

24TH D.M. HARISH MEMORIAL GOVERNMENT LAW COLLEGE
INTERNATIONAL ONLINE MOOT COURT COMPETITION, 2023

11TH-12TH FEBRUARY, 2023



HOSTED BY
Government Law College

IN ASSOCIATION WITH
D.M. HARISH FOUNDATION

INTERNATIONAL COURT OF JUSTICE

COMPROMIS

**BETWEEN THE DEMOCRATIC NATION OF GUNTERLAND (“THE
APPLICANT”) AND THE FEDERAL SOBRUKAI REPUBLIC OF PARZIVAL
(“THE RESPONDENT”) TO SUBMIT TO THE INTERNATIONAL COURT OF
JUSTICE THE DIFFERENCES BETWEEN THE PARTIES
CONCERNING CERTAIN DISPUTES IN THE OGDEN REGION
jointly notified to the Court on 1 August 2022**

COUR INTERNATIONALE DE JUSTICE

COMPROMIS

**LA NATION DÉMOCRATIQUE DE GUNTERLAND (DEMANDEUR)
ET LA RÉPUBLIQUE FÉDÉRALE SOBRUKAI DU PARZIVAL
(DÉFENDEUR) SOUMETTRE A LA COUR INTERNATIONALE DE JUSTICE LES
DIFFERENCES ENTRE LES PARTIES CONCERNANT CERTAINS LITIGES
DANS LA REGION DE OGDEN
notifié conjointement à la Cour le 1 Août 2022**

JOINT NOTIFICATION

ADDRESSED TO THE REGISTRAR OF THE COURT

On behalf of The Democratic Nation of Gunterland (“the Applicant”) and The Federal Sobrukai Republic of Parzival (“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 between the Applicant and the Respondent concerning Certain Disputes in the Ogden Region, signed in The Hague, The Netherlands, on the first day of August, in the year two thousand twenty-two.

James Donavon Halliday
AMBASSADOR OF THE DEMOCRATIC
NATION OF GUNTERLAND
TO THE KINGDOM OF THE
NETHERLAND

Akihide Karatsu
AMBASSADOR OF THE FEDERAL
SOBRUKAI REPUBLIC OF PARZIVAL
TO THE KINGDOM OF THE
NETHERLAND

**SUBMITTED TO THE INTERNATIONAL COURT OF JUSTICE BY
THE DEMOCRATIC NATION OF GUNTERLAND
AND
THE FEDERAL SOBRUKAI REPUBLIC OF PARZIVAL
ON THE DIFFERENCES BETWEEN THE PARTIES
CONCERNING CERTAIN DISPUTES IN THE OGDEN REGION**

The Democratic Nation of Gunterland and The Federal Sobrukai Republic of Parzival,
Considering that differences have arisen between them concerning Certain Disputes in The
Ogden Region;

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 (together with any Corrections
and Clarifications to follow) to the Court, pursuant to Article 40(1) of the Statute of the Court.

ARTICLE 2

(a) It is agreed by the Parties that The Democratic Nation of Gunterland shall act as the
Applicant and The Federal Sobrukai Republic of Parzival shall act as the Respondent, but such
an agreement is without prejudice to any question of the burden of proof.

ARTICLE 3

- (a) The Court is requested to decide the Case based on the rules and principles of International
Law, including 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 Judgement on the questions presented in the Case.
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ARTICLE 4

(a) Procedures shall be regulated in accordance with the applicable provisions of the Official Rules of the 24th D.M. Harish Memorial Government Law College International Online Moot Court Competition, 2023.

(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 24th D.M. Harish Memorial Government Law College International Online Moot Court Competition, 2023.

ARTICLE 5

(a) The Parties shall accept any Judgement 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 Judgement, 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 in The Hague, The Netherlands, this first day of August in the year two thousand twenty-two, in triplicate in the English language.

