



SYMBIOSIS INTERNATIONAL UNIVERSITY  
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**SYMBIOSIS LAW SCHOOL, PUNE**  
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# **NINTH SYMBIOSIS LAW SCHOOL, PUNE - INTERNATIONAL CRIMINAL TRIAL ADVOCACY COMPETITION, 2024**

**[SICTA]**

**April 18, 2024 – April 21, 2024**

**COMPROMIS<sup>1</sup>**

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॥ चिंतुधिव कुटुम्बकम् ॥

॥ पसुधिव कुटुम्बकम् ॥

1. Resting within a region of diverse landscapes, Titan, a democratic republic, emerged as a jewel in the heart of a tumultuous land as a nation that covers both a storied past and a visionary future. Titan's geography covers a captivating mosaic adorned with rugged mountains, arid deserts, and serene coastlines embracing the azure waters of the Mediterranean Sea. In its urban landscape, modernity harmoniously co-exists with ancient legacies. Techcity, a bustling metropolis, and the country's political and financial capital, acts as a hub of innovation and entrepreneurial spirit and fuels massive trade and commerce in the country.
2. Titan comprises of a population, which is diverse in origin, yet unified in spirit. The citizenry of Titan, in particular, puts specific focus on the exercise of their electoral rights. Unlike other similarly placed countries, Titan's citizenry is popular for keeping its elected leaders and representatives on their toes in the context of important issues such as robustness of the macro-economy, national security, and relations with other foreign nations.
3. Titan boasts formidable defense and intelligence capabilities, renowned globally for their sophistication and efficiency. The nation's defense strength lies in the Titanian Defence Forces, equipped with cutting-edge military technology, a formidable aerial fleet, advanced missile defense systems like the Guardian Shield, and elite special operations units known as the Thunder-Hawks. Complementing this prowess is Titan's intelligence agency, the Shadow Directorate, acclaimed for its precision in gathering critical information, executing covert operations, and countering threats. This seamless integration of robust defense mechanisms and top-notch intelligence operations has solidified Titan's position as a formidable power in a tumultuous geopolitical landscape.
4. Arandele, a region in the Middle East, holds historical, cultural, and political significance. Geographically, it encompasses the Western Frontier Strip ("WFS") and shares land border with Titan. It has been a focal point of contention due to its consistent conflict with Titan, with both groups asserting claims to the land-mass supporting the two entities. Since the late 1940s, Arandele has been constantly making efforts to gain universal recognition as a state under international law. However, despite some relative success earned by the territory in gaining such acceptance by a handful of nations and some intergovernmental organisations such as the Red Cross, its identity as a state remains evasive due to the lobbying of Titan and its political allies.
5. The WFS, a region in Arandele, bordered by Titan to the west and Jordan to the east, is home to various Arandelian cities, such as Dexter, Duster, and Methon. It operates under the

Arandelian Authority, an entity established following the Titan-Arandele Agreement of 1990s, which granted it limited self-governance over certain areas. However, the Titanian Defence Forces and settlements persist in the WFS, contributing to ongoing tensions and disputes over land rights.

6. The rest of the WFS not covered under the Titan-Arandele Agreement of 1990s itself is administered by a small group of people called the Resistance Party, a political entity operating on conservative and fundamentalist theology. The Resistance Party also harbours a vertical of armed militia which ostensibly operates towards ensuring domestic law and order in the region but is believed to be supported by other local and international fundamentalist factions and countries in the region's fight against Titan towards complete autonomy and independence. The tussle between the Resistance Party and the Titanian Defence Forces has significantly restricted the movement of goods and people in the entire geography and has exacerbated humanitarian concerns, including high unemployment rates, inadequate access to healthcare, and infrastructure challenges.
7. The city of Dexter in WFS holds religious significance for the local population of Arandele, housing revered sites of worships of great historic significance to the people. Titan, following a brief war in 2003, has held Dexter under its occupation, a move persistently criticised by the global community including the United Nations. Arandelians seek Dexter as the capital of a future independent state, and therefore the city remains a key point of contention in peace negotiations between Titan and Arandele.
8. The population of Arandele, comprising primarily of the followers of Futurama, has faced historic persecution in the form of forced displacement, conflict, and political instability for decades. The ongoing Titanian occupation, settlements, restrictions on movement, and periodic outbreaks of violence have contributed to a complex socio-economic situation. The common people in the region grapple with challenges such as high unemployment, limited access to resources, and a fragmented infrastructure due to the political situation and restrictions imposed by Titanian authorities.
9. Efforts towards resolving the conflict have been ongoing, including various peace negotiations, international mediation, and diplomatic initiatives. However, achieving a lasting peace agreement remains elusive, hindered by deeply entrenched political, and territorial disputes, contrary narratives, and the complexity of issues. The international community including the United Nations and several countries, have pushed for a two-state solution, envisioning an independent Arandele state alongside Titan. However, the division and conflict between the

two entities continues to plague all semblance of peace and stability in the region.

