

SAARC MOOT COURT COMPETITION



ORGANISED BY
INDIAN INSTITUTE OF LEGAL STUDIES
SILIGURI, P.O.: MATIGARA, DIST.: DARJEELING, WEST BENGAL, INDIA



25TH - 27TH OF FEBRUARY, 2016

IN MEMORY OF
JUSTICE ANUP DEB

ABOUT THE INSTITUTE

The Indian Institute of Legal Studies is situated in the foothills of the picturesque Himalayas in the Terai-Dooars confluence bestowing it with natural landscape, sharing boundaries with three SAARC nations, namely, Bangladesh, Bhutan, and Nepal. The Indian Institute of Legal Studies is affiliated to the University of North Bengal and recognized by the Bar Council of India and the University Grants Commission. The Institute offers law programmes for both 3 years LL.B. and 5 years integrated courses in B.A. LL.B., B.Com. LL.B. and BBA LL.B.

The management believes that sharing of knowledge is most important in the learning process. The College aspires to establish connectivity with Foreign Universities and also National Law Universities and many more. It is an honour for us to inform you that towards fulfilling our goal for associating ourselves with reputed institution of India, we have signed a Memorandum of Understanding with the Country's leading law school National Law School of India University, Bangalore. This association got its final shape by way of a written memorandum executed between ILS and NLSIU. In terms of the understanding which provides for exchange programmes for students and faculties with the view to expose the students and faculty to each other so as to enrich themselves with the experience, wisdom and knowledge offered by the other. Apart from student and faculty exchange, ILS has got the opportunity to offer and impart various other Post-graduate courses in law at the Institute which also include research programmes in Law. The Indian Institute of Legal Studies can be lauded for its connectivity by rail, air and road transport for its proximity to Bagdogra Airport (about 8 Kms), nearest broad-gauge railway station – Siliguri Junction (4 kms) and New Jalpaiguri Station (about 10 Kms).

ABOUT JUSTICE ANUP DEB

We are privileged to announce SAARC Moot Court Competition in memory of versatile personality Justice Anup Deb. He was born on 2.1.1943. Justice Anup Deb was enrolled as an Advocate with Bar Council of West Bengal on 28.11.1972 and designated as Senior Advocate by Calcutta High Court on 5.5.1983. He practiced in Civil, Criminal, Constitutional, Taxation and service matters in Sikkim and Calcutta High Courts.

Justice Anup Deb practiced in the Central Administrative Tribunal and the Supreme Court of India. He was appointed as permanent Judge of the Sikkim High Court on 16.12.1994. Thereafter, he was transferred to Gauhati High Court on 9.2.1995 and then transferred to Orissa High Court on 2.4.1996. Thereafter, he was appointed as Acting Chief Justice of Sikkim High Court on 27.12.1997.

He was a member of the Supreme Court and Calcutta High Court Bar Association. He was also empanelled as an Advocate of the West Bengal Government. Justice Deb was the Executive Chairman of the Sikkim State Legal Services Authority. He also served as the President of the Consumer Redressal Forum and the Chairman of State Human Rights Committees. He left for the holy abode on 12.03.2002.

MESSAGE FROM THE CHAIRMAN

Indian Institute of Legal Studies, Siliguri, is established with the objective of being the global leader of excellence in legal education through a combination of passion and compassion and molding students into lawyers capable of affecting social, economic and political development by fortifying the legal system.

I take this opportunity to invite your esteemed institution to be a part of the *SAARC Moot Court Competition, 2016* and take away the same values and skills, those transform lawyers into agents of social change.

My best wishes are with the participants.

Joyjit Choudhury,
Chairman, ILS

MESSAGE FROM THE DIRECTOR

The Indian Institute of Legal Studies is built on the tradition of knowledge acquiring and knowledge sharing. Additionally, our students further developed through extra-curricular and co- curricular activities that develop the students' practical interest in law. Also, to promote practical Law School training, we insist on activities such as moot courts and debating and to develop their drafting and pleading skills.

