## NOVICE INTERNAL MOOT ELIMINATION-2026

## B.Com.LL.B. / B.A.LL.B. (2025-30) and LL.B. (2025-28)

## MOOT PROBLEM

1. The Republic of Areyventia is a sovereign nation established through a secular constitution adopted in 1950. This constitution, being a foundational framework for the country, enshrines right to equality before the law and equal protection of the laws under Article 14. However, other fundamental rights or human rights have not been specifically recognized under the constitutional scheme.
2. Areyventia became a member of the United Nations in 1970 and also ratified certain international human rights instruments such as the International Covenant of Civil and Political Rights (ICCPR) and the Convention against Torture (CAT) amongst others. However, the process of converting such obligations into domestically enforceable legislative enactments is not yet complete.
3. The northern frontier of Areyventia, also known as the Zafran Province, has continuously suffered intermittent unrest which could be attributed to cross-border infiltration, secessionist movements and organised armed violence. The intelligence revelations at the beginning of 2024 indicated a so-called intensification of the organized assaults on security installations in this area. Growing unrest and deepening divide between protestors and the central government has contributed significantly to the politically volatile landscape of Zafran.
4. On 3 January 2024, Areyventia transformed Zafran Province into a Special Security Zone through an executive notification of the Union Executive. In accordance with this statement, wide-ranging restrictions were enacted, including: a total internet and mobile communication ban; a preventive detention order of the people under the National Security Ordinance, 2023; a warrantless surveillance and search; and a ban on gatherings and movement.
5. These restrictions were originally supposed to be implemented over a period of three months, but they were later to be prolonged by following executive orders. It is worth mentioning that there was no declaration of emergency under the Constitution of the country.
6. Bella Cromwell is a journalist and a resident of Zafran Province, who was placed under preventive detention without any charges. A group of civil society leaders, lawyers, and students also went through arrest. It has been reported that there have been alleged instances of custodial abuse and a systematic denial of access to legal counsel.
7. Ms. Cromwell has approached the apex court of the country against the order of the judicial magistrate refusing to provide her any remedy against her arrest. She claims that the prolonged limitations on basic human rights have severely derailed the everyday living in Zafran Province, hindered access to medical care and education and limited the freedom of the press.
8. In the current appeal the aggrieved party is questioning the constitutionality of the executive actions. They invoke the international commitments of Areyventia under the ICCPR and the traditional international law stating that the government cannot justify the denial of rights only on the ground of national security.

9. The government continues to hold the view that national security and foreign affairs are the prerogative of the executive. It also contends that international treaties are not self-executory and, thus, cannot take the form of domestic constitutional safeguards. In essence, the argument rests upon supremacy of municipal laws.
10. Due to substantive questions of constitutional and international significance raised in the case, it has now been referred to a Constitution Bench of the Supreme Court. The Constitution of Areyventia is structurally and intrinsically similar to the Constitution of India except the provisions contained in Part III of the Indian Constitution.

[The participants are expected to frame relevant issues and raise cogent arguments. The cases decided by the Indian Supreme Court hold no binding value whatsoever in Areyventia.]

**Reference Research Links ::** Research should extend beyond these links.

- https://ccprcentre.org/database-decisions/
- https://api.sci.gov.in/supremecourt/2019/28817/28817_2019_2_1501_19350_Judgement_10-Jan-2020.pdf
- https://nalsar.ac.in/images/IJCL_Vol.9.pdf
- https://nalsar.ac.in/images/IJCL_Vol_11__12.pdf
- https://supreme.justia.com/cases-by-topic/free-speech/
- https://www.coe.int/en/web/human-rights-convention/expression1

**********(C)LLOYD**********

**Important Note ::** This proposition has been framed by Prof. Syed Shiraz Fazal, Assistant Professor, Lloyd Law College. Any communication with the said person regarding the moot proposition would lead to immediate disqualification.