

MALCOLM KATRAK

B.L.S.; LL.B. (Univ. of Mumbai); LL.M. (Hamburg and Erasmus); M.Sc. (IGIDR); LL.M. (Osgoode)
malcolm7@yorku.ca | mkatrak@jgu.edu.in

ACADEMIC QUALIFICATIONS

Ph.D. Candidate

(2023-Ongoing)

Osgoode Hall Law School, York University, Canada

- **Thesis Title (tentative):** Labour Resistance in the Amazon Warehouse: Mobilization, Unionization and Law Reform
- **Supervisor:** Prof. Sara Slinn
- **Activities:** *Osgoode Faculty Recruitment Committee Representative*, Graduate Law Students Association(2023-24)

Research LL.M.

(2022-23)

Osgoode Hall Law School, York University, Canada

- **Thesis:** Informality, Precarity, and (Mis)classification: Regulating Platform Work in India
- **Supervisor:** Prof. Valerio De Stefano
- **Activities:** *Osgoode Equality Committee Representative*, Graduate Law Students Association (2022-23)

European Master in Law and Economics (EMLE) - Erasmus Mundus Master Program

(2018-19)

Erasmus University, Rotterdam (October-December 2018)

University of Hamburg (January-March 2019)

- **Thesis:** The Public Policy Conundrum in Arbitration: An Empirical Analysis of the Judicial Approach in India
- **Supervisor:** Dr. Kaushik Krishnan

Master of Science in Law and Economics (M.Sc.)

(2018-19) (part of the EMLE program)

Indira Gandhi Institute of Development Research, Mumbai (April – August 2019)

Bachelor of Legal Science and Bachelor of Laws (B.L.S.; LL.B.)

(2012-17)

Pravin Gandhi College of Law, University of Mumbai

- **Activities:** *Founding Secretary*, Constitutional Law and Policy Reform Society (2017)

AWARDS AND SCHOLARSHIPS

- York Graduate Fellowship, York University (2023-27)
- John W. Graham Fellowship, Osgoode Hall Law School (2024)
- Harley D. Hallet Graduate Scholarship, Osgoode Hall Law School (2023-24)
- Arthur Brunskill Fellowship for Research in Labour Law, Osgoode Hall Law School (2022, 2023)
- Peter W. Hogg Graduate Award (2023)
- Faculty of Graduate Studies Bursary (2023)
- York Graduate Fellowship, York University (2022-23)
- Faculty Award for Research Excellence, Jindal Global Law School (2021)
- J. N. Tata Endowment Scholarship for the Higher Education of Indians (2018-19)
- Erasmus+ Mobility Grant (2018-19)
- Pirojsha Godrej Foundation Scholarship (2018-19)

TEACHING AND RESEARCH INTERESTS

Labour Law, Employment Law, Law and Technology, Law of Contracts

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TEACHING AND RESEARCH EXPERIENCE

Prof. Sara Slinn, Associate Professor, Osgoode Hall Law School

Research Assistant

October 2022 – September 2023

Prof. Valerio De Stefano, Canada Research Chair in Innovation Law and Society, Osgoode Hall Law School

Research Assistant

September 2022 – November 2022

Jindal Global Law School, O.P. Jindal Global University

Assistant Professor

April 2022 – Present (on leave)

Lecturer

April 2021 – March 2022

Assistant Lecturer

January 2020 - January 2021

WORK EXPERIENCE

Hon'ble Mr. Justice (Retd.) S. N. Variava, Former Judge, Supreme Court of India

Law Clerk

June 2017 - June 2018

Hon'ble Mr. Justice S. J. Kathawalla, Former Judge, Bombay High Court

Law Trainee

September 2016 – October 2016

Mr. Darius Khambata, Senior Advocate and Former Advocate General of Maharashtra

Law Trainee

July 2015 – October 2015

PUBLICATIONS

BOOK CHAPTERS (PEER REVIEWED)