James Donavon Halliday

AMBASSADOR OF THE DEMOCRATIC
NATION OF GUNTERLAND
TO THE KINGDOM OF THE
NETHERLAND

Akihide Karatsu

AMBASSADOR OF THE FEDERAL
SOBRUKAI REPUBLIC OF PARZIVAL
TO THE KINGDOM OF THE
NETHERLAND

CASE ARISING OUT OF CERTAIN DISPUTES IN THE OGDEN REGION

(THE DEMOCRATIC NATION OF GUNTERLAND

V.

FEDERAL SOBRUKAI REPUBLIC OF PARZIVAL)

1. The Ogden region is a large continent in the northern hemisphere comprising of seven countries. Two of the northernmost of these seven countries are The Democratic Nation of Gunterland (“**Gunterland**”) and Federal Sobrukai Republic of Parzival (“**Parzival**”). Parzival's only neighbor is Gunterland whereas Gunterland shares southern borders with four of the remaining five Ogden countries. Both Gunterland and Parzival are recognized as advanced economies by The International Monetary Fund.
2. Gunterland and Parzival have distinctive histories. The Sobrukai are the indigenous population of the Ogden region and have occupied the region since time immemorial. The Sobrukai population was originally uniformly spread across the entire Ogden region except for Parzival where only a couple of thousand people resided in tiny and scattered pockets. Starting in the fifteenth century, the European migration to Ogden drastically altered the demographics of the Ogden region at large and Gunterland and Parzival in particular. The first wave of European settlers arrived from Great Britain to present-day Gunterland in 1492 AD and began establishing colonies across Gunterland. There were several other waves of European migration to British colonies in Gunterland up to the early twentieth century. By the seventeen hundreds, Gunterland was considered part of the British Empire. Parzival, which had relatively colder climate, lack of ready agrarian land and dense forests, were not of much interest to the European settlers. The Ogden continent was carved up by the European powers and the other regions were colonized by the Spanish and French who did not face significant resistance from the other European countries and ruled those regions till about the late nineteenth century, after which they relinquished control.
3. In 1492, it was estimated that about eighteen million Sobrukai inhabited the region occupied by present-day Gunterland. From the sixteenth through the nineteenth centuries, the population of the Sobrukai in Gunterland declined sharply. Among the various factors contributing to the decline of the Sobrukai was the spread of disease of epidemic

proportions within the population. The Sobrukai lacked immunity to the diseases brought to the continent by successive waves of European migrants. Diseases such as Smallpox and Measles, widespread but seldom fatal amongst Europeans, often proved terminal to the Sobrukai.

4. The relationship between the Sobrukai and the settlers in Gunterland were tense with hostilities, frequently breaking out between the two groups over control of the land. Moreover, the British colonizers had endlessly tried to find different ways to eliminate the Sobrukai from Gunterland. There have been certain historical accounts which state that diseases such as Smallpox and Measles were spread amongst the Sobrukai deliberately by the settlers. By the beginning of the nineteenth century, only about five hundred thousand Sobrukai remained in Gunterland. While most had perished as a result of diseases, wars and other efforts by the British colonizers, around two million Sobrukai migrated north to Parzival where they slowly started establishing new settlements free of any European control.
5. Having to start from scratch, the Sobrukai had to overcome numerous hurdles in Parzival. The initial settlements in Parzival were extremely poor and had a primarily forest-based economy. In an attempt to remedy this, different Sobrukai settlements in Parzival decided to come together as a federation in 1943 and formed the Federal Sobrukai Republic of Parzival. Parzival was built on the promise of being a haven for Sobrukai from all over the world. Today, almost 96 percent of Parzival's 17 million population, is comprised of individuals of Sobrukai descent. Parzival has very complicated Immigration Laws (complicated further by the practice and ways of implementation of these Laws) which most Immigration Lawyers also find hard to navigate. However, some of the salient features of the Parzival immigration system were:
 - a. Every individual of Sobrukai descent is eligible to apply for Parzival citizenship and is also entitled to the same.
 - b. Applications for such citizenship generally take a year to get processed.
 - c. Individuals of non Sobrukai descent can only be granted permanent residencies and not citizenships in Parzival.
 - d. Parzival can make exceptions to the above rule for individuals who made or would make extraordinary contribution to Parzival's economy or society. In practice, even

when Parzival provided citizenships to individuals who made extraordinary contribution to Parzival's economy or society, did so after these individuals' applications for permanent residencies were approved and they had resided in Parzival for a duration of six years.

