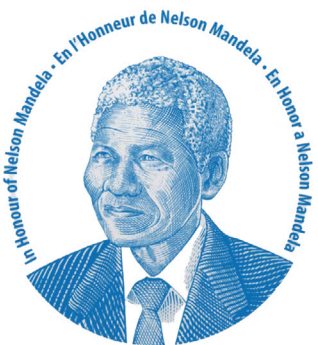


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17th World Human Rights Moot Court Competition

14 - 18 JULY 2025

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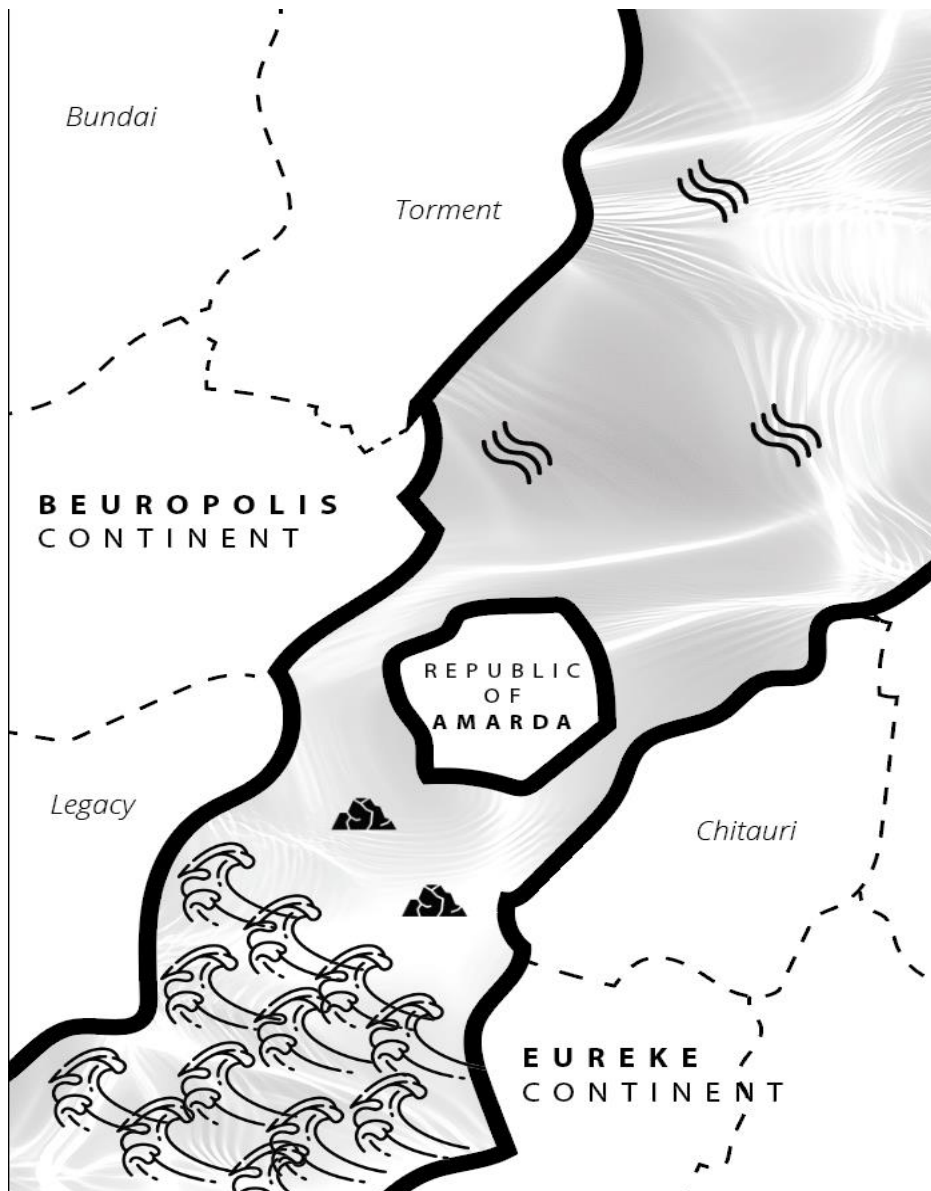
UNITED NATIONS
HUMAN RIGHTS COUNCIL

