

# ALL-EUROPEAN INTERNATIONAL HUMANITARIAN AND REFUGEE LAW MOOT COURT COMPETITION

7<sup>th</sup> Edition



## CASE STUDY: THE SITUATION IN THE BARA REGION

Faculty of Law of the University of Ljubljana, 2022



Pravna fakulteta  
Univerza v Ljubljani

Univerza v Ljubljani



ICRC



1. Abbia and Buria are neighbouring states in the Bara region. They were established in 2011, after the disintegration of the former Baratic Union, from which 8 sovereign states emerged, with Buria being the internationally recognized successor of the former Baratic Union. Abbia covers the eastern part and Buria the western part of the Bara region. Abbia and Buria share a border of 1.980 km, part of which runs in the middle of the Green River. The Bara region is home to 6 other smaller states laying in the north-western part.
2. The Green River rises in the Burayas mountain range and flows to the east for 5.850 km over the territory of Buria, until it reaches the border with Abbia, whereby it forms 225 km of official border between the countries. The Green River continues its course over the territory of Abbia for 1.523 km and then passes over five countries laying in the neighbouring Afria region, before draining into the Vast Sea. The river is an important trade artery and has been harnessed for hydroelectric power as well as the generation of industrial, agriculture and residential water supplies.
3. Buria is a developed state stretching over an area of 15,130,00 km<sup>2</sup> and has a population of 110 million people. The territory of the country is predominantly flat, with the Burayas, the world tallest mountain range laying in the west. These highlands are rich in minerals, in particular gold, silver, cobalt and titanium. Buria's capital city – a political and economic centre – Alkaw, lies at the central part of the country and has a population of 14 million. The majority of Buria's population is Beeoist, a religion that stems from the life, teachings and death of the Holy Bee. Buria's economy is the world's eighth largest by the nominal gross domestic product. The state has extensive mineral and energy resources and is among the leading producers of oil and gas. Buria also has the world's largest stockpile of nuclear weapons and third-highest military expenditure.
4. After gaining independence, Buria developed as a young democratic republic with a popular President, Mr. Lopez. However, due to a decline in economic growth, the popularity of Mr. Lopez diminished in recent years. In January 2018, the opposition candidate, Mr. Bursa, won the elections with a discourse based on the importance of strong leadership. Mr. Lopez had to resign and Mr. Bursa took the presidency
5. One month after winning the elections, President Bursa enacted a law, enabling him to occupy the position of the President of Buria indefinitely. In response to allegations of election fraud and enactment of the new law, peaceful protesters gathered at the Independence Square in

the centre of Alkaw in December 2018. They were brutally repressed with more than 5.000 protesters detained and some of them sentenced to prison for two years or more because of their participation in the protests.

6. Abbia is the second largest of the former Baratic Union states, which covers 450, 000 km<sup>2</sup> and has a population of 35 million. It borders Buria to the west and the Afria region, a home to 10 developing states integrated in the Economic Afria Union (EAU), to the east. Official language in the country is Abbiat, however, majority of its population also speaks Barat, the official language of the former Baratic Union and today's Buria. 20 percent of the population are of Beeoist religion, while the rest of the population belongs to the Cloudism, a religion praising the powers of the 'White Cloud'. Araborn, the capital city of the country, was a religious centre of the former Baratic Union. Some of the most important historic and religious monuments of Cloudist and Beeoist religion, including the Chapel of the Holy Bee from the 5<sup>th</sup> century, are located in the city centre. For centuries, the Chapel has been an important place of pilgrimage for Beeoists and for that reason it has been included in the UNESCO World Cultural Heritage list in 2017. After the dissolution of the Baratic Union, an agreement between Abbia and Buria was signed, allowing for the yearly pilgrimage of Beeoists from Buria to Abbia in May each year by leaving their borders open for 3 weeks.
7. Abbia's most important economic asset is the 'Fertile Belt', a plains region along the Green River stretching over 25 million hectares. The 'Fertile Belt' is covered with the most fertile soil in the world and was home to the first settled agriculture in the world. For centuries, the 'Fertile Belt' was used for agriculture and was a source of income for people living there, focusing in particular on the cattle farming and fruit and vegetable farming. Under the Baratic Union, however, agriculture production and the number of farmers decreased, since lack of state support and investments in transport infrastructure pushed many farmers into poverty.
8. After gaining independence, Abbia has, under the leadership of the President Ruman, invested significantly in its agriculture sector, becoming by 2016 the leading exporter of fresh fruit and vegetables to the Afria region via the Green River, and is thus often called as the 'fruit basket of the region'. In 2021, agriculture provided employment for 20 percent of its population. Its potential also attracted numerous foreign investors in recent years, coming mostly from the neighbouring Afria region. The country, however, nevertheless remains amongst the poorest in the region. In 2017, Abbia signed a free trade agreement with the EAU.

