

INTERSECTION OF FOURTH GENERATION RIGHTS AND DIGITAL INSECURITY: DARK WEB THE FACE OF CYBER THREATS ON HUMAN RIGHTS

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Abstract

The rights from the domain of technology, communication, Technological endeavours and cyberspace can be sub-rooted with civil liberties and constitutional rights. As a fourth generation of rights, Human rights can be clubbed with technological rights (which as the right to the internet), digital rights, and digital security which are the basic rights required to incorporate with global recognition and to address such technological realm the blend of technology with the legal framework was first established with the enactment of the IT Act, 2000. As technology advances rapidly there's a rapid march in footprint growth, data privacy, impact on jobs, diverse algorithms and their misuse can raise concern on ethical AI, algorithms and responsible technological progress which emerges as pros and cons of technology affecting human rights in various ways. This paper focuses on the Dark web which provides a platform for Cybercrime, Cyber terrorism, drug trafficking, Money laundering, and identity theft which raises risks to individuals' identities are examples of the misuse of technology and human rights. Technology has made humans think in a different direction and the general concepts of Human Rights need to be kept enhancing due to constant changes like technological advancement, also it is focused on the intricacy of human rights enforcement from the framework of technology change. This paper focuses on the relation of Human rights by setting its nexus between technology, human rights and cybercrimes. An attempt is made to maintain complex yet balancing coordination between human rights protection and combatting activities on the dark web that violate human rights.

Keywords: Dark Web, Human Rights, Cybercrimes, Money Laundering, Artificial Intelligence

INTRODUCTION

"We don't know if early Homo sapiens argued whether fire burns or warms, but you can hazard a guess that they did."

Jamie Bartlett, The Dark Net: Inside the Digital Underworld

Human rights are now deeply entwined with the domains of technology and communication, thanks to the 21st century's rapid technological advancements. The idea of "fourth generation rights," which includes "technology rights," "digital rights," and "the right to digital security," comes into focus as we go through this digital age. These rights are becoming more widely acknowledged as necessary for people to completely engage in a globalized society where having access to the internet is like having a basic human necessity. A major turning point in the integration of technology and legal systems was the introduction of the Information Technology Act in 2000, which laid the groundwork for tackling the particular problems presented by the digital era. But just as technology advances, so too do the nuances of human rights. Data privacy, automation-related job displacement, and the ethical consequences of artificial intelligence are a few of the issues that raise serious questions about responsible technology use. These issues are best demonstrated by the dark web, which offers a forum for identity theft, drug trafficking, money laundering, and cyberterrorism¹. In addition to endangering personal safety, these actions also bring up important issues regarding the upholding of human rights in a fast-evolving technology environment. Computers and the Internet have become essential items in every government, non-government department, school, college, university, company, private company, and even home everywhere. There is a net spread around.

Cybercrimes are offences carried out using the internet and computers. Hacking, spam, financial fraud, blackmail, child pornography, forgery, money laundering, and identity theft are just a few of the cybercrimes that cybercriminals are committing at an accelerating rate². 'Dark Web' & 'Dark Net' are the terms which are

¹ Dr. Amita Verma, Cyber Crimes in India, 1ed. 2017, p. 66, (Last visited on July 21, 2024)

² Hacking available at <https://www.digit.in/technology-guides/fasttrack-to-cyber-crime/the-12-types-of-cyber-crime.html> (Last visited on July 21, 2024)

been used to refer to a part of the internet that cannot be accessible through standard browsing but can be accessed through specific software³.



The graphic depicts how one can access the Internet via the World Wide Web (www) which is divided into three subcategories: Surface Web, Deep Web, and Dark Web. The majority of individuals use the Surface Web, which is accessible to all, to access the internet. Everyday use of the surface web. Numerous search engines on the Surface Web facilitate website exploration. By posting different content on the aforementioned websites, these locations vary in sorts. For instance, a website created by a university will only be used for academic purposes. Internet surfing refers to the process of visiting different websites when someone accesses the internet. In the public domain, where the Surface Web is more commonly used, the Deep Web is used, although less frequently than the Surface Web. The idea behind the Deep Web is that whoever can share any information with anyone else using a service that the general public is unaware of. One area of the Deep Web where people share information privately is through e-mail. The Deep Web also offers services that aren't limited to email. The deep Web is used by both individuals and the government for security and privacy. There are always two sides of the coin where one is positive and one is negative, here also the same rule applies. Deep Web is used for both Purposes. Not just the Deep web but the whole Internet has its Pros & Cons which are to be dealt and research is done to reduce the Cons as much as possible of the Internet.

