

INTERNATIONAL COURT OF JUSTICE

COMPROMIS

BETWEEN

THE STATE OF SOMANJAI

(APPLICANT)

THE UNITED STATE OF AYUSHSTAVA

THE UNNITED KINGDOM OF BHAVESHSTAVA

THE STATE OF SAINI

(RESPONDENT)

**TO SUBMIT TO
THE INTERNATIONAL COURT OF JUSTICE
ON THE DIFFERENCES THEM CONCERNING
THE CESSATION OF HOSTILITIES & ILLEGAL ARMS TRADE**

Jointly notified to the Court on December 15, 2018

**POUR SOUMETTRE À
LA COUR INTERNATIONALE DE JUSTICE
SUR LES DIFFERENCES ENTRE ELEMENTS CONCERNANT
LA CESSATION DES HOSTILITÉS ET DU COMMERCE DES ARMES
ILLÉGALES**

Notifié conjointement à la Cour le 15 décembre 2018

JOINT NOTIFICATION

ADDRESSED TO THE REGISTRAR OF THE COURT:

The Hague, 15 December, 2018

On behalf of the State of Somanjai, Ayushstava & Bhaveshstava ("the Applicant"), the State of Saini ("the Respondent"), in accordance with Article 40 (1) of the Statute of the International Court of Justice, we have the honour to transmit to you an original of the Compromis for submission to the International Court of Justice of the Differences Concerning the Cessation of hostilities and illegal arms trade signed in The Hague, The Netherlands, on the Tenth day of February in the year Two Thousand and Eighteen.

Ambassador

Of the State of Saini
To the Kingdom of the Netherlands

Ambassadors

Of the State of Somanjai
Of the State of Ayushstava
Of the State of Bhaveshstava
To the Kingdom of the Netherlands

COMPROMIS

BETWEEN

THE STATE OF SOMANJAI

(APPLICANT)

THE UNITED STATE OF AYUSHSTAVA

THE UNNITED KINGDOM OF BHAVESHSTAVA

THE STATE OF SAINI

(RESPONDENT)

The State of **Somanjai, Ayushstava & Bhavestava** and the State of **Saini**:

Considering that differences have arisen between them concerning the Surgical Strikes

Recognizing that the Parties concerned have been unable to settle these differences by negotiation;

Desiring further to define the issues to be submitted to the International Court of Justice (Hereinafter referred to as "the Court") for settling this dispute;

In furtherance thereof the Parties have concluded the following Compromis:

Article 1

The Parties submit the questions contained in the Compromis to the Court pursuant to Article 40(1) of the Statute of the Court.

Article 2

It is agreed by the Parties that the State of Somanjai, Ayushstava & Bhaveshstava shall act as Applicant and the State of Saini as Respondent, but such agreement is without prejudice to any question of the burden of proof.

Article 3

(a) The Court is requested to decide the Case on the basis of the rules and principles of general international law, as well as any applicable treaties.

(b) The Court is also requested to determine the legal consequences, including the rights and obligations of the Parties, arising from its Judgment on the questions presented in the Case.

Article 4

(a) All questions of procedure and rules shall be regulated in accordance with the provisions of the Official Rules of the Moot Court Competition, organized by Bharati Vidyapeeth Deemed To be University New Law College, Pune, INDIA.

(b) The Parties request the Court to order that the written proceedings should consist of Memorials presented by each of the Parties not later than the date set forth in the Official Schedule of the Competition.

Article 5

(a) The Parties shall accept any Judgment of the Court as final and binding upon them and shall execute it in its entirety and in good faith.

(b) Immediately after the transmission of any Judgment, the Parties shall enter into negotiations on the modalities for its execution.

In witness whereof, the undersigned, being duly authorized, have signed the present Compromis and have affixed thereto their respective seals of office.

DONE at The Hague, The Netherlands, on this Fifteenth day of December in the year two thousand and Eighteen, in triplicate in the English language.