9. United Karabia is a developed democratic state with an advanced economy, its GDP constituting 25% of the gross world product. It lies in the Afria region, spanning over 653,000 km,<sup>2</sup> and has a population of over 70 million, majority of which belongs to the Cloudist religion. United Karabia, the founding member of the EAU, is a world leader in digital technologies, robotics and artificial intelligence. The current president of the United Karabia is Ms. Longdon.
10. In May 2021, during the yearly pilgrimage to the Chapel of the Holy Bee in Araborn, the crowd started to panic, leading to the death of more than 650 persons following trampling. An internal investigation concluded that the stampede was triggered intentionally by a group of extremist Beeoist of Buria's nationality. In October 2021 Abbia therefore announced that it would no longer support the yearly pilgrimages from Buria to Abbia, due to national security reasons.
11. In January 2022, President Bursa issued a national plan called 'the Great Beeoist Union' under which all Beeoists living in the Bara region would be reunited under his leadership and would be granted unlimited access to all religious sites, including the Chapel of the Holy Bee. According to the plan, parts of former Baratic Union where Beeoists form the majority of the population, should reunite in the new 'Great Beeoist Union'. President Bursa announced that peaceful unification is a priority, however, he also stressed that Buria would use all necessary means to implement the national plan.
12. In June 2022, presidential elections took place in Abbia, whereby a Beeoist candidate Mr. Janul won the elections by a narrow margin against Mr. Demos, who belonged to the Cloudist religion. Two days after the elections intelligence service of the United Karabia issued a report stating that Mr. Bursa had authorized Buria-based organisations to manipulate social media for misinformation purposes in Abbia, with the aim of supporting Mr. Janul and discrediting his opponents. The report concluded that influence of Buria-based organizations was instrumental for the final result of the elections. United Karabia urged for the independent international investigation, and advocated for the adoption of sanctions against Buria by the EAU, as a response to its blatant violations of human rights, democratic values and interference in the internal affairs of Abbia.
13. One week after the elections Mr. Janul announced that Abbia would join the 'Great Beeoist Union', together with Buria. This triggered protests in the capital city of Araborn, whereby supporters of Mr. Demos demanded Janul's resignation. In July 2022, protests spread to other

cities, with protesters burning cars and throwing stones at the police. Mr. Janul ordered heavily armed military to control the protestors, which on July 15<sup>th</sup>, 2022, opened fire against them in Araborn, killing 45 protesters and injuring 150 others. This brutal crackdown was followed by clashes between the government forces and protestors countrywide in which hundreds of people died and thousands were wounded, mostly protestors of Cloudist religion. Under the leadership of Mr. Demos, a Free Abbia Army (FAA) was formed, with its headquarters in Araborn. FAA started to attack military bases of the Abbia's army with the aim of overthrowing Mr. Janul.