This moot court competition is yet another endeavor to expose our students to better levels of competition and talent across the nation.

I wish the students the best of luck.

Dr. T.K. Chatterjee,
Director, IILS

INVITATION LETTER

To

The Director/Principal/Head of the Department.

Subject: Invitation for Participation in SAARC Moot Court Competition 2016

Respected Sir/Madam

Indian Institute of Legal Studies, Siliguri cordially invites your esteemed institution to participate in the *SAARC Moot Court Competition 2016*, scheduled to be held from 25th to 27th of February, 2016 in the college premises. Indian Institute of Legal Studies, Siliguri firmly believes in the holistic development of students through moots and other co-curricular activities.

We would like to invite your prestigious institution to participate in this particular moot court competition and contribute to make it a great success. Accommodation and local hospitality will be provided to each and every team for the duration of the moot court competition.

We look forward from your esteemed institution.

Thanking you

With Regards

Dr. T. K. Chatterjee,

Director, IILS

RULES AND REGULATIONS

The following are the Rules and Regulations for the *SAARC Moot Court Competition* to be organized at the Indian Institute of Legal Studies, Siliguri from 25th to 27th of February, 2016.

For the purpose of these rules, the following terms shall mean:

(1)“Competition” means the *SAARC Moot Court Competition* organized by the Indian Institute of Legal Studies, Siliguri.

(2)“Judge” means a person appointed to adjudicate/evaluate a participating team’s memorial or oral submissions.

(3)“Memorial” means the written pleadings of each participating team, written and submitted pursuant to these rules.

(4)“Organizers” means Indian Institute of Legal Studies, Siliguri.

(5) “Participating Institution” means the Law College/University/ Department of the participating team.

(6)“Participating Team” means the team which is eligible as per the Rules from hereunder and has registered itself for the competition as per **Rule B** mentioned below.

(7) “Penalty” means any penal measure in case of violation of any rule.

It should be duly noted that:

(1) These rules are only inclusive and not exhaustive. If there is any situation which is not contemplated in the Rules and Regulations, the Organizers decision on the same shall be final.

(2)The Organizers reserve the right to vary, alter, modify, or repeal any of the rules if so required and as they may deem appropriate.

(3) The Organizers decision as regards to the interpretation of Official Rules and Regulations or any other matter related to the competition shall be final.

(4) Imposition of penalties including disqualification rests solely with the Organizers in case of failure to comply with the rule(s) or deadline(s).

(5) The Organizers reserve the right to take appropriate action against any participating team for any unethical, unprofessional and immoral conduct.

(6) The **Team-ID** issued to each participating team as per **Rule B.3** shall be their sole source of identity throughout the competition.

(7) The Participating Teams shall report to the Registration Desk on 25th February,2016, on or before 14:00 IST.

IMPORTANT DATES

LAST DATE FOR ONLINE REGISTRATION	15 th January, 2016
LAST DATE FOR SUBMISSION OF HARD COPY OF REGISTRATION FORM & DEMAND DRAFT	20 th January, 2016
ASSIGNMENT OF TEAM IDS BY ORGANIZERS	23 th January, 2016
LAST DATE TO SUBMIT SOFT COPIES OF MEMORIALS	7 th February, 2016
LAST DATE TO SUBMIT SOFT COPIES OF MEMORIALS WITH PENALTIES	9 th February, 2016
LAST DATE TO SUBMIT HARD COPIES OF MEMORIALS	16 th February, 2016
REGISTRATION AT THE COMPETITION	25 th February, 2016
ORAL ROUNDS AND RESEARCHERS' TESTS	25 th -27 th February, 2016

A. GENERAL

1. Indian Institute of Legal Studies shall be organizing the *SAARC Moot Court Competition* from 25th - 27th of February, 2016.
2. The official working language of the competition would be English.
3. Bona-fide law students pursuing either **LL.B.** (3-year or 5-year integrated) or **LL.M.** or any other equivalent law programme, from any law College/Department/University amongst the member nations of South Asian Association for Regional Cooperation (SAARC) registered under their respective Bar Councils, are eligible to participate.
4. Each participating team shall comprise of **three (3) members** only, consisting of **two (2) speakers** and **one (1) researcher**. Any additional member shall not be entitled to hospitality or certification. However, a team may comprise of only two (2) members, where one of the members has to act as both the researcher as well as the speaker.
5. Every Participating institution shall register only **one (1) team**.