17th Nelson Mandela World Human Rights Moot Court Competition

Before
the Beuropolis Court of Human Rights
on 14-18 July 2025,
at the Palais des Nations, Geneva, Switzerland

In the matter between

All Lives Matter
and
the State of Legacy



1. The continent of Beuropolis is one of the largest in the world, with a great variety of countries and rich racial and linguistic diversity. To the East of Beuropolis are people of mostly Sweetian origin, who generally speak the Sweet language. To the South are the Dopamians, the majority of whom speak Dopama. The West mostly has Mistakeans, and they speak Mistakia. To the North, one finds the Northians, who speak mostly Northia. The Beuropolis Union (BU), founded in 1955, consists of 55 states. Its headquarters are located in the State of Legacy. The state of Legacy is situated in the southern part of the continent of Beuropolis. Legacy is inhabited by people of Legacorian origin. Legacy is also one of the leading economies on the continent, with an average per capita GDP of US\$ 90,000.
2. The Republic of Amarda (RoA) is an island state located in the Afropolis Sea, which separates the continents of Beuropolis and Eureke. RoA is inhabited by aboriginal peoples, who are known as 'Afropolisians'. They mostly speak the Afropolis language. RoA is a member state of the BU. RoA is one of the least developed states in the world and the poorest in the continent of Beuropolis. Recent research by a doctoral student at the Amarda University, the only university in RoA, concluded that RoA was, millennia ago, in fact, part of the land mass of the Eureke continent.
3. RoA is a country with a population of 14 million people. It also has a rich biodiversity, with some animals and plants being endemic only to the island. It has a sunny climate and excellent and unspoilt beaches. Its per capita GDP is around US\$ 900. No proper middle class has developed, and most people are pastoralists. Tourism has in the last decade become an increasing source of income, especially by visitors from Legacy, and now contributes 45% to GDP. It is however rich in natural resources, in particular tanzanite and diamonds, but the local population has not benefited from their extraction. Fresh food products exported mainly to Legacy make up around 20% of the economy.
4. Very close to the RoA, and also separated by the Afropolis Sea, is the state of Chitauri, which is part of the Eureke continent. Situated at the northern tip of the Eureke continent, Chitauri is considered a least-developed state and shares many similarities with RoA. Its people are largely of Afropolisian origin and speak the Afropolis language. Chitauri also has very similar biological landscapes to those of RoA, although it is less scenic. It is also rich in tanzanite, which is mined very actively. Most of the working class are factory and mine workers. Its population is around 8 million. Its per capita GDP is US\$ 1,200. Chitauri is not a popular tourist destination.
5. Legacy is the closest entry point for people travelling from RoA and Chitauri to Beuropolis. It considers the RoA and Chitauri as strategically placed since several companies registered in Legacy have manufacturing plants and are involved in extractive industries in both countries, with most of them located in Chitauri.
6. Legacy is a common law jurisdiction, with a system of courts ranging from the Magistrates courts as lower courts, High Courts, Appeals Court for Civil, Criminal and Miscellaneous matters, and one Supreme Court. The Supreme Court is the

highest court in the land. Under national legislation, an appeal to the Supreme Court is described as an 'exceptional remedy'. While the High Courts and Appeal Courts have the jurisdiction to hear and make findings on constitutional matters, only the Supreme Court has the competency to make final determinations on the constitutionality of legislation and the application of international human rights treaties. Legacy has a monist legal system, with international treaties becoming part of domestic law upon ratification.

