

IFIM Law School, Bengaluru

Affiliated to Karnataka State Law University

presents

4th IFIM National Moot Court Competition, 2025

MOOT PROPOSITION

Dates

August 21-24, 2025

Theme

**The Evolving Boundaries of
Human Rights and Deepfakes.**

Media Partner

DESIKAANOON.



Moot Proposition

IN THE SUPREME COURT OF INDICA
(Original Writ Jurisdiction – Public Interest Litigation)

W.P. (C) NO. ____ OF 202_

National Human Rights Commission of Indica

(through the Chairperson),

Hermione Amidala Potter, &

Lily (minor) through father J. Kenobi

.....PETITIONERS

vs.

Union of Indica,

Election Commission of Indica,

Data Protection Board of Indica, &

Intermediaries A, B, C & D (major social-media platforms) and others

.....RESPONDENTS

Facts of the Case:

In early 2023, officials in the Republic of Indica's Ministry of Electronics and Information Technology (MEITY) observed an alarming surge in "deepfakes" – AI-generated images and videos that impersonate real people with uncanny accuracy. A widely cited study released that spring estimated that 96% of deepfake videos on the open web were pornographic, overwhelmingly featuring women's faces superimposed on explicit bodies. Within weeks, Indica's cybercrime helpline saw a sharp uptick in complaints from women about personal photos being misused in fake videos. This mirrored global reports that such synthetic abuse disproportionately targets women and girls.

In May 2023, the issue became painfully real in the eastern Alderaan Province when the parents of Lily (a 14-year-old student at Padawan High School) made a frantic call to the police. Late on 12 May 2023, Lily's classmates had shared a lewd video where her face appeared grafted onto an adult performer's body. The clip – apparently generated using a free mobile deepfake app – spread rapidly: from a class WhatsApp group to an encrypted messaging channel called HoloHoot, and eventually onto a foreign adult website. Shocked teachers alerted the provincial cyber police unit early the next morning. By midday on 13 May 2023, officers registered a First Information Report (FIR) citing Section 67B of the Information Technology Act, 2000 (pertaining to child sexual abuse material online) and relevant provisions of the Protection of Children from Sexual Offences Act, 2012 (POCSO). Investigators traced the initial upload to a disposable email account routed through a Tor network node in Kessel – a jurisdiction outside Indica – frustrating efforts to identify the culprit. International watchdogs had warned of a year-on-year increase in AI-generated child abuse imagery worldwide; Indican authorities now faced this threat firsthand.

On 17 May 2023, the National Human Rights Commission of Indica (NHRC) took suomotu cognizance of Lily's case after local media reported her trauma and the police's jurisdictional hurdles. The Commission invoked its mandate under the Protection of Human Rights Act, 1993 to "safeguard the dignity of the child in cyberspace." It issued notices to the Alderaan provincial government, the Union Home Ministry, and major intermediaries (social media platforms). Among other steps, the NHRC directed the provincial authorities to submit an action-taken report within 15 days, and urged the Home Ministry to establish an inter-state cyber task force

to tackle AI-driven child sexual abuse material. The Commission also asked major tech platforms to report on their mechanisms to detect and prevent the circulation of deepfake pornography involving minors.

While Lily withdrew from school to receive counseling, the newly formed Data Protection Board of Indica (DPB) opened a parallel inquiry. (The DPB had been established under the Digital Personal Data Protection Act, 2023 (DPDP Act), which took effect around that time.) In preliminary findings, the DPB observed that the unauthorized processing of a minor's likeness prima facie violated Sections 8 and 9 of the DPDP Act. However, the Board noted that the current law offered limited recourse when the perpetrator is a private individual using open-source AI tools. Despite efforts by investigators and requests for cross-jurisdictional assistance, by October 2023 the Alderaan police still had no identified suspect – the FIR remained filed against “unknown persons.” Lily's parents grew increasingly frustrated at the absence of any accountability or deterrent outcome.

