

2022 Nelson Mandela World Human Rights  
Moot Court Competition

in the matter between  
*Seagull, Cioppino & Queen Melissa Refugees*  
*versus*  
*The Republic of Laridae*  
before the  
Archelon Human Rights Court



1. The *Republic of Laridae* (Laridae) is a developed country on the *Archelon Continent* (AC). Laridae has a population of 57 million people and its total area of 97,590 square miles is surrounded by the *Turtlentic Ocean*. Laridae is a member of the United Nations (UN) and has signed and ratified all international human rights treaties including the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol thereto. When ratifying the International Covenant on Civil and Political Rights (ICCPR), Laridae made an interpretative declaration on Article 17 of the ICCPR, noting that it “shall be interpreted by Laridae Government in compliance with the basic foundations of Laridae legal system and in accordance with values of Archelon Continent’s human rights system.” Laridae is also a State Party to all the international treaties on the law of the sea and international humanitarian law. Laridae also endorsed the Geneva Declaration on Human Rights at Sea.
2. AC was named after archelons because its territorial waters were once home to archelons, the biggest marine turtles. The vast majority of people living in AC (around 80%) adhere to *Arc*, a pantheistic religion that stresses the importance of preserving all creatures and the creation. In addition, around 15% of AC’s population adhere to *Khara*, a religion that has a detailed set of rules in order to reach salvation individually and collectively. Most of the remaining 5% are atheists or agnostics. AC’s regional system is mainly centred on the *Archelon Union* (AU), the *Archelon Charter on Human Rights* (Archelon Charter) and the *Archelon Human Rights Court* (AHRC). The mandate and functions of the AU are similar to those of the European Union. The rights provided for in the Archelon Charter are similar in substance to those provided for in the African Charter on Human and Peoples’ Rights. In terms of Article 43 of the Archelon Charter, AHRC has three main functions, namely: a) contentious jurisdiction b) the power to issue provisional measures and c) an advisory function. The jurisdiction of AHRC is subject to a Declaration of Acceptance by Member States. In terms of its contentious jurisdiction, AHRC decides if a state has incurred an international responsibility for violating the Archelon Charter and/or any other relevant human rights treaties ratified by the state concerned. AHRC has the power to hand down provisional measures in urgent and critical cases where it is absolutely necessary to avoid irreparable harm. In terms of its advisory function, AHRC responds to questions that are presented by AU Member States regarding the compatibility of domestic law, measures or norms with the Archelon Charter. Its function is also to interpret the Archelon Charter or any other relevant human rights treaties relating to the protection of human rights on AC. AHRC’s rules on admissibility of claims are similar to those of the Inter-American Commission for Human Rights. Victims of human rights violations have legal standing before the AHRC.
3. Laridae is a State Party to the Archelon Charter and has made the Declaration of Acceptance, accepting the jurisdiction of AHRC. The Bill of Rights in Laridae’s Constitution is similar in substance to rights provided for in the Archelon Charter. Laridae has Magistrates’ Courts, High Courts and a Supreme Court. The Magistrates’ Courts are the lowest courts, and the Supreme Court is the highest court of appeal on all issues other than constitutional matters. The Constitutional Court of Laridae has exclusive jurisdiction over human rights matters. Any person within the jurisdiction of Laridae can access the Constitutional Court of Laridae with allegations of human rights violations.
4. Admiral *Monalisa Seagull* was born on 17 July 1962 in Laridae. Admiral Seagull joined the Laridae Navy when she was 18 years old and served for more than 40 years. At the time of her retirement from the *Laridae Navy* in 2020, she was a five-star Fleet Admiral. Although she insists that her retirement was voluntary, there are reports from local newspapers that she was pushed out of the Navy for “fraternising with the enemy”. Admiral Seagull is also a citizen of

*Sternidae*. Sternidae is on *Crocodilos* Continent and is about 12,472 miles from Laridae. Seagull's citizenship to Sternidae came through her marriage to Dr *Scampi Cioppino* who was born in Sternidae.

