

India's "Domestic Violence Act 2005": A Critical Analysis

Gulafroz Jan¹

Abstract: *The incidence of domestic violence against wives has been increasing over the years. But in India, prior to 1983, the issue of domestic violence was outside the domain of law. It was only recognised in different matrimonial laws where cruelty is valid ground for divorce but there is no provision of immediate relief to stop the violence in the family. The passing of domestic violence act may be considered as an important step in addressing the issue of domestic violence. It recognises for the first time the occurrence of continual violence within the home, which may go beyond mere physical abuse and seeks to rectify it, but domestic violence act promulgated by the Parliament of India with much fanfare and the avowed purpose of protecting the women is largely ill advised as it is structured to add to their miseries rather than providing succour. This is by no means to suggest that violence at domestic level does not exist or that there is no need for protection of women against barbarism. What needs to be emphasized is that mere creation of rights can never be the anthemia for social evils. Legal reforms are meaningless unless they are preceded by social reforms. Domestic Violence Act fails, at various fronts, the muster of an effective piece of legislation aiming at social engineering. For the starter, one may say, it is founded on the premise that domestic violence at the hands of men folk is the general rule in every next household; It creates new legal concepts that are dangerously imprecise; It promotes social norms that are in stark conflict with existing traditions, values beliefs and sense of morality; It provides a process that is lopsided as it lacks in attributes of fairness and reasonableness. In this paper an attempt is made to deal with the subject against the backdrop of, and with reference to, the concepts newly introduced in light of the meaning assigned to each of them in the overall scheme of substantive provisions of the Domestic Violence Act*

Key words: domestic violence, India, Domestic Violence Act 2005, women's rights, right to reside, shared household, right to monetary reliefs, live-in relationship

Introduction

Law is determined by the sense of justice and moral sentiments of the people governed by it and, therefore, legislation can only achieve results by staying relatively close to the prevailing social norms. The efficacy of law as an instrument of change depends upon variety of factors that include not only the prerequisite that it be free from vagueness and ambiguity, but also and most importantly, the assurance that it is reasonable, not only in sanctions used but in the protection of the right of those who stand to lose by violation of the law (Stevan Vogo, 2011). Domestic violence Act promulgated by the Parliament of India with much fanfare and the avowed purpose of protecting the women is largely ill advised as it is structured to add to their miseries rather than providing succor. This is by no means to negate that violence at domestic level does not exist or that there is no need for protection of women against barbarism. What needs to be emphasized is that mere creation of rights can never be the cure for social evils. Legal reforms are meaningless unless they are preceded by social reforms. Gross abuse of Sec. 498 (A) by unscrupulous lot has been well known to be lost sight of and perhaps the cry of real victims gets ignored. In relation to cases registered by victims under Section 498-A the conviction rate is very low. Lessons learnt from experiment needed to be born in mind by lawmakers before they introduced yet another piece of legislation without built-in checks against misuse.

¹ Assistant Professor, School of Legal Studies, Central University of Kashmir. Email: gulafrozjan@gmail.com

Domestic Violence Act fails, at various fronts, the muster of an effective piece of legislation aiming at social engineering.

For the starter, one may say, it is founded on the premise that domestic violence at the hands of men folk is general rule in every next household; it creates new legal concepts that are dangerously imprecise; it promotes social norms that are in stark conflict with existing traditions, values beliefs and sense of morality; it provides a process that is lopsided as it lacks in attributes of fairness and reasonableness (Gaubha, R.K. 2007). In this paper an attempt is made to deal with the subject against the backdrop of, and with reference to, the concepts newly introduced in light of the meaning assigned to each of them in the overall scheme of substantive provisions of the Domestic Violence Act. Emphasis will be laid to examine whether this law has strengthened the cause of women's right to be treated equal to men in particular in matters of right to protection against violence i.e., whether the law purports to protect women from violence or actually penalize them.

