

## MOOT PROPOSITION

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Quartz and Cimon are neighboring countries situated on the western coast of continent X. Both Quartz and Cimon were the colonized territories of the once predominant colonial power, 'The Great Land'. Quartz got independence in 1955, whereas Cimon got independence only in 1972. Both Quartz and Cimon became members of the United Nations soon after their independence. Cimon is situated north of Quartz. Cimon shares 700 Kms of its southern borders with Quartz's northern borders. This is the longest border shared by Cimon with any country. The Ocean 'The Sagar' makes the western boundary of both these countries: Quartz and Cimon.

Cimon is a country of many religions, whereas Quartz is predominantly dominated by the followers of the 'Qua' religion, and almost 80% of its population comprises the followers of the Qua religion. The remaining 20% population of Quartz comprises the followers of the Hoatz religion. As per the recent census, 50% population of Cimon is constituted by the followers of the Cikma religion, and the remaining 50% is equally divided between the followers of Qua and Hoatz. This proportional distribution of religious groups in the total population of Cimon has been almost the same since the first census of independent Cimon conducted in 1980.

Most of the followers of the Cikma religion prefer to reside in the mountains. Traditionally, they do not like to go in plains. However, the followers of Qua and Hoatz religions do not have any such inhibitions. The mountainous terrain of Cimon is predominantly inhabited by the followers of the Cikma religion, and the fertile land parcels of Cimon are inhabited by significant numbers of the followers of Qua and Hoatz religions.

Quartz is a much advanced country, and its information technology industry is very competent in the global market. It has started its trust with computer technology in the early 1980s, and currently it is one of the most important global players in the information technology industry. Most of its information technology industries are being operated under the overall regulatory policy framework provided by the government. In contrast to this, Cimon started its experiments with computers and related technology only in early 2010.

Much of the territory of Cimon is mountainous, though there are some large patches of fertile land also. 'The Great Hill' is the most important mountain of Cimon, and it covers almost 75% of its total land area. Many rivers also originate from the mountain ranges of 'The Great Hill'. Many of these rivers originate in mountain ranges of 'The Great Hill' in Cimon and enter Quartz and finally merge in ocean 'The Sagar' while making big deltas.

River 'Sukhda' is one such river. Sukhda is the most important river of both Cimon and Quartz. It originates near the northern border of Cimon in the mountain ranges of The Great Hill, and it runs almost north to south in Cimon and enters Quartz at the city 'Sukhsetu'. After entering Quartz at Sukhsetu, it continues its journey south for almost 600 Kms and then suddenly turns west, after 300 Kms, and merges into the ocean "The Sagar", making a very big delta. 50% of the total length of Sukhda is in Cimon, and the remaining 50% is in Quartz. However, Sukhda got 80% of its water from Cimon and the rest 20% from its tributaries in Quartz downstream of Sukhsetu.

Sukhda is the most important source of drinking and irrigation water for Quartz. Quartz has operationalized a dam on Sukhda near Sukhsetu in the year 1970. This is still one of the biggest dams in the world. The name of this dam is 'Sukhsampada' dam. There was an agreement between the colonial government of Cimon and the government of independent Quartz in 1965. The name of this agreement was "An Agreement of Amity and Mutual Cooperation between the Government of Quartz and the Government of His Majesty of Great Land over Cimon, 1965" (Hereinafter mentioned as Treaty of Amity, 1965). The important provisions of this Agreement were:

Article 3: The Government of His Majesty of the Great Land over Cimon will not construct any dam, big or small, over the course of the Sukhda river, and all the waters of the Sukhda river in their natural flow will be available to the Sukhsampada dam at Sukhsetu.

Article 4: 50% of the electricity generated at Sukhsampada dam will be available to Cimon at 75% subsidized price.

Article 5: Both governments, through their agents, while meeting at regular intervals, will decide the actual subsidized prices at a particular time. These prices will be revised every five years or as per the consensus of both parties.

Article 6: Any dispute as to the actual subsidized price or anything related to this agreement would be resolved by negotiation between the two governments.”