Meanwhile, public criticism was mounting over the regulatory vacuum around deepfakes. At the time, there was no specific legislation in Indica addressing AI-manipulated media; authorities had to resort to general provisions on obscenity, cybercrime, and child protection to deal with these incidents. Facing pressure, the Union Government finally took a measure. On 8 November 2023, the MEITY issued an emergency 24-hour takedown directive: all major social media intermediaries were ordered to remove flagged deepfake content within one day (“within one planetary rotation,” as the order phrased it) or risk losing their safe-harbour immunity under the IT Act (the legal protection that shields platforms from liability for user content). Digital rights groups welcomed this as a step in the right direction but noted that it was largely reactive and that enforcement capacity was modest. Around the same time, one non-consensual deepfake video falsely depicting a popular actress – Parvati Patel – in an elevator in suggestive circumstances went viral, causing public outrage. Politicians across party lines demanded stronger laws against such abuse, highlighting the inadequacy of ad-hoc directives alone.

In the northern province of Hogwarts, a high-profile incident soon tested Indica's institutions in the context of electoral integrity. Hermione Amidala Potter, 34, a technologist-turned-politician, had emerged as a charismatic reform advocate. Founder of an AI ethics startup called Skywand Tech (based in Naboo province), Hermione had even testified before a committee of the Indican Parliament on algorithmic accountability. By late 2023, she was a rising public

figure known for championing women in STEM and ethical technology. In December 2023, the opposition Justice Alliance Party (JAP) named Hermione Potter as its candidate for the Third District constituency in the Naboo Legislative Assembly elections scheduled for June 2024. Her candidacy energized young voters and unsettled the ruling party's incumbents.

By April 2024, opinion polls showed Hermione closing the gap with her ruling-party rival. However, on the night of 4 May 2024, an anonymous HoloHoot account with the handle @SithSeeker77 posted a 23-second video that appeared to show Hermione deriding the leadership of JAP and making allegations of corruption against them. In the grainy clip, a scantily dressed woman closely resembling Hermione – with a voice sounding like hers – remarks how she will tremendously benefit monetarily from winning the elections. The hashtag #PotterExposed began trending within hours. Although a few tech-savvy observers quickly noted telltale glitches in the footage (such as unnatural eye-blinking and audio artifacts) indicating it was a deepfake, those warnings came too late. The fake video had already spread to countless users, racking up over 300,000 views across platforms.

At dawn on 5 May 2024, an embattled Hermione Potter addressed the media, solemnly denouncing the video as “an assault on the elections of the sacred institution of democracy..” Later that day, she lodged a formal complaint with the Naboo Cyber Police. The FIR she filed invoked Section 509 (word or gesture intended to insult a woman's modesty) and Section 469 (forgery for purpose of harming reputation) of the Indican Penal Code, along with Section 67A of the IT Act (punishment for transmitting sexually explicit material). Digital forensic experts at the Jedi Institute of Digital Forensics examined the clip and confirmed it was an AI-generated fake. They reported that the deepfake had likely been produced using a publicly available GAN (Generative Adversarial Network) model, trained on images of Hermione found online. In an interim report, the police noted that the video's dissemination involved at least 42 different accounts or nodes, many traced to proxy servers in foreign nations of Kessel and Tatooine.

Hermione's deepfake ordeal prompted swift reactions from oversight bodies. The NHRC expanded its ongoing inquiry to include the defamatory attack on Hermione. On 7 May 2024, the Commission sent an urgent notice to the Naboo state government demanding a status report on the investigation within 48 hours. It warned that a failure to protect the dignity of a female candidate during an election could amount to a grave human rights lapse. That same day, the NHRC's Chairperson, publicly condemned what she termed “cyber-patriarchy amplified by

generative AI.” She suggested that institutional negligence in preventing such gender-based cyber abuse might warrant recommendations for compensation to the victims.

The crisis also spurred the Election Commission of Indica (EC) into action. On 7 May 2024, the EC issued a special advisory to all political parties regarding deepfakes. It directed that any fake or manipulated videos targeting political opponents must be taken down within three hours of being notified, and cautioned that creating or circulating deceptive media could violate the Model Code of Conduct (MCC). The EC, however, acknowledged limitations: it lacked any dedicated forensic lab for deepfake detection and had to rely on online platforms and fact-checkers to flag offending content. Critics argued that this gap contributed to delays in rebutting the false video.