- e. The Parzival Ministry of External Affairs (**MEA**) had complete authority to make exceptions to their Immigration Laws if they deemed fit. However, in practice these exceptions were very rarely made.
6. In the early years of its founding, the Federal Government of Parzival had an extremely tough time in building a strong economy. Most of its attempts to build new industries were unsuccessful due to the first mover's advantage many countries globally already had. Moreover, ever since its foundation as a nation, the Federal Government in Parzival had maintained a tight grip on its economy and immigration system. This was primarily done in order to ensure that Parzival continued to be a safe haven for Sobrukai individuals and was free from control by non-Sobrukai interests. This policy of the government did it no favors on the economic front. Nevertheless, this began to change in the 1970s when Parzival saw a window of opportunity in the growing electronics sector. Because of the governmental control over the economy, Parzival had been able to keep the cost of labor extremely low, which made Parzival electronic products and services extremely competitive in the international markets. By 2010, Parzival become one of the leading countries in the manufacture of computers, mobiles, and other electronic devices. Not only did it become a prominent exporter of such products, but it also allowed foreign companies to set up manufacturing units in Parzival on the condition that the Parzival Government has at least 51 percent ownership in such units. Because of the financial benefits of manufacturing in Parzival, several global tech-giants found these terms acceptable. A bulk of electronic devices sold in Gunterland are today manufactured in Parzival. Moreover, almost all Gunterland technology companies have their manufacturing units in Parzival.
7. Gunterland on the other hand, had a different and easier journey once it gained independence from British rule in 1889 following the Battle of Daggorath. Owing to vast natural and oil resources, Gunterland became one of the strongest and most industrially advanced economies in the world. Gunterland today houses some of the most significant companies in the world. Its population, as per their latest census, is 112 million people.

8. Despite good trade dealings in recent years, Parzival and Gunterland did not have the most cordial political relations. This was due to the history on which Parzival was established as a country and the fact that most individuals with power in Gunterland are descendants of individuals guilty of committing atrocities against the Sobrukai. Even though Gunterland widely acknowledged the injustices committed during the British rule on the Sobrukai, and in modern times had passed numerous laws to protect the existing Sobrukai in Gunterland, Parzival has never completely moved forward. Parzival has frequently accused Gunterland of continuing to carry out a genocide of the indigenous Sobrukai still present in Gunterland. The chief accusations that Parzival has regularly levied on Gunterland are:
- a. Gunterland is responsible for the disappearance and murder of Sobrukai women and girls. Data from the Gunterland Bureau of Crime, state that only about 1 in every 100 instances of Sobrukai disappearance or murder is thoroughly investigated and solved in Gunterland. Currently, there are over 6000 unsolved cases of missing Sobrukai women and girls in Gunterland.
 - b. Gunterland failed to provide assistance to the Sobrukai with food and resources during periods of uncertain climate when crop yields were meagre, which resulted in starvation, and approximately 10,000 deaths in the Sobrukai reserve lands across the years 1999, 2007, 2013, 2017, and 2019. On the other hand, during the same years, there were no hunger-related deaths among the non-Sobrukai population of Gunterland.
 - c. Gunterland had created a fully funded public school system where the predominant religion and language taught and propagated is of the Euro-Gunterland society. Any schools set up by a religious denomination or ethnic community including the indigenous Sobrukai, did not receive state aid and had to comply with licensing, labor and other norms that are applicable to commercial enterprises. This has made private Sobrukai schools in Gunterland unviable.
9. Gunterland has refused to accept any criticism regarding their current treatment of the Sobrukai, whose population has not grown since the 1960s and has only been aging with every passing year. Gunterland politicians frequently stated that the lack of growth of the Sobrukai population is due to marriages outside the Sobrukai community or migration to Parzival. Over the years numerous experts have given credence to this theory by

acknowledging that this could certainly be one of the reasons for the lack of population growth of the Sobrukai.