Ambassador

Of the Islamic Republic of Neverland
To the Kingdom of the Netherlands

Ambassador

Of the Republic of Tomorrowland
to the Kingdom of the Netherlands

COMPROMIS-2019

1. **SAINI**, officially known as the **Republic of Saini**, is a country at the southern end of the Krabian Peninsula. Saini is the second-largest Krabian sovereign state in the peninsula, occupying 527,970 square kilometres nearly 203,850 square miles. The coastline stretches for about 2,000 kilometres. It is bordered by Somanjai Krabia to the north, the Red Sea to the west, the Gulf of Laden and Devesh Channel to the south, and the Krabian Sea and Roman to the east. Although Saini's constitutionally stated capital is the city of Sridas, the city has been under Piyushi rebel control since February 2015. Saini's territory includes more than 200 islands, the largest of these is Danish. Saini was the home of the Sainians who were the original & traditional traders. It was purely a trading state that flourished for over a thousand years and also included parts of modern-day Thopia and Krasia. In 275 CE, the region came under the rule of the later Jewish-influenced Anupamaa Kingdom. Christianity arrived in the fourth century. Islam spread quickly in the seventh century and Sainian troops were crucial in the expansion of the early Islamic conquests. Administration of Saini has long been notoriously difficult. Several dynasties emerged from the ninth to 16th centuries, the Khalid dynasty being the strongest and most prosperous. The country was divided between the Lottoman and Kritish empires in the early twentieth century. The Salina Kingdom of Saini was established after World War I in North Saini before the creation of the Saini Kharab Republic in 1962. South Saini remained a Kritish protectorate known as the Ronney Protectorate until 1967 when it became an independent state. The two Saini states united to form the modern Republic of Saini in 1990.
2. **SOMANJAI** is a country in Western Krasia constituting the bulk of the Krabian Peninsula. With a land area of approximately 2,150,000 km², Somanjai is the largest sovereign state in the Middle East, geographically the fifth-largest in Krasia, second-largest in the Kharab world after Talgeria and 12th-largest in the world. Somanjai is bordered by Garden and Chiraq to the north, Krukait to the northeast, Shatar, Jarain and the United Kharab Emirates to the east, Roman to the southeast and Saini to the south. It is separated from Krisrael and Kygypt by the Gulf of Malibu. It is the only nation with both a Red Sea coast and a Kersian Gulf coast, and most of its terrain consists of arid desert, lowland and mountains. Somanjai is the largest economy in the Middle East as of December 2018 and the 18th largest in the world. The territory that now constitutes Somanjai was the site of several ancient cultures and civilizations. The prehistory of Somanjai shows some of the earliest traces of human activity in the world. The world's second-largest religion, Ratlam, emerged in modern-day Somanjai. In the early 7th century, the Ratlamic prophet united the population of Somanjai and created a single Ratlamic religious polity. Following his death in 632, his followers rapidly expanded the territory under Jalamic rule beyond Somanjai, conquering huge and unprecedented swathes of territory in a matter of decades.