Domestic Violence Act 2005

The Domestic Violence Act 2005 is a piece of legislation meant to provide more effective protection to the right of women guaranteed under the constitution who are victims of violence of any kind occurring within the family. The very nomenclature of the Act indicates that it is not restricted to violence perpetuated against women by her husband or in-laws. It includes under its protective umbrella every women living in a domestic relationship as a member of family with the person indulging in violence (Kaur Kuljit 2007). Thus the law protects women who are victims of violence occurring within family or in domestic relationship. Moreover the Act has been designed to create certain civil rights, some declaratory (e.g., right to protection against Domestic Violence) and some substantive (e.g., right to maintenance, right to compensation, right to shared household). But the law essentially falls under the criminal jurisprudence not merely because it is enforced by magistrate under CPC 1973 but also and mainly because the consequences of breach of certain orders passed by criminal court for affording to the aggrieved women the due protection of law has been made a new penal offence.

It is imperative for the study of this kind to find out as to what was the legal position in domestic violence cases prior to the introduction of this new law, so that it can be examined as to what is new about this additional measure.

Brief Analysis of Legal Position in Domestic Violence Cases Prior to Introduction of the New Law:

The main penal law in India is provided in Indian Penal Code 1860 (IPC), initially introduced by the British rulers but adopted for continuation upon independence. Chapter XVI of IPC relates to offence affecting the human body which include not merely culpable homicide (including or amounting to

murder) but also hurt and involves within its sweep cases of wrongful restrain, wrongful confinement, use of criminal force assault, kidnapping or abduction, trafficking in human beings and sexual offences including rape. The offence of dowry death was added in 1986, along with the offence of cruelty by the husband or relatives of the husband in the wake of outrage felt by the civil society due to increased incidents of cases where women had been subjected to harassment, soon after marriage mainly with a view to coerce them or their relatives to meet unlawful demands for dowry or on account of failure to do so.

Chapter XX of IPC provides for offences relating to marriage that include not merely bigamy and adultery but also cohabitation caused by a man deceitfully inducing a belief in women of lawful marriage offence of criminal intimation or intentional insult are penal clauses that can also be invoked, should the need arise, by wife against husband or vice versa. Offering insult to the modesty, or intrusion upon the privacy of women by words, gestures etc are an offence, which provision makes no exception in favor of husband.

All these offences generally do not provide for an exception in favour of a husband or male relatives, so long as the victim woman is able to pin down the offender with dishonest or fraudulent intention. Ever since the concept of entrustment of dowry in favour of the husband or his near relative at the time of marriage came to be accepted by the courts in India, the offence under Sec. 406 IPC has been regularly and flagrantly used by women victims for demanding penal consequences for conduct leading to marital discord.

Protection under Domestic Violence Act

Domestic Violence Act defines, “domestic violence” to include “any act omission or commission or conduct” of the man in question in relation to the aggrieved woman in case it attracts any of the four clauses:

- a) Harms or injures or endangers the health, safety, life, limb or well-being, whether mental or physical, of the aggrieved person or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse.
- b) Harasses, harms injures or endangers the aggrieved person with a view to coerce her or any other person related to her to meet any unlawful demand for any dowry or other property or valuable security.
- c) Has the effect of threatening the aggrieved person or any person related to her by any conduct mentioned in clause a, b or
- d) Otherwise injures or causes harm, whether physical or mental, to the scope and width of the new offence relating to Domestic Violence.

Domestic Violence Act fails, at various fronts, the muster of an effective piece of legislation aiming social engineering (Seema, S. 2006). For the starter, one may say, it is founded on the premise that domestic violence at the hands of men folk is the general rule in every next household; It creates new legal concepts that are dangerously imprecise; It promotes social norms that are in stark conflict with existing traditions, values beliefs and sense of morality; It provides a process that is lopsided as it lacks in attributes of fairness and reasonableness. So if we talk in detail the following provisions need to be looked into again.

a) Protection Orders in Favour of Women – No Additional Remedy, a Camouflage

After coming in force of the Domestic Violence Act the general perception among the public seems to be that domestic violence is an offence but contrary to this, reality is that domestic violence per-se is not an offence under Domestic Violence Act. What has been made criminal is the conduct of the male offender vis-à-vis the women in the domestic environment amounting to breach of protection order obtained by the women from the Magistrate (Gaub, R.K, 2007).

In order to understand the true meaning of this, it is very important to know how and what kind of protection order can be obtained by the woman whose breach amount to offence under Domestic Violence Act. As per Sec. 18 of Domestic Violence Act magistrate is empowered to issue protection order upon prima facie satisfaction that domestic violence has taken place or is likely to take place i.e., woman can approach magistrate not only when she is actually subjected to violence but even if she is apprehending such violence. Now, this protection order is actually a prohibiting relief calling upon respondent to refrain from certain acts against the complainant.