5. Admiral Seagull and Dr Cioppino first met in 1984 at *Laridae National University* (LANU). Then, Cioppino was an exchange medical student at *LANU School of Medicine* while Seagull was completing her *Laridae Navy Staff Development Fellowship* at the *LANU Department of Marine Studies and Oceanography*. The two met during a student march for women's reproductive rights that was organised by *LANU Students Association* (LANUSA) in the spring of 1984. The student protest in 1984 lasted for many weeks and students only agreed to disperse after Laridae Minister of Justice promised to make amendments to the 1975 *Laridae Abortion Act* (LAA) to legalise abortion in certain circumstances. Nevertheless, what followed 6 years later was the Laridae case of *State v Kamba* (1990) where the Constitutional Court of Laridae held that the best interest of the child – as provided for in the Convention on the Rights of the Child – applies from the time a baby's heartbeat can be detected by an ultrasound scan. It was ruled that from the time that a child has such a heartbeat, abortion is not in the best interest of the child as it violates a child's human rights such as the right to life.
6. Following their marriage in 1987, Admiral Seagull and Dr Cioppino settled in Laridae where Dr Cioppino later registered a private medical practice – the *Cioppino Surgery*. Although they settled in Laridae, the couple bought a beach-house in Sternidae which they frequented during summertime. However, during the 1996-1999-armed conflict between Laridae and the *Rhakha-Rhaka*, a local armed group in Sternidae, the couple refrained from visiting Sternidae.
7. For many years, the Rhakha-Rhaka have been seeking to impose their radical interpretation of the mainstream *Khara* tenets as the State religion in Sternidae and to push out any *Arc* believers, who they consider to be pagans. Rhakha-Rhaka launched several armed attacks against the Laridae Consulate in Sternidae leading to its closure in 1991. They classified their attacks as a *Khara* religious war against the political influences of Laridae which they viewed as anti-*Khara*. Laridae officially complained that Sternidae was failing to protect both its citizens and foreigners within its jurisdiction, notably *Arc* believers. Laridae called on its partners to impose economic sanctions on Sternidae. In 1993, Laridae Parliament passed the *Sternidae Anti-enablers and Sanctions Act* (SASA). SASA imposes economic sanctions on the Government of Sternidae for alleged human rights violations and contains a list of individuals who are considered to be the key actors and enablers of oppression in Sternidae. SASA preamble provides that its objective is to “provide support for the people of Sternidae in their struggle against oppression and human rights violations by the Government of Sternidae, State agents and non-State actors.” Through its allies, Laridae has made it impossible for individuals on the SASA list to travel or conduct business outside Sternidae. Most of the individuals on the SASA list have been added on the suggestion of the *Laridae Intelligence Organisation* (LIO). LIO is the civilian foreign intelligence service of Laridae with a mandate to gather, process and analyse information on national security through human and artificial intelligence.
8. In 1995, members of Rhakha-Rhaka launched a deadly attack against civilians in *Loloza*, the capital city of Laridae. In early 1996, the Government of Laridae, on the advice of LIO, designated Rhakha-Rhaka as a terrorist organisation. In May 1996, Laridae invaded the East of Sternidae, territory that was largely under the control of Rhakha-Rhaka. The Government of Laridae reported that its military intervention in Sternidae was justified under Article 51 of the UN Charter. Laridae further explained that the Government of Sternidae consented to the military intervention.