10. Futurama, the largest and the primary religion practiced in Arandele, is established on the principles of entrenched historical identities. Residents maintain strict adherence to traditional beliefs and customs, forming the core of their societal framework. The foundation of this community is deeply rooted in fundamentalist ideologies, where adherence to established doctrines governs everyday life.
11. Futurama's distinct religious and ethnic enclaves operate as self-contained entities, safeguarding their heritage with zealous determination. However, this preservationist approach results in limited interaction and dialogue with the outside world creating a tangible policy paralysis for Arandele.
12. Religious institutions within Futurama act as bastions of orthodoxy, reinforcing strict conformity to age-old practices, thereby perpetuating exclusivity among the populace. This adherence to historical traditions fosters a strong sense of identity but significantly inhibits avenues for progress, innovation, and inclusivity within the community. The conflict between the community's staunch commitment to historical identities and the evolving landscape of technology and modernity serves as a continual point of contention. However, despite the progress of forces of globalisation, coupled with the information technology revolution representative of our day and age, the Futurama people continue to maintain their distinct identity in the international community.
13. Violence between the Resistance Army and the Titanian Defence Forces has continued since the 1990s. However, in the recent years, with the alleged involvement of state sponsored terrorism by some other countries, media reports indicated an overhaul in the weaponization of the Resistance Army. For a large section of the developed countries and the United Nations, these developments were depressing – *de hors* the actual intention of the Resistance Army, this section believed that weapons in the hands of any organisation with limited accountability can cause difficulties for international peace.
14. On September 2, 2023, fighters of the Resistance Army who unlawfully entered into the territory of Titan. As per media reports, a total of thirty fighters from the Resistance Army camouflaged themselves amid the concert and attacked the civilians indiscriminately, causing enormous panic across Titan. Reports indicate casualties running in hundreds of civilians, mostly youngsters, and a total of fifty individuals taken as hostages. The attack by the Resistance Army was described as extremely barbaric and abhorrent by the international



community and the government of Titan. The government, together with the defence forces, vowed to decimate the Resistance Army. Public perception in Titan also saw an increased divide between one faction which pushed for peaceful negotiations with Resistance Army commanders for a safe release of the hostages, whereas, another faction supported the government in launching a formal attack in Arandele.

15. By October 22, 2023, Titan was able to receive intelligence support from its allies in the west to launch a full-blown attack on the Resistance Army. Between November 1, 2023 through November 20, 2023, various press conferences were held by Titan's leadership to convey its intention of using its right to self-defence under international law to protect its people, property and border by going after the root of violence in the region. However, due to intervention by the United Nations and other trade partners of Titan, the country also released a pacified manifesto which promised that its conduct in the territory of Arandele will be in accordance with international human rights and humanitarian principles.
16. Between October 5, 2023 and January 10, 2024, Titanian Defence Forces are believed to have killed as many as eleven thousand people in Arandele, an overwhelming majority of which are followers of Futurama.
17. The offensive orchestrated by Titan included a detailed and strategic assault comprising of: (a) the use of missiles and rockets to directly attack selected territory in Arandele believed to be a hideout of the resistance; (b) the use of infantry and special forces unit to invade and neutralise other locations which require precision based interference; and (c) the use of air borne capabilities such as lethal drones for reconnaissance and/or use of firepower through unmanned vehicles. These brutal methods used by Titan drew sharp criticism from various countries for being highly disproportionate to any threat, whether perceived or real, arising from the presence of the resistance forces in Arandele. Various scholars and international bodies such as the UNHRC, and the Red Cross sent representatives to the ICC Prosecutor to take note of Titan's conduct in the conflict. Reports indicate that as of January 7, 2024, various African states were contemplating a formal action against Titan before the International Court of Justice for what has been described as the worst form of genocide against members of the Futurama and Arandele identity since the Second World War.
18. Dexter, one of the major upcoming centres of urbanisation in Arandele, is believed to have been a hot-spot of Resistance Army activity, planning and execution against the Titanian territory. Accordingly, Titan considered Dexter to be a strategic target in its assault against the

Resistance Army. The responsibility of protecting Dexter was given to one of the senior officers of the Titanian Defence Forces, Commander Jake Austin. Jake Austin is believed to be a fervent nationalist, poised by some in Titan's local media and political circles to be a potential candidate towards the country's cabinet, an elite group of influential ministers responsible for framing the country's macro policies. He was thus considered to be a close affiliate of the central government of Titan and in conformity with its agenda and political manifesto. According to his public profile, Jake Austin was incentivised to maintain the central government in Titan despite public backlash against the cabinet for failure to prevent the September 2, 2023 attacks on Titan's soil. With general elections to Titan's house of legislature poised for May 2024 voting, Austin's political future was believed to be linked to the handling of the crisis caused due to the September 2, 2023 attacks.