The period from 1960 to 1972 was very chaotic for the colonial government of Cimon. There were large-scale protests in support of independence all over Cimon. There was much bloodshed, and both violent and non-violent mechanisms were adopted by the freedom fighters. The colonial administrators of the Great Land somehow managed their affairs for a few years, and ultimately they had to transfer the power to the leaders of the independence movement of Cimon. Cimon got independence from the Great Land in 1972. In the penultimate years of independence, Cimon also witnessed many internal riots on the grounds of Religion.

As per the first census of Cimon in the year 1900 conducted by the colonial government, 80% of its population were the followers of the Cikma religion and the remaining 20% was equally divided between Qua and Hoatz religions. However, the population of the followers of Qua and Hoatz religions increased from the first census of 1900 to the census in 1960. In 1960, the share of the followers of both these religions in the total population of Cimon was 15% each. However, this share further increased, and in 1980, the first census of independent Cimon, the share of these religions increased to 25% each. No census could be conducted in the year 1970 due to the tumultuous political situation in Cimon.

It was widely reported in the international media that the colonial government of the ‘Great Land’ deliberately allowed or even instigated the migration of the followers of Qua and Hoatz religions from Quartz to Cimon to fulfill the demands of labour in the fertile land pockets and its other colonial purposes. However, there was no word from the colonial government on this issue. The new government of independent Cimon decided to be a secular state and tread a very delicate path to make its independence stronger and sustainable. It has declared that it will abide by all the international agreements entered into by His Majesty's Government of the Great Land over Cimon in good faith.

There has been a government of the same political party in Quartz since its independence in 1955 till 2010. A significant number of the armed forces of the Great Land were also stationed in Quartz from 1955 till 2010.

In 2010, a student-led movement indoctrinated by the religious ideology of Qua ousted the existing government of Quartz. The new government in the changed realities decided to stop any connection with the Great Land and ordered its forces stationed in Quartz since 1955 to leave the territory immediately. One of the leaders of this student movement, Mr. Salvo Qua, made a statement in early 2011 that all the areas of Cimon with significant populations of the followers of Qua and Hoatz religions must be part of Quartz. Mr. Salvo Qua subsequently became the Minister of Foreign Affairs of Quartz in December 2012, and after the elections of 2020, he became the Prime Minister of Quartz, and he has been in this position to this date.

In Cimon, there has been a regular change in governments by democratic means. They mostly focused on strengthening its internal unity among religious groups of Cikma, Qua, and Hoatz. In 2005, there was an agreement between the government of Cimon and the government of Great Land about the transfer of computer technology and local capacity building. The Great Land has also took active interest in the industrialization of Cimon, and there were many such agreements between these two governments from 2008 to 2015. Many industries were established in Cimon from 2010 to 2024.

Most of these industries were established near the water courses in the fertile lands of Cimon. In 2020, an international news agency, The Rising, published a report stating that almost 80% of lands for the establishment of the industries in Cimon came from the lands that were owned by the followers of either Qua or Hoatz religions. The Government of Cimon has also amended its domestic laws in 2020 and reserved 70% of the government jobs only for those persons whose ancestors' names were found in the census of 1960. This had created too much unrest in the followers of Qua and Hoatzin religions. An organization named "Justice for Qua and Hoatzin Cimon (JQHC)" was formed by the followers of Qua and Hoartz religions in Cimon in 2021 to protest against these measures.

Water flow in the Sukhda River had become erratic and precarious due to climate change. Quartz had started its nuclear energy programme aggressively in the early 1990s, and now 70% of its energy needs are fulfilled by its nuclear energy plants.

The remaining 30% of its energy needs are fulfilled by hydroelectricity. The intensive industrialization of Cimon also increased the demands of more energy and water resources. Cimon in 2021 pleaded to renegotiate the terms of the Treaty of Amity of 1965 in new realities, but Quartz denied.

Cimon already started to build many dams on tributaries of the Sukhda River and other rivers inside its borders since 2015. Most of these dams started to function in 2023. Already affected by less water due to climate change and other situations, the building of dams on the tributaries of Sukhda further seriously compromised the water levels at the Sukhsampada dam. This had caused a severe electricity crisis both in Cimon and Quartz. In October 2024, after many rounds of failed negotiations between the government of Quartz and Cimon to maintain a minimum essential flow of water at the Sukhsampada dam, Quartz declared that it would not give electricity to Cimon because Cimon had failed in its promise of not disturbing the natural flow of water in the Sukhda river.

