



# KARNATAKA STATE LAW UNIVERSITY

Navanagar, Hubballi-580025

Accredited with "A" Grade by NAAC

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**Date:07.02.2018**


**The Fifth International Law Moot Court Competition  
23<sup>rd</sup> and 24<sup>th</sup> March 2018**

Dear Sir / Madam,

It is our great pleasure to inform you that the V International Law Moot Court Competition is scheduled on 23<sup>rd</sup> and 24<sup>th</sup> March 2018 at our Law University. We invite your esteemed institution to participate in the said competition. The moot court problem and detailed rules governing the competition are enclosed herewith for your perusal.

Warm regards and best wishes,

Yours sincerely

  
REGISTRAR



The Karnataka State Law University was established in 2009 with the avowed object of providing quality legal education in the state of Karnataka. It is only one of its kind and unparalleled in India. It is making all out efforts for the growth of legal education in Karnataka by including appropriate components to professionally orient the students. The University has catered to the needs and requirements of legal education bringing uniformity in methods of imparting education and conducting examinations across the State, providing appropriate optional courses for horizontal mobility. It is the single largest affiliating Law University in the country affiliating 101 law colleges spread over the entire State of Karnataka and operating its own Law School at the main campus in Hubballi.

Our vision is “To transform Karnataka State into a legally conscious society, by providing quality legal education that is professionally competent and socially relevant so as to realize the constitutional primordial goal of social, economic and political justice and secure human rights to every common man. Strive to promote the culture of law and justice in the institutions of state, non-state organisations and every individual by providing informal legal education, training and legal service. Above all, inculcate in every one a spirit of high moral and human values.” In this endeavor, the University is making all out efforts through academic and extension activities to realise the vision. The activities of the University are reinforced by its mission to *inter alia* strive for excellence in professional legal education and research and establish responsible institutions and produce altruistic individuals.

To provide a suitable environment wherein the law students can hone and chisel their professional skills, the KSLU has initiated an International Law Moot Court Competition. This year, the University is hosting the Fifth International Law Moot Court Competition on 23<sup>rd</sup> and 24<sup>th</sup> March 2018. The emphasis on international law is in keeping with the process of globalization wherein the world is perceived as a global village. Providing an appropriate platform for young law students across the country to come in contact, interact and understand each other is another incidental objective involved.



The University is located in the most sublime plains on the edges of Western Ghats almost at equidistance between the twin cities of Hubballi and Dharwad in Northern Karnataka. The place known for literary and cultural activities is also a renowned centre of learning. It can be reached by road, rail or air. By air one can reach Hubballi through Mumbai (Bombai) or Bengaluru (Bangalore). Alternatively one may reach Hubballi by road after landing at Belgaum or Bogmalo (Goa) airports. The climate during March will be slightly warm and we are confident that the visitors will cherish their visit to this place.

The teams are requested to inform us their travel plans so that our volunteers can receive them at the airport or the railway station. For any information or clarification mail to us at [ksluintlmoot@gmail.com](mailto:ksluintlmoot@gmail.com) or call any of the following faculty members:

Dr.Rajendrakumar Hittanagi, Assistant Professor : +91 9686150110

Mr.Sunil N. Bagade, Assistant Professor: +91 8105157284



## International Law Moot Court Competition

### Problem for the Competition\*

**The Republic of Gilead** is a Christian republic state with an established Constitution. Gilead's military establishment has played an influential role in mainstream politics throughout the nation's political history. In its 50 years of Independence it saw multiple military coups that resulted in the imposition of martial law and military commanders who governed as de facto presidents. The first successful democratic transition happened in the nation only 5 years back. Post the transition, the executive power of the State was vested with the national cabinet which was headed by the prime minister, who worked along with the bicameral parliament and the judicature. Though a democracy on paper numerous articles and opinion pieces in national and international publications report that the Military even after the democratic transition excised considerable influence in State politics and foreign relations. The population composition of Gilead consists of three major ethnic groups of Zionians, Atlantians and the Tardians. There has been a history of ethnic strife amongst these ethnic groups, the main cause being the alleged political and economic domination of the Zionians in Gilead's public affairs and the lack of federal autonomy of the two federal states of Atlantis and Tardis. Tensions between the three groups were continuous post Gilead's independence, with four instances of such tensions resulting in open conflict resulting in civilian casualties. Reports of the ruthless suppression of such upheavals by the Zionian dominated armed forces were extensively covered by the International media. In 2016, the Atlantian Democratic Party and the Tradis National Party, which were pushing for separate states for the past 4 year, declared that an independence referendum would be held both in Tradis and Atlantis. 90% of the voters in Atlantis and 94% of Tardis voted in favour of secession from Gilead. In January 21<sup>st</sup> 2018, the Atlantian and the Tradian Assemblies passed Acts regarding the independence of Atlantis and Tardis, unilaterally declaring its independence from Gilead. This was immediately followed by an announcement of the Gilead People's Army (GPA) which stated that Territorial defence forces of Atlantis, Tradis and Zion would be disbanded and a central defence system would be employed for the Republic. The GPA faced instant resistance from the Tardis and Atlantis Territorial Defence forces (TDF and ADF) in response to which an operation was launched by the GPA on January 27<sup>th</sup> to take control of TDF and ADF.