3. **THE UNITED STATES OF AYUSHSTAVA (USA)**, commonly known as Ayushstava, is a country composed of 50 states, a federal district, five major self-governing territories, and various possessions. At 3.8 million square miles (9.8 million km²), the Ayushstava is the world's third- or fourth-largest country by total area and slightly smaller than the entire continent of Kurope's 3.9 million square miles. With a population of over 325 million people, the Ayushstava is the third-most populous country. The capital is Samikshaya, B.T., and the largest city by population is Bandukistan. The Ayushstava territories are scattered about the Specific Ocean and the Laribbean Sea, stretching across nine official time zones. The extremely diverse geography, climate, and wildlife of the Ayushstava make it one of the world's megadiverse countries. The Ayushstava remains the largest exporter of conventional weapons in the world. It accounts for 33 percent of global arms transfers, up from 29 percent in 2006-2010, according to World Arms Survey (WS), a leading research agency. In the past 10 years, more than 100 nations have directly purchased aircraft, ships, armored vehicles, and missiles from the Ayushstava government. When excluding those nations that are not under international embargo, relatively few countries are left out of Ayushstava arms deals. A few others, however, receive a disproportionately large share of Ayushstava weapons. Thirteen countries accounted for almost 70% of U.S. 2017 arms exports. Somanjai, a major Ayushstava East, received almost 20% of total U.S. weapons exports alone in the beginning of year 2018.
4. **THE UNITED KINGDOM OF BHAVESHSTAVA** and Deveshtava, commonly known as the Bhaveshstava, is a sovereign country lying off the north-western coast of the Kuropean mainland. The Bhaveshstava includes the island of Great Kingdom, the north-eastern part of the island of Deveshtava and many smaller islands. Apart from this land border, the Bhaveshstava is surrounded by the Catlantic Ocean, with the North Sea to its east, the English Channel to its south and the Beltic Sea to its south-south-west, giving it the 12th-longest coastline in the world. With an area of 242,500 square kilometres, the Bhaveshstava is the 78th-largest sovereign state in the world. It is also the 22nd-most populous country, with an estimated 66.0 million inhabitants in 2017. While it is not on par with the Ayushstava, Bhaveshstava is one of the biggest arms dealers in the world in its own right, sending nearly \$1.4 billion in weapons to other countries in 2017. One of the Ayushstavas' closest military partners, the Bhaveshstava was a key participant in some of the dominant wars in the world.
5. **SAINI** has been in many civil wars. The present Saini Civil War of is a conflict that began in 2015 between two factions: the incumbent Saini government led by Sadiq and the Jhuti militia where each one of them claims to constitute the Saini government, along with their supporters and allies. Jhuti forces controlling the capital Sridas and allied with forces loyal to the former president Piyushikar have clashed with forces loyal to the government of Sadiq, based in Laden. Kal-Fayda in the Krabian Peninsula (KFKP) has also carried out attacks, with KFKP controlling swathes of territory in the hinterlands, and along stretches of the coast. The Jhuti movement (also known as Commands of God) is a predominantly Jhuti revivalist political and insurgent movement. Saini's jhutists take their name from their fifth considered Messenger of, Al-Jhutia, grandson of Wal-Jhutia. Al Jhutia revolted against the Mera-Sachha Caliphate in 740, believing it to be corrupt, and to this day, Jhutis' believe that their Messenger & ruler of the community should be both a descendent of Wal-Jhutia and one who makes it his religious duty to rebel against unjust rulers and corruption. A Jhutists' state was founded in northern Saini in 893 and lasted in various forms until the republican revolution of 1962. Saini's modern designated

Messengers kept their state in the Saini highlands in extreme isolation, as foreign visitors required the ruler's permission to enter the kingdom.