- *The Regulation of Influencer Labor in India: Situating a novel form of work amidst the colonial continuities of informality*, in THE HASHTAG HUSTLE: INFLUENCER LABOUR, PRACTICES AND REGULATION (Edward Elgar, Forthcoming, 2024) (with Shardool Kulkarni) (Lead author)
- *Privacy, Political Participation and Dissent: Facial Recognition Technologies and the Risk of Digital Authoritarianism in the Global South*, in ARTIFICIAL INTELLIGENCE & HUMAN RIGHTS: (Oxford University Press, 2023) (with Ishita Chakrabarty) (Lead author)
- *The Role of Language Prediction Models in Contractual Interpretation: The Challenges and Future Prospects of GPT-3*, in LEGAL ANALYTICS: THE FUTURE OF ANALYTICS IN LAW (CRC Press, Routledge, 2022)
- *Factoring in Trust in the Alliance for Multilateralism*, in ESTADO E INSTITUIÇÕES: DIÁLOGOS INSTITUCIONAIS E POLÍTICAS PARA O ENFRENTAMENTO DA CRISE (Autografia, Brazil, 2021)
- *Kingdom of Lesotho v. Swissbrough Diamond Mine (Pty.) Limited: A De-Novo Approach Towards Domestic Jurisdiction in Investor-State Disputes*, in ARBIT-PRAXI: ARBITRATION PROCESS AND PRACTICE (DSNLU, Visakhapatnam, India, 2018)

JOURNAL ARTICLES (PEER REVIEWED)

- *Examining the Role of Trust and Ideological Disparities in India-EU BTIA negotiations*, 15(4) CENTRAL EUROPEAN JOURNAL OF INTERNATIONAL AND SECURITY STUDIES (2021) (with Blanche Devos) (Lead author) (Scopus Indexed)

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- *Refouling Rohingyas: The Supreme Court of India's Uneasy Engagement with International Law*, 7 (2) JOURNAL OF LIBERTY AND INTERNATIONAL AFFAIRS (2021) (with Shardool Kulkarni) (Lead author) (Scopus Indexed)
- *Balancing Religion and COVID-19 in India: A Secular State's Response to a Divided Society's Needs*, 10 (1) SECULARISM AND NON-RELIGION (2021) (with Shardool Kulkarni) (Lead author) (Scopus Indexed).
- *India's Jumbled Public Policy Jurisprudence: Stretch, Demarcate and 'Saw (Pipes)'*, 3 GNLU JOURNAL OF LAW & ECONOMICS (2021)
- *Disputes Seeking Declaration of Title in Immovable Property: Arbitrability of Rights in Personam Arising from Rights in Rem Contextualised*, 5 NLSIU IN LAW MAGAZINE 78 (2018) (with Shardool Kulkarni) (Co-author)
- *Battle of the Bar and the Bench: Critical Analysis of the Powers of the High Court and the State Bar Councils under the Advocates Act, 1961*, 5 AMITY GLOBAL JOURNAL OF LAW, MANAGEMENT & SOCIAL SCIENCES (2019) (with Bahraiz Irani) (Lead author)
- *Curbing Free Speech: Strategic Lawsuits Against Public Participation in India*, 7 (1) CHRIST UNIVERSITY LAW JOURNAL (2018)
- *Kosovo's Pursuit of International Recognition: Football Association of Serbia v. UEFA*, 5 (1) NLUJ LAW REVIEW (2018)
- *Descent Based Discrimination in the Parsi Community: Widening the Ambit of Article 17 of the Constitution*, 2 (2) NLUO HUMAN RIGHTS LAW JOURNAL (2018) (with Aditya Manubarwala) (Lead author)
- *India's WTO Woes: A Concern for the Developing World at Large*, 2 (1) HNLU STUDENT BAR JOURNAL 1 (2017) (with Aditya Manubarwala) (Lead author)
- *Paralysing Small Investors Under the Guise of Melioration: A Critical Analysis of SEBI ICDR Fifth and Seventh Amendment Notifications*, 3 (2) RGNUL FINANCIAL & MERCANTILE LAW REVIEW 91 (2016) (with Jigar Parmar) (Lead author)
- *Access and Benefit Sharing of Indigenous People from the Convention on Biological Diversity to the Nagoya Protocol*, 4 CNLU LAW JOURNAL 147 (2014) (with Rahul Tanwani) (Lead author)

WORKS IN PROGRESS

- *Law Clerks as "Human(s) in the Loop": AI in the Courts and the Pivotal Labour of Law Clerks, Artificial Intelligence for the Legal System: Jurisprudence in the Digital Age* (CRC Press, Routledge) (with Jake Effoduh) (Abstract accepted)
- *The (Mis)classification conundrum and Legal Protection of Gig workers in India: Labour and Private Law as alternative approaches*

