



Moot- Court Competition

INDORE INSTITUTE OF LAW

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STRIVING FOR LEGAL EXCELLENCE

CHAPTER-VI

24th, 25th & 26th November



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THE REPUBLIC OF ZIOTHO

V.

SECRETARY OF THE EXTERNAL AND FOREIGN MINISTRY

THE REPUBLIC OF XIANG

Xiang and Ziotho are the two Asian countries separated by the Kikeka Mountain. Whereas the embassy of Xiang is situated in Ziotho in Sedli the capital of Ziotho. Xiang and Ziotho are sharing a border with each other and are surrounded by many other international countries. Xiang and Ziotho have major dispute in most of the area of the Walsh and Quokka. Whereas Walsh is situated in Ziotho and Quokka is situated in Xiang. However, Walsh is a region facing the Kikeka Mountain which is well-known for its diverse religious landscape. These two regions are having a great number of populations of the Bhaombri religion.

The Republic of Xiang and Ziotho are members of the United Nations and party to all the Conventions and Covenants of the Human Rights and Humanitarian Law. They are also a member of the SAARC Union and bound by all the agreements of the SAARC Union including the SAARC Charter of Human rights. It has a number of friendly countries across the world.

The Republic of Ziotho inspired by the popularity by its production of Saul trees which is very important for the Bhaombri religion. Both Republic countries have signed a treaty i.e. Socket Agreement 1946, for moving of the people of the Bhaombri religion of the country “Xiang” from “Quokka” region for the trade of the Saul trees which are situated in "Ziotho” in Walsh region. Whereas the believers of this religion tend to be conservative, the Bhaombrians insist that all aspects of the society, including politics, justice, economy, education, health, family etc., should be guided by the Bhaombri Commandments.

The Xiang Bhaombrians started coming to Ziotho, through multiple waves of displacement starting from the 1911 for Saul trees in Ziotho. Approximately 130,000 Xiang Bhaombrians came to the Ziotho region. For over 30 years now, the Xiang Bhaombrians have started taking an asylum in Ziotho in Walsh region and they have been living in protracted and precarious living conditions in Ziotho by the lacks of legal framework for the asylum. A non-



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signatory to the Convention on Refugees, the Ziotho government has granted them protection by recognizing the 1946 Socket Agreement, it was expected that a large number of Xiang Bhaombrians would repatriate to their country i.e. Xiang.

The people of Xiang have left Ziotho but on 20th October 1961 there has been an internal conflict in the Walsh with the government of Xiang, due to which the people who have not been deported to Xiang, they would return to their homes within two weeks. The continual need to flee to their homes was traumatic but nonetheless it becomes a part of their life. So the government of Ziotho have given the Asylum to the refugees who have come from Xiang for the religious purpose by the Xiang embassy.

The asylum which has been given it has turned into transportation of the people from the Xiang to the Ziotho because of the Bhaombrians religion which is in Ziotho also. Due to which there has been an internal conflicts between people of the Ziotho and Xiang Bhaombrians. The people of the Xiang has applied for the asylum in Ziotho after this conflict because after the internal conflicts in Xiang.

The government of Xiang have taken the plea that the people who are in Ziotho they are not the resident of Xiang because they have lived in the Ziotho for more than expected time even though they are of same race and Bhaombrians religion. The Ziotho Government, meanwhile, has been repeatedly and emphatically asserting its firm purpose not to allow, and has not allowed, the asylum to any officials and private citizens of Xiang to Ziotho territories. The peoples of Xiang country are living in Ziotho without the citizenship of Ziotho, which may cause economic and security loss to the Republic of Ziotho.

PREAMBLE



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The High treaty between the States of the Republic of Xiang and the State of Ziotho do hereby agree to enter the following agreement for the Saul trees for the promotion of the Bhaombri religion and other friendly relations between them as friendly States:

Article 1

The Government of Ziotho hereby agrees to share the passage with the Government of Xiang for the respect of the Saul trees allocated by the Government of Ziotho.

Article 2

The Government of Ziotho agrees that if there will be any problem in the passage, then they will give the asylum to the People of the Republic of Xiang.

Article 3

The Government of Ziotho will permit the passage to the peoples of the Government of Xiang and provide all protection to their citizens.

Article 4

The Government of Ziotho will not interfere in the internal affairs of the Government of Xiang and abide by the principles of International Law and the UN charter as a peace loving State.

Article 5

In case of any dispute relating to the passage and asylum or any other aspect as agreed by the parties from time to time, they agree to resolve the disputes peacefully and submit them to their own country's Apex Court.

Signed by the Secretary of the
External and Foreign Ministry
The Republic of Ziotho

Signed by the Secretary of the
External and Foreign Ministry
The Republic of Xiang



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1. All references, actual, deeming are fictional.
2. The Republic of Ziotho will be considered as India and all Indian laws/rules/regulations are similar and applicable to The Republic of Ziotho.
3. Participants are advised to devise a “litigation strategy”. The issues can be argued in alternative/without prejudice, which can be divided into sub-issues, **and can be added to or amended upon**. It is permissible to concede issue(s) at the time of oral arguments subject, however, to appropriate explanation readily available on the query of the bench. However, the written submissions must address all the issues.
4. Any citations, without actual para/page references, will invite negative marking. Unnecessary citations and *passim* references are to be avoided. In case of oral arguments, a primary reference for all case-laws being referred is **mandatory**.
5. The moot problem is the way it is, with full application of the principle of “*as is, there is...whatever where is*”. No queries or requests for clarifications will be entertained.
6. The moot problem is drafted by **MOOT COURT COMMITTEE OF INDORE INSTITUTE OF LAW**. All participating teams are restrained from communicating with any member of Moot court committee and faculty of Indore Institute of Law relation to moot problem and violation of same will lead to immediate disqualification.