\* Moot problem prepared by Prof. (Dr.) M. K. Ramesh, Professor of Law, National Law School of India University, Bengaluru and Ms. Architha Narayanan, Teaching Associate, National Law School of India University, Bengaluru.



**The Republic of Gondour**, which shares its boundaries with the Republic of Gilead, is a federal parliamentary democratic republic, in which the President is the head of country and the Prime Minister is the head of the government. The Constitution, which is the supreme document of the nation provides for an independent judiciary, which is headed by the Supreme Court at the top, followed by High Courts and District courts. Gondour has had multiple longstanding disputes with the Republic of Gilead over territory and conflicting ideologies which have in the past resulted in three declared wars and multiple skirmishes. Currently, the relations still remain more or less hostile with occasional scuffles, despite numerous steps being taken of trying to improve them. Repeated attacks and cross border skirmishes have resulted in the relations still being frigid. Gilead generally allows civilian aircrafts to transit its airspace but prohibits flying within 60 miles of any of its major financial centres.

On January 25<sup>th</sup>, a GPA anti-aircraft missile brought down a Gondourian civil aircraft that had entered Atlantian (one of the major financial centres of Gilead) airspace. 5 Gondourian nationals aboard the aircraft lost their lives and 11 were captured in the territory of Atlantis by the GPA. One of the passengers aboard was Gondourian Airforce officer, Winston Smith. Those captured were imprisoned in the Atlantian National Prison. Officer Smith, after 1 month of trial was sentenced to death in a General Court Martial by a Military Court in the Republic of Gilead for espionage and aiding the civil unrest in Gilead. Meanwhile, the conflict between the GPA and the TDF and ADF had escalated with military and civilian causality reported on both the sides.

Repeated attempts of seeking consular access to Officer Smith and other captured Gondourian nationals were denied by the Gileadian Government and the execution of Officer Smith was scheduled for the 20<sup>th</sup> of April. On April 15<sup>th</sup>, a rescue mission was launched by the Gondourian Defence Forces (GDF) to rescue Officer Winston Smith and the 10 Gondourian nationals, who were held at captive at the Atlantian National Prison. The mission was successful with those rescued returning to the Gondourian capital of Kaá, with 3 casualties on the Gileadian side ( 2 GPA soldiers and 1 prison guard) and one Gondourain officer that was part of the rescue team. It was later reported by Officer Smith and a Government Committee set up by the Gondourian Parliament that during his captivity, Officer Smith was subject to severe torture from the GPA. The GPA officials accused the Gondourian Government and the GDF of aiding the civil unrest in Gilead and tortured the



officer for information regarding TDF and ADF. In the meanwhile the civil unrest in Gilead still raged with escalated violence and causality.

The Gilead Government in May 2018 submitted the dispute to the International Court of Justice claiming that the Republic of Gondour was responsible for violating their sovereignty.

Both the States are members to the United Nations and are party to the:

- Vienna Convention on the Law of Treaties, 1969
- Vienna Convention on Diplomatic Relations of 1961
- Vienna Convention on Consular Relations of 1963

#### Legal Issues

- Does the International Court of Justice have the jurisdiction to entertain Gilead's application?
- Can the Republic of Gilead claim that its sovereignty was violated by the Gondourian civil aircraft?
- Is the action taken by the Gilead People's Army permissible under international law? Are the subsequent actions taken by the Republic of Gondour and Gondourian Defence Forces permissible use of force under international law?
- Are the actions taken by the Republic of Gilead in violation of the Vienna Convention on Consular Relations of 1963 and other international laws?

#### **Disclaimer:**

It is a hypothetical proposition and neither intends nor attempts to resemble any incident or any person living or dead. All materials in the problem are fictitious and do not intend to or attempt to hurt the feelings of any community or religion. Any resemblance to any incident or person is not intended but merely a coincidence.