14. On July 20<sup>th</sup>, 2022, the EAU strongly condemned activities of Mr. Janul and decided to adopt extensive trade sanctions as well as targeted sanctions against Mr. Janul, his family and military officials. United Karabia also expressed its utmost concern over the course of events taking place in Abbia and decided to send Mr. Demos and the FAA extensive military assistance amounting to \$ 5.5 billion, including stinger anti-aircraft systems, javelin anti-armour systems, switchable tactical unmanned aerial systems, high mobility artillery rocket systems, helicopters, communication systems, radars and small arms and ammunition.
15. Following intensive fighting in Araborn, FAA managed to get to the Presidential Palace, forcing Mr. Janul to flee with a helicopter to neighbouring Buria. After this, FAA took control over the Presidential Palace and the city of Araborn, whereby Mr. Demos declared himself as the democratically elected President of Abbia and took control over the army. However, one fraction remained in opposition, supporting the former President, Mr. Janul and the idea of the 'Great Beeoist Union'. They retreated in the western part of the country, taking control over region Tabas, bordering Buria, calling themselves as the Beeoist Separatist Forces (BSF). Quickly, however, the BSF realized they could not consolidate their control over the Tabas region without the support of Buria. They called upon President Bursa to take action.
16. President Bursa hesitated at first. He insisted on peace talks between the BSF and government and troops of Mr. Demos. On August 1<sup>st</sup>, 2022, however, Social Media channels leaked a military plan of the Abbia armed forces to destroy all Beeoist sanctuaries on the territory of Abbia in order to demotivate the BFS. This was something that President Bursa, a strong Beeoist believer himself, could not tolerate. He ordered his troops to cross the border and assist the BSF in defending the Chapel of the Holy Bee and all Beeoist present in Abbia.
17. On August 2<sup>nd</sup>, 2022, Buria's army entered the territory of Abbia in the western part of the country. Abbia's army was unable to respond to the overwhelming cooperation between the

Burian forces and the BSF, who both operated under one single command. The Burian troops gradually advanced towards the west-southern part of the country, including the most important Abbia's ports in the Green River. Fearing that Buria would be economically weakened by the internationally imposed sanctions, Mr. Bursa gave an order to all military commanders to "bring back to Buria as much supplies as possible."

18. On August 10<sup>th</sup>, 2022, when Buria's army was progressing to the south of Abbia, it reached the city of Maize, where majority of farmers from the region store their fruit and vegetables, before it is transported to the Afria region. Determined to defend their city, the farmers armed themselves with whatever arms were available, and opened fire against Buria's army when it approached the city. With the help of a group of 25 boys, who flew their GPS drones with cameras over the approaching Buria's military, thereby disclosing their positions, the farmers and citizens of Maize managed to successfully repel the attack at the beginning. However, they were soon outnumbered and captured by Buria's army. The army forced the farmers to load the fruit and vegetables storages on trucks and drive them to Buria, where they were later imprisoned. The boys were also captured and forced to fly their drones over the potential Abbia's military targets.
19. The majority of those Abbian citizens unable to flee prior to the arrival of Buria's army and taking control over the Abbian territory, were boarded on buses and transferred to the western part of Buria, a sparsely populated highlands region near the Burayas mountain range, where they were forced to work in silver mines in abysmal conditions.
20. Horrified by the activities of Buria, the EAU on August 15<sup>th</sup>, 2022, adopted further trade sanctions against the country, and EAU's member states committed themselves to military supporting Abbia. The United Karabia, on August 17<sup>th</sup>, 2022, sent its military support to Abbia amounting to another \$ 15.7 billion and committed itself to provide daily intelligence information, strategic planning and training to Abbia.
21. Following a quick progress of Buria's forces towards the city of Araborn, on August 20<sup>th</sup>, 2022, the United Karabia decided to send to Abbia 1.000 drones Fireblade X1 and 200 drones Fireblade X5. These are the so-called 'kamikaze drones', one of the newest AI products, designed and programmed under its Project Baven, run by a company 'AI FUTURE'. The 'Fireblade' fly at a very high speed, and cannot be tracked with the naked eye. These drones are programmed to 1) identify and locate targets through the satellites stationed in outer space and then 2) charge at the identified target, exploding in a fireball. The Fireblade X5

version of the drone is designed to carry explosive devices with wide area effects in order to be able to destroy larger military objects, such as warehouses. United Karabia also sent programmers to Abbia in order to help prepare drones for military operations.