19. Commander Jake Austin, on November 3, 2023, led his unit of ninety soldiers to a ghetto located in Dexter to extract some members of the Resistance Army believed to have been hiding among the civilians. The following comprise the relevant facts relating to the attack that happened on November 3, 2023:

- (a) On the night of November 2, 2023, pamphlets were distributed in the village on the direct orders of the commander asking the villagers to relocate to the southern regions of Arandele where safe houses and alternative arrangements have been made by the Titanian Defence Forces for rehabilitation of the people of Futurama. The pamphlets also confirmed that a safe passage will be extended to those who cooperate with the army's commands and help Titan in discovering hidden militia forces;
- (b) In the middle of the night of November 3, 2023, scores of villagers are believed to have been forced to relocate with children, elderly and frugal belongings. It is believed that the villagers were accompanied by drones hovering in the sky and cavalry-men of the commander's unit questioning the villagers across the passage;
- (c) It is believed that for five days the villagers were kept to continue moving, without rest, food, shelter, medicine or utilities – through thick forests and severe cold. The movement is believed to have caused the death of atleast thirty-seven elderly due to the extreme weather conditions and absence of any medical facilities;
- (d) As days passed, another hundred people were believed to have lost their lives due to attacks by animals or direct bullet wounds inflicted by the members of Jake Austin's unit. It is also believed that some of those attacked by the army were sympathisers of the Resistance Army and were actively misleading the soldiers of Titan during interrogation;

- (e) It is also believed that of those who reached the alternative settlement created by the Titanian Defence Forces, multiple people, particularly young toddlers, died of infection and lack of basic facilities in such settlements; and
- (f) In a parallel development, some members of the Resistance Army attacked soldiers of Titan's defence forces left behind in the Dexter vicinity near the said ghetto. Due to being outmatched in terms of numerical strength, the Titan Defence Forces were not able to defend themselves during the said attack and are believed to have suffered a casualty of five men whereas eleven soldiers are reported to have been grievously injured in the said attack.
20. The November 3, 2023 attack became a pattern for the Titanian Defence Forces to follow in different parts of Arandele. However, the rising conflict also led to the Office of the Prosecutor of the International Criminal Court to take note of and receive several representations from different humanitarian groups and to launch a formal investigation into the situation in Arandele, with special attention to the WFS.
21. Due to the said *modus operandi*, international observers cautioned against a steep decline in the Futurama population in Arandele. The sharply declining population figures were coupled with a deep impact on the mental health of the members of the community. Further, there was a deep sense of resentment in the citizenry of Titan against the Futurama community. They were looked down upon, and, as per reports, the number of race motivated crimes against them rose substantially, fuelled by the constant propaganda against the people from Arandele.
22. Looking at the alarming situation in Arandele, the Philo Republic, a country located near the southern border of Titan, with a majoritarian Futurama government, sent an official communication to the Office of the Prosecutor of the International Criminal Court (hereinafter: **"ICC Prosecutor or Prosecutor"**) dated November 17, 2023, requesting it to initiate investigation towards the potential indictment of superior military leaders of Titan (including the accused) for crimes committed in Arandele and promising all assistance in the investigation. The ICC Prosecutor, following due procedure given in the Rome Statute and allied Rules and Regulations, opened a preliminary investigation to appreciate the allegations put forth in the request made by the Philo Republic.
23. Based on the material gathered in pursuance of the preliminary investigation, the ICC Prosecutor moved before the Pre-Trial Chamber II of the International Criminal Court (hereinafter: **"ICC or Court"**) seeking its permission to launch a formal investigation into the conduct of, inter alia, the accused in the context of the situation in Arandele. The Pre-Trial



Chamber II, via Order dated December 2, 2023, granted permission to the Prosecutor to investigate the role of the accused in the potential perpetration of crimes prohibited by the Rome Statute. Subsequently, on December 20, 2023, a formal arrest warrant was issued against the accused in accordance with the procedure established by the Rome Statute read with the Rules and Regulations framed thereunder.