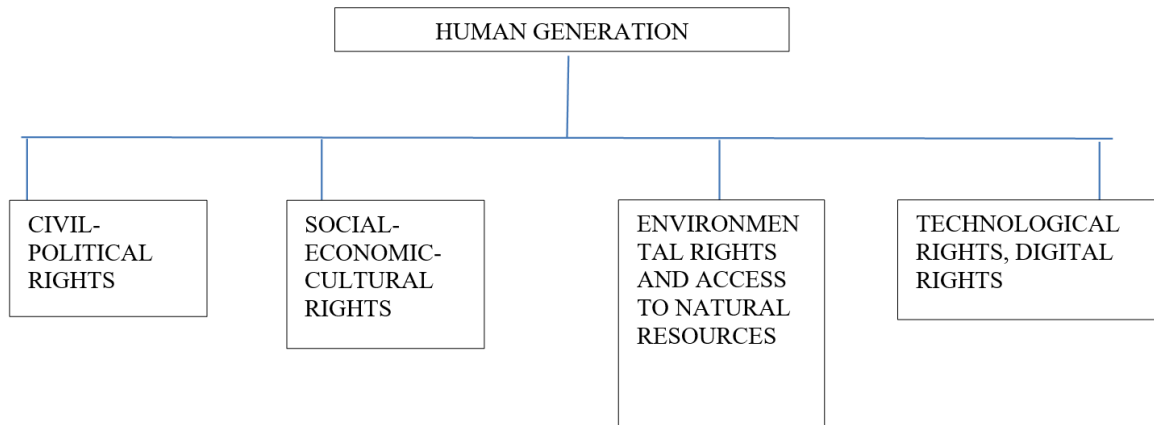
Human Rights have been violated since Humans were born. The rights were violated in the Era of Vikram Aditya and are also violated in the Era of Technology. Human rights are generated and inspired by the Natural Rights of Justice and made to deliver Justice to Humankind on the violation of their rights.

HUMAN RIGHTS ACROSS GENERATIONS

Human generation gets related to the web in the later stage as humans are the first in the evolution and after which the web was been developed. Human Generations are not the reproductive type of generation but are the generation of rights. It is like various forests such as evergreen forests, deciduous forests, throne frost, etc. These are in different areas and have different characters of their personality, The same goes for the human generations which are different and have their importance. Right means what is acceptable morally in the public domain or even individually. These are the social & ethical principles that are approved by the law and are called Rights. Human rights which also has their generation also influenced the French Revolution. Previously there was only a 'three generation' concept whereas now it is a 'four generation' concept. These generations are based on the Centuries.

³ Matthew Cronin, Hunting in the Dark: A Prosecutor's Guide to the Dark Net and Cryptocurrencies, U.S. Attorneys' Bulletin, Volume 66, No. 4, July 2018, <https://www.justice.gov/usao/page/file/1083791/download>, 66. (Last visited on July 21, 2024)

⁴ Audit of the Federal Bureau of Investigation's Strategy and Efforts to Disrupt Illegal Dark Web Activities. December 2020 Matthew Cronin, Hunting in the Dark: A Prosecutor's Guide to the Dark Net and Cryptocurrencies, U.S. Attorneys' Bulletin, Volume 66, No. 4, July 2018, <https://www.justice.gov/usao/page/file/1083791/download>. (Last visited on July 21, 2024)



Human Generations are divided into 4 types i.e.

1. CIVIL-POLITICAL RIGHTS (18TH Century)
2. SOCIAL- ECONOMIC-CULTURAL RIGHTS (19TH Century)
3. ENVIRONMENTAL RIGHTS AND ACCESS TO NATURAL RESOURCES (20TH Century)
4. TECHNOLOGICAL RIGHTS (21ST Century)

The division of Human Rights was done by a Czech jurist Karel Vasak. The division was proposed at the International Institute of Human Rights in Eastern France in 1979⁵The Universal Declaration of Human Rights includes the rights of the first and second generations, but there is no specific mention that the work is exactly like Vasak described.

