Gujarat National Law University

VICTORIA UNIVERSITY
MELBOURNE AUSTRALIA

GNLU VU International Project & Workshops

on

India-Australia Partnership Framework on AI, Quantum and Critical Technologies enabling Digital Economy

(Workshops to examine digital developments in relation to cross border data flows, cyber security, artificial intelligence (AI), quantum & critical technologies between India and Australia)

Organised by:

Gujarat National Law University, India & Victoria University, Australia

Sponsored by:

Australian Government

+ ABOUT GNLU and VU +

Gujarat National Law University, Gandhinagar, INDIA (GNLU)

Www.gnlu.ac.in

GNLU is a statutory University established by the Government of Gujarat through the Gujarat National Law University Act, 2003. GNLU is recognized by the Bar Council of India (BCI) and the University Grants Commission (UGC). GNLU has been ranked as the seventh-best law university as per the National Institutional Ranking Framework. GNLU is a member of the Association of Indian Universities (AIU), the United Nations Academic Impact (UNAI), and the International Association of Law Schools (IALS). GNLU offers interdisciplinary legal courses in five faculties, namely, BA LLB, BCOM LLB, BSC LLB, BSW LLB, and BBA LLB; one post-graduate program, namely, LLM as well as doctoral programs in law and interdisciplinary fields. This course is offered with an interdisciplinary study of law.

Victoria University, Melbourne, AUSTRALIA (VU)

Www.vu.edu.au

Victoria University achieved university status in 1991, but its preceding institutions date back to 1916. The University is one of Australia's few dual-sector universities. The university currently has over 40,000 enrolled higher education and vocational education and training students studying on its campuses. Victoria University is currently ranked in the world's top 2% as per the Times Higher Education – THE – World University Rankings.

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Our Institutional Partners

National Law University, Delhi

(for New Delhi (North Region) Workshop)

The West Bengal National University of Juridical Sciences, Kolkata, West Bengal

(for Kolkata (East Region) Workshop)

Maharashtra National Law University, Mumbai, Maharashtra

(for Mumbai (West Region) Workshop)

RV University, Bengaluru, Karnataka

(for Bengaluru (South Region) Workshop)

&

Jindal Global Law School, Sonipat, Haryana

+ PROLOGUE : GNLU-VU Project & Workshops +

Victoria University, Melbourne, Australia, and Gujarat National Law University, Gandhinagar, India have been contracted by the Australian Government to examine digital developments in relation to cross border data flows, cyber security, artificial intelligence (AI) and quantum technologies between India and Australia and to propose framework of bilateral cooperation between India and Australia.

The aim of this project i.e. India-Australia Partnership Framework on AI, Quantum and Critical Technologies enabling Digital Economy is to bring together officials from Central Government, State Government, academicians, practitioners, industry experts, corporate managerial professionals, and Indian regulators to discuss and deliberate upon the law, policy and standards for data, cybersecurity, AI, quantum and critical technologies. This project is cutting edge and is for India and Australia to work together to develop mutually agreed Principles for the future management and governance of artificial intelligence and quantum technology that will be used in trade and investment between the two countries.

Broadly the objectives of the project are as follows:

- **Indian Stakeholder thinking to take inputs from the leaders of the Digital Economy in India dealing with Data Protection, Cybersecurity, Artificial Intelligence, and Critical Technologies**
- **To present India's point of view within the Indian and Australian Bilateral relation on Data Protection, Cybersecurity, Artificial Intelligence, and Critical Technologies**
- **Strengthen India's and Australia's position in the Indo-Pacific Region and, more broadly, the world.**

+ PROLOGUE (Contd.) +

- **Strengthen and enhance India's and Australia's capacity-building programs in Data, Cybersecurity, and Artificial Intelligence-Quantum Technologies.**
- **Establish a pathway for current and future trade, digital, and other agreements to be developed and/or amended to strengthen the governance of Data Protection, AI, Cybersecurity, and Advanced Technologies.**
- **Raise awareness of the ethical governance requirements for Data Protection, AI, Cybersecurity, and Advanced Technologies.**