CONFERENCE PRESENTATIONS

- *Taming the Panopticon: Regulating Algorithmic Management at Workplace*, 2022 Osgoode GLSA Conference, Osgoode Hall Law School, Canada (2022)
- *Approaching the event horizon: A critical analysis of the potential impact of AI on Contract Management processes in India*, Post Graduate Research Conference, Leicester Law School, United Kingdom (2022) (with Mansi Kumar and Dharmita Prasad)
- *An Unbalanced Equation: Facial Recognition Technology Outweighs Privacy Concerns? The Erasmus University and Jean Monnet Centre of Excellence on Digital Governance's Conference on AI and Human Rights: Friend or Foe*, Erasmus University, Netherlands (2021) (with Ishita Chakrabarty)

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- *Driving Forward Private Law Remedies for Platform Gig Workers: Rethinking the Parameters Laid Down in Central Inland Water Transport Corporation*, Conference on Private Law and Gig Economy, Australian National University, Australia (2021)
- *Moving Beyond Cockroaches and Rats: The Idea of Comic Book Contracts*, Post Graduate Research Conference, Leicester Law School, United Kingdom (2021)
- *India's People-Public-Private Partnership Model: Taking the Trust Leap and Beyond*, 13th Annual McGill Graduate Law Conference & Dean Maxwell and Isle Cohen Seminar on International Law, McGill University, Canada (2020)
- *Trust in the Alliance: Does Multilateralism Matter During the COVID-19 Pandemic*. I Seminário Internacional sobre Estado e Instituições, Grupo de Pesquisa em Estado, Instituições e Análise Econômica do Direito and Universidade Federal Fluminense, Brazil (2020)
- *Consultants in the Indian Mining Sector: Unravelling the Legal, Financial and Practical Facets*, NUJS National Seminar on Charting Contours of Mining Law Regime, India (2018)
- *Investment and Environment: A Hazardous Combination for Sustainable Development*, 1st Amity Conference on Legal Dimensions of Environment, India (2017) (with Shardool Kulkarni)
- *The International Trade Law Regime at Loggerheads with Sustainable Development and Sound Environmentalism*, National Seminar on Renewable Energy, Sustainable Development and Consumer Protection organised by RGNUL-Patiala in association with the Indian Council for Social Science Research (2017) (with Aditya Manubarwala)

BLOGS AND PERIODICALS

- *The Need for Empirical Determination of Games of Chance and Skill*, NATIONAL LAW SCHOOL OF INDIA REVIEW ONLINE (Jun. 22, 2021)
- *Is Ssangyong the Panacea for All Cases Relating to Public Policy in India?*, THE ARBITRATION WORKSHOP (Jul. 26, 2020)
- *Fugitive Economic Offenders Bill, A Viable Project or a Doomed Battle?*, INDIA CORP LAW (Dec. 18, 2017)
- *The Vodafone Tax Dispute: Abuse of Process in International Investment Arbitration?*, EUROPEAN FEDERATION AND INVESTMENT LAW AND ARBITRATION BLOG (Dec. 12, 2017)
- *Lankesh and Free Speech: Gagged, Tortured and Shot*, COLUMBIA LAW SCHOOL RIGHTS VIEWS BLOG (Oct. 11, 2017)
- *Shayara Bano v. Union of India: A Watershed Moment in the Battle of Women's Rights in India*, FEMINIST LAW PROFESSORS (Sept. 13, 2017)
- *The Indo-U.S. Solar Dispute: Hardened Trade Ideologies Trump Environmental Concerns*, COLUMBIA JOURNAL OF TRANSNATIONAL LAW (BULLETIN) (May 27, 2017)

OTHER ACTIVITIES

- *Guest Contributor*, Technology, Law, and Society Class, Lincoln Alexander School of Law, Toronto Metropolitan University, Canada (2024)
- *Social Justice Award Committee Member*, Labour Tech Research Network (2023, 2024)
- *Peer Reviewer*, Osgoode Graduate Law Students Conference, Canada (2024)
- *Peer Reviewer*, Osgoode Transnational Human Rights Review, Canada (2023)
- *Guest Lecturer*, NMIMS Law School, Mumbai, India (2022)

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PROFESSIONAL MEMBERSHIPS

- *Lawyer*, Certificate of practice, All India Bar Examination (2017- present)
- *Member*, Bar Council of Maharashtra and Goa, India (2017 – present)