CIVIL-POLITICAL RIGHTS

Human rights, especially as set out in the International Covenant on Civil and Political Rights (ICCPR) and the Universal Declaration of Human Rights (UDHR), are essential for safeguarding personal freedoms and promoting equality. The "Blue Rights" or Articles 3 to 21 of the Universal Declaration of Human Rights encompass civil and political liberties that are important for both personal liberty and political participation.⁶ The Bill of Rights in the United States (1789–1791) & the Declaration of the Rights of Man and Citizen (1789) were in place to further entrench these rights that go back in time as far as the Magna Carta written in 1215. Among examples of first-generation rights are freedom from opinion/religion/not killing & having the right to vote, and equality under the law.

SOCIAL- ECONOMIC-CULTURAL RIGHTS

World War II played a crucial role in recognizing the importance of these rights and got the recognition. Their rights relate to equality and especially refer to Social, Economic and Cultural Rights. These rights are not just for the citizens of the states but also for the individuals of other domicile who have come to the country for any such purpose. Due to this, there is equal treatment for every individual with these rights.⁷ These rights were also recognised by the Universal Declaration of Human Rights in Articles 22 to 28 which also had their own Covenant known as the International Covenant of Economic, Social & Cultural Rights.

Right to food, Right to get employed, and Right to Health Care are examples of the 2nd Generation Human Rights. These rights are termed as 'Red Rights'. The government recognise it as a positive right as it favours citizens as well as other domicile members too.

ENVIRONMENTAL RIGHTS AND ACCESS TO NATURAL RESOURCES

These rights do not concentrate on individuals but rather on a collective group of people that is why they are referred to as collective rights. If breached, these rights have an impact on a large scale hence they are for the people in general. The Stockholm Declaration (1972) and the Rio Declaration (1992) refer to these rights. Talking about 'Green Rights', examples of such include the right to social and economic development, the right to a healthy environment, right to natural resources among others. African Charter on Human and Peoples' Rights captures many of such rights.

TECHNOLOGICAL RIGHTS

Third-generation rights influence technological rights and they have also developed from them. They are mainly fourth-generation right sub-divisions of the first and second generations. These rights are specifically about the growth of technology, communication and information in addition to cyberspace.

⁵ Vasek, Karel, "The UNESCO Courier: a window open on the world", XXX, 11, p. 28-29, 32, illus. (Last visited on July 21, 2024)

⁶ United Nations (1948). Universal Declaration of Human Rights. [online] OHCHR. Available at: <https://www.ohchr.org/en/universal-declaration-of-human-rights>. (Last visited on July 21, 2024)

⁷ United Nations (2023). *OHCHR | Economic, Social and Cultural Rights*. [online] OHCHR. Available at: <https://www.ohchr.org/en/human-rights/economic-social-cultural-rights>. (Last visited on July 21, 2024)

It is still a bit unclear as to what kinds of particular rights dominate them to which they are subservient. Some take the view that Fourth Generation Human Rights refer to Technology Rights, Digital Rights or any other thing such as Digital Security Rights.

RIGHT TO INTERNET ACCESS: A CONNECTION OF HUMAN RIGHTS WITH INTERNET

The 21st Century is considered as Digital Era, technology was invented by humans and in Estonia a massive program was launched by the parliament to expand access to the country and prevent unreasonable restrictions. When asked the government's reason for the program they replied by saying that it is essential for life in the 21st Century⁸. World Summit on the Information Society (WSIS) which is a part of the United Nations had its first sponsored summit in Geneva in December 2003⁹. There was discussion regarding the importance of an information society in maintaining human rights by sharing info with the public to make a strong bond. The World Summit on the Information Society (WSIS) Declaration of Principles, endorsed at the World Summit on the Information Society in December 2003, emphasizes and aims at establishing several vital elements required for an inclusive and development-centred Information Society. It calls for collective action to create a people-centred environment that allows for the generation and sharing of information as well as knowledge by enabling individuals and communities to accomplish their full potential ultimately improving their quality of life. The declaration also reiterates that all human rights are universal, indivisible, interdependent and interrelated including those related to development while emphasizing that democracy sustains both itself and human rights by supporting each other. It acknowledges the right to freedom of opinion and expression as central to the Information Society claiming it includes 'the freedom to hold opinions without interference as well as seek, receive and communicate information through any media'. This was the time when technology development took progress all over the world.

