

**EDITORIAL**

This volume of the Sri Lankan Journal of International Law (SLJIL) is published at a time when the Department of Public and International Law is planning to have its fifteenth-year celebration after being established in 2009. Coupled with this, the 30<sup>th</sup> Volume of the SLJIL is a testament to the great academic vigor and quality that the journal has maintained throughout these years. This volume consisting of articles from various fields of both international and comparative law makes a significant contribution to the journal's ongoing success.

Global conflicts, such as the ongoing situation between Israel and Palestine, often cast doubt on the effectiveness of the international legal order. However, Sri Lanka offers a striking counter-narrative through its remarkable renaissance following the political and economic upheaval of 2022-2023. In the wake of intense internal strife, the country managed a peaceful transfer of power via democratic means, demonstrating resilience and a firm commitment to democratic values. This successful transition underscores the possibility of positive change within nations dealing with internal crises and highlights the stabilizing role that democracy can play in national recovery. In contrast to the difficulties faced by the global community in resolving entrenched conflicts, Sri Lanka's resurgence serves as a powerful reminder of the potential for progress through democratic processes, even in a world fraught with uncertainty and turmoil. The articles in this volume delve deeper into these issues among many others including diplomatic immunity, corporate governance, pure economic loss and non-international arm conflicts.

The first article written by Isuru Liyanage primarily -analyzes the concept of diplomatic immunity and privileges and their historical evolution. To this end, the author has examined the notion of diplomatic immunity under the Vienna Convention on Diplomatic Relations (VCDR) as well as the Sri Lankan practice of diplomatic immunity considering recent developments in the United Kingdom. The analysis shows that the Sri Lankan judiciary has attempted to apply international standards when interpreting local laws, yet the geopolitics in the region has limited the potential of this approach. As a result, there are still certain points that remain open to interpretation, which may lead to ambiguities. Drawing comparative insights from the United Kingdom, the paper highlights the importance of integrating the core values of the VCDR in a progressive and pragmatic manner.

The second article written by Kailash Jeenger focuses on the complexities surrounding non-international armed conflicts, distinguishing them from international armed conflicts. This study primarily analyses the scope and implications of various definitions of 'non-international armed conflicts', given the absence of a clear definition. It explores the drafting history of the 1949 Geneva Conventions and explains how States agreed on a limited set of rules in Common Article 3 for non-international armed conflicts, unlike the detailed regulations for international armed conflicts. Additionally, this study explores the colonial and post-colonial attitude of States toward such armed conflicts. The study emphasizes that the formulation of different definitions of non-international armed conflicts is not only absurd and illogical but also creates gaps in the protection of victims and the prosecution of war criminals.

The third article written by Prof. Indira Nanayakkara explores the kinship between auditing and corporate governance (CG) in the Sri Lankan business context. It examines the evolving roles of auditing and CG within the country's legal framework, emphasizing the importance of ethical standards, transparency, and accountability for sustainable business practices. The paper assesses how the regulatory environment influences CG standards and their alignment with global benchmarks, offering insights into Sri Lanka's commitment to international best practices. Additionally, it analyzes the impact of auditing on investor confidence and the integrity of financial reporting, highlighting audits' essential role in maintaining market trust. The study underscores the mutually reinforcing relationship between corporate governance (CG) and auditing in promoting the long-term sustainability of corporate entities in Sri Lanka. It advocates for a comprehensive legal framework that recognizes this interdependence and is at the same time, adaptable to evolving business conditions.

The fourth article written by Linuri Munasinghe engages in an exploration of the legal landscape concerning history of the right to freedom of speech and expression, and media freedom in Sri Lanka. Specifically, the article analyses the prevailing international and domestic legal framework relating to freedom of speech and expression in Sri Lanka, placing special emphasis on the new laws in this field and proposals for reform. While the study recognises that the recent reforms were brought about with the intention of bolstering the right to freedom of speech and expression, it determines that the reforms fell short of achieving this objective. In this backdrop, the study proposes a multi-faceted approach to realize the ultimate ideal of the right to freedom of speech and expression for all people in Sri Lanka - by the people adhering to the corresponding duties attached to the right, by respecting the rights of others,

by the government taking measures to safeguard and bolster the right through its actions, and by the judiciary discharging its constitutional duties and functions.

The fifth article written by Dr. Udapadie Liyanage provides a critical analysis of the concept of pure economic loss within the legal landscape of Sri Lanka. It explores the distinction between patrimonial loss, which is typically redressed by law due to its association with physical injury, and pure economic loss, which remains uncompensated despite causing significant financial harm. The research examines how wrongful acts or omissions by individuals, entities, or authorities in financial dealings lead to such losses. Considering Sri Lanka's recent economic challenges, the paper questions why pure economic loss is not redressed, even with an extensive legal framework in place. It analyzes how the selected jurisdictions of South Africa and England justify compensating pure economic loss based on policy considerations and delves into delictual and tort liability to explore avenues for recovering damages in cases of pure economic loss.

The sixth article written by Akhilesh Kumar offers critical insights into the evolving landscape of international law, focusing on its intersection with public health, human rights, and global governance. In the face of global challenges, ranging from health security threats to environmental degradation, it examines how legal frameworks are adapting to address these pressing issues. The paper highlights the pivotal role of Public Interest Litigation (PIL) as a tool for advancing global health governance, underscoring its potential to bridge gaps between domestic and international health regulations. It also proposes strategies to enhance international cooperation in this field. By analyzing key cases and theoretical foundations, the paper advocates for the development of more robust and inclusive international legal mechanisms that promote justice, equity, and global health security, ensuring a comprehensive approach to tackling the complex issues of the modern world

In the final article, Pritam Kumar critically examines the Indian legal framework governing inter-country parental child removals and custody disputes. The author argues that despite various efforts to address the issue, the existing legal system remains inadequate due to inconsistencies in judicial rulings, which often fail to provide clear guidance on resolving these complex cases. Kumar advocates for the enactment of new legislation that establishes clear parameters for determining the child's best interest, alongside incorporating provisions for alternative dispute resolution mechanisms and joint custody arrangements. The article concludes by emphasizing the urgent need for a more robust and consistent legal framework to effectively address inter-country parental child removal disputes, ensuring better outcomes for all parties involved, particularly the children.