10. The Current President of Gunterland is a free-market economist, Wade Watts of the Earth Defence Alliance Party ('EDAP'). When he first ran for office in 2014, he was a political outsider with no experience in mainstream politics. He ran on a platform of improving the economy as well as relations with other countries including Parzival. On assuming power, Watts signed a free trade agreement with Parzival – The Gunterland-Parvizal Free Trade Agreement ('GPFTA').

11. The GPFTA contained the following clauses of note:

“ (...)

Article 4 – Fair and equitable treatment

Each Party shall, at all times, accord to investments under this Agreement, fair and equitable treatment and full protection and security, and shall in no case accord treatment less favourable than that required by international law

(...)

Article 7 – Most favoured nation treatment

(1) Neither Contracting Party shall, in its territory, subject investments or returns of nationals or companies of the other Contracting Party to treatment less favourable than that which it accords to investments or returns of its own nationals or companies or to investments or returns of nationals or companies of any third State.

(2) Neither Contracting Party shall, in its territory, subject nationals or companies of the other Contracting Party, as regards the management, maintenance, use, enjoyment or disposal of their investments, to treatment less favourable than that which it accords to its own nationals or companies or to nationals or companies of any third State.

(...)

Article 11 – Dispute settlement

(1) Disputes concerning the interpretation or application of the present Agreement should, if possible, be settled by the Governments of the two contracting parties.

(2) If a dispute cannot thus be settled, it shall, upon the request of either contracting party, be submitted to an arbitral tribunal. The arbitration shall be conducted under the PCA Arbitration Rules, 2012. The language of the arbitration shall be English.

(3) Such arbitral tribunal shall, in each individual case, be constituted as follows: Each contracting party shall appoint one member, and these two members, so appointed, shall agree upon a national of a third State as their President, to be appointed by the Governments of the two contracting parties. If the contracting parties fail to agree upon the third arbitrator, the Secretary-General of the Permanent Court of Arbitration (PCA) shall appoint the President of the arbitral tribunal.

Provided that, in sub-clause (3), in cases where either party fails to appoint a member to the arbitral tribunal, such appointment shall be made by the Secretary-General of the PCA.”

12. President Watts also ushered in several free-market reforms, including privatizing several government companies. One of the prime examples of this was Gunterland Airlines. Gunterland Airlines is the national carrier airline of Gunterland and is run by the Gunterland Civil Aviation Ministry. A state-owned enterprise, it pioneered the aviation revolution in Gunterland, making flying affordable for all, with affordable prices, and a sizeable fleet of aircrafts. For several decades, Gunterland Airlines was a huge revenue stream for its government. However, in recent years, due to stiff competition from private airlines both domestically and internationally, Gunterland Airlines’ sales and operations began to decline drastically. In order to not accumulate liabilities, the Watt government contemplated selling a stake in Gunterland Airlines.
13. Officials from the Watts government began reaching out informally to various industrialists to gauge if it was possible for them to bail out the fledgling airlines and revive their operations. One of the industrialists whom they reached out to was Mr. Nolan Sorrento.

Sorrento is an affluent Gunterland national of Sobrukai descent. Nolan Sorrento had built an empire that comprised of a thriving real-estate business, large-scale investments in the F&B industry, with a premium line of hotels and inns across Gunterland. Sorrento's empire had been entrenched in Gunterland's economy, with huge financial commitments made by banks and financial institutions in the form of loan instruments, to support his ventures and provide the financial strength for the required capital that his projects needed. Sorrento saw the inquiry regarding Gunterland Airlines as the perfect opportunity to curry favor with the government, and further increase his influence in the political sphere, a space which he was keen to enter into soon.