B. REGISTRATION

1. All interested teams are required to register themselves by sending an e-mail to *iilsmootsociety@gmail.com* latest by 15th January, 2016 along with the scanned copy of the Registration Form and the scanned copy of the Demand Draft of Rs. 2000 [Indian Teams] and Rs. 4000(INR) [Teams from member SAARC nations] drawn in favour of *Indian Institute of Legal Studies*, payable at Siliguri. The subject should read as “*Registration for SAARC Moot Court Competition*”.

2. The Teams shall post the hard copies of the filled registration form along with the original demand draft to the college address latest by 20th January, 2016 at: *Indian Institute of Legal Studies, Dagapur, Siliguri, Post Office-Matigara, District-Darjeeling, West Bengal, India, Pin Code -734010, Phone: +91-353-2574013*

3. On successful completion, a *Team-ID* would be communicated. This Team-ID issued to each participating team shall be their sole source of identity throughout the competition.

C. COMPETITION: ORAL ROUNDS AND RESEARCHER TEST

1. All participating teams, registered for the competition are required to submit their memorials as per **Rule D**.

2. The Oral Rounds of the *SAARC Moot Court Competition* shall take place at the campus of Indian Institute of Legal Studies, Siliguri.

3. The dress code for the participants for the Oral Rounds shall be Western formals for gentlemen and Western formals for ladies and must comprise of the normally accepted attire for Moot Court Competitions.

4. The teams shall make their own arrangements to comply with **Rule C.3**.

5. There shall be a Draw of Lots and Exchange of Memorials before each Oral Round. The Teams are not supposed to put any mark on the exchanged Memorial. The Teams shall return back the exchanged Memorial to the Court Officer after each Oral Round.

6. The teams are allowed to use a compendium of cases and other materials referred to in the memorials in the competition, provided the compendium should not disclose the identity of the Participating Institution or the names of the participants in any manner whatsoever.

7. Every team shall make oral submissions for the Prosecutor and the Defendant in two (2) separate **Preliminary Rounds**, respectively.

8. Eight (8) teams shall advance to the **Quarter-finals**. The memorial score shall be added to the oral score to credit qualification.

9. The team qualifying for the **Quarter-Finals** shall make oral submissions either for the Prosecutor or the Defendant depending upon the draw of lots. A

team will qualify if their oral score is greater than that of the opposing team. In case the oral scores of the two teams are the same, the memorial score shall be added to the oral score to credit qualification. The winning team shall qualify for the **Semi-Final** Rounds.

10. During the **Semi-Finals**, a team will qualify if their oral score is greater than that of the opposing team. In case the oral scores of the two teams are the same, the memorial score shall be added to the oral score for qualification to the final.

11. Two (2) teams shall qualify to the **Final**. The team with the higher oral score shall be declared as the *Winning Team*. The team with the lower oral shall be declared as the *Runners-Up Team* of the competition. In case the oral score of the two teams is the same, the memorial score shall be added to the oral score for such declaration.

12. Each team will have a maximum of **20 minutes** to present their Oral Submissions during the Preliminary Rounds, **30 minutes** during the Quarter-Finals, **35 minutes** during the Semi-Finals and **45 minutes** during the Final. This will include the time that each team may want to reserve for their Rebuttal / Sur-rebuttal (which should not be more than **5 minutes** for any round).

13. No speaker will be permitted to address the Court for more than **13 minutes** during the Preliminary Rounds including Rebuttal / Sur-rebuttal, **20 minutes** during the Quarter-Final including Rebuttal / Sur-rebuttal, **25 minutes** during the Semi-Finals including Rebuttal / Sur-rebuttal and **30 minutes** during the Final.