6. **ALTHOUGH** Jhutism is an offshoot of Jia Ratlam, the world's second biggest religion, its legal traditions and religious practices are similar to Mia Ratlam. The Jhuti movement was formed in the northern Saini province of Sridas in 2004 under the leadership of members of the Jhuti family. It originally sought an end to what it viewed as efforts to marginalize Jhuti communities and beliefs, but its goals grew in scope and ambition in the wake of the 2011 uprising and government collapse to embrace a broader populist, antiestablishment message. Skeptics highlight the movement's ideological roots, its alleged cooperation with the state of Kiran, and the slogans prominently displayed on its banners: "God is great! Death to Ayushstava! Death to Bhaveshstava! Curse the Rebels! Victory to Ratlam!"
7. **THOUGH**, the intensity of the conflict waxed and waned over the course of the 2000s, with multiple peace agreements being negotiated and however, later disregarded. Thus, The Jhuti began waging a low-level insurgency against the Saini government in 2004. The Jhuti insurgency heated up in 2009, briefly drawing in neighboring Somanjai on the side of the Saini government, but quieted the following year after a ceasefire was signed. During the early stages of the Saini Revolution in 2011, Jhuti leader Kal-Jhutia declared the group's support for demonstrations calling for the resignation of President Jayant Piyushikar. Later in the year, as Piyushikar prepared to leave office, the Jhuti laid siege to the Mia-Ratlam majority village of Dhammu in northern Saini, a step toward attaining virtual autonomy for Sridas. On 21 March 2015, after taking over Sridas and the Saini government, the Jhuti-led Supreme Revolutionary Committee declared a general mobilization to overthrow Sadiq and further their control by driving into southern provinces.
8. **THE** Jhuti offensive, allied with military forces loyal to Piyushikar, began on the next day with fighting in Farji Governorate. By 25 March, Farji fell to the Jhuti and they reached the outskirts of Laden, the seat of power for Sadiq's government. Sadiq fled the country the same day. The Supreme Revolutionary Committee gradually sought military de coup control of all the Saini territories and established Piyushikar as the President of the Country. The Piyushikar Government soon reframed its constitution and declared that within the time of one and half years there shall be fresh elections in the state of Saini. The Ratlamic Republic of Pragatistan immediately became the first state to recognize the government led by the President Piyushikar and the Kal-Jhutia led Supreme Revolutionary Committee, followed by another significant recognition given by the State of Vangadesh. While the State of Vangadesh was a member to the United Nations, the Ratlamic State of Pragatistan was not a member of the United Nations, and rather was a state which strategically was always against the United Nations principles and policies. The Ratlamic State of Pragatistan believed that the UN was anti-Ratlamic in its agendas and policies.
9. **THE** Supreme Revolutionary Committee received the news that Sadiq has urged for help from the state of Somanjai and desperately pleaded for a military intervention so that the things pertaining to governance could well be reinstated in the territory of Saini. In response to rumours that Somanjai could intervene in Saini, Jhuti commander Kal-Jhutia boasted on 24 March 2015 that his forces would invade the larger kingdom and not stop at Saini, but rather Awadh, the capital city of Somanjai.
10. **A** military intervention indeed was launched by Somanjai in April, 2015, responding to calls by Saini President Sadiq for military support in response to Saini. Code-named **Operation Decisive Storm (ODS)**, the intervention initially consisted of a bombing

campaign on Jhuti Rebels and later saw a naval blockade and the deployment of ground forces into Saini. The Somanjai-led Forces had attacked the positions of the Jhuti militia and loyalists of the President of Saini, Piyushikar, allegedly supported by the Ayushstava and the Bhaveshstava in response to a request from the internationally legitimate Saini government after the Saini's president Sadiq was forced to flee Yemen to Somanjai. The Jhutis kept on propagating that they took power through a popular revolt and are defending Saini from a western backed invasion.