14. On 11th January 2017, Sorrento announced that he had acquired a 51% ownership stake in Gunterland Airlines. Sorrento made a pledge to ensure that Gunterland's first airlines continued to soar high amidst rising competition from new adversaries. Despite Sorrento's purchase of a controlling stake in Gunterland Airlines, it was decided that the airlines' day to day operations would continue to be carried on by the Gunterland Civil Aviation Ministry. Nevertheless, Sorrento would be the chairman of the Airlines' board with significant veto powers and a complete say over buying and selling of Gunterland Airlines' fleet. Within a few months of Sorrento's acquisition of 51 percent stake in Gunterland Airlines, it began seeing a renewal in fortunes. By early 2019, it had once again become one of the major global airlines and had purchased 30 new carrier aircrafts on Sorrento's insistence. Most of these new carriers were set to fly to different Parzival airports where several Gunterland companies and nationals had business interests, that were only boosted by the GPTFA.

15. President Wade Watts' government was hit with a massive scandal just before the end of his first five years term in 2019. In documents released by the whistleblower website Joust, it was mentioned that Watts' government helped major industrialists close to the EDAP get significant tax cuts and government contracts. There were also documents which provided occurrences of the Wade government turning a blind eye to instances of tax evasion by key business people. It was widely believed that the Wade government did so because of its strong support for capitalism and its belief that these industrialists would help the Gunterland economy grow.

16. Despite the swift growth of the Gunterland economy, such policies did not go down well with the Gunterland population. Watts' popularity ratings had seen a significant drop in numbers as a result of this scandal. Watts, who was up for re-election, never acknowledged to the veracity of the documents, but throughout his re-election campaign, stated that if re-elected to power, he would use the full power at his disposal to bring to justice any and every individual guilty of wrongdoings. This was enough to ensure that Watts got elected to a second term in Oct 2019, especially considering there was no serious competition to Watts in Gunterland.
17. Watts' first order of business after getting re-elected was trying to live up to his pre-election promises. Watts championed the Prevention of Corrupt Practices Act, 2020 ('PCPA'), which he was quickly able to get passed since the EDAP had a majority in the legislature. This Act provided measures to try individuals and officials guilty of unfair and corrupt practices. It also constituted an independent 'Gunterland Anti-Corruption Bureau' to investigate instances of corruption in Gunterland and initiate legal proceedings. In certain circumstances, the Act provided for retrospective application, a provision which was highly criticized by the legal fraternity, but which had considerable popular support.
18. On 13th March 2022, Nolan Sorrento made headlines when it was reported in multiple news outlets that *"Sorrento was being investigated by the Gunterland Anti-Corruption Bureau"*. At the time of the report, it was widely believed that Sorrento went underground in Parzival where Sorrento Industries had several manufacturing units. On the same day, the official twitter account of the Parzival MEA had tweeted *"We will observe any requests made by Gunterland for the purposes of the enforcement of their domestic Criminal Law in accordance with our obligations under the Ogden Crime Cooperation and Prevention Treaty."*
19. In the following days, it was brought to light that an investigation by the Gunterland Anti-Corruption Bureau uncovered substantial financial irregularities and corruption in the dealings of government officials and financial institutions with Sorrento's companies. It was discovered that Sorrento had been operating on huge loans taken against banks (including purchasing his stake in Gunterland Airlines), on the premise of repayment from assets. Banks in Gunterland had continued to waive off huge sums of interest due from Sorrento, on the back of illegal gratifications, quid pro quos and underhanded payments.