Excepted Outcomes of the Project are as follows:

- **Report to the Indian and Australian Governments on the government and industry/business sectors' bilateral arrangements established from this project.**
- **Identify key legal and policy risks for both the Indian and Australian governments across the Indo-Pacific.**
- **Define "Risk-Based Ethics" in cybersecurity, data, and artificial intelligence.**
- **Conduct 3-4 in-person and online workshops in Australia and India. Individual workshop reports will be presented to DFAT, recommending capacity-building programs/projects and areas of law and policy reform.**
- **Identify recommendations for consideration for the Australian Government to establish formal standards and agreements across relevant sectors such as Fintech, government-to-government, and other priority industry sectors.**
- **Identify and recommend future capacity-building programs/projects, such as developing education material to inform the government and business community of an ethical governance approach to data, AI, cybersecurity, and advanced technologies.**

In line with the aim of the project, the series of workshops (such as at New Delhi, Mumbai, Bengaluru, Kolkata, Sonipat, and Gandhinagar) scheduled under the project will deliberate and examine inherent risks and ethical principles integral to fortifying trade and investment collaborations between India and Australia.

+ PROJECT TEAM +

Victoria University (VU)

Project Principal and Chief Investigator

Dr. Robert Walters,

Senior Lecturer and Head Digital Economy Research Group,

Arbitrator - Solicitor

Gujarat National Law University (GNLU)

Prof. Dr. S Shanthakumar, Director, Gujarat National Law University

Project Investigators: India Team

Prof. Dr. Mamata Biswal, Professor of Law, GNLU

Prof. Dr. Ranita Nagar, Professor of Economics, GNLU

Ms. Harsha Rajwanshi, Assistant Professor of Law, GNLU

Mr. Soaham Bajpai, Assistant Professor of Law, GNLU

Assistants:

Mr. Ayush Rastogi, Teaching and Research Associate (Law), Ms. Vinati Tahilianey, Teaching and Research Associate (Law), Ms. Sakshi Saini, Teaching and Research Associate (Economics), and Ms. Niharika Raiza da, Ph.D. Scholar

+ DETAILS ON SERIES OF WORKSHOP +

Place	Date	Partner Law School	Mode
Workshop at New Delhi	**22 November 2023**	**National Law University Delhi**	**Online**
॥न्यायस्तत्र प्रमाणं स्यात्॥ NLU DELHI	**ORGANISING TEAM:** Prof. (Dr.) G.S. Bajpai, Vice Chancellor, NLUD Dr. Risham Garg. Associate Professor of Law, NLUD + PROJECT TEAM		
Workshop at Kolkata	**28 November 2023**	**West Bengal National University of Juridical Sciences, Kolkata**	**Online**
NUJS	**ORGANISING TEAM:** Dr. Nirmal Kanti Chakrabarti, Vice Chancellor, NUJS Dr. Shouvik Kumar Guha, Associate Professor of Law, NUJS Dr. Jayanta Ghosh, Research Fellow at the Centre for Regulatory Studies, Governance and Public Policy, NUJS + PROJECT TEAM		
Workshop at Mumbai	**2 December 2023**	**Maharashtra National Law University Mumbai**	**In-person**
nlu MUMBAI धर्मे तत्परता	**ORGANISING TEAM:** Prof. (Dr.) Dilip Ukey, Vice-Chancellor, MNLU Mr. Adithya Variath, Assistant Professor of Law, MNLU + PROJECT TEAM		