Major social media platforms did remove the offending video once it was flagged, but despite these takedowns Hermione’s team found it impossible to fully contain the smear. The deepfake video continued circulating in private WhatsChat groups and encrypted channels. At campaign rallies, Hermione’s volunteers reported hostile heckling from some attendees referencing the fabricated video. Her staff even had to scrub off obscene graffiti and doctored images that had been pasted over her campaign posters in certain areas. A psychological evaluation of Hermione by Dr. Poppy Pomfrey at St. Mungo’s Mind Clinic (Alderaan City) later documented that she was suffering acute stress disorder – experiencing nightmares, anxiety around cameras, and panic attacks before public events – symptoms similar to what young Lily had endured. The NHRC’s special panel took note of these events in an interim report to authorities.

Polling day arrived on 18 June 2024. Hermione Potter ultimately lost the Third District seat by a margin of 1,972 votes. While many factors influence an election, analysts debated the role of the deepfake episode in her defeat. Surveys conducted by Hermione’s party suggested that in more remote and rural precincts, a number of voters had believed the fake video to be genuine. In its post-election review, the Election Commission frankly admitted that countering misinformation during the campaign had been “reactive” rather than proactive. Observers pointed out that, in contrast, some U.S. states and European countries had already started implementing specific bans or disclosure requirements for deepfakes during elections – whereas Indica had yet to enact any comparable measure.

Through mid-2024, the investigations into both Lily’s and Hermione’s cases encountered obstacles. The cyber-police inquiry to unmask the person behind @SithSeeker77 (the account

that posted Hermione's video) made little progress. In August 2024, the investigating officer submitted an affidavit indicating that the police had issued Mutual Legal Assistance Treaty (MLAT) requests to the authorities in Kessel, but responses from that jurisdiction were notoriously slow (often taking six months or more). Meanwhile, Lily's parents were dismayed to find that mutated versions of her fake image continued to pop up on obscure internet forums – an illustration of the “hydra effect,” where each time illicit content is removed, it seems to reappear elsewhere in a new form.

The deepfake crisis also prompted reflections in the judiciary. In July 2024, the High Court of Indraprastha, while hearing an unrelated petition concerning online misinformation, commented on the evidentiary challenges posed by deepfakes. The High Court lamented the difficulty of tracing such forgeries and noted that the existing legal framework was struggling to keep pace with technological abuse. It granted a central government committee additional time to study the issue and recommend regulatory measures.

By late 2024, there were growing calls to address deepfakes through legislation. During the Parliament's monsoon session in September 2024, a Private Member's Bill titled the Synthetic Media (Safeguards) Bill was introduced, aiming to criminalize certain malicious deepfakes and strengthen institutional capacities. The proposal sparked debate: industry representatives cautioned that overbroad regulations might stifle innovation in AI, while women's rights groups and civil society activists highlighted survey data (for instance, a recent poll found that 1 in 4 female journalists had received deepfake threats) to underscore the urgent need for protections. Despite these debates, the Bill failed to advance and lapsed amid procedural delays.

Frustrated by this legislative inertia, the NHRC proceeded with its own fact-finding and recommendations. On 15 October 2024, the Commission adopted the final report of its Special Rapporteur Panel on AI-Enabled Image-Based Abuse. The 92-page report, which was submitted to the Union Government and tabled in Parliament, urged a series of concrete measures: (a) explicitly recognizing non-consensual deepfake pornography as a form of sexual violence under the law; (b) adding child-specific protections against AI-generated abuse in data protection rules (to strengthen the DPDP Act's safeguards for minors); (c) mandating that political advertisements disclose or watermark any synthetic content (to alert viewers to manipulated media during campaigns); and (d) establishing “rapid response cyber-cells” in every province to coordinate swift action on incidents like these. The Union Government formally “took note” of the NHRC's recommendations, but tangible action was limited. In

November 2024, the MEITY convened another roundtable with major tech platforms. At that meeting, the Minister reiterated the 24-hour takedown rule and warned of severe penalties (including platform bans) for non-compliance – yet no new law or binding regulation was announced.

On 27 November 2024, Hermione Amidala Potter and Lily (through her father as guardian) joined the NHRC in filing a writ petition before the Supreme Court of Indica. It took the lead as the chief petitioner, representing the broader public interest and the vulnerable classes affected. The petition alleged a systemic failure on the part of the State to safeguard citizens' fundamental rights in the face of AI-driven abuses. It argued that the unchecked spread of malicious deepfakes was infringing the rights to dignity, privacy, and gender equality (protected under Article 21 and related constitutional provisions), as well as undermining the right to free and fair elections (an aspect of Article 324 and the democratic process). The petition contended that various authorities – from law enforcement agencies to regulatory bodies – had not effectively discharged their duties, and that the absence of a clear legal framework for deepfakes was leaving victims without adequate remedy.