20. Consequently, the Anti-Corruption Bureau decided to initiate legal proceedings against Sorrento, and bring his financial transgressions to account. The Bureau approached the country's highest court – The Supreme Court of Gunterland – for an order directing Sorrento to repay all his debts, and initiate appropriate criminal proceedings for the fraud perpetrated in conjunction with public officials.
21. On 20th March, 2022, a renowned investigative journalist, Xavier Lightman, with the Minerva Times, Gunterland's largest newspaper, published an article that stated: *"On hearing about his investigation by the Anti-Corruption Bureau, Nolan Sorrento, in order to ensure that he gained support from the Parvizal government, arranged for a high-level meeting with Ms. Liz Thorpe, The Civil Aviation Secretary of Parvizal on 14th March, 2021. In this meeting, Sorrento discussed a possible sale of his ownership stake in Gunterland Airlines to Air Parvizal for 1/10th of the price at which he purchased it. Air Parvizal, which is the State-owned national carrier of Parvizal, was, like most non-electronic industries in Parvizal, never been able to become a financially lucrative enterprise."* On 21st March, 2022, Ms. Liz Thorpe made an announcement that read: *"Air Parvizal is delighted to announce that it has acquired a 51% ownership stake in Gunterland Airlines. The 27 Gunterland Airlines' Aircrafts which are currently stationed in various hangars all over Parvizal, will be utilized by Air Parvizal for its operations, and will fly Air Parvizal passengers on their voyages around the world."*
22. On 23rd March 2022, Lightman wrote another article that mentioned *"The civil aviation secretary, Ms. Liz Thorpe, while being apprehensive of his recent and troubled exit from Gunterland, gave into the prospect of injecting new life into Air Parvizal, considering Gunterland Airlines' vast fleet – especially at the price of peanuts"*. The following evening, the official twitter account of the Parvizal Ministry of External Affairs tweeted, *"We have accorded citizenship to Mr. Nolan Sorrento for his extraordinary contributions to Parvizal's economy"*.
23. On the morning of 25th March, 2022, it was widely reported across the Ogden region that Nolan Sorrento had taken a private plane from Gundan International Airport (Gundan is Parvizal's capital) to the Island Nation of Raideen. In response to this news, one prominent immigration lawyer Douglas Knotcher, Esq had written on his famous blog that *"This was*

mainly done to prevent Parzival having to ex tradite Sorrento to Gunterland in case a warrant for his arrest was issued. Parzival is obligated under the Ogden Crime Cooperation and Prevention Treaty to extradite Sorrento in case Gunterland issues a warrant for his arrest. However, there existed no extradition agreement between Gunterland and Raideen.” Over the next couple of days, this blog post was shared over two hundred thousand times across several platforms.

24. On 1st April, 2022, the Gunterland Civil Aviation Ministry released a notification declaring that Sorrento’s shares in Gunterland Airlines were set to be nationalized again. It further reached out to Liz Thorpe through diplomatic channels, and requested the return of the 27 Aircrafts, that it termed were ‘seized by Air Parzival.’ Further, on 3rd April, 2022, The Gunterland Enforcement Directorate issued a formal international warrant for Nolan Sorrento’s arrest. The warrant detailed an array of financial crimes that Nolan Sorrento was accused of, including violating the Gunterland Tax Code, 1943, The PCPA and The Prevention of Money Laundering Act, 1983. They also submitted a request for extradition of Nolan Sorrento to Raideen. Raideen on its part refused to comply with the request.
25. With diplomatic relations again getting tense between Parzival and Gunterland, Parzival increased its rhetoric that Gunterland has been carrying out a strategically planned Genocide of the Sobrukai in its territory.
26. In response to the accusations of genocide of the Sobrukai, on 1st April, 2022, President Watts issued a detailed statement on all his official social media accounts. Some of the points that the statement made were:
- a. The Democratic Nation of Gunterland is not guilty of any crimes committed towards the Sobrukai.
 - b. The Democratic Nation of Gunterland has always tried to protect the rights of the Sobrukai including extending all equality laws to the Sobrukai as well as creating several reserve lands where the Sobrukai had indigenous cultural sovereignty and the ability to practice their religious and cultural rites and activities without any governmental interference.