14. At the commencement of each Round, each team must notify the Court Officer as to the division of time between the two (2) speakers and the amount of time that the team reserves for their Rebuttal / Sur-rebuttal. A maximum of 5 minutes can be reserved for the Rebuttal / Sur-rebuttal.

15. Granting of additional time would be on the discretion of the Judges. Exceeding the time limit after the grant of additional time by the judges shall attract penalty on the discretion of the Judge. The time would be noted down by the Court Officer and in the absence of express instruction from the Judges, the Court Officer would not presume that any extra time has been granted by the Judges, hence it becomes the duty of the speaker to request the Judges for extra time if the speaker wishes to continue to speak after the completion of the allotted time.

16. All team members shall refrain from wearing, using or carrying in any form, any identifying items, such as badges, blazers, pins or any other identifying material(s) such as a books / bags with a College / Department / University / Library logo or seal during the competition.

17. All Participants are expected to strictly maintain decorum in the Court Room during the competition and are expected to conduct themselves in a manner befitting the legal profession.

18. All research, writing and editing must be solely the product of the members of the participating team. Persons other than the members of the participating

team are not permitted to research on the Statement of Problem of the competition or to provide any other kind of assistance to the participating members.

19. During the course of oral submissions, the participants cannot submit to the court any material containing pictorial representation whatsoever. Further the participants will not be permitted to make any audio / visual representation nor will they be allowed to use personal computers, laptops and any other electronic device during their oral submissions.

20. If at any instance a submission is made with any material in violation to **Rule C.19** and if any picture, sketches, photos, cartoons, caricatures, audio film, video film, projector-slide or a computer generated image is submitted or presented to court, the teams shall be subject to strict penalty including disqualification.

21. No member of any team or any individual connected with any team shall be permitted to hear the oral submissions in any court room in which that team is not one of the contesting teams whilst that team is still in the competition. The Organizers shall take strict action, including disqualification from the competition, against any team found to be scouting through a team member or through any other means.

MARKING CRITERIA FOR ORAL SUBMISSIONS

1. Each Judge will mark an individual speaker on a total of 100 marks.
2. The Round Total will be the aggregate of the total of the two (2) speakers.
3. The following will be the Marking Criteria and the Marks Allocated to compute the Round Total for each team:

Sl. No.	Marking Criteria	Marks
1.	Knowledge and Application of Relevant Law	20
2.	Interpretation and Application of Facts	20
3.	Ingenuity and Ability to Answer Questions	10
4.	Evidence of Original Thought	10
5.	Organization and Flow of Arguments	10
6.	Style, Poise, Courtesy and Demeanor	10
7.	Reference to Memorials in the course of Arguments	10
8.	Time Management	10
Total		100

4. The decision of the judges as to the marks allotted to any team shall be final.

RESEARCHERS' TEST

A written Researchers' Test to adjudge the Best Researcher shall be conducted.

D. MEMORIALS

1. Last day for the submission of soft copies of memorials without penalty is 7th February, 2016. Late submission of the memorials will attract a **two (2) marks penalty** per day. No memorial shall be accepted after 9th Feb, 2016 (**23:59 IST**).

2. Last day for the submission of hard copies of memorials is 16th February, 2016. A total number of 16 copies of memorials have to be submitted. (8 from each side) It should reach at the following address:

Indian Institute of Legal Studies, Dagapur, Siliguri, Post Office-Matigara, District-Darjeeling, West Bengal, India, Pin Code -734010, Phone: +91-353-2574013

3. All participating teams must submit memorials for both Prosecutor and Defendant for the Statement of Problem.

4. All participating teams must submit typed memorials fulfilling the following specifications:

(i) The memorials shall contain the following:

a) Cover Page

b) Table of Contents

c) Index of Authority

d) Statement of Jurisdiction

- e) Statement of Facts
- f) Issues Involved
- g) Summary of Arguments
- h) Body of Arguments
- i) Prayer

(ii) The **Team ID** (Refer **Rule B.3**) should be clearly mentioned on the **top right corner** of the Cover Page in the following manner:

Suppose the Team ID allotted is **RG 27**, then it should appear as **RG 27_P** on the Prosecutor's Memorial and as **RG 27_D** on the Defendant's Memorial.