In 2009-2010 BBC World Poll surveyed the BBC World Service where it was found that Access to Internet was a fundamental right. Today, access to the net is something that many believe one must possess to enjoy some other fundamental liberties like freedom of speech and education. The UNHR council reiterated its stand that all these offline human rights should apply even in cyberspace, and for this reason; it claimed reiterated that the internet should be treated as a basic right rather than a favour. Similarly, several resolutions and reports indicated that states have to ensure that there is internet accessibility even as part of the efforts meant to reduce the digital gap thereby enhancing social and economic development. The same rights are said to be extended beyond daily life onto the web worldwide rather than selective just because they enhance social development. And one cannot undervalue how crucial it is nowadays to have your cyberspace on the internet -otherwise how else will you expand your business or voice out what you think about other people or things that concern them etc? Additionally, different resolutions/reports have also called throughout the globe for the availability of the internet even for all citizens to connect to every corner of the world helping lead to its economic growth. The UN Human Rights Council maintains that offline all human rights must apply online. It has once again given its statement reinforcing what we know: Internet should be viewed as a basic right at least not less important than our demand. Many resolutions document this idea; they serve states with needful indications e.g., overcoming 'the digital divide' would promote social justice and economic growth within countries worldwide¹⁰. A poll of 27,973 adults was done in 26 different countries from which only 14,306 were internet users. First time in 2019 Kerela High recognized that access to the internet is a substantive right that falls under the ambit of the right to education and the right to privacy¹¹. Said that Access to the Internet is a part of the right to privacy and the right to education.

When a citizen uses the internet and publishes something on it then it also shares some of the information of the government which can cause trouble for them as the government uses to censor the internet. For example, China and Iran are the countries that use an extensive firewall system to block any information from the internet which can be regime or offensive. By making censorship of the internet can be considered a breach of the right to speech in Human Rights.

INTERSECTING DARK WEB WITH 4TH GENERATION HUMAN RIGHTS

"Anonymity," a term derived from the Greek word 'anonymia', encompasses an individual whose identity remains unknown. Within the digital realm, all our online activities generate personal data that form part of our digital identities. To achieve internet anonymity, internet protocol (IP) addresses must be untraceable hence making it possible for users to surf anonymously on the web. HTTP is routed using a global volunteer network by the Tor

⁸ Colin Woodard, Estonia, where being wired is a human right, July 1, 2003, <https://www.csmonitor.com/2003/0701/p07s01-woeu.html> [Last visited on 25 July 2024].

⁹ Mit.edu. (2020). World Summit on the Information Society (WSIS) - Geneva Declaration of Principles | Global System for Sustainable Development. [online] Available at: <https://gssd.mit.edu/search-gssd/site/world-summit-information-society-wsis-53802-mon-07-23-2012-0911#:~:text=Search%20GSSD-> [Last visited on 25 July 2024].

¹⁰ BBC News, http://news.bbc.co.uk/2/shared/bsp/hi/pdfs/08_03_10_BBC_internet_poll.pdf (last visited on July 25, 2024)

¹¹ Faheema Shirin vs State of Kerala, WP(C). No. 19716 of 2019 (L)

network and it helps conceal user information and to bypass monitoring efforts. Therefore, this has made the dark web attractive for cybercriminals who want to hide their operations there. However, on the other hand, it serves as a vital instrument for governments in sensitive document exchange, journalists avoiding censorship or repressive regimes while at the same time-fighting authoritarianism with dissidents' escape routes because many individuals would not like to suffer repercussions if they expose themselves. Many prefer hiding their faces when engaging in political and social dialogues because of fear of reprisals. This layered approach ensures that no one single node can identify both sender and receiver since onion routing by Tor involves multi-layered encryption which protects content and routing of messages as they pass through different nodes while maintaining privacy and security online. Peter Grabosky (2001) holds that conventional crime is essentially like virtual crimes except that they differ in execution means. The writer maintains that though it may seem as if some manifestations of crimes in cyberspace are new, several computer-related offences are simply typical crimes adapted to suit a different technology. Efficiency and modes of execution may vary dramatically, but they still resemble their physical counterparts. Therefore, it is not the nature of the crime itself that separates virtual from terrestrial offences; instead, it is about how these kinds of crimes are evolving through time¹². Women are subjected to more evil correspondence, ethnic minorities face worse hacked accounts and identity fraud, and older adults are more susceptible to card crime¹³. The technology sector must join hands in offering secure internet access for everyone, particularly those who are not well-off. Organizations such as Digit Unity and Cybercrime Support Network seek to inform and strengthen at-risk groups so that they can acquire basic benefits from technology while staying safe online. Websites like Silk Route provide a platform for crimes like Drugs, weapons cartels, live murders and suicides, terrorism, hacking, arms trafficking, illegal selling of human organs, paedophilia, gambling are a few of the domains dealt through the dark web.