The jurisdiction vested in magistrate to pass these prohibiting orders goes against the legal principles that are applicable to law of injunction e.g., injunction cannot be granted when equally efficacious relief can be obtained by other usual mode of proceeding. Since all the acts which have been treated as unlawful under Domestic Violence Act, have been the part and parcel of criminal law of the country and therefore every person is expected, even without a prohibiting order (in the form of protection order) to refrain from causing any harm or injury to mental or physical health of women. The question arises: is that husband against whom no protection order has been passed free to cause harm to his wife? If the answer is obviously “no”, then it is beyond comprehension that how the issuance of protection order would add to her protection against the repetition of violence in the future. Hence, it is submitted that the remedy in the name of protection order is a camouflage.

Moreover, the order which may be passed by the magistrate to protect the aggrieved women from possible domestic violence includes an injunction asking the respondent from being in the vicinity of any place that may be frequented by aggrieved persons or from operating a bank account enjoyed by parties, even if it were held singly by the respondent. The law makers in their anxiety to provide legal

protection to the women seem to have gone overboard. The place frequented by the aggrieved person would undoubtedly include house where both parties may have been living together before their relations turned sour. By asking the male respondent to stay away would in fact be throwing out the male respondent from his own house; similarly, by asking the male respondent to refrain from operating bank account held singly by him only because he had shared its credit assets with the aggrieved woman at some stage, the magistrate would in fact be depriving the former from his daily substance, in the name of affording protection to the woman.

Furthermore, Sec. 23 of Domestic Violence Act empowers the magistrate to pass an interim order in the course of any proceedings before him that would include under Sec. 18. Under some provision, upon prima facie satisfaction (on the basis of affidavit) inter alia, that application discloses that there is likelihood of domestic violence being committed, he may grant ex parte protection order. There is nothing in the entire statute to indicate as to how long such an ex parte order would remain in force. In this view, dicta of Sec. 25 that a protection order under Sec. 18 shall be in force till the "aggrieved person applies for discharge" would operate with equal force even for an interim order. The general rule under CPC is that in case ex parte injunction has been granted, the application for injunction has to be finally decided within thirty days cannot apply to these proceedings under Domestic Violence Act, as Sec. 28 renders it subservient to CrPC. In the face of provision contained in Sec. 28 this shall be the position even if relief under Sec. 18 is claimed by virtue of Sec. 26 before civil court.

Bearing in mind the above referred provisions of law, the possibility cannot be ruled out that women should introduce some doubts about the conduct of the male respondent with whom she has lived for sometime in a shared household and in her anxiety to bind him, approach a magistrate with an application under Sec. 18 read with Sec. 23 asserting, an affidavit, that the latter is likely to subject her to some emotional abuse and seek an ex parte interim protection order prohibiting him from entering his own house or operation of his own bank cannot thereby by rendering him totally at her mercy. The incongruity of the impact hits in the face when one reads these provisions in conjunction with the penal clause under Sec. 31 that renders breach, even of interim order, a cognizable offence attracting substantive sentence. In this scenario, the concerned male respondent is likely to be deprived of all possibility of presenting his side of the story since there is nothing stopping an unscrupulous woman from following the grant of an ex parte interim order immediately with an application of that order has been passed.

b) Right to Reside

There are numberless cases whereupon the breaking up of marital bond, women have been thrown out of the matrimonial homes. In such situations the victims, in particular from orthodox background find it totally unacceptable to go back to their parental family for shelter or support. The provisions of maintenance allowance under Sec. 125 of CrPC was essentially created as a measure of protection

to such vulnerable group in as much as there is possibility to abuse, when in lurch, is a cause of concern of orderly society. The courts, in recent times, have shown innovation by binding the husband (or male relative) with responsibility to provide some residential accommodation even in the matrimonial home to save the helpless women from vagrancy. The statutory right to live in a shared household in favour of aggrieved wife or dependent women relative under Domestic Violence Act is undoubtedly a positive step. But the framers of the law, in their anxiety to cast the net wide, seem to have lost touch with reality and gone overboard. The relevant provisions that need to be examined in this context are Sec. 17 & 19 of Domestic Violence Act.