The Cover Page, along with the Team ID shall essentially consist of:

- a) The name and place of the forum
- b) The relevant legal provision for filing the suit/petition
- c) Name of the parties and their standing (Prosecutor or Defendant)
- d) Memorial filed on behalf of...
- e) Counsel appearing on behalf of...

(iii) The memorial shall not exceed **forty (40) pages**, including the Body of Arguments, which shall not be more than **twenty-five (25) pages**.

(iv)The memorials shall be typed on **A4 size pages** in Font type: **Times New Roman, Font Size: 12, Line spacing: 1.5** and **1 inch margin** on each side. **Footnotes** should be in Font type: **Times New Roman, Font Size: 10** and **Line spacing: 1**. Use of Uniform mode of citation is recommended. There shall be proper page numbering and paragraph numbering.

(v) The memorials shall not contain any Annexure / Photographs / Sketches / Exhibits / Affidavit etc. Violation of the said provision will entail immediate disqualification from the competition.

(vi)The identity of the Participating Institution or the names of the participants if revealed in the memorials in any manner would amount to disqualification.

(vii) The Cover Page of the Memorial from the side of the Prosecutor shall be Blue in color and from the side of the Defendant shall be Red in color. The Memorial shall be spiral bound.

MARKING CRITERIA FOR THE MEMORIALS

1. Every participating team shall be marked on a total of 100 marks. There shall be separate marking for the Prosecutor and Defendant memorials.

2. The following shall be the marking criteria and the allocation of marks to each category:

Sr.No.	Marking Criteria	Marks
1.	Knowledge and Application of Facts and Law	25
2.	Depth and Quality of Research	25
3.	Proper and Articulate Analysis	20
4.	Clarity and Organization	10
5.	Citation of Authorities and Referencing	10
6.	Grammar and Style	10
Total		100

E. AWARDS

1. The following awards along with cash prize shall be presented:

i. Winning Team: Rs. 40,000 and the "Winners' Trophy".

ii. Runners-Up Team: Rs. 20,000 and the "Runners-Up Trophy".

iii. Best Memorial: Rs.5,000 and the "Best Memorial Trophy".

iv. Best Speaker: Rs. 5,000 and the "Best Speaker Trophy".

v. Best Researcher: Rs. 5,000 and the "Best Researcher Trophy".

2. In addition to the above awards, a certificate of participation will be given to all the teams participating in the competition.

F. COPYRIGHT

1. The copyright over the memorials submitted for the purpose of the competition shall be deemed to be assigned by the participants and the Participating Institution completely and fully with the Organizers. The participants shall certify in writing the originality of materials contained therein and shall be responsible for any claim or dispute arising out of the further use and exhibition of these materials.

2. Further use and exhibition of these materials, electronically or otherwise, shall be the exclusive right of the Organizers and they shall not be responsible for any liability to any person for any loss caused by errors or omissions in the collection of information, or for the accuracy, completeness, or adequacy of the information contained in these materials.

G. HOSPITALITY

1. Accommodation to all participants (Refer **Rule A.4**) shall be provided by the Organizers from the 25th February (12:00 IST), 2016 to 28th February, 2016 (12:00 IST). Teams wishing to stay back later than the above date and time shall make arrangements for accommodation on their own.