ANALYSIS

The absence of noticeable actions in nonconformist networks of the dark Web is not an indication that they do not exist. According to the principle that guides it, these activities are just harder to find and observe. A driving factor for the marketplace is critical mass. Operators in the dark Web are unlikely to need a high level of stealth unless the consequences if they are discovered, are sufficiently severe. It is imaginable that there could be some sites that switch on for moments before disappearing thereby making them complex to investigate¹⁴. The absence of observable activities on unconventional dark Web networks does not mean that such activities do not exist. Indeed, they are simply tougher to spot and monitor in line with what motivates the dark net. For marketplace growth, you must have critical mass. There could also be certain cryptocurrency sites that go live for just some minutes during which trade takes place before disappearing altogether making them difficult to track. Accordingly, events are going on at unconventional dark Web networks that are not visible.

To a certain extent, finding them is complicated and they cannot be easily observed in the light of its foundational principles. Critical mass is essential for any market to function well. On this level, dark web operators may only need a high degree of stealth under severe consequences if their actions are exposed. Some sites could come on once and then shut down after a short time making investigations even more difficult. Accordingly, the presence of such activities may not be obvious in unconventional dark net networks. This principle of invisibility characterizes illicit operations that take place behind this veil. Critical mass is necessary for maintaining any marketplace adequately.

In terms of this area, it is unlikely that such operators will require a high level of stealth except where the consequences if discovered, could be dire. There may be sites that come online only during certain moments with little time frames for trade before disappearing from view rendering them extremely hard nuts to crack from the investigator's perspective.

VARIOUS CASES OF DARK WEB FROM THE WEB

"We must be careful about the dark web which can be misused by people to harm the nation," said Justice Bobde in the 50th seminar organised by Telecom Disputes Settlement & Appellate Tribunal (TDSAT) in Mumbai.

Case-1: Historic Seizure of \$ 3.36 Billion Cryptocurrency which was connected to Silk Road Dark Web Fraud¹⁵. 50,676.17851897 Bitcoins have been seized whose cost was nearly \$3.36 Billion. Defendant James Zhong pled guilty to unlawfully obtaining about 50,000 Bitcoin from the Silk Road Dark web internets in 2012, on 9th

¹² Imène El Kadouri (2024). *The UN Security Council on digital rights*. [online] Access Now. Available at: <https://www.accessnow.org/un-security-council-digital-rights/> [Last visited on 25 Jul. 2024].

¹³ Hurst, A. (2021). *Women and marginalised groups hardest hit by cybercrime*. [online] Information Age. Available at: <https://www.information-age.com/women-marginalised-groups-hardest-hit-by-cyber-crime-malwarebytes-18762/> [Last visited on 26 Jul. 2024].

¹⁴ Chertoff, M. and Simon, T. (2015). *The Impact of the Dark Web on Internet Governance and Cyber Security*. PAPER, [online] 6(6), pp.10-12. Available at: https://www.cigionline.org/sites/default/files/gcig_paper_no6.pdf [Last visited on 27 Jul. 2024].

¹⁵ S1 14 Cr. 68 (LGS)

November 2022 judicial authority approved a search warrant where these Bitcoins were been found. This seizure was one of the largest cryptocurrency seizures in the history of the US.

Case-2: The operation, named Disrup Tor, the Department of Justice and Europol's joint effort. It's believed that the criminals engaged in tens of thousands of sales of illicit products and services across the U.S.A. and Europe. Drugs taken over were fentanyl, oxycodone, methamphetamine, heroin, cocaine, ecstasy and MDMA. Of these in remission 119 were primarily based within the US, in Canada, forty-two in Germany, eight in the Netherlands, four in the UK, in the Republic of Austria and one in Sweden. Police forces around the world have seized a lot of than \$6.5m (£5m) in money and virtual currencies, moreover as drugs and guns in a very coordinated raid on dark internet marketplaces. Some 179 folks were in remission across Europe and therefore the US, and 500kg (1,102lb) of medication and sixty-four guns were confiscated¹⁶.