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## Rules Governing the Moot Court Competition

### General

1. Teams from Law Colleges/ Law Universities recognized by the Bar Council of India are eligible to participate in the competition. Only 30 teams will be registered on first come first served basis.
2. Each participating team has to pay a **registration fee of Rs.3,000/-** (rupees three thousand only) through a demand draft drawn on any nationalized bank, in favour of the **Finance Officer, Karnataka State Law University, Hubballi.**
3. Each College may send a team consisting of three mooters (i.e., two speakers and a researcher).
4. Immediately after the inauguration lots will be drawn and fixtures for the Preliminary Round will be announced. Fixtures for subsequent Rounds will be announced fifteen minutes before the commencement of the Competition.
5. The Organizers will not defray the travelling expenses of the participating teams. However, the participants will be provided boarding and lodging on the days of the competition.
6. Law Colleges/Institutions willing to compete, shall confirm participation by **09<sup>th</sup> of March 2018.**
7. The Moot Problem, being the property of Karnataka State Law University, shall not be used by any Organization, College or Institution without the express written permission from Karnataka State Law University.
8. The enclosed Registration Form should be duly completed and returned on or before **09<sup>th</sup> of March 2018** by e-mail. Scanned copy of the registration form has to be e-mailed to the **email id: ksluintlmoot@gmail.com** and hard copy can be sent through post to the following address:

**The Director**

**Karnataka State Law University's Law School,**

**Navanagar, Hubballi -580025, Karnataka**

9. **The team of the Karnataka State Law University, if qualifies shall participate only up to quarter finals in the moot court competition.**
10. **The mooters shall be identified by their respective names and institutions.**



## Some Salient Features of the Moot Court Competition

1. The teams should take the facts of the case provided by the organizers as final and no clarifications shall be sought.
2. Each team shall submit written Memorials on behalf of both the parties to the case latest by **19<sup>th</sup> of March 2017**.
3. Each team shall be given 30 Minutes to advance its arguments or make submissions. Hence, each counsel shall have fifteen minutes only at his/her disposal.
4. Each team will be assessed for 100 marks in oral rounds. Memorials will be assessed for 50 marks separately. **Memorial marks will not be added to oral rounds to decide the qualifying team for the next round and finally, even to decide the winners and runners up.**
5. The Four stages in the Competition shall be: **First Round; Quarter Finals; Semi-Finals and Finals.**
  - (a) **First Round:** Every participating Team shall take part in the Preliminary Round as per the fixtures drawn and announced.
  - (b) **Quarter Finals:** Fifty percent of the teams appearing on behalf of the Applicant and fifty percent of the teams appearing on behalf of the Respondent shall, on the basis of the marks secured in the Preliminary Round, enter the Quarter Finals.
  - (c) **Semi-Finals:** Four out of the Teams participating in the Quarter Finals shall, on the basis of the marks secured therein, move on to the **Semi-Finals**.
  - (d) **Finals:** Two out of the Teams in the Semi- Finals shall, on the basis of the marks secured therein, enter the Finals.

## Rules Regarding Submission of Memorials

1. Each team has to submit two sets of memorials for both sides.
2. The Memorials should be typed in double space on one side of the papers.
3. The arguments should not exceed 15 pages (A-4 size). However, these 15 pages will not include the Cover page, Page of Content, Table of Authorities, Table of Cases, List of Abbreviations, Statement of Facts, Issues/Questions presented, Summary of the Arguments and Appendices.
4. The Memorials should be neatly bound and submitted.
5. The Memorials submitted will not be returned.

### **Dress Code:**

Participants shall be dressed in suit.

### **Prizes:**

Prizes will be awarded to: 1.Winners, 2.Runners-up, 3.Best Memorials, 4. Best Gentleman Advocate and 5.Best Lady Advocate.



**REGISTRATION FORM**

**The Fifth International Law Moot Court Competition  
23<sup>rd</sup> and 24<sup>th</sup> March 2018**

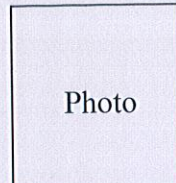
Name and address of the University/ Institution including e-mail and phone numbers:

1. Name of the Mooter:

Class:

Address:

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Phone No.:

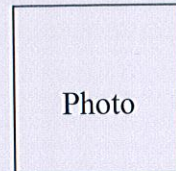
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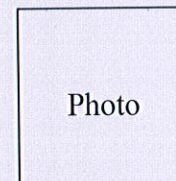
e-mail:

3. Name of the Researcher:

Class:

Address:

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Phone No.:

e-mail:

Signature and Seal of the Head of the Institution

\* Photographs should be attested by the Principal/Head of the concerned Institution.