H. CLARIFICATIONS

1. Clarifications regarding matters other than the moot proposition may be sought from the Organizers.

2. Teams may request clarifications regarding the Official Rules of the competition via e-mail to *iilsmootsociety@gmail.com*. The subject of such e-mails must read ***Request for clarification.***

I. OFFICIAL COMMUNICATION

Email at: *iilsmootsociety@gmail.com*

Mrs. Trishna Gurung(Convener- Moot Court Society)

----- Names and phone No. of Contact Persons -----

1. Mr. Priyank Jagawanshi +91-9832970452 (Faculty In-charge)
2. Rahul Kedia +91-9832657444 (Student Convener)
3. Abhishek Singh +91-9734177736 (Student Co-Convener)
4. Souvik Chatterjee +91-8101252646 (Student Co-Convener)
5. Shivam Shiddharth Singh +91- 8172095668(Student Co-Convener)

MOOT PROBLEM

INTERNATIONAL CRIMINAL COURT, THE HAGUE

BEFORE THE TRIAL CHAMBER

CASE NO. 69 OF 2016

The Prosecutor v. Kivuos Luhar, et al

1. Pangaea is the largest continent comprising of over 80 states. Zogmai and Sonada are two independent land locked states sharing the common border on the continent of Pangaea. Zogmai lies to the south of Sonada. On the west, stands the gigantic Shivkhola Hills. Beyond it, lies the state of Tukhda, sharing the common border with the states of Zogmai and Sonada. The river of Teesta flows through Zogmai and Sonada and serves as border between Sonada and Tukhda. The inhabitants of this region along the river of Teesta are the followers of the Dothrak religion. The Dothrakis cremate their dead in the gardens of the Bhupi temples.

2. The Dothrakis were known for their diamonds. In the lieu of trade, the Xaroian traders arrived from the continent of Relling in the 15th century. The Xaroian achieved great success and with the march of time, established their dominance over the Dothrakis. They believed in the 'many-faced' God and buried their dear departed. They started proselytizing the Dothrakis. The

converted Dothrakis were free to pray in their own dialect in the sacred community halls.

3. As per the historical records, the Bawlis were the supreme tribe in Central Pangaea. But, persistent wars amongst the groups of the tribes led to its decline. At present, they are confined to the mountainous terrains of the states of Tukhda, Zogmai and Sonada. The Bawlis are the followers of Bawliism. They are the descendants of the great Sourupan race that once ruled over the entire continent of Pangaea.

4. The supremacy of the Xaroian sovereignty was firmly established in due course of time. The regal administration touched its peak. The entire territory was arbitrarily divided into three administrative districts which showed resemblance to the present territories of Tukhda, Zogmai and Sonada. For the sake of administrative convenience, the Xaroians turned a blind eye to the principle of integrity of the tribes leading to the disunion of these tribes. However, this turned out to be a blessing in disguise for the Xaroians as the Bawlis of Tukhda bestowed ready support to them. The Bawlis of Tukhda looked at it as an opportunity as they had an age-old rivalry with the tribes of Zogmai and Sonada. The Bawlis of Tukhda considered the Bawlis of Zogmai responsible for the downfall of the Sourupan Empire. The high conversion of those tribes to the Xaroian religion added salt to injury. However, after being ruled upon by the Xaroians for over five centuries, a wave of nationalism united them. Finally on 26 January, 2000 the Xaroian Empire broke into three independent countries.

5. Rhenock is the neighbouring country of Xaro. Rhenock is blessed with natural minerals and ores. The country was well known for its production of

coal. It has established many coal-mining companies in and around the world. One of the major players of coal mining industry was the Woolwich Coal Mining Company whose head-quarters are situated in the capital of Rhenock. This multi-national company had been operating around the globe. Among others, it has established itself as a dominant player in many parts of Tukhda and on the western borders of Zogmai and Sonada. The establishment of this company in this region has proved to be beneficial for the Bawli highlanders to a greater extent as the workforce were mostly drawn from the hilly mining region.

6. The Xaroian influence led to the introduction of democracy in the three Pangaeian nations. The democratic experiment in Zogmai led to the rise of three major political fronts on religious lines. It gave birth to a tripartite system comprising of the Xaroian prepotent People's Socialists Alliance (PSA), the Bawli influenced Democratic Congress Party (DCP) and the Dothrak dominated Social Democrats. However, the country practiced the principles of secularism and social tolerance which resulted in the formation of stable governments. On the contrary, the democratic experiment in Sonada proved otherwise. The political religious parties were unable to foster a stable government. Finally, in 2004, the nation witnessed a revolution. The army stepped in and took over the operations of the Government. It was decided that one-third members of the Parliament should comprise of Army nominees and the rest to be elected by open elections, and that the Prime Minister should also be nominated from the army. On the other hand, Tukhda witnessed three successive inconsistent coalition governments only to witness the same fate as Sonada. The army took over the governance of Tukhda in 2007 and it appointed a 15-member Revolutionary Council headed by the Army Chief.