The Supreme Court admitted the petition on 5 December 2024. In the preliminary hearing, the Chief Justice of Indica remarked that “technological abuse of this kind raises novel constitutional questions”, and observed that the matter required urgent attention. After serving notices to the relevant parties, the Court framed the following issues-

Issues Raised:

1. Whether the creation and circulation of sexually explicit AI-generated deepfake videos depicting women and minors violate their fundamental rights under the Constitution of Indica, specifically their rights to dignity, privacy, and personal liberty?
2. Whether the dissemination of false and misleading deepfake videos during electoral campaigns infringes the constitutional right of citizens to free and fair elections, and whether constitutional authorities have an obligation to proactively address and prevent such misinformation?
3. Whether the current legal and regulatory framework in Indica is sufficient to effectively prevent and respond to the harms caused by AI-generated deepfake content, and whether

relevant authorities and online platforms have adequately fulfilled their statutory and constitutional obligations?

4. Whether the lack of a specific regulatory mechanism addressing AI-generated deepfake technology constitutes a failure of the State's constitutional duty to protect citizens, warranting judicial directions to establish appropriate legal or regulatory measures?



MOOT COURT COMMITTEE

Timeline of Key Events

- **12 May 2023:** Lily's deepfake video (non-consensual explicit content with her face) is first circulated among her school classmates via messaging apps.
- **17 May 2023:** National Human Rights Commission (NHRC) takes suo motu cognizance of Lily's case after media reports. It issues notices to state and central authorities and online platforms, citing the duty to protect children's dignity online. (NHRC also sets up a Special Rapporteur Panel on AI harms to children, with a six-month timeline for recommendations.)
- **Oct 2023:** Despite investigations and cross-border requests, Lily's case sees no progress in identifying the perpetrator; the FIR remains against "unknown persons."
- **8 Nov 2023:** MEITY issues a 24-hour takedown order to social media platforms for any reported deepfake content, threatening loss of safe-harbour protection for non-compliance.
- **Nov 2023:** A deepfake of popular actress R. Malhotra (falsely showing her in a compromising scenario) goes viral, sparking public outrage and bipartisan calls for stricter laws against image-based sexual abuse.
- **Dec 2023:** Hermione A. Potter (AI entrepreneur and women-in-STEM advocate) is announced as the opposition party candidate for Theed North in the Naboo Assembly elections set for June 2024.
- **4 May 2024:** A deepfake video targeting Hermione Potter is released by an anonymous HoloHoot account (@SithSeeker77) and spreads virally online (trending under #PotterExposed).
- **6 May 2024:** Digital forensics (Jedi Institute lab) confirm the video is AI-synthesized using a GAN model. Police trace at least 42 dissemination points for the clip, many through overseas proxy servers (e.g. in Tatooine).
- **7 May 2024:** Election Commission of Indica issues an advisory to political parties about deepfakes: any deepfake targeting candidates must be removed within 3 hours of notice; creating or sharing such content is declared a violation of the electoral Model Code of Conduct.
- **18 June 2024:** Hermione narrowly loses her election (by ~1,972 votes). Post-election analysis by her party indicates the fake video influenced some voters, especially in rural areas. The EC's post-poll report acknowledges that its counter-disinformation efforts were largely "reactive."

- **Sep 2024:** A Private Member's Synthetic Media (Safeguards) Bill is introduced in Parliament to address malicious deepfakes. The bill is debated but ultimately lapses amid legislative logjam and lack of consensus.
- **15 Oct 2024:** NHRC releases its Special Rapporteur Panel report on AI-Enabled Image-Based Abuse. Key recommendations include classifying deepfake pornography as sexual violence under law, adding child-oriented AI safeguards in data protection rules, requiring watermarks/disclosures on AI-altered political content, and creating rapid-response cyber units in each province.
- **Nov 2024:** The IT Ministry holds a follow-up meeting with social media companies. The Minister reiterates the 24-hour removal rule for harmful content and warns of severe penalties (even platform bans) for failures, but no new law or binding regulation is enacted.
- **27 Nov 2024:** Hermione Potter, Lily (through her father), and the NHRC collectively file a writ petition in the Supreme Court of Indica, alleging that the lack of effective measures against deepfakes violates fundamental rights.
- **5 Dec 2024:** The Supreme Court admits the petition. The Court issues notice to the government and observes that the case raises urgent and unprecedented constitutional issues regarding technology and fundamental rights.
- The writ petition is currently pending final adjudication before the Supreme Court of Indica.