9. There was no consensus among Sternidae Government officials regarding the military intervention and occupation by Laridae. Those who supported the intervention noted that indeed, the Government of Sternidae had failed to deal with the Rhakha-Rhaka who are blamed for causing thousands of deaths. Those who opposed the military intervention and occupation became more vocal after 1999, especially when Laridae started relying on armed drones and private military companies to target and kill those perceived to be members of Rhakha-Rhaka. On many occasions, Laridae officially apologised for killing innocent civilians, among them, women and children. This galvanised Sternidae Government officials who were opposing the military occupation by Laridae. This group of politicians was led by Sternidae's renowned army hero, General *Thalas Semydidae*. General Thalas is brother to Dr Cioppino's mother. While General Thalas is considered a hero in Sternidae and the potential next president, he was added to the list of sanctioned individuals under SASA for alleged human rights violations and association with the leadership of Rhakha-Rhaka.
10. Although sporadic violence continued between 1999 and 2020, Laridae's military continued occupying parts of Sternidae which brought some form of stability in Sternidae. In the summer of 2021, Admiral Seagull and Dr Cioppino decided to visit Sternidae. Although this was mainly a vacation, Admiral Seagull also had some business to discuss with her husband's uncle, General Thalas. During her active years in Laridae Navy, General Thalas had provided strategic support to Admiral Seagull in her efforts to curb the Rhakha-Rhaka piracy and menace in the High Seas. It is part of the reason that Admiral Seagull publicly opposed Laridae sanctions on General Thalas and Sternidae at large.
11. Instead of taking a flight to Sternidae, Admiral Seagull told her husband that following her retirement, she misses the High Seas and insisted that they travel by the majestic *Queen Mellissa*. *Queen Mellissa* is a cruise ship owned by *Turtles Inc.* and was registered on 11 May 2017 in Laridae. It has a capacity of 2988 passengers and takes between 46 to 59 days to travel from Loloza Port in Laridae to Sternidae. On 15 June 2021, with Admiral Seagull and Dr Cioppino on board, *Queen Mellissa* departed from Loloza Port for Sternidae. It arrived in Sternidae on 8 August 2021.
12. Between 11 and 13 August 2021, Admiral Seagull met with General Thalas and discussed several strategies on how to influence Laridae Members of Parliament to repeal SASA. The two reviewed various AU and UN reports that detailed how economic sanctions were crippling economies and how certain targeted sanctions were also responsible for the suffering of the common people. Admiral Seagull noted that her attempts to negotiate with Laridae Members of Parliament and her efforts to "cleanse the image of Sternidae" would be very costly. In turn, General Thalas instructed *Sternidae Ministry of Defense* to transfer the sum of USD 1 million into Admiral Seagull's account to cover related costs and also compensate her efforts. Admiral Seagull received the transfer on 13 August 2021. When concluding their meeting, General Thalas remarked: "Thank you Admiral Seagull for meeting with me and being in our corner. Our relationship goes way back, and we have always showed up for each other. I remember the days when my phone would not stop ringing because pirates were showing you pepper in the High Seas. Now, I am the same person that your Government doesn't want to see? Isn't it surprising that your Government admits to violating human rights yet still believes it has moral ground to impose economic sanctions on sovereign nations for alleged human rights violations?" Admiral Seagull promised that she was going to do her best to assist General Thalas and Sternidae.
13. Meanwhile, on 3 July 2021, *Ricky Hondo* emerged as the winner of Laridae presidential election, defeating the incumbent, President *Kim Vaadar*. In his presidential campaign, Ricky Hondo, a

war veteran of note, clearly indicated that he was opposed to endless foreign wars and intended to bring all Laridae soldiers back home. On 10 August 2021, Ricky Hondo was sworn in as the new President of Laridae. Three days later, he announced that he was withdrawing Laridae soldiers from Sternidae. By 17 August 2021, thousands of Laridae soldiers had left Sternidae.

14. Rhakha-Rhaka saw the departure of Laridae soldiers as an opportunity to gain more political power and launched deadly attacks across Sternidae. Most of the attacks were directed at those who had supported the presence of the Laridae military. At sea, Rhakha-Rhaka pirates felt emboldened by inland “successes” and were confident to sail to the Sternidae ports. A group of Rhakha-Rhaka pirates and militants massacred the crew and Captain of *Queen Mellissa*. They filmed themselves removing the Laridae flag from *Queen Mellissa* and replacing it with the red Rhakha-Rhaka flag with crossed swords.
15. As Rhakha-Rhaka’s reign of terror intensified in Sternidae, many people scrambled to nearby airports and ports to escape from Sternidae. Some Laridae citizens who were *Arc* believers and had come on return tickets with *Queen Mellissa* also rushed to airports after hearing that the Captain of *Queen Mellissa* and his crew had been killed.
16. On the day that *Queen Mellissa* was attacked, Admiral Seagull and Dr Cioppino were having drinks at a nearby lagoon bar. There, they met a group of six men who identified themselves as employees of *Marine Private Army* (MPA). MPA is a private military company registered in Laridae and it recruits ex-military men of different special forces from across the globe. LIO had largely relied on MPA in its covert operations against armed groups such the Rhakha-Rhaka. However, the six men indicated that they were only in Sternidae for a vacation. After hearing of the attacks on *Queen Mellissa*, Admiral Seagull, Dr Cioppino and the six men went to the scene. Hundreds of civilians were being held hostage. A bloody battle ensued between MPA men and the Rhakha-Rhaka. The battle ended with the death of all Rhakha-Rhaka men and two of the MPA men. There were also several civilian casualties. Admiral Seagull received news from General Thalass that a huge number of Rhakha-Rhaka reinforcements had been seen heading towards the Sternidae Port where *Queen Mellissa* was docked. In a panic, Admiral Seagull assumed captancy of *Queen Mellissa* and asked the four MPA men to help her get as many civilians on board and also to manage the crowd. Meanwhile, Dr Cioppino was doing his best to save the wounded.
17. Most of those who got on board *Queen Mellissa* were women and children from Sternidae who followed mainstream *Khara* tenets. Hearing that Rhakha-Rhaka militants were getting near, *Queen Mellissa* quickly departed for Laridae on 19 August 2021. Before departing, the MPA men removed the Rhakha-Rhaka flag from the ship. It was later reported that most of citizens of Laridae who had bought a round-trip with *Queen Mellissa* were left behind.
18. After travelling for about 26 miles from the Sternidae coastline, one of the MPA men recognised a familiar face from the women who had been taken on board. He became more suspicious of her when he heard news that some of the refugees that were fleeing from Sternidae turned out to be members of Rhakha-Rhaka and had carried out three attacks in Loloza resulting in the death of 301 people. Upon discussion with other members of MPA, they discovered that the name of the lady on board was *Cindy Smpimpinto* (pronounced *cee-mpi-mpi-nto*). Smpimpinto was on the hit-list of LIO which the MPA men saw three years back when they were on covert mission. The MPA men saw this as an opportunity to get some actionable intel from Smpimpinto which they could later sell to LIO. In the middle of the night, the MPA men kidnapped Smpimpinto and detained her in one of the secluded places in the engine room where they started interrogating her.