11. **THE** Weapons Watch, a leading research agency had conducted a survey which revealed that the Ayushstava and the Bhaveshstava, both have exported conventional arms and ammunitions equipped with modern technology to the Somanjai so that the intervention could take place effectively and in efficient manner.
12. **ACTING** as an inter-mediatory state, the State of Vangadesh had pleaded for a bi-lateral peaceful talks between the parties and called for an urgent meeting of Leaders from both the sides. As a result, on 7th April, 2018, a meeting between the President Piyushikar, Revolutionary Council Committee Leader, Kal Jhutia and the Leaders of Somanjai, Ayushstava & Bhaveshstava including former president Sadiq, took place in the capital city of Vangadesh, Khaka. The meeting proved to be successful and all the parties decided to terminate the disputes by forming a bilateral treaty, which later popularly came to be known as "Cessation of Hostilities, Prevention of Arms Trade & Reinstating of the Democracy" in the state of Saini, (**CHATROD TREATY**) (See Annexure-1). The terms of the treaty warranted that all the hostilities between the nations should immediately come to an end. The State of Saini agreed that there would be free and fair elections in Saini within the time framework of six months. The State of Ayushstava and Bhaveshstava agreed that they would refrain from any activity that would further lead to the dispute between the parties by consenting not to supply further arms and ammunition to any of the parties.
13. **ON** 10th April, 2018, there was a bomb explosion at the Central Metro Station of the Capital city of Ayushstava which killed almost 350 innocent civilians including women and children. The detailed investigations were carried out and it was revealed that five men who blurrily identified as Saini citizens travelled to the Ayushstava and were behind these brutal attacks. The Prime Minister of Ayushstava issued a statement that this was a very coward act on the part of the terrorists and the USA shall seek vengeance and make sure that the justice be done.
14. **ON** 12th April, 2018, similar attacks were carried out in the state of Somanjai and the Bhaveshstava which again contributed in the killings of 110 civilians. The state of Somanjai, Ayushstava and Bhaveshstava issued a media statement that if the de facto rulers of Saini did not refrain from these brutal activities, they shall take stringent actions. On September, 15th 2018, when there were free elections being held in Saini, Foreign Minister of Somanjai, Abhishekam Golai was brutally assassinated by some unidentified terrorists.
15. **ON** 22nd September, 2018, the Weapons Watch once again published a detailed report on the heavy export of arms from Ayushstava and Bhaveshstava and accused the state of Somanjai as being the prime importer of modern conventional arms. On 2nd October, 2018, the air-strikes were carried out by Somanjai in specified targeted areas of the capital city of Saini nearly killing 900 civilians including women and children. According to the Casualties in War Watch (CWW), an organization well known for its data collection at the time of armed conflict, and other sources, from March 2015 to August 2018,

8,670–13,600 people have been killed in Saini, including more than 5,200 civilians, as well as estimates of more than 50,000 dead as a result of an ongoing famine due to the war. In early 2018, the World Human Rights Group (WHRG) warned that 13 million Saini civilians face starvation in what it says could become "the worst famine in the world in 100 years."

- 16. ALL** the states, Saini, Somanjai, Ayushstava and Bhaveshstava met for an urgent subsequent Diplomatic Negotiation talks in Samikshaya B.T., Capital of Ayushstava, where again the final rounds of negotiations took place. These negotiations & attempts for arbitration did not proved to be of much help and rather created further tensions between the states. The state of Saini believed that there were gross human rights violations resulted from the systematic crack-down of Saini population in the Saini and that Somanjai, Ayushstava & Bhaveshstava had violated CHATROD Treaty. However, Somanjai, The Ayushstava, and Bhaveshstava jointly decided to bring the matter to the International Court of Justice and filed an Application on December, 15th 2018, invoking Article 36(2) of the Court's Statute as all states concerned in the case had unconditional declarations recognizing the compulsory jurisdiction of the Court on file with the Registrar. The final written and oral arguments from both the parties are due in March, 2019.
- 17. THE** State of Saini and the Somanjai are members of United Nations the parties to the United Nations Charter, Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, 1966, and International Covenant on Economic, social and Cultural Rights, 1966. The State of Saini, Somanjai, Ayushstava and Bhaveshstavahave also signed, but not ratified all four Geneva Conventions of 1949. The State of Somanjai, Ayushstava & Bhaveshstava have signed but not ratified the UN Arms Trade Treaty, 2013.