7. Legacy is a former colonial power, having conquered other parts of the world for glory and profit. In the year 1890, Chitauri was colonised by the state of Legacy. Although the Afropolis Sea is known to be a rough sea bedevilled by unexpected storms, and treacherous rock formations, Legacy managed to colonise Chitauri with its powerful and well-equipped fleet. To this day, the Afropolis Sea is still regarded as treacherous to sail and is generally known as the 'sea of death', as those who embark on trips on it constantly run the risk of drowning through shipwreck. Although Legacy has a marine department that constantly engages in sea rescue missions, the activities of the Legacy marines have been hampered by budget cuts due to Legacy diverting funds to other pressing matters. One such pressing matter is a conflict between the states of Bundai and Torment, both nations situated in Beuropolis.
8. Bundai is a state in the north of Beuropolis, with mostly people of Northian origin. Although not a big country, Bundai has a very successful corn industry, the majority of which supplies many countries in Beuropolis with corn. Bundai is also a developed country with a very active middle class and a functional economy. It has an average per capita GDP of US\$ 15,000. The living conditions for the citizenry are good. It has a social welfare system in place for older person, and persons unable to be employed. Bundai also shares parts of its borders with Torment, a state with a vast population and an average per capita GDP of US\$ 35,000.
9. In 2015, the state of Torment attacked the state of Bundai. Following this attack, Legacy and other Beuropolis states mobilised resources to assist Bundai in defending itself against these assaults. Legacy's contributions to date have amounted to billions of US\$. Consequently, funds initially allocated to other departments, such as the Legacy Marines, have been redirected to address the ongoing conflict between Bundai and Torment.
10. Beuropolis has an elaborate human rights system, set out in the Beuropolis Convention on Human Rights, adopted by the BU Assembly of Heads of States in 1960. The Beuropolis Convention on Human Rights is similar in substance ('rights provisions') to the European Convention on Human Rights and its substantive Protocols. Furthermore, Beuropolis also has a continental court, the Beuropolis Court of Human Rights. Individuals and NGOs can directly access the Beuropolis Court of Human Rights. While the jurisdiction of the Beuropolis Court of Human Rights is similar to that of the European Court of Human Rights, its admissibility criteria are similar to those in Article 56 of the African Charter on Human and Peoples' Rights. The clause in its Statute related to remedies mirrors Article 63 of the

American Convention on Human Rights. All member states of Beuropolis have ratified or acceded to the Beuropolis Convention on Human Rights.

11. Although historically a relatively peaceful country, Chitauri experienced political upheaval in 1996 when a senior military official, George Dos Santos, staged a successful coup d'état. Following his rise to power as President, reports on social media suggested that Dos Santos orchestrated the assassination of at least five prominent political opponents. Under his rule, Chitauri effectively became a one-party state.
12. Concerned about alleged human rights violations, Legacy covertly facilitated an operation in the early 2000s that ultimately led to the capture and killing of President Dos Santos. However, his removal plunged Chitauri into prolonged instability. A rebel group known as the Revengers emerged during this period, establishing a base in the country. Claiming to be patriotic, the Revengers aim to eliminate all Legacy influence on the Afropolisian economy and culture. Their ideology has resonated with many across the Afropolisian people, particularly in the RoA. The Revengers' activities have strained relations between RoA and Chitauri. RoA has faced ongoing challenges, including combating terrorist influence within its borders, as children are frequently abducted and conscripted into the Revengers' network from within Chitauri. Despite these troubling developments, both Chitauri and RoA have downplayed the group's influence. The new President of Chitauri has publicly remarked: "Any country that so fears the Revengers is welcome to mobilise resources to deal with them. We have more pressing bread-and-butter issues to address".
13. In response to the rise of Revengers and to protect its territory, Legacy in 2005 imposed unilateral economic sanctions on Chitauri and RoA. These sanctions took the form of an arms embargo; restrictions on imports of fresh produce; and a ban on all tourism travel from Legacy to Chitauri and RoA. Legacy expressly noted that Revengers are a threat to global peace and security and that as the closest country to the home of Revengers, it has a duty to pre-emptively act in furtherance of its security and its sovereignty. Legacy also justified the unilateral sanctions by noting that the governments of Chitauri and RoA were not taking appropriate action to suppress the Revengers, leaving it no choice but to take drastic action.
14. Since the imposition of these sanctions, both Chitauri and RoA have experienced a noticeable decline in their economic activities. Worse still, the challenges to RoA have also been exacerbated by climate change, which is increasingly threatening global peace and security. As an island state, RoA has been experiencing rising sea levels over the last few years, resulting in unprecedented flooding and economic collapse. Farming and pastoralism have been disrupted, and more people have thus been moving inland. This movement has increased since the mid-2010s and is also exacerbated by people fleeing their lands to avoid the Revenger's influence. Moreover, many Chitaurian Afropolisians are fleeing Chitauri and finding refuge in RoA, which has been putting further strain on RoA and its resources. This has resulted in widespread instability and many Legacian companies moving out of RoA.