19. Earlier, on 22 August 2021, LIO concluded its investigations on General Thalás' foreign assets. LIO's investigation concluded that General Thalás was indirectly the major shareholder of *Queen Mellissa* and other cruise ships registered in Laridae. On 24 August 2021, LIO, with the approval of the executive, requested that *Laridae Maritime and Coastguard Agency* (LMCA) strike off all cruise ships linked to General Thalás from the *Laridae Ship Register*. LMCA is the flag state control executive agency whose mandate is to implement Laridae maritime law and international maritime law. LIO explained that there was strong evidence to suggest that some of the suspected terrorists who had attacked various public places in Laridae had come into the country through General Thalás' cruise ships. In the afternoon of 24 August 2021, *Queen Mellissa* and other cruise ships affiliated to General Thalás were struck-off the Laridae Ship Register. Immediately, communication was established with *Queen Mellissa* and Admiral Seagull was told that *Queen Mellissa* was not welcome in Laridae and would not be allowed to dock and Sternidae refugees would not be allowed to disembark.
20. Meanwhile, while in the High Seas, Rhakha-Rhaka pirates attempted to re-capture *Queen Mellissa*. The previous day, the Rhakha-Rhaka pirates had succeeded in capturing 3 small ships that had Sternidae immigrants fleeing the armed conflict. On the day that they attempted to re-capture *Queen Mellissa*, armed drones controlled from *Laridae Naval Warships* sent hell-fire missiles targeting the pirate boats and ships. Many Rhakha-Rhaka pirates and Sternidae refugees jumped into the water. Those onboard *Queen Mellissa* saw many dead people floating in the water. Some were alive and floating in life jackets while others were desperately hanging onto rafters. In total, 123 people were helped onboard. Since no one was armed when taken onboard *Queen Mellissa*, it was impossible to know those who were part of the Rhakha-Rhaka pirates.
21. After hearing that *Queen Mellissa* had rescued more people at sea and that some of them could be members of Rhakha-Rhaka, Laridae Minister of Home Affairs, Jerry Lawsome, issued a second statement making it categorically clear that *Queen Mellissa* would not be allowed to dock in Laridae. During a press conference and while answering a question about the plight of refugees, he said: "That is the problem, there is never an end to this flood of aliens. You allow one alien in and all of them want to come in. It is their mentality! This *Queen Mellissa* saga is all that immigrant doctor's doing. He smuggled himself in through that bogus marriage to Seagull and now he wants to smuggle in all those *Kabra* extremists. The only persons we can accept here in Laridae are *Arc* believers or peaceful *Kabrans* who are willing to convert to *Arc*." The *Queen Mellissa* crisis was widely reported across the globe and sparked fierce debate. The Government of *Wahala*, a least developed country to the west of Laridae, issued an official statement noting that Sternidae refugees were welcome to Wahala and Wahalian authorities would allow *Queen Mellissa* to dock. The message was given to Admiral Seagull who retorted: "I am not Wahalian, I am Laridaen and I am going home."
22. Meanwhile, on 25 August 2021, Laridae hosted a judicial symposium that was organised by AU. The Chief Justice of Laridae was the keynote speaker and after his presentation, one of the participants asked him whether it was moral for Laridae to turn its back on Admiral Seagull and refugees in *Queen Mellissa*, to which he responded: "Generally, I would want to keep to matters of the law and away from issues of morality. Does our law allow Admiral Seagull's conduct? Does our law allow one to give support to terrorists? What is the position of our maritime laws on who can and who cannot be in our waters, ports and docks? Since you mention morality, let me ask you this: was it moral for Admiral Seagull to leave hundreds of our people behind, mainly *Arc* believers who had a right to be on *Queen Mellissa* and instead bring aliens? I think any patriotic Laridaen would put *Arc* and Laridaens first."