22. On August 25<sup>th</sup>, 2022, Buria's forces were only 30 kilometres away from Araborn. Mr. Demos demanded that the city had to be protected by all means and ordered that all 1.000 Fireblade X1 and 200 Fireblade X5 were to be used to protect the city. On August 26<sup>th</sup>, 2022, intense shelling between Buria's and Abbia's forces commenced in the western part of the city of Araborn, whereby Fireblades X1 successfully destroyed 389 Buria's military vehicles, killed more than 510 individual Buria soldiers and destroyed three Buria's warehouses with weapons and ammunition located in the territory under the control of Buria. According to the reports, these attacks caused 110 civilian casualties. At 2 pm on the same day, one of the Fireblades X5, charged at the Chapel of the Holy Bee, where 5 kids were playing with the military uniforms found in the streets and wore Buria's military helmets. Drone fire blast killed all 150 families with children who sought refuge in the Chapel from heavy shelling and completely destroyed the building.
23. On August 27<sup>th</sup>, 2022, President Bursa ordered that Buria's strategic nuclear forces are put on high alert, stating that the very existence of Buria was threatened, by the involvement of the United Karabia in the conflict. He exclaimed that the destruction of the Chapel of the Holy Bee is one of the greatest catastrophes in the history of Beeoism, which will never be forgotten!
24. Since July 2022, more than 80.000 people were killed in Abbia, and to escape the violence more than 7 million Abbia's refugees have fled to neighbouring countries, mostly the EAU members states and the United Karabia in particular. Various international organisations, including, the International Committee of the Red Cross (ICRC) has delegations in Abbia and Buria, but access of humanitarian organisations to parts of the Abbian territory controlled by Buria is limited.
25. Since July 2022, more than 2,2 million of Abbian refugees came to the United Karabia. At the beginning, the United Karabia successfully and effectively processed applications for international protection and soon adopted an Act on Temporary Protection on the basis of which people fleeing Abbia had the right to stay in the country for 18 months, and were granted temporary residence permit, access to the labour market, social welfare benefits, education and healthcare. However, continuous and rapidly increasing number of refugees from Abbia caused unrests within the country and the United Karabia did not have sufficient

capacities to process all the applications or ensure access to services and benefits. In the beginning of August 2022, Ms. Longdon announced that the United Karabia is unable to accommodate all refugees coming from Abbia, which will therefore be boarded on Jumbo Jet planes and flown to Zirono, a developing country on another continent.

26. More than one million Abbian refugees were transported to Zirono until September 2022, where they are being held in camps due to Zirono's inability to expeditiously process all the asylum applications. Deplorable living conditions in the camps where asylum seekers are accommodated caused concerns in the international community, including the United Nations High Commissioner for Refugees (UNHCR).
27. The UNHCR also reported that asylum procedures are taking place in the Zirono's language which Abbian refugees do not understand, whereby their demands for translation in their language are continuously denied. Overcrowding, poor housing conditions, frequent food shortages, limited access to services, including health care, and in particular total lack of access to vaccinations against highly infectious diseases, sanitation and hygiene and limited access to legal assistance lead to tensions and unrest in the camps.
28. In September 2022, the Pre-Trial Chamber of the International Criminal Court, following the request from the Office of the Prosecutor of the International Criminal Court authorised an investigation into the situation in Abbia since August 2022.
29. Abbia, Buria, United Karabia and Zirono are all members of the UN, with Buria and United Karabia also being permanent members of the UNSC. Abbia, Buria, United Karabia and Zirono are also parties to all relevant treaties on international humanitarian law, UN human rights treaties and relevant international refugee law treaties. Abbia, Buria and the United Karabia are also parties to the European Convention on Human rights. All states are parties to the 1998 Rome Statute of the International Criminal Court.