JQHC organized a five-day pan-Cimon protest from the 1st to the 5th of November 2025. The first day of the protest witnessed a very large crowd of the followers of Qua and Hoatz religions. There had been many such calls previously, but this kind of mobilization had never been seen before. By the evening of the very first day of the protest, there were reports of many violent clashes between the protestors and the government forces. Many of the government offices and buildings had been occupied by the protesters in a few land pockets of Cimon. By the end of the first day of the protest, almost 40 protesters and 10 police personnel died.

All the industrial units of Cimon were heavily guarded by the armed forces of Cimon. Unavailability of electricity from the Sukhsampada dam further deteriorated the situation. On the night of the 1ST November 2025, Mr. Salvo Qua stated that “JQHC is fighting for the most basic human rights and the people of the whole world must unite in supporting them in their cause”. In the morning hours of 2nd November 2025, there were large-scale cyber-attacks against the communication links of the government forces of Cimon and its industrial units. There were also reports of some blasts due to malfunction or functional disruption in some of the chemical industrial units in Cimon. This had also seriously compromised the government’s response to the protestors.

By the end of the 5th November 2025, almost 500 protesters, 200 police personnel, and 100 armed personnel of Cimon had died. 20 civilians who were followers of the Cikma religion were also killed during these hostilities.

This had further deteriorated the situation. JQHC made a call to further fight for independence from Cimon on the 6th November, and it also declared independence in a few land pockets of a few hundred square kilometers inside Cimon. On November 6th, Mr. Salvo Qua once again made a statement in favour of JQHC, stating that both Quartz residents and people worldwide must support the organization. In the morning hours of the 7th November 2025, lakhs of civilians from Quartz tried to enter the borders of Cimon either through land or sea. The government of Quartz appealed to them to return home, but to no avail. Thousands of these civilians managed to enter the borders of Cimon. This had made the whole situation very precarious.

In the midst of all this, the UN Security Council intervened on the 8th November 2025 and urged the protesters and the Cimon government to stop the hostilities. It also urged the government of Quartz to take all effective steps to stop its civilians from entering the borders of Cimon. The UNSC adopted Resolution 2178 under Chapter VII of the UN Charter on the 8th November 2025, whereby it declared the deployment of the UN Peacekeeping forces in the areas substantially inhibited by the followers of Qua and Hoatzreligions in Cimon. The border between Quartz and Hoatz is also to be sanitized and guarded by the UN Peacekeeping forces. The UNSC has also ordered a further inquiry into the cyber-attack on the 2nd November 2025.

The UN technical teams found that the origin of the cyber-attack was from the premises of the industrial establishment named 'Great Qua Technology' in Quartz. The CEO of the Great Qua Technology, Mr. Vilo Qua, is the elder brother of Mr. Salvo Qua. The government of Cimon filed a petition to the International Court of Justice at The Hague. There was a treaty between the independent Government of Quartz and the Government of His Majesty of Great Land over Cimon in the year 1960, whereby both governments agreed to settle any of their mutual disputes through the International Court of Justice.

This treaty is known as "Treaty to Solve Disputes between the Government of Quartz and the Government of His Majesty of Great Land over Cimon 1960". Cimon invoked this treaty to claim ICJ jurisdiction in the matter and pleaded to declare the responsibility of Quartz on the following grounds and the matter is placed before ICJ for oral hearing.

A. Quartz is responsible for violating the Treaty of Amity 1965:

(i) by not renegotiating in good faith the treaty in the changed realities of the 21ST Century.

(ii) by suddenly stopping the due electricity to Cimon from the Sukhsampada dam.

B. Quartz is responsible for violating the principle of no use of force against the political independence and territorial integrity of any state, as mentioned under the UN Charter and the customary international law

(i) by directing cyber-attacks against Cimon.

(ii) by deliberately failing to stop its citizens from crossing the border into Cimon.

Both Quartz and Cimon are parties to all the important treaties of international law and international human rights laws. Both are also parties to the Vienna Convention on the Law of the Treaties, 1969.