23. Meanwhile, Admiral Seagull was alerted that Smpimpinto had been kidnapped by the MPA men. She insisted to see her right away to which the MPA men reluctantly agreed. After 49 days in detention, Smpimpinto was weak and very sick. An unidentified witness secretly recorded Smpimpinto talking to Admiral Seagull and Dr Cioppino where she narrated her ordeal at the hands of the MPA men. The recording was later leaked to the Laridae press. Smpimpinto indicated that the night she was kidnapped by the MPA men, one man came in the engine room and raped her. She explained that MPA men interrogated her for long hours and she did not get enough sleep. She narrated how one day, MPA men told her that *Queen Mellissa* had entered the shark-infested waters and that she was going to be “shark meal” when they throw her off the ship. In the middle of the night, MPA men came and told her that it was the end of the road for her. They blindfolded her and took her out of the engine room. For the first time after many days in the engine room, she felt a breeze on her face. She then explained how she felt a shove on her back, and she plunged into the water. As she was paralysed with fear of sharks and fear of drowning, she was helped out of the water and the blindfold was removed. Only then did she realise that she had been thrown into *Queen Mellissa*'s swimming pool. As she continued trembling from her “near death experience”, the MPA men kept laughing. Admiral Seagull was very upset with MPA men and demanded an explanation as to under whose and what authority they had detained and interrogated Smpimpinto. One of the MPA men replied: “We are being good global citizens. You can call it global citizen arrest if you want. Admiral Seagull, we know you may not approve of our methods, but this lady is a wanted terrorist and so far, she has provided us with critical intelligence. Our methods work, it is a pity that you have taken her away from us before we could get more information.” The MPA men refuted Smpimpinto's allegations of rape, noting that she had, in fact, attempted to seduce one of the MPA men with the aim of manipulating him for a possible escape. They further explained that in refining their “good-bad-cop-strategy”, the MPA man played along, pretending that Smpimpinto's seduction had worked and as such there was consensual sex.
24. While treating her, Dr Cioppino discovered that Smpimpinto was 5 weeks pregnant. She immediately insisted that she did not want to carry a rapist's child and wanted an abortion. Cioppino explained that she was too weak, suffering from an infection and as such abortion may be complicated for her. Smpimpinto insisted on an immediate abortion. Soon after Dr Cioppino had finished the abortion procedure, Smpimpinto became very weak and died. The whole procedure was secretly filmed and was also leaked to Laridae press who published the story under the headline “*Abortionist-Immigrant-doctor kills woman*”.
25. On day 57 of the voyage, *Queen Mellissa* finally entered the contiguous zone of Laridae. Further warnings were given by Laridae authorities that *Queen Mellissa* and the refugees onboard were not welcome in Laridae territory. The debate about whether *Queen Mellissa* and refugees on board should be allowed passage to Laridae continued. A poll conducted by a local television network revealed that the majority of Laridae citizens wanted their Government to disallow *Queen Mellissa* from docking in any of Laridae's ports. These sentiments were worsened by continued armed attacks on the civilian population in Loloza by Rhakha-Rhaka. Some suggested that Laridae Navy should sink *Queen Mellissa*. For several weeks, #sinkQueenMellissa trended on social media in Laridae. Some were upset that *Queen Mellissa* left behind *Arc* believers and citizens of Laridae who had bought return tickets.
26. About 3 miles before the territorial waters of Laridae, *Queen Mellissa* was asked to stop advancing or Laridae would have no choice but to attack it. For over a week, *Queen Mellissa* was stuck just outside the territorial waters of Laridae as politicians and lawyers debated on the legality of the actions of Laridae. During that time, because there was already a serious

shortage of food and medicine onboard *Queen Mellissa*, about 48 Sternidae immigrants died on board. Emboldened by desperation, rising death toll and the international outcry against actions of Laridae, Admiral Seagull started moving towards Loloza port. Since the international community was now closely watching and following the *Queen Mellissa* furor, Laridae authorities allowed *Queen Mellissa* to dock at Loloza port.