Furthermore, some Afropolisians have been seeking refuge in other parts of the world, including in Legacy.

15. As one of the leading economies in Beuropolis, Legacy is a prime destination for individuals pursuing the 'Legacian Dream', a widely recognised slogan often cited by both citizens and politicians to highlight the wealth of opportunities available to hard-working and dedicated individuals. For the past 60 years, Legacy has upheld an open migration policy based on a points system, irrespective of an applicant's country of origin. This system assesses a person's academic qualifications or vocational experience, enabling migrants to obtain a three-year work permit and, after five years of employment under this permit, permanent residency (indefinite leave to stay).
16. Legacy also offers an express pathway to permanent residency for migrants whose qualifications or skills fall within designated areas of scarcity (scarce skills), such as engineering, mathematics education, and scientific research. Furthermore, asylum seekers are granted the opportunity to apply for refugee status without discrimination, provided they can demonstrate the existence of 'compelling circumstances' in their home country that prevent them from living a dignified life.
17. Despite Legacy's seemingly straightforward migration policy, recent years have brought significant immigration challenges. One major issue stems from the attack on Bundai by Torment, which has necessitated the redirection of some funds from many other state objectives to support the ongoing conflict. This conflict has led to an exponential increase in the number of migrants fleeing, many of whom seek refuge and a new beginning in Legacy.
18. Additionally, around 2018, during the conflict between Bundai and Torment, there was a surge in migrants arriving from Chitauri and the RoA, risking perilous journeys across the Afropolis Sea to reach Beuropolis, in particular, Legacy. Many of these migrants are escaping violence attributed to the Revengers, while others, particularly from RoA, struggle to adapt to changing climatic conditions that have severely disrupted their pastoral livelihoods. These changes range from rising sea levels, resulting in frequent extreme weather patterns like hurricanes and floodings and have also impacted the once thriving fishing industry in RoA. These changes have had a direct bearing on RoA's tourism industry.
19. The challenges of accommodating diverse groups of migrants and asylum seekers have fuelled the rise of populist movements and political parties across Beuropolis, including in Legacy. Many of these groups attribute the dilution of culture, an increase in crime, and the growing frequency of terror attacks to overly lenient migration policies and a perceived lack of patriotism. In Legacy, the Legacy First party capitalised on these sentiments, winning the 2019 elections and implementing stricter immigration measures. Thus, in 2021, the government enacted the Legacy First Immigration Act, introducing sweeping changes to immigration policy. Under section 4, the Act imposed strict new requirements for work permits, express entry for permanent residency, and refugee status. The

points-based system now demands not only relevant qualifications and skills but also proof of at least US\$5,000 in the applicant's bank account and possession of a skill listed as 'critical'.

20. Furthermore, for asylum seekers, section 6 of the Legacy First Immigration Act gives the Home Affairs Department discretionary powers to designate certain territories as 'suspect states'. Migrants from these territories face significantly reduced chances of obtaining asylum or work permits, even if they possess critical skills. In practice, these changes to the immigration system have predominantly benefited white-collar skilled immigrants from Bundai and other Beuropolis states.
21. Additionally, section 8 of the Legacy First Immigration Act authorises the government to use advanced technological surveillance and autonomous algorithmic processing of asylum and refugee claims. This framework has been possible with advancements in technology and Artificial Intelligence (AI). Legacy has thus implemented sophisticated surveillance systems to monitor and store the facial data of individuals crossing its borders, particularly at its southern border along the Afropolis Sea. This system consists of a network of cameras that automatically capture facial identities at border crossings. The collected data is stored in the Immigration Facial Repository, maintained by Legacy's intelligence centre. Upon entry, individuals have their biometrics recorded, including an additional photograph, which is then matched with data from the surveillance cameras. In response to the recurring influx of asylum seekers undertaking perilous journeys from Chitauri and RoA, Legacy has also established an asylum centre, known as the Purgatory Detention Centre, at the southern border. The Purgatory location is currently the only location with safe ship landing facilities. Purgatory has three buildings. Those who arrive at Purgatory can apply for asylum at the administrative building, after which they are housed at another facility, the Transit building until their application is processed. In the event an application is unsuccessful, migrants are then detained at Depot until enough people are rounded up for deportation. While Transit has facilities for adults and children, Depot does not.
22. Migrants arriving at the southern port via unofficial boats and ships are typically either deported back to Chitauri or the RoA or detained at Depot for expedited deportation. At Purgatory, the biometric data of all individuals is recorded, and their facial data is stored in the Immigration Facial Repository. As a result, evidence from Legacy indicates that many migrants have been attempting to bypass Purgatory at the southern border by taking treacherous sea routes or navigating mountainous areas to reach the Legacian mainland. This has significantly increased their exposure to shipwrecks, leading to an alarming rise in deaths at sea.
23. In response to such events worldwide, Amnesty International in 2024 published a briefing titled "The Digital Border: Migration, Technology, and Inequality". This document highlights and examines human rights violations linked to using AI in border enforcement. Similarly, a migration policy report (<https://www.migrationpolicy.org/article/artificial-intelligence-border-zones->