7. Kehsihba Mavihs, born in the Pekka region of Zogmai, was a Xaroian Leader and an advocate of nationalization of all the mining activities in the nation. He was elected as the Prime Minister of Zogmai in the 2013 elections, on the coalition of the PSA and the DCP. He looked at the nation as an agricultural economy and considered nationalization as the sovereign remedy. Mavihs decided to take the first step towards nationalization through an ordinance. However, the President of the country, Kivuos Luhar, acting in contravention to the provisions laid down in the Constitution rejected the request of the Cabinet. It was rumoured that Luhar was an ultra-conservative Bawli. He was considered to have strong bonds with the Woolwich Company. Soon, the nation saw itself split in two different groups supporting the ideologies of the President and the Prime Minister respectively.

8. The state of affairs in Zogmai begin to retrograde. The nation moved towards what looked like a civil war. The Bawlis led by Luhar got utmost support of the neighbouring radical Bawli Leaders. The Prime Minister of Sonada, General Raknahj Atimorap, assisted the Bawli group of Zogmai by sneaking in arms, ammunitions and troops in civilian clothes. The Secretary of the Tukhda Revolutionary Council, General Lahsiv Raj considered this to be an act deserving appreciation. General Lahsiv was the active leader and promoter of the terrorist group, Zogmai Liberation Front (ZLF), who were responsible for regular attacks on the Xaroian strongholds along the borders of Zogmai. However, the Chief Colonel DC Keviv as well as the Government of Tukhda ensured that the operations of ZLF were not under their control.

9. The 25th day of August, 2014 portrayed the zenith of Luhar's power. Kehsihba Mavihs was on the way to meet his party members when his car was ambuscaded. He could not survive. The nation was taken aback. The Pro-Mavihs Xaroians believed that this was executed by the Pro-Luhar militants who had crossed the borders of Tukhda. This triggered the civil war to reach to its pinnacle. A national emergency was proclaimed by the President. Without a moment's thought, General Radam Idnar was appointed as the chief of the Zogmain armed forces by Luhar. He was believed to be a close confidant and a Bawli extremist. He was authorised to take all the necessary actions required to suppress the civil war and extirpate all the pro-Mavihs militancy by the official order of 28th August, 2014.

10. The former Home Minister of Zogmai, Nayas Mavihs was the brother of deceased Prime Minister. He stepped into the shoes of the Late Kehsihba Mavihs and took over the leadership of the Pro-Mavihs insurgents. He pledged to teach the President a terrific lesson with the help of a group of Xaroian fighters. He raided the cluster of nine villages in Chumta. The tribes of Chumta were believed to be the firm supporters of the President. The entire population of 15000 including women and children were beheaded. Even the UNESCO protected ancient Bawli temples were completely ruined.

11. Global Security Corp. (GSC), a private security company in Rhenock had contracts with the Zogmain Army to train the Special Armed Forces (SAF). Under the command of General Idnar, the SAF were led by Lt. General Tyrion Pega and partners of the GSC to mount an attack on the Xaroian villages of the Pekka region. The SAF also comprised of mutineers from the states of Sonada and Tukhda. The Pekka region was completely demolished by aerial

bombardments. The 12th century Fort of Dowhill, the esteemed institutions of education and the forests of Winterfell were eradicated forever by the use of Titan-108. All this depicted the urge to seek revenge. Nayas Mavihs, along with 150 of his supporters, somehow, managed to flee. A regiment of SAF led by Col. John Bolton, a partner in GSC, traced them down and killed them.