+ DETAILS ON SERIES OF WORKSHOP (Contd.) +

Place	Date	Partner Law School	Mode
Workshop at Bengaluru	**04 December 2023**	**RV University, Bangalore**	**Online**
	ORGANISING TEAM: Prof. (Dr.) Y.S.R.Murthy, Vice Chancellor and Founding Dean, School of Law, RV University Prashant Singh, Assistant Professor of Law, RV University + PROJECT TEAM		
Workshop at Gandhinagar (PAN India)	**14 December 2023**	**Gujarat National Law University, Gandhinagar**	**Hybrid**
	ORGANISING TEAM: ++ PROJECT TEAM		
Workshop at Sonipat	**09 December 2023**	**O. P. Jindal Global Law School, Sonipat, Haryana**	**Online**
	ORGANISING TEAM: Professor (Dr.) C. Raj Kumar, Vice-Chancellor, JGU Dr. Arnab Bose, Assistant Professor of Law, JGLS + PROJECT TEAM		

+ Questionnaire for Participants of the Workshop +

The proposed workshop format is centered around a question-answer structure (with participants expected to articulate their thoughts in response to the below mentioned questions. The questions below will be used to compare the gaps, synergies and differences between Australia and India, with respect to what should constitute high level ethical concepts and/or principles that need to be established to support critical technologies.

1. How do you define critical technologies? What do they mean to your organisation?

2. Does your organisation use artificial intelligence (AI) or critical technologies? Will your organisation be investing in either or both of these technologies to or from other countries?

3. Has your organisation thought about Quantum technology? Do you have an awareness of the implication of Quantum technology to trade and investment?

4. Have you considered the impacts of AI being amalgamated with Quantum technology – and what this might mean for your organisation?

5. What are the Opportunities to your organisation from international data, cybersecurity, AI, Quantum and critical technology transfers? (e.g., expansion of trade-investment, government-health, education, ITC, maritime, primary industries, legal and other services)?

6. What are the Risks to your organisation from not understanding the current day and future risks from this technology on trade and investment?

7. Critical-Quantum technologies and AI are not regulated – what are 3 to 6 ethical issues that need to be considered in the governance of this technology to strengthen trade and investment (provide a higher level of transparency, accountability and certainty)? Another way to think about this is how do we shape the ethical concepts and principles so as Australia - India trade and investment is not only protected but has a level of governance.

+ Questionnaire for Participants of the Workshop +

8. Are the following considered a starting point for Ethical concepts and principles (similar to those in the OECD Guidelines for Data, embedded into national law)? Will these be suitable for trade to trade – investment to investment between organisation-countries:

- Rules based system
- Rule of Law
- Accountability
- Transparency
- Privacy
- Responsibility
- Reporting

9. Should there be two layers of ethical concepts and principles? What might this look like? (government regulation versus industry self-regulation)

10. Is there a need for sector-by-sector level of ethical principles and concepts in the same way as risk management frameworks? That said, a general risk management assessment can be applied to every sector.

11. Should they be embedded as a minimum standard in government regulation? Or should they exist only in industry (sector) self-regulation?

12. Is there a place for ethics in technology and AI to be enforced by both government and/or private sector e.g. ISO Audits?

13. What are the main influences and drivers that make enforcement successful or otherwise?

14. An enforcement mechanism could be mandatory reporting to the Regulator, similar to tax – is this a viable option, until the regulations and governance of critical technologies and AI is [relatively] settled?

15. In many countries the data laws require a point of contact within an organisation, such as, controller-processor. Should there be similar for cybersecurity-or the controller role expanded? Does this need to be in the law? (this is predicated on where there is a breach-incident from the use of AI-Quantum technology for example, commercial/personal data loss, economic loss-personal injury) certainty)? Another way to think about this is how do we shape the ethical concepts and principles so as Australia - India trade and investment is not only protected but has a level of governance.

+ Questionnaire for Participants of the Workshop +

16. Whether The Digital Personal Data Protection (DPDP) Act, 2023 of India addresses the challenges for the adoption of new technologies? If so, please explain.

17. Do you think any amendments would be required in the DPDP Act, 2023 for addressing such issues related to AI, quantum and critical technologies? If so, please suggest.

18. Do you think the DPDP Act, 2023 would be a supportive law for the Digital economy? If so, please explain.

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For all/any queries

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