEN ROLLOUT OF NEW CRIMINAL LAWS ACROSS INDIA

Union Home Minister Amit Shah emphasized the use of technology to streamline the implementation of India's new criminal laws—Bharatiya Nyaya Sanhita, Bharatiya Nagarik Suraksha Sanhita, and Bharatiya Sakshya Adhiniyam. Chairing a review meeting with senior officials of the Home Ministry, NCRB, and NIC, Shah stressed that technology should facilitate alerts for all criminal cases at predefined stages, benefiting victims and complainants. He also suggested automated alerts for investigators and senior officers to expedite investigations.

Shah reviewed the integration of software and databases related to investigations, prosecutions, forensics, and courts at the national level. This includes systems like CCTNS, NAFIS, and ICJS 2.0. He directed the NCRB to ensure the comprehensive implementation of these systems nationwide. Applications like eSakshya, Nyaya Shrut, eSign, and eSummons were highlighted for adoption across states and union territories (UTs).

In a separate meeting with Uttarakhand Chief Minister Pushkar Singh Dhami and other state officials, Shah urged the swift and full implementation of the new laws, calling them protectors of civil rights and enablers of "ease of justice." He underscored the importance of deploying more forensic vans in districts and regularly monitoring Zero FIR cases to ensure justice.

Shah emphasized the use of biometric technology to identify unidentified bodies and missing persons. He also called for frequent reviews of progress, suggesting weekly updates for state DGPs and fortnightly reviews by the chief minister.
Acknowledging NCRB's efforts in advancing technology, Shah encouraged the creation of a data-rich platform for investigators and stakeholders, while urging closer collaboration with state police formations to enhance the adoption of technical projects and improve law enforcement efficacy nationwide.

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02

TRUMP ASKS SUPREME COURT TO POSTPONE TIKTOK BAN DEADLINE

On December 27, President-elect Donald Trump requested the U.S. Supreme Court to delay enforcing a law that requires TikTok's Chinese parent company, ByteDance, to sell the app or face a nationwide ban. The law, enacted by Congress in April, sets January 19 as the deadline for compliance.

Trump, set to take office one day after the deadline, argued that his administration should be given time to pursue a diplomatic solution to the issue. This request reflects a shift from his earlier stance in 2020 when he supported banning TikTok over concerns about its Chinese ownership and potential national security risks.

TikTok and ByteDance have contested the law in court, claiming that the Justice Department has misrepresented their ties to China. The companies assert that U.S. user data is stored on Oracle's cloud servers and that content moderation is managed within the United States.

Critics of the legislation, including free speech advocates, have likened it to censorship practices in authoritarian regimes. On the other hand, Montana Attorney General Austin Knudsen, joined by 22 attorneys general, submitted an amicus brief urging the Supreme Court to uphold the law, citing national security concerns.

Trump's legal team clarified that while he is not taking a position on the case's merits, he is requesting additional time to explore a political resolution. The Supreme Court is set to hear arguments on January 10, leaving TikTok's future uncertain.

TikTok has not commented on the case. However, reports suggest Trump's more moderate stance may be influenced by positive experiences with the platform during his campaign. The outcome of the court's decision will determine whether TikTok can continue operating in the U.S. under its current ownership.

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03 U.S. COURT RULES IN FAVOR OF WHATSAPP IN LAWSUIT AGAINST NSO GROUP

A U.S. judge has ruled in favor of WhatsApp, owned by Meta Platforms, in a lawsuit against Israeli cybersecurity firm NSO Group. The case involves allegations that NSO exploited a WhatsApp vulnerability to install its Pegasus spyware for unauthorized surveillance. U.S. District Judge Phyllis Hamilton in Oakland, California, held NSO accountable for hacking and breach of contract. The case will now proceed to trial to determine damages.

The lawsuit, filed in 2019, accused NSO of illegally accessing WhatsApp servers to deploy Pegasus spyware on the devices of 1,400 individuals, including journalists, human rights activists, and dissidents. WhatsApp argued that NSO's actions violated federal laws and sought damages and an injunction against the firm.

NSO defended its spyware, claiming it was developed to aid law enforcement and intelligence agencies in combating terrorism and serious crimes. However, courts consistently rejected NSO's arguments, including its claim of "conduct-based immunity" under the Foreign Sovereign Immunities Act.

Will Cathcart, head of WhatsApp, praised the ruling as a victory for privacy and accountability, emphasizing that illegal surveillance will not be tolerated. Cybersecurity experts, such as John Scott-Railton from Citizen Lab, also welcomed the decision, calling it a landmark ruling with far-reaching implications for the spyware industry.

This case highlights increasing concerns about the misuse of spyware and underscores the need for legal accountability for companies providing tools used in unlawful surveillance. The trial's outcome is expected to influence global discussions on privacy, cybersecurity, and the regulation of surveillance technologies.