27. From Loloza Port, the foreigners onboard *Queen Mellissa* were put in immigration camps where men, women and children were separated. Many children were separated from their mothers and the Department of Immigration insisted that it was for everyone's safety. Local newspapers reported that for many nights, LIO took hundreds of people for interrogation, some who were never to be seen again, especially those with strong *Khara* beliefs. Meanwhile, a dozen persons from Sternidae, who in the immigration camps had expressed interest in changing from *Khara* to *Arc* religion, were converted in a mass baptism on 31 August and subsequently could leave the camps and remain in Laridae. However, between 1 and 19 September 2021, hundreds of refugees with criminal records of violence were deported back to Sternidae. For those who were deported to Sternidae, they were first asked if they wanted to be sent to Wahala, but everyone declined because of the poverty and religious restrictions in Wahala.
28. *Save Refugees Association* (SRA) has taken a number of cases to Laridae courts to vindicate the rights of the refugees. On 2 September, SRA issued the following tweet on social media: "Freedom for all imprisoned refugees from Sternidae! And no one should be coerced into converting to Arc! Each lawsome person should carefully read the #Faith4Rights toolkit!" Since the arrival of *Queen Mellissa* with hundreds of refugees, there is currently a backlog on refugee matters before the courts. One sad case that has been reported in the press is that of 9-year-old *Renata*. After being separated from her mother in the immigration camps, SRA had attempted to help her locate her mother who cannot be found or accounted for in the logbooks of the Department of Immigration. When contacted for comment, the Director of the Department of Immigration said: "Indeed this is a sad case, however, we are doing our best to locate her. Please understand that we are overwhelmed as we are dealing with thousands of cases, I hope we will be able to locate her one day." On 13 September 2021, SRA filed an urgent application to Laridae High Court to force the authorities to produce *Renata*'s mother. However, the case is still to be heard as there are hundreds of similar urgent applications.
29. After reviewing video evidence surrounding the ordeal of Smpimpinto, a local NGO called *Human Rights in International Waters* (HRIW) approached Laridae's Attorney General, urging him to investigate the matter. In reply, the Attorney General noted as follows: "The *Queen Mellissa* case, Smpimpinto and other related matters are really difficult and eminent international lawyers have advised me that Laridae may lack jurisdiction in the matter. Now, with the limited resources I have, I have to be very careful or it will all be a waste." HRIW subsequently approached the Constitutional Court of Laridae alleging violations of human rights of Smpimpinto. On 2 October 2021, the Constitutional Court ruled that HRIW lacked standing before the Court as it had an expired registration certificate. The Court acknowledged HRIW's argument that it had applied for renewal of registration, but the application was still pending as the Government Department responsible experienced a backlog in considering renewal applications. However, the judges insisted that the legal requirement is that legal persons approaching the Constitutional Court should provide certificates of registration in order to have audience before the Court.
30. While refugees were being dragged to camps, Admiral Seagull was arrested for a number of criminal offenses. She was charged of violating Laridae maritime law by causing *Queen Mellissa*



to enter Laridae territorial waters without permission. Further, she was charged of violating Section 6(a) and (b) of SASA. (See Annex A.) Soon after her arrest, and with the recommendation from LIO, *Laridae Military Police* [LMP] took over the case and started a process for her to be tried by a military court in terms of Section 17(a) of *Laridae Armed Force Discipline and Regulation Act*. (See Annex B.) Admiral Seagull's lawyers approached the Laridae High Court seeking an interdict against LMP but lost the case. They appealed to Laridae Supreme Court which upheld the decision of the High Court on 23 October 2021. After her trial that was conducted in terms of Section 17(b) of *Laridae Armed Force Discipline and Regulation Act*, Admiral Seagull was found guilty of violating Laridae maritime law and violating Section 6(a) and (b) of SASA. On 17 November 2021, she was sentenced to 43 years in prison.