- c. The Democratic Nation of Gunterland while acknowledging that it has not had the same success rate as compared to the general population in solving the cases of disappearing Sobrukai women or providing support to Sobrukai during times of unce-rtain weather, completely and unequivocally refutes any allegations that this was part of an organized effort to eliminate the Sobrukai population.
 - d. The Democratic Nation of Gunterland has always respected indigenous cultural sovereignty, and this has often prevented the government from taking pre-emptive steps or acting the way it would have in the rest of its territory.
 - e. The Democratic Nation of Gunterland has maintained a practice of not interfering in the governance of the reserve lands and only does so at the invitation or with the permission of the tribal chiefs.
 - f. The Democratic Nation of Gunterland has a neutral policy for all kids wishing to avail free state education, to only be allowed to attend schools in their educational districts. The Department of Education creates these educational districts using certain prefixed formulae and the schools in these districts operate on a standardized model laid down by the department, which is the same across all state-operated schools in Gunterland. Further, the department of education provides transport to all children so that they can attend schools in their respective educational districts.
27. On 2nd April, 2022, President Wade Watts issued another statement on his social media accounts where he stated, *“Parzival has both violated International Law and abused its rights under it.”* On 3rd April, 2022, the official twitter account of the Parzival MEA tweeted, *“Parzival is within its sovereign rights to issue a passport to any individual it deems fit.”* It followed its original tweet with another tweet that read, *“Foreign countries with no respect for International Law cannot dictate to Parzival, who it can issue passports to and who it cannot.”* On 4th April, 2022, the account tweeted three separate tweets that read, *“since when did International Law begin dictating corporate business ethics.”* On 5th July, 2022, Parzival MEA, shared screenshots of all the above tweets on its official Facebook, Instagram, and Tumblr pages.

28. Parzival was increasingly incensed at Watts recent statements and Gunterland's notification to nationalize Sorrento's shares. After deliberations between the Civil Aviation Ministry and the Ministry for Foreign Affairs, it was decided that Parzival will take action against Gunterland for violating the terms of the GPFTA. After Gunterland sent no response to Parzival's attempts to initiate diplomatic talks and negotiations to settle the dispute, Parzival referred the dispute to the Permanent Court of Arbitration ('PCA') under Article 10 of the GPFTA. Gunterland refused to participate in the arbitral proceedings against Parzival, stating through their governmental channels, that the proceedings were, "*an abuse of process, since there existed no dispute between the parties. The nationalization of Sorrento's shares has been conducted through fair and legally sanctified official processes, which have no basis for any adjudication by an arbitral tribunal under the GPFTA*". After receiving no word from Gunterland on the appointment of their member to the arbitral tribunal (Parvizal has appointed its member to the tribunal), the Secretary-General of the PCA exercised their powers under Article 11(3) of the GPFTA to complete the arbitral tribunal. Dr. Langford Shelby, a reputed authority of international law, was appointed as the President of the tribunal.
29. On 1st July, 2022, the three-member tribunal granted an ex-parte award, declaring that Gunterland had violated the Articles concerning fair and equitable treatment, and the Most-favoured nation protection, under the GPFTA. It also declared that Parzival was not in violation of the agreement in its actions with respect to Gunterland Airlines.
30. With the increasing tension between Gunterland and Parzival, representatives of Gunterland met with representatives of Parzival in Gundan on 20th July, 2022 to try and negotiate a peaceful solution to all their differences. However, negotiations broke down and an amicable settlement could not be reached. With both countries realizing that a status quo situation will not be able to solve their issues and will only make matter worse, Gunterland and Parzival decided to take their disputes before the International Court of Justice ('ICJ'). Consequently, on 1st August, 2022, both Gunterland and Parzival approached the ICJ with a joint notification.
31. Without prejudice to any questions about standing or admissibility of claims, the ICJ is confronted with the following issues:

- a. Is Gunterland guilty of committing Genocide of the Sobrukai in its territory?
 - b. Has Parzival violated international law by assuming control of the 27 Aircrafts of Gunterland Airlines, stationed in its territory?
 - c. Has Parzival abused its rights and duties under International Law in providing Mr. Nolan Sorrento with citizenship?
 - d. Can Gunterland challenge the award of the arbitral tribunal before the ICJ? On what grounds would such a challenge be made?
32. Both Gunterland and Parzival are members of the United Nations, member states to the Permanent Court of Arbitration, and Contracting States to the New York Convention, 1958. They are not parties to any instrument of relevance to the case at hand.

NOTE

The Compromis is purely a work of fiction and created solely for the purpose of the MootCourt Competition. The characters, institutions, organizations and events depicted in this Compromis are purely fictional. Any similarity or resemblance to actual persons or actual events is purely coincidental and unintentional. The contents of the Compromis do not intend to defame/ denigrate/ hurt the sentiments of any person(s), institutions, communities, groups or class of persons.