Case-3: The Silk Road was an online international bazaar for illicit services and contraband, chiefly drugs. Silk Road was reportedly launched by Ross William Ulbricht, who was known online as the "Dread Pirate Roberts" in 2011. Federal agents seized the Silk Road site in September 2013. The FBI arrested Ross William Ulbricht in October 2013¹⁷. Ross William received over \$13 million in commissions from sales on the Silk Road. whereas the Silk Road was primarily accustomed to selling prohibited drugs, it additionally offered digital goods, as well as malicious software and pirated media; forgeries, including false passports and Social Security cards; and services, such as computer hacking¹⁸.

Case-4: Gilberto Melgarejo pleaded guilty to his offences to distribute as well as to possess with the intent to distribute Drugs with the help of the 'Dark Web' in the Federal Court of Brooklyn¹⁹. Melgarejo and Gray were arrested on November 14th, 2019, from New Mexico. They used to sell a bunch of drugs illegally which included methamphetamines, fentanyl, heroin, LSD and MDMA and took the payment in Cryptocurrency. Both defendants pleaded guilty before the United States Chief District Judge²⁰.

VARIOUS DARK WEB CASES FROM INDIA

Case - 1: -The Gujarat ATS has recently confiscated around 30kg of heroin and in remission seven persons from the Islamic Republic of Iran were sent by 3 drug lords. Anti-terrorism squad (ATS) of Gujarat, the Narcotics control bureau and the native police inquisitory the assorted recent drug seizures have found that drug mafia operating from Iran, Pakistan, the Federal Republic of Nigeria and the Republic of South Africa are using virtual numbers through the dark net to speak and therefore avoid detection. The Gujarat ATS has recently seized around 30kg of heroin and arrested seven persons from Iran sent by three drug lords, together with 2 from Iran and one from Pakistan. In the mid-sea operation on Sept 18, ATS officers found the criminals victimisation Thuraya and Satellite phones to speak mid-sea. "Apart from that, they were alleged to use virtual numbers once landing either in Maharashtra or Gujarat. The drug mafia wished to send the hard drug to Punjab. Once landing in India, their entire communication was supposed to turn up using virtual numbers and also the dark web," aforementioned an ATS officer. Within the initial week of September, the NCB had caught a malefactor from an African nation with 2kg of hard drug from the town airport, and later a malefactor from the Federal Republic of Nigeria was conjointly held. These individuals were victimisation virtual numbers so that they might not be traced, and their location remained inaccessible, according to an officer of the agency²¹. The officer said, "We aren't concerned about their use of the dark web however of the net of drugs they're laying within the society."

Case - 2: -The Bengaluru police at first learned concerning massive supplies of street drugs coming back into town via parcels from the Salem region in Tamil Nadu from Rahul Tulasiram, a 28-year-old businessperson who was arrested within the city for commercialism LSD supported native data gathered by the police. The arrest disclosed that supplies were being received by Tulasiram from an unknown supply in Tamil Nadu following transactions on the dark web that might not be copied simply by the police. A small unit of the police performing chase activities on the darknet shortly established contact with the supplier, placed an order and kept a vigil over a post office in Salem from where the consignments were being dispatched. The vigil led to the

¹⁶ Dark web drugs raid leads to 179 arrests, <https://www.bbc.com/news/technology-54247529> (last visited on July 26, 2024)

¹⁷ U.S. Attorney's Office (2013). Manhattan U.S. Attorney Announces Seizure of Additional \$28 Million Worth of Bitcoins Belonging to Ross William Ulbricht, Alleged Owner and Operator of 'Silk Road' Website. [online] FBI. Available at: <https://archives.fbi.gov/archives/newyork/press-releases/2013/manhattan-u.s.-attorney-announces-seizure-of-additional-28-million-worth-of-bitcoins-belonging-to-ross-william-ulbricht-alleged-owner-and-operator-of-silk-road-website> [Last visited on 26 Jul. 2024].