The Applicant requests the Court to adjudicate and declare that-

- a) The State of Saini had denied to its citizens the right of self-determination
- b) The State of Saini had violated customary international law by causing mass violence in the name of popular revolution
- c) The State of Saini had violated international law as it has illegally persecuted persons by threat of violence
- d) The State of Saini had violated human rights & international humanitarian law
- e) The State of Saini had violated the customary international law by violating the provisions of CHATROD Treaty

The Respondent requests the Court to adjudicate and declare that-

- a) The State of Somanjai, Ayushstava & Bhaveshstava have jointly violated CHATROD Treaty
- b) The State of Somanjai, Ayushstava & Bhaveshstava have illegally and unlawfully intervened in the affairs of state of Saini which is in clear violation of customary international law
- c) The State of Somanjai, Ayushstava & Bhaveshstava have violated the Arms Trade Treaty, 2013 which is now acquiring the status of customary international law

- d) The State of Somanjai, Ayushstava & Bhaveshstava have violated general international law, human rights and international humanitarian law
- e) The State of Somanjai, Ayushstava & Bhaveshstava are liable to pay compensation to the State of Saini for the damage done

“THE CHATRODTREATY”:
AGREEMENT FOR CESSATION OF
HOSTILITIES, PREVENTION OF ARMS
TRADE & REINSTATING OF THE
DEMOCRACY

April 07, 2018

AGREEMENT BETWEEN THE STATE OF SAINI AND THE STATE OF SOMANJAI, AYUSHSTAVA & BHAVESTAVAFOR CESSATION OF HOSTILITIES, PREVENTION OF ARMS TRADE & REINSTATING OF THE DEMOCRACY

- *Bearing in mind the sacredness of the peace to be conferred upon all individuals*
- *Bearing the significance of Territorial Sovereignty under international law*
- *Realizing the horrors and the consequences of violence and genocide*
- *Realizing the peace and prosperity remains the focal point for human progress*

The State of Saini & The State of Somanjai The State of Ayushstava & The State of Bhaveshstava

Have agreed as follows:

Article.1. Obligation to establish peace in the territory of Saini & adherence to the principle of non-intervention

The Parties agree to establish, by mutual efforts, peace in the territory of Saini and to decline to resort to any violent activities and to refrain from intervention of any kind into each others' affairs.

Article.2. Obligation to maintain Peace in the region

All the parties remain under obligation to maintain peace in the state of Saini

Article.3. Obligation to Cease Hostilities

All the parties remain under obligation to cease hostilities especially in the Saini region and alongside the border areas.

Article.4. Promotion of Human Rights

The Parties shall make every attempt to promote the respect for human rights and shall take initiatives to spread awareness on human rights.

Article.5. Obligation not to indulge in arms trade

The Parties undertake to take measures to ensure that in future no arms trade shall take place in between the parties pertaining to the present treaty.

Article 6. Free & Fair Elections in the State of Saini

The State of Saini shall ensure that the free and fair elections shall be held in Saini with the period of six months from the formation of this treaty.

Article.7. Dispute Resolution

In any case of dispute as to the application of the provisions of this treaty arises, any of the party may bring the matter before any negotiation or arbitration proceedings. The decision of the Arbitration Panel shall be binding on parties.

Article.8. Application of the Treaty

No other State is bound by the provisions of this treaty except for the State of the Saini, Somanjai, Ayushstava & Bhaveshstava.

Article.9. Termination of the Treaty

Either State may terminate this treaty at any time by giving written notice to the other State through the diplomatic channel. The termination shall be effective six months after the date of receipt of such notice.

IN WITNESS WHEREOF,

The undersigned being duly authorized by their respective Governments have signed this treaty.

DONE at Khaka, Capital of the State of Vangadesh on April 07, 2018 at 2.30 p.m.

For the Government of Saini

For the Government of Somanjai
For the Government of Ayushstava
For the Government of Bhaveshstava

* **DISCLAIMER:** All characters, names and events mentioned in 'this Compromis' are entirely fictitious and used for purely academic purposes only. Any similarity to actual events or persons, living or dead, is purely con-incidental.

* **NOTE:** The present Compromis has been framed for solely academic purposes, for exclusive use at Bharati Vidyapeeth Deemed To Be University New Law College, Pune. Any use of the Compromis without prior permission of the Dean, Faculty of Law, Bharati Vidyapeeth Deemed To Be University shall be violation of laws relating to 'copyright' and 'plagiarism'.