Note: *In the present moot problem, set in the fictional jurisdiction of Indica, the applicable legal framework is pari materia to Indian law.*

MOOT COURT COMMITTEE

Annexure I — Psychological Assessment Report (Lily Kenobi)

ST MUNGO’S MIND CLINIC, ALDERAAN CITY

Date: 22 May 2023

Ref: SMC/NEURO/23-645

Patient: Ms Lily Kenobi, Age 14, Student, Padawan High School

Chief Complaint(s): Persistent nightmares, social withdrawal, acute embarrassment since viral circulation of non-consensual AI-generated pornographic video on 12 May 2023.

Findings: Patient exhibits (i) marked anxiety on exposure to digital devices; (ii) avoidance of school; (iii) intrusive flashbacks of the fabricated imagery; (iv) elevated cortisol markers.

Diagnosis: Acute Stress Disorder (ICD-11 6B40)

Causal Link: Symptoms temporally and psychologically traceable to deepfake dissemination.

Opinion: The non-consensual sexual deepfake constitutes “image-based sexual abuse”, a known precipitant of post-traumatic stress in adolescents*.

MOOT COURT COMMITTEE

[Digitally signed]

Dr Poppy Organa, Consultant Psychiatrist

Annexure II — Psychological Assessment Report (Hermione Amidala Potter)

JEDI INSTITUTE OF BEHAVIOURAL SCIENCES, NABOO

Date: 11 May 2024

Ref: JIBS/24-357

Patient: Hermione Amidala Potter, Age 34, Candidate – Naboo Assembly

Findings: Subject demonstrates (a) insomnia with recurrent nightmares of the deepfake; (b) heightened startle reflex to camera flashes; (c) panic attacks prior to public rallies; (d) significant reputational fear.

Opinion: Symptoms satisfy DSM-5 criteria for Acute Stress Disorder; likely to crystallise into PTSD absent speedy vindication.

Recommendation: Structured CBT, public repudiation of the video, and legal redress to restore sense of control and dignity.

[Signed]

Qui-Gon Jin, PhD, Clinical Psychologist

MOOT COURT COMMITTEE

Annexure III - NHRC- Suo-Motu Proceedings & Interim Directions

NATIONAL HUMAN RIGHTS COMMISSION OF INDIA

File No.: NHRC/Suo-Motu/06/2023-AI

Proceedings Dated: 17 May 2023

Re: Viral circulation of AI-generated child-sexual-abuse video of Ms Lily Kenobi.

Orders:

1. Alderaan Province directed to file Action-Taken Report within 15 days.
2. Union Home Ministry to convene inter-state cyber-police task-force on AI-CSAM.
3. All social-media intermediaries directed to submit protocols for deepfake detection of minors within 30 days.
4. Special Rapporteur Panel on “AI Harms to Children” appointed; report due 30 Sep 2023.

[Signed /-]

MOOT COURT COMMITTEE

Justice Mace Windu (Retd.), Chairperson

Note to the Participants:-

1. The proposition is drafted by Mr. Aaditya Vikram Sharma, Assistant Professor (Sr.), VSLLS, VIPS-TC, New Delhi. Contacting the drafter or drafting committee will lead to **immediate disqualification**.
2. Participants must engage in rigorous research, critical analysis, and clear argumentation. Use *pari materia* Indian laws and relevant international law where the fictional law is silent.
3. All characters, events, and institutions are fictitious and for academic use only.
4. Do not assume facts beyond the proposition; clarifications will be allowed via official channels.
5. Plagiarism and any sort of malpractice or violation of rules shall lead to disqualification.

Contact Us!

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MOOT COURT COMMITTEE

Good Luck!