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04 U.S. PROPOSES TOUGHER CYBERSECURITY RULES TO PROTECT HEALTHCARE DATA

In response to escalating cyberattacks on healthcare organizations, such as those targeting Ascension and UnitedHealth, the U.S. government has proposed stricter cybersecurity measures. Anne Neuberger, Deputy National Security Advisor for Cyber and Emerging Technology, highlighted the urgency of these changes, given the increasing breaches of healthcare information affecting over 167 million individuals in 2023 alone.

The proposed rule, unveiled by the Office for Civil Rights (OCR) within the Department of Health and Human Services (HHS), aims to enhance protections under the Health Insurance Portability and Accountability Act (HIPAA). Key measures include mandatory encryption of sensitive data, compliance checks to ensure adherence to cybersecurity standards, and other updates to safeguard personal health information.

The estimated cost of implementing these measures is projected to be $9 billion in the first year and $6 billion annually from the second to the fifth year. A 60-day public comment period will allow stakeholders to provide feedback before any final decisions are made.
Neuberger noted alarming trends: hacking incidents and ransomware attacks on healthcare systems have surged by 89% and 102%, respectively, since 2019. These breaches often force hospitals to operate manually, leak sensitive data onto the dark web, and expose individuals to potential blackmail.

Acknowledging the troubling impact of these attacks, Neuberger emphasized the importance of safeguarding Americans' sensitive healthcare information, including mental health records. The proposed rules aim to fortify healthcare cybersecurity infrastructure, ensuring data remains secure even if leaked, thereby improving public trust and system resilience.
The government views these changes as critical steps to combat the growing threat of cybercrime in the healthcare sector and protect patients' privacy.

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05 NEW ZEALAND TO TIGHTEN REGULATIONS ON SPACE INFRASTRUCTURE TO PROTECT NATIONAL SECURITY

The New Zealand government announced plans to introduce legislation in 2024 aimed at preventing entities that do not align with the country's values or interests from establishing ground-based space infrastructure. The nation's strategic location and clear skies make it an attractive site for satellite launches and monitoring, with the European Space Agency among its users. However, concerns have arisen about foreign entities potentially misusing this infrastructure for activities contrary to New Zealand's national security interests.

A report by New Zealand's National Intelligence Service highlighted instances where organizations approached local entities to develop space infrastructure under the guise of civilian research, only to reveal potential ties to foreign military operations. Such activities, the report stated, could have harmed New Zealand's interests. While specific countries were not named, China was identified as a complex intelligence concern, alongside other states engaging in malicious activities within New Zealand.

Space Minister Judith Collins emphasized that the new regulations will ensure that ground-based space infrastructure aligns with New Zealand's values and security priorities. The move is part of broader efforts to protect the nation's growing commercial space industry, which benefits from government support.

As a member of the Five Eyes intelligence alliance with the U.S., U.K., Australia, and Canada, New Zealand remains vigilant against foreign threats. The proposed legislation will bolster safeguards against hidden affiliations and capabilities of foreign entities seeking to exploit New Zealand's strategic position for potentially harmful purposes.

This proactive approach aims to balance the rapid growth of New Zealand's commercial space sector with the imperative to safeguard its sovereignty and national security interests.

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SPOTLIGHTING RESEARCH TOPICS: EMPOWERING RESEARCH PAPER ASPIRATIONS

We understand that embarking on a journey to create impactful research papers can be both exciting and daunting. As you navigate through your academic pursuits, we're here to help illuminate your path and fuel your scholarly ambitions. This section presents a curated selection of broad research paper topics designed to spark your intellectual curiosity and inspire your next paper based on the latest developments of this month. Each topic represents an opportunity for exploration, discovery, and the potential to contribute to the ever-evolving landscape of law and technology. We believe that a well-chosen research topic is the cornerstone of a successful publication, and our aim is to empower you to make informed choices.

- *Cybersecurity and Healthcare Data Protection*
- *Encryption and User Privacy*
- *Space Law and National Security*
- *Social Media Regulation and National Security*
- *The Role of Technology in Modernizing Criminal Justice Systems in India*
- *The Legal Challenges of Social Media Regulation*

MESSAGE FROM THE NEWSLETTER TEAM

The news articles discussed or included in this newsletter represent the views of the respective news websites. We do not endorse or assume responsibility for the content or opinions expressed in these articles. Our purpose is to bring recent developments to your knowledge, providing a diverse range of information for your consideration. Your input matters to us, and we'd love to hear your thoughts. If you have any suggestions, ideas, or feedback on how we can improve the newsletter or if there's something specific you'd like to see in future editions, please don't hesitate to reach out. Your insights help us grow and ensure we're delivering the content you want.

Stay curious, stay informed!

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TechTalk