¹⁸ Department of Justice, United States Attorney's Office, "Ross Ulbricht, A/K/A "Dread Pirate Roberts," Sentenced In Manhattan Federal Court To Life In Prison," press release, May 29, 2015

¹⁹ E.D.N.Y. Docket No. 19-CR-586 (MKB)

²⁰ Dark Web Narcotics Traffickers Plead Guilty to Conspiracy to Distribute Illegal Drugs in Exchange for Cryptocurrency, <https://www.dea.gov/press-releases/2021/09/09/dark-web-narcotics-traffickers-plead-guilty-conspiracy-distribute-illegal>, (Last visited on 25 July 2024)

²¹ Petlee Peter, Karnataka: Inspired by series, a man buys drugs via dark web, Times Of India, <https://timesofindia.indiatimes.com/city/bengaluru/karnataka-inspired-by-series-man-buys-drugs-via-dark-web/articleshow/78397453.cms> (last visited on 26 July 2024)

arrest in January of C Balaji, 48, a businessperson from Tamil Nadu who was allegedly procuring LSD on the dark web from Europe and commercializing it to intermediaries in numerous parts of India found 9310 LSD strips valued at over Rs 1.30 crore²².

Case – 3: - Sri Arjav Deepak Mehta vs State Of Karnataka²³ on 29 March 2021

Fact: -

The case of the prosecution is that a case came to be registered on the criticism of one Virupakashaswamy, a Police officer, on 12.11.2020, alleging that he received reputable info that some folks are getting MDMA Crystals, Ecstasy Pills, Hash, and LSD Strips through Post from Netherland, Poland, Germany and different countries and that they are marketing constantly to college students. On the same day, he received a message from the Vimanapura Post office that a parcel had come back to the Post Office in the name of the petitioner-accused. Accordingly, at about 2.00 p.m., he went close to the house of the petitioner and whereas the petitioner was receiving the parcel from the mail carrier while delivering, the plaintiff comprehended the petitioner. Thereafter, he condemned two hundred LSD Strips within the presence of panchas and ready the panchanama. Once the arrest, a case was registered against the petitioner for the aforementioned offences and was remanded to judicial custody. An objection was raised by the respondent that the petitioner made an order of purchase from the Dark Web. The petitioner approached the Sessions judge for bail, which came to be rejected. After which the same was filed before The Hon'ble High Court of Karnataka by Petitioner.

Judgement: - The petitioner was found with 3.95 gms. of LSD strips, but as per the Schedule the commercial quantity is 0.5 gms. Thus, the petitioner is not entitled to the bail and the Criminal Petition has been dismissed.

CONCLUSION

The truth concerning the dark internet is that in addition to giving extreme privacy and protection from the police investigation of authoritarian governments, it facilitates a growing underground marketplace that refined criminals' use to traffic drugs, purloined identities, child pornography, and different illicit merchandise and services. And with untraceable cryptocurrency because the primary suggests that of payment, shut cooperation between law enforcement, money institutions, and regulators around the world is needed to tighten the screws on wicked activity. On the flip side, similar privacy and anonymity that deliver protection from tyrants and targeted advertisements additionally produce the dark net as a springboard for crime. Several rife illicit activities embrace arms trafficking, drug dealing, and also the sharing of consumptive content—often involving children—such as porn and pictures of violence and different forms of abuse. Websites support the rhetoric of neo-Nazis, white supremacists, and alternative extremist teams. Being inherent, indivisible, inseparable human rights are talked about in the Charter of Human Rights & Principles for the Internet which laid 3 objectives to provide priority and cooperation, policy framing for regulation of the Internet, and advocacy tools for public and private actors. Once this right is self-realized there are direct consequences to that realization and to mitigate the consequences this charter brings local and global measures of security. Article 3 of this charter guides to recognition of every aspect of crimes- define it along with the restrictions of the usages and repercussions in such a way that it doesn't violate the rights, liberty, and security of individuals. The human should use the internet in a way that there is no violation of any other person's right. As technology advances it may get easy to get access for violation of someone's privacy, but it is in the hands of the individual to prevent it. The government takes various steps by giving punishment to the accused but just by punishing there will not be change in a fast manner. There are provisions in articles 8 & 9 for privacy and data protection managing comprehensive privacy, encryption, and obligation on data collectors which focuses on appropriate security measures. Thus, it is necessary to make everyone aware as well as under how the dark web works and how various technologies advance. Having half-knowledge is far more dangerous than not knowing. Lastly, Humans must be developed with time as technology also advances with the same.

²² Johnson T A, Monitoring Dark Web helps Bengaluru police restrict the flow of synthetic drugs, Indian Express <https://indianexpress.com/article/cities/bangalore/monitoring-dark-web-helps-bengaluru-police-restrict-flow-of-synthetic-drugs-7455945/> (last visited on 25 July 2024)

²³ Sri Arjav Deepak Mehta vs State Of Karnataka, CRIMINAL PETITION No.8065 of 2020