I. Shared Household

Section 17 of the Domestic Violence Act talks of right to reside in a shared household. It creates a statutory right in favour of “every woman in a domestic relationship,” an expression given the wide meaning assigned to the word “domestic relationship” includes not only the wife or women related by blood but also a female friend who has lived, even for a small period under the same roof with the male respondent without entering into a marriage. The right declared is that every such woman whether or not she has any right title of beneficial interest of her own in the premises in question, shall be entitled to reside in the shared household. The right is absolute and subject to denial only in the event of eviction or being excluded in accordance with procedure established.

But then it needs to be seen that how far this provision proves helpful in reality. It gives statutory recognition and thereby encouragement to extramarital relationships or relation between persons of opposite sex outside of, or without marriage. To put it simply adopting a modern day lingo, women involved in live-in-relationships or adulterous connections are also covered as beneficiaries to the Act. Moreover, as per Sec. 17 the beneficiary can be evicted by procedure established by the law. But then Domestic Violence Act nowhere makes a mention or makes it clear as to by what procedure an affected respondent would be able to secure an order of eviction or exclusion against such women.

Furthermore, the word ‘shared household’ may include a property of joint family of which the male respondent is merely one of the several members. By putting a restraint against alienation, disposal or enunciation of rights in such a shared household, the law seeks to virtually shake the right of even such persons who may not have any role to play in the dispute from which the controversy has arisen. Also,

there is no time limit prescribed for which the said “right to reside” would operate in favour of the women. Since right to reside has been created by this special law in favour of a special class of women, it will not be controlled by the existing legal framework including Transfer of Property Act, in as much as, and particularly, because the right to reside thus brought in existence is irrespective of the “right, title or beneficial interest.” In the absence of any provision or medium to such effect within the special law, the male respondent is without a legal remedy against a woman for whose benefit the

right to reside was never intended. This is because Sec. 17 does not set out sufficient parameters as to which claim to this right is to be tested by magistrate and in this view, the availability of the forum of appeal under Sec. 29 is also of no solace.

II. Residence Orders Sec. 19

Sec. 19 of Domestic Violence Act permits an order to be passed, in the event of domestic violence to facilitate enjoyment of right to reside in the shared household against the backdrop of feud between the parties. The jurisdiction to restrain respondent from disturbing this right to reside even after souring of relation between the parties can be understood, at least to the extent of married wives declining to go back to their parental home. But, some of the possible restraint orders indicated under Sec. 19 seem wholly unjustified and unfair. Some of residence orders amongst other such nature are:

- i) Direction to male respondents to remove himself from the shared household.
- ii) Restraining the respondent from alienating or disposing off the shared household.
- iii) Restraining the respondent from renouncing his rights in shared household except with the leave of the magistrate.

The provisions seem to be unjust and unfair to the male respondent, a person in whom right, title or interest in the property vests is not only restrained to exercise his rights but it also restricts the prospect of reconciliation between the parties. In this view, with no guidelines provided, such an order, if permitted to be passed by the magistrate would work, in the long run, against the interest of the woman herself. The husband having been thrown out by the law, it is not conceivable as to how the system expects the parties to even broach the subject of coming together through conciliation.

c) Right to Monetary Reliefs

Sec. 20(1) empowers the magistrate to grant monetary reliefs in favour of the aggrieved woman. The purpose of this clause is amelioration viz to help out the woman to meet the expenses incurred and losses suffered "as a result of Domestic Violence". In this context, one can understand the quantum, taking into account the loss of earnings, the medical expenses or loss caused due to damage to the property etc. Inclusion of clause (d) of Sec. 20(1) however is misplaced. The jurisdiction of the magistrate to grant maintenance allowance is governed by Sec. 125 of CrPC. There was absolutely no reason why it should be mentioned amongst the monetary reliefs meant to help meeting the expenses consequent to domestic violence. This is bound to create not only utter confusion but also multiplicity of proceedings and consequences which would be grossly unfair to both parties.