12. By the end of December, 2014, the civil war had taken away the lives of over a million in Zogmai. The majority of the victims were the Xaroians. Young Xaro boys were forced to convert and join the SAF. Xaro girls were kidnapped and were forced to cohabit with them so that they would bear Bawli children. Brutality crossed its limits as in some cases, the Xaroian children were forced to mutilate and murder their family members. Any hesitation would lead to death.

13. Eventually, the atrocities raised alarm at The United Nations. The UN Secretary-General received various official reports from his regional representatives. Acting under Article 99 of the UN Charter, the Secretary-General convened an emergency meeting of the Security Council. On the very first day of March, 2015, the Security Council finally acting under Chapter VII of the Charter, Resolution 1540, declared that a civil war existed in Zogmai and that; there have been commission of acts of genocide and crimes against humanity. All the parties to the conflict were commanded to abstain from any such atrocities. Further, a UN Peacekeeping Force for Zogmai (UNPFZ) was delegated to restore peace and security.

14. The Prosecutor of the International Criminal Court (ICC) carried out the investigation of the case in consonance with the Pre-Trial Chamber

proceedings. Arraignments were filed before the Pre-Trial Chamber against President Kivuos Luhar , General Radam Idnar, Col. John Bolton , Col. DC Keviv, and Lt. General Tyrion Pega on 28th October, 2015.

15. Zogmai is a party to the Statute of the International Criminal Court, and all other relevant treaties. A joint trial of all the accused persons is scheduled to commence at The Hague from 26th February, 2016. Meanwhile, the Apex Court of Zogmai has been moved for a writ of *mandamus* by the accused persons. They seek the Government of Zogmai to have them tried in the criminal courts of Zogmai. A law officer has been appointed by the Zogmain Apex Court to act as *amicus curiae* in the proceedings at The Hague.

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REGISTRATION FORM

NAME OF THE COLLEGE: _____

E MAIL ID OF THE MOOT COURT COMMITTEE: _____

SPEAKER 1: _____

NAME : _____

YEAR, COURSE: _____ GENDER: _____

EMAIL ID: _____

CONTACT NO: _____

SELF -ATTESTED
PHOTOGRAPH

SPEAKER 2: _____

NAME : _____

YEAR, COURSE: _____ GENDER: _____

EMAIL ID: _____

CONTACT NO: _____

SELF -ATTESTED
PHOTOGRAPH

RESEARCHER: _____

NAME : _____

YEAR, COURSE: _____ GENDER: _____

EMAIL ID: _____

CONTACT NO: _____

SELF-ATTESTED
PHOTOGRAPH

**THE SPEAKERS AND THE RESEARCHER ARE THE BONAFIDE STUDENTS OF THE COLLEGE.
(BY SENDING THIS REGISTRATION FORM, THE PARTICIPANTS AGREE TO COMPLY WITH THE
RULES OF THE COMPETITION)**

Signature & Seal of the Head of the Institution

TRAVEL PLAN

NAME OF THE COLLEGE: _____

SPEAKER 1:

1. Date of Arrival: _____

2. Mode (Train/Airways/Bus): _____

3. (Train/Airways/Bus) Number: _____

4. Time of arrival of Train/Airways/Bus: _____

5. Other Details (eg. Name of Airline, Bus Service etc.): _____

SPEAKER 2:

1. Date of Arrival: _____

2. Mode (Train/Airways/Bus): _____

3. (Train/Airways/Bus) Number: _____

4. Time of arrival of Train/Airways/Bus: _____

5. Other Details (eg. Name of Airline, Bus Service etc.): _____

RESEARCHER:

1. Date of Arrival: _____

2. Mode (Train/Airways/Bus): _____

3. (Train/Airways/Bus) Number: _____

4. Time of arrival of Train/Airways/Bus: _____

5. Other Details (eg. Name of Airline, Bus Service etc.): _____

TO BE EMAILED TO THE ORGANIZING COMMITTEE AT:

iilsmootsociety@gmail.com ON OR BEFORE: 15th January, 2016.

Signature & Seal of the Head of the Institution