privacy), found that the expansion of surveillance infrastructure, much of it powered by AI, has contributed to an increase in migrant deaths. The report explains that surveillance systems often create a “funnel effect”, pushing migrants attempting to cross borders illegally toward more remote and hazardous routes. These routes expose migrants to heightened risks, including dehydration, hyperthermia, injury, and exhaustion, as they attempt to avoid detection.

24. Many activists in Legacy have decried the adoption of the Legacy First Immigration Act law. One popular individual to do so was a Chitaurian, Gustav Cook, who became a permanent Legacy resident through the express entry process a few years before the Legacy First Immigration Act 2021 came into operation. Gustav is married with three children, all residing in Legacy. Gustav Cook leads an informal movement of Afropolisians called the ‘Movement for Afropolisian Unity’ (MAU). This movement advocates for Afropolisian rights, in particular, transparent immigration policies and the protection of the rights of asylum seekers and refugees. After settling in Legacy, Gustav Cook publicly came out as a transgender woman. Gustav has not undergone any gender-affirming surgery, but has started hormonal treatment, which has led to a significant increase in her breast size. Gustav Cook has, in the last few years, consistently decried the role of Legacy in the chaos that continues to bedevil Chitauri and has consistently advocated for reparations for colonialism as well as what she terms an external coup which changed governments in Chitauri. Gustav is, however, often ignored within Legacy, and her movement is considered populist by the Legacian government.
25. In February 2024, attackers who were suspected to have been from either RoA or Chitauri conducted a bombing of a mall in Legacy’s capital city. Approximately 8,000 people died, and thousands more were injured in this attack. Upon this, the Chairperson of Legacy First was interviewed on a popular international news channel, whereupon he commented on the attack, saying: ‘Do you see now why we need even more stringent immigration laws? We cannot allow these terrorists and savages from those fringe states to continue making this country their home. We must protect our people, and we will mobilise the necessary party support to effect change in governmental policy on migration. Migrants cannot have blanket rights!’ In response to this, Gustav Cook was interviewed on a local news channel, whereupon she criticised the Chairperson of Legacy First for characterising Afropolisians as terrorists and savages. She ended her comments by noting that if indeed it was the Avengers who carried on the attack, then Legacy is at least to blame, and it only means that ‘the chickens came home to roost’.
26. Soon thereafter, the political party Legacy First decried these comments, and a petition to have Gustav Cook’s permanent residence status revoked was initiated. The Department of Home Affairs subsequently revoked Gustav Cook’s permanent residence status, on the basis that thousands of people in Legacy had signed the petition. Gustav was subsequently detained and transferred to the Purgatory Detention Centre, where she awaits deportation to Chitauri between 14 and 18 July 2025. Upon arrival, the authorities informed her that, under a recent executive order issued by the President of Legacy, only two sexes—male and female as assigned at

birth—are legally recognised. As a transgender woman, Gustav Cook was deemed ineligible for placement in female accommodation or access to private women's spaces. Instead, she was assigned to a male detention facility, where she faced significant challenges. During her detention, she was subjected to frequent ridicule and verbal abuse from male detainees, particularly during vulnerable moments such as shower hours. She also endured instances of physical intimidation and harassment, creating a hostile and dehumanising environment that further compounded her distress.

