

N.J.Y. MEMORIAL INTERNATIONAL MOOT COURT
COMPETITION, 2026
MOOT PROPOSITION

1. Oliver was born on 10th October, 1966 in Genovia. He was residing with his family in Soland from 13th January, 1980. There was no particular profession he was following. It changed from time to time depending upon his requirements and conveniences.
2. From 23rd November, 1999, he started living separately from his family. The family condition was deteriorating gradually. His terms with the family members started to break down.
3. Oliver was in a financial distress and due to lack of a particular source of earning, he took a loan of Rs. 25,00,000 from Daniel who was a moneylender on 2% interest rate per annum on 28th January, 1999. He was introduced to the moneylender through a group of four friends namely, Adam, Harvey, Steve and John.
4. Oliver started a company on 15th April, 1999 with the borrowed amount. He was the director of the company of tour and travels by the name of Atlas Voyages with other four friends being the shareholders.
5. The tour and travels company was having reasonable turnovers till 2001. With which Oliver was paying the interests on time. Unfortunately, from June, 2001 it was running in loss. Due to this, Oliver was seeking extension of time for payment of the debt. Moneylender considering the issue, granted extension. The debts were increasing.
6. Moneylender on 25th July, 2004 demanded its lended money, Oliver requested to grant at least one month to repay the loan along with the interests as debt. Considering the request, Daniel granted the extension of time.
7. Oliver discussed the circumstances with his four friends. Being the shareholders with different number of share holdings, he demanded them to help him to pay the debts. Harvey agreed and decided to the pay the debt in equivalence to the shares owned by him. But, Adam, Steve and John denied. The time for arranging the amount to repay lapsed.

8. Adam, Steve and John deliberated with Oliver to deny to pay the debt to Daniel. Oliver was concerned that if this matter disseminates in the area, he may have a chance to lose his good-will built through years. Steve suggested to cause death of Daniel. Hearing this, others not completely consented. Adam considering this as the last resort, consented.
9. All four of the friends and Oliver conspired during a meeting. Oliver and Adam planned the murder. They shared the plan with Steve and John. Oliver arranges weapons. Adam agrees to execute the killing. Steve agrees to drive to the location of the moneylender. John offers moral support and agrees to provide an alibi later, but does not go to the scene.
10. All of them were accused of offense of abetment of murder under Soland's laws in the court of Indraprastha. Genovia requested Soland to extradite the offender for trying in Genovia. Requesting state stated that Oliver is a national of its state.
11. The requesting state has made a request for extradition in writing to the requested state. The request was accompanied by various documents. These includes documents consisting of details and identity, nationality, offenses committed and warrant issued. All these documents were signed by the competent authority except the details of the identity of the offender.
12. On account of this, the requested state requested submission of necessary additional documents. The additional documents were not submitted within the time frame.
13. The state of Soland refused to extradite the offender as it feared the violation of basic human rights and had an apprehension that the offender could be tried even for the offenses not committed or additional offences other than for which the offender is to be extradite.

PROPOSED ISSUES:

1. Whether offender can be extradited to Genovia or not?
2. Whether documents submitted by the requesting state were sufficient to extradite the offender or not?
3. Whether custody of the offender by the requested state was violating Art. 22 of Constitution of Soland or not?
4. Whether the offense committed is extraditable or not?

NOTE:

1. The Laws of Soland are in pari materia to laws of India.
2. The Laws of Genovia are in pari materia to laws of Germany.
3. The Parties are free to add other issues along with the issues proposed.
4. The facts stated in the present case are fictitious and have been drafted solely for the purposes of the Competition.
5. The facts, names, locations and date bear no resemblance to any person, event or happening whether dead or alive. Any resemblance if found, is purely co-incident.
6. The real names used in the problem are specifically for the purposes of the moot court competition. No real incidents can be attached to them.
7. This moot problem does not intend to hurt the feelings of any section of society or to offend and person.



MOOT COURT COMMITTEE
ICFAI UNIVERSITY , DEHRADUN