In spite of secular law of maintenance available under Sec. 125 CrPC to all sections of society, now rendered not even subject to ceiling, a quantum of allowance that can be fixed (after amendment brought about to Act 50 of 2001) is made to said statutory remedy in addition to, and not as alternative to, the right to secure maintains allowance under the personal laws. Thus, even under the

existing arrangement almost every set of parties is locked in litigation over the issue of maintenance simultaneously in the civil as well as criminal courts. A need to simplify the procedure to avoid multiplicity of proceedings, particularly in family disputes has been long felt. Some hope was generated in this regard when the family courts Act was enacted. But then, the said law has not been brought in force in all parts of the country. The creation of another statutory provision permitting maintenance allowance to be claimed would undoubtedly be construed by ill-advised parties as yet another forum where opposite party could be dragged for similar relief to be agitated. This is bound to add to the multiple proceedings in which the parties may already be spending out their time, energy and resources.

Moreover the possibility of abuse of Section 20(1) is writ large when seen against the prospect of a female friend having lived with the male respondent under the same roof in what is called as live-in-relationship (i.e. without marriage) even for a month or so claiming maintenance allowance under the said provision, with no restrictions attached and so possibly for the rest of her life.

d) Live-in Relation a Boost to Immorality

Live-in-relationship is the arrangement in which a man and a woman live together without getting married (Virendra Kumar 2012). This is nowadays being taken as an alternative to marriage especially in the metropolitan cities. Currently the law is unclear about the status of such relationship though a few rights have been granted to prevent gross misuse of the relationship by the partners. The position of live-in Relationships is not very clear in the Indian context but the recent landmark judgments given by the Hon'ble Supreme Court provides some assistance when we skim through the topic of live-in and analyze the radius of the topic in Indian legal ambit. The couples tied with the knots of live-in relationships are not governed by specific laws and therefore find traces of assistance in other civil laws. The law is neither clear nor is adamant on a particular stand, the status is dwindling.

The Privy Council in *A Dinohamy v. W L Blahamy* laid down the principle that, "Where a man and a woman are proved to have lived together as a man and wife, the law will presume, unless the contrary be clearly proved, that they were living together in consequence of a valid marriage and not in a state of concubinage". Furthermore the Supreme Court granted legality and validity to a marriage in which the couple cohabited together for a period of 50 years. The Supreme Court held that in such a case marriage is presumed due to a long cohabitation. Furthermore the Hon'ble Allahabad High Court stated that a live-in relationship is not illegal. J. Katju and J. Mishra stated that, "In our opinion, a man and a woman, even without getting married, can live together if they wish to. This may be regarded as immoral by society, but is not illegal. There is a difference between law and morality." The Hon'ble Supreme Court accepted the principle that a long term of cohabitation in a live-in relationship makes it

equivalent to a valid marital relationship. The Supreme Court also held that live-in relationships cannot be considered as an offence as there is no law stating the same.

In the well talked about case of *S. Khushboo v. Kanniammal*, the Supreme Court gave its landmark judgment and held that there was no law which prohibits live-in relationship or pre-marital sex. The Supreme Court further stated that live-in relationship is permissible only in unmarried major persons of heterogeneous sex.

In another case the Supreme Court stated that if a man and a woman are living under the same roof and cohabiting for a number of years, there will be a presumption under section 114 of the Evidence Act, that they live as husband and wife and the children born to them will not be illegitimate. Hence the High Courts and the Hon'ble Supreme Court in a number of decisions delivered until recently have showed the positive signs of recognizing the legitimacy of the live-in relationships and have also shown the inclination for a legislation to be enacted with the objective of protecting the rights of couples in a live-in relationship.

The decisions by the Indian courts is discerning as in some cases the courts have opined that the live-in relationship should have no bondage between the couples because the sole criteria for entering into such agreements is based on the fact that there lies no obligation to be followed by the couples whereas in some instances the courts have shown opposite views holding that if a relationship cum cohabitation continues for a sufficiently and reasonably long time, the couple should be construed as a married couple infusing all the rights and liabilities as guaranteed under a marital relationship.