31. Meanwhile, in terms of Section 35(b) of *Laridae Abortion Act* (see Annex C), a group of residents in Loloza took Dr Cioppino and the Cioppino Surgery to Laridae Civil Court alleging violation of Section 35(a) of *Laridae Abortion Act*. On preliminary issues, Dr Cioppino's lawyers argued that Laridae Civil Court did not have territorial jurisdiction over the matter. On 23 November 2021, the Court ruled that it had jurisdiction. On merits, Dr Cioppino's lawyers argued that his actions were consistent with the rights of Smpimpinto. On 10 December 2021, the Court ruled in favour of the Applicants and ordered the cancellation of Dr Cioppino's practicing license in terms of Section 35(c) of *Laridae Abortion Act*.
32. On account of the continued Rhakha-Rhaka menace in Loloza, the Director of LIO was called to Laridae Parliament to update the Members of Parliament on the activities of LIO in countering the operations of Rhakha-Rhaka. In answering one of the questions asked by the Loloza Member of Parliament regarding the failed attack on *Loloza Soccer Stadium*, the Director of LIO said: "As you know, Loloza Soccer Stadium has the capacity of 45,860 people. If Rhakha-Rhaka had succeeded in their attack in the manner they had planned it, thousands would have died. There was a potential casualty of over 10,000 people. We were very lucky that the MPA men on *Queen Melissa* were able to retrieve this critical intel and share it with us. It is unfortunate that because of Admiral Seagull's interference, there were unable to get more – who knows how many more lives we could have saved with such information."
33. Meanwhile, Admiral Seagull's lawyers, the leadership of SRA and HRIW met to discuss the various human rights concerns emanating from the *Queen Mellissa* debacle. In consultation with the other victims, they concluded that it was best to approach the AHRC. On 19 December 2021, three cases were submitted to AHRC – one on behalf of Admiral Seagull, one for Dr Cioppino and another for the *Queen Mellissa* refugees. Exercising its power in terms of Article 30 of its rules of procedure on joinder of cases and proceedings, the AHRC ordered the joinder of the three cases given the commonality of parties, subject matter and applicable law. The citation of the case is *Seagull, Cioppino and Queen Melissa Refugees versus The Republic of Laridae*.
34. The applicants in *Seagull, Cioppino and Queen Melissa Refugees versus The Republic of Laridae* are asking the AHRC to adjudge and declare that:
  - a) Laridae violated Admiral Seagull's human rights and SASA is inconsistent with Laridae's international obligations.
  - b) Laridae violated Dr Cioppino's human rights and Laridae Abortion Act is inconsistent with Laridae's international obligations.
  - c) Laridae violated the human rights of the *Queen Mellissa* refugees and its actions are inconsistent with its international obligations.

**Instruction:** Prepare memorials for the Applicant (*Seagull, Cioppino and Queen Melissa Refugees*) and the Respondent (*Republic of Laridae*) addressing jurisdiction, admissibility, merits and remedies.

## **ANNEX A – Sternidae Anti-enablers and Sanctions Act [Chapter 14:07]**

### **Section 6**

- a) A person who wilfully acts or conspires to act as an agent of a foreign State against which economic sanctions have been imposed in terms of this Act and without notifying the Attorney General of Laridae shall, upon conviction, be imprisoned for not more than 25 years.
- b) A person who willfully provides services or willfully aids or abets a Specially Designated National or wilfully conspires to provide public relations, political consulting, and lobbying services to sanctioned officials without obtaining a license from Laridae Department of Foreign Relations shall, upon conviction, be imprisoned for not more than 25 years.

## **ANNEX B – Laridae Armed Force Discipline and Regulation Act [Chapter 11:20]**

### **Section 17**

- a) Laridae Court Martial may exercise jurisdiction over ex-service personnel if the offending conduct or conduct complained of is linked to the services which they provided for Laridae Armed Force.
- b) Laridae Court Martial may decide to conduct trial in camera if there is real risk that the trial may reveal confidential information that may endanger national security or public safety.

## **ANNEX C – Laridae Abortion Act [Chapter 10:16]**

### **Section 35**

- a) No physician or any person may knowingly perform or induce an abortion on a pregnant woman whose pregnancy is 5 weeks and longer.
- b) Any person, other than a State official, may bring a civil action in Laridae Civil Court against any person who violates subsection (a).
- c) In cases with aggravating circumstances and committed by physicians, applicants who prevail in an action brought under this section may petition the Court to revoke the license of the physician concerned or cancellation of their practice.