27. In recent years, the RoA initiated tentative trade agreements with Bundai, aiming to exchange minerals for agricultural goods. However, these negotiations collapsed after reports emerged of individuals affiliated with the Revengers infiltrating Bundai's corn trade routes. In response, Bundai imposed unilateral sanctions on RoA, despite the RoA government's strong denials of any connection to the Revengers. The unilateral imposition of sanctions by the government of Bundai had devastating impacts on access to adequate healthcare, food, education and employment in RoA.
28. Legacy, RoA, Bundai and Torment are all members of both the United Nations (UN) and BU. Torment has been suspended from the UN and BU. Legacy is a party to all nine core UN human rights treaties.
29. The NGO All Lives Matter is headquartered and registered in Legacy. It has some satellite offices registered in RoA. During 2023, All Lives Matter conducted some research on the migration policies of Legacy, wherein it found that there was an unofficial policy of rejecting asylum-seeking applications from Afropolisians. In fact, the research indicated that such people were considered as either economic migrants, climate migrants or simply "immigrants from a suspect state". They were, therefore, disproportionately impacted by the immigration policies, which were far more lenient with Northian peoples such as persons from Bundai. The government of Legacy had even created a special immigration desk for people from Bundai, whose asylum applications were resolved expeditiously. All Lives Matter also revealed evidence that at least a quarter of migrants fleeing from Bundai did not have their biometrical data stored in the Immigration Facial Repository.
30. Further complicating matters, a recent judicial report revealed that third-party contractors may have accessed Legacy's Immigration Facial Repository. A data breach in mid-2024 resulted in the online leak of thousands of biometric records, raising serious concerns about privacy violations in law. Notably, the leaked data appears to link Cook to alleged communications with the Revengers. While the nature of these communications remains unclear, Legacy's authorities have argued that this connection warrants his deportation. The authorities in Legacy further took the decision to execute the mass deportation of 900 asylum seekers (including children) detained at Purgatory Detention Centre. Some of these asylum seekers had been caught attempting to cross into Legacy through unofficial border channels and the mountain terrain along the southern border's coastline.

31. In August 2024, All Lives Matter approached the Legacy High Court, challenging the constitutionality of the Legacy First Immigration Act 2021. Their petition was dismissed, with the High Court finding that there was no constitutional question in the case. Furthermore, the High Court found that the 1951 Refugee Convention does not include protection for climate migrants, economic migrants or immigrants from a 'suspect state'. It also held that there is no automatic right to asylum since any asylum seeker's application must comply with the immigration laws of Legacy. The Court, therefore, found that Legacy had no legal obligation to admit any asylum seekers.
32. In April 2025, through her family members, Gustav Cook approached All Lives Matter with her impending deportation, seeking its assistance to challenge the revocation of her permanent residence. Her March 2025 internal appeal to the Department of Home Affairs had failed, and a review application to the High Court was dismissed, with the High Court upholding the decision of the Department as 'rational'. The matter was appealed to the Court of Appeal for Miscellaneous Matters, which on 15 May 2025 confirmed the High Court's decision.
33. In July 2022, another non-governmental organisation based in Legacy, We Are The World, filed a direct constitutional petition to the Legacy Supreme Court, challenging the Legacy First Immigration Act. The Supreme Court has not yet set a date for the hearing of this matter.
34. On 1 June 2025, unaware of the case submitted by We Are The World, All Lives Matter approached the Beuropolis Court of Human Rights on behalf of Gustav Cook and 900 other asylum seekers detained at Purgatory Detention Centre, based on the following issues:
- i. Legacy's immigration policy violates its international obligations;
 - ii. Legacy's technological surveillance and autonomous algorithmic processing of asylum and refugee claims violate fundamental human rights;
 - iii. Legacy's policy on gender identification is inconsistent with its human rights obligations;
 - iv. Legacy's unilateral imposition of sanctions on Chitauri and RoA violates its international obligations.
35. Prepare arguments on behalf of All Lives Matter (the Applicant, on behalf of Gustav Cook and 900 others) and the State of Legacy (the Respondent) addressing jurisdiction, admissibility, merits and reparations of claims i, ii, iii and iv.