It also appears strange if the concept of live-in is brought within the ambit of section 125 of the Cr.PC where the husband is bound to pay maintenance and succession as the ground of getting into live-in relationship is to escape all liabilities arising out of marital relations. If the rights of a wife and a live-in partner become equivalent it would promote bigamy and there would arise a conflict between the interests of the wife and the live-in partner. Apart from lacking legal sanction the social existence of such relationships is only confined to the metros, however, when we look at the masses that define India, there exists no co-relation between live-in relationships and its acceptance by the Indian society. It receives no legal assistance and at the same time the society also evicts such relationships

The status of the female partner remains vulnerable in a live-in relationship given the fact that she is exploited emotionally and physically during the relationship. The Domestic Violence Act provides protection to the woman if the relationship is "in the nature of marriage". The Supreme Court in the case of *D. Velusamy vs. D. Patchaiammal* held that, a 'relationship in the nature of marriage' under

the 2005 Act must also fulfil some basic criteria. Merely spending weekends together or a one night stand would not make it a 'domestic relationship'. It also held that if a man has a 'keep' whom he maintains financially and uses mainly for sexual purpose and/or as a servant it would not, in our opinion, be a relationship in the nature of marriage'.

The apex court in *D. Velusamy* held that, not all live-in relationships will amount to a relationship in the nature of marriage to get the benefit of the Act of 2005. To get such benefit the conditions mentioned below must be satisfied, and this has to be proved by evidence.

(a) The couple must hold themselves out to society as being akin to spouses.

(b) They must be of legal age to marry.

(c) They must be otherwise qualified to enter into a legal marriage, including being unmarried.

(d) They must have voluntarily cohabited and held themselves out to the world as being akin to spouses for a significant period of time.

In India we cannot afford to grant such alimony otherwise it will decay the family system in general and civil culture in particular. The same will give rise to many issues connected therewith such as maintenance, custody, right of inheritance, legitimacy succession etc. Hence the author is of the view that the maintenance should not be granted to female or male involved in live-in relationship. One should not get undue advantage of his/her own wrong. Now the problem is not just limited to the legality of the relationship but people are coming up about the rights of the live-in partners and the status of children born out of such relation legalizing live-in relationship means that a totally new set of laws need to be framed for governing the relations including protection in case of desertion, cheating in such relationships, maintenance, inheritance etc. Litigation would drastically increase in this case.

Conclusion:

In a society that treats issues of the welfare of women too casually, some stringent measures are necessary to keep in check the unscrupulous and unbridled male of the species. But this needed to be brought about not by adding to the statute book with ill-advised measures but through proper enforcement of the existing legal framework. In an endeavor to strike a balance between the mutual rights and obligations of men and women the framers of the law seem to have gone overboard to load the dice totally against the former. The above mentioned facts of the Domestic Violence Act are only some of its features that leave one in a disturbed state of mind. The Act has created a framework which is leading towards anarchy and representing a paradigm shift of tectonic plates supporting civil society. The consequences are bound to be disastrous for the "wife" as the "other woman" now has equal claims over man in matters of maintenance and shelter, two issues that count the most. The law projected as welfare measure for women might boomerang destroying the life of the women who reposed trust in the sanctity of marriage as institution. One dreads at the prospect of a day when society and the polity would be picking up pieces of aftermath, may be within a decade from now.

References

- Convention on Elimination of All Forms of Discrimination Against Women, 1993".
- Dipa Dube. 2003. "Domestic Violence Bill:A Critique", *Indian Bar Review* Vol.XXX (283) p.442
- Dutta Ashir Bani. 2005 " Domestic Violence as Human Rights Violence : A Reality That Bites", CrLJ vol. 25,
- Gauga R.K. 2007 "Domestic Violence Law: A Recipe for Disaster," *National Legal Service Authority Journal*, Vol. III July .
- Kaur Kuljit. 2007. "Domestic Violence Act 2005: A Step Towards Upholding the Rights of Women", *NYAYADEEP Journal of NALSAR* Vol. III Oct. p.81
- Legal News and Views. 2003. "Reservation for Women in Parliament and Legislatures: An Antidote to their Marginalisation". Indian Social Institute, April p.23
- Rebeca Cook. 1994. *Human Rights of Women*. Philadelphia: University of Pennsylvania Press.
- Seema, S. 2006. "Battered Within the Four Walls:Domestic Violence and Law", *Chigunie Annual Souvenir of K.L.E Society Law College*. Bangalore. p.61
- Steven Vogo, 2011. *Law & Society*. Pearson Education Inc. U.S.A Pg. 232.
- Suman Gupta. 2005. "Domestic Violence its Legal Contours" CrLJ vol-1, p293.
- Virendra Kumar. 2012 "Live-in Relationship: Impact on Marriage and Family System", *Supreme Court Cases (J)*, vol 4.

** This is an international agreement.