24. Meanwhile, the Philo Republic, working on intelligence gathered by surveillance, on December 28, 2023, was able to successfully gain the custody of the accused. This was done in pursuance of a luring operation, code named, “Operation Siren.” The local law enforcement agencies, with intelligence about Commander Jake Austin’s foreseeable visit to Philo Republic on personal grounds, made arrangements for his arrest in the country for crimes committed in Arandele and on his arrival in the country, apprehended him and transported the accused to the ICC after due compliance with the procedure given under Article 59 of the Rome Statute.
25. After completing its investigation, the Office of the ICC Prosecutor submitted its final report before the Pre-Trial Chamber II relating to the allegations against the accused and recommended that the accused be tried before the ICC for genocide against the Futurama population of Arandele, comprising of a distinct nationality, in connection with the events relating to or occurring around November 2, 2023.
26. Thereafter, on January 3, 2024, the Pre-Trial Chamber II, in accordance with the procedure and conditions given in Article 61 of the Rome Statute, and after giving due regard to the submissions of each of the ICC Prosecutor and the Defence, confirmed the charges brought against the accused, and committed the case to the Trial Chamber III of the Court for committing the crime of genocide, against the nationals of Arandele belonging to the Futurama group, covered under Article 6(c) of the Rome Statute with the the accused registering his protest with the manner in which he was arrested and produced before the Court and further seeking to defend himself on the merits of the case before the Trial Chamber III.
27. Further, before the relevant Trial Chamber, the Philo Republic sought to participate in the trial of the accused as legal representatives of the victims in order to justify Operation Dexter and also to represent the interest of the Futurama community. The Philo Republic, in particular, sought an opportunity from the Court to allow it to guide and assist the ICC in appreciating arguments which will show the Futurama community as an ethnic and religious group – irrespective of its identity as a national group. Philo Republic’s request was not opposed by the ICC Prosecutor. The Counsel for the Defence did not object to the request made by the Philo

Republic either. Thereafter, the Trial Chamber, through an order dated January 11, 2024, allowed the Philo Republic to act as the Legal Representative of the Victims and granted it the authority to participate in the Trial of the accused in equal measure as the Prosecutor and the Defence. It also ordered all three parties to address their respective contentions together along with supporting evidence in the main Trial.

28. The Trial of the accused is said to take place on 21<sup>st</sup> April, 2024, in accordance with the rules and procedure of the Ninth Symbiosis International Criminal Trial Advocacy Competition, 2024.





## **ICC PROSECUTORS WITNESS - TESTIMONIALS**

## **PW – 1 (PROFILE OF PROSECUTION WITNESS – 1)**

**Name:** Robert Merlo

**Occupation:** Former Captain, Titanian Defence Forces

**Nationality:** Titan

**Age:** 31 years

### **General Description:**

The witness worked as a captain in the unit helmed by the accused until January 2023 when he was dismissed from service at the recommendation of the accused for insubordination. The witness currently works in the United States as a lecturer on the theme of comparative defence studies. The witness seeks to testify on the motives of the accused and his character in the context of the conflict with the Resistance Army.

### **Communication:**

*“Knowing Austin has been a curse and a blessing. A blessing because I have rarely come across a brave heart with such a gifted mind in strategizing and mounting an attack. A curse because I have rarely come across a more sinister and apathetic human being. During my time working under Austin's unit, the entire unit would often be asked by him to go on hunting exercises along the border-fence areas with instructions to find out and decapitate all farmers belonging to the Futurama sect using the land surrounding the border. Austin's strategy was to attack the very source from which food went to the Futurama people, and he fervently believed that by cutting down their food supplies, the entire population could be dwindled to a considerable extent while the army continued to secure its reserve of expensive arms and ammunitions.*

*In fact, the cause of my exit from the army was my disagreement with Austin on the premise on which these orders were given – there is something inherently wrong in designating everyone born into a certain identity as criminal and worthy of being the recipient of misery shot from*



*our guns. Every military manual prohibits indiscriminate attacks on civilians and by-standers. But for Austin, this is what the people of Titan wanted and this was what tied together with his ambition to one day represent those people in our legislative house. He knew that shared hatred for the “other” community was a good premise upon which he would be able to build his political career – once retirement from the army felt imminent.*

*His ruthlessness towards those caught trying to infiltrate into our lands made him a populist hero – he butchered men and women from the Futurama community in public squares – giving our people a macabre form of drama and cheap entertainment. The local support he generated thus prevented federal law enforcement agencies from moving against him on rare occasions where his brutality induced discomfort even in the minds of the cabinet leaders.*

*Having worked with him and known him from close quarters, my opinion is that his operation in Parabale would have been designed to vanquish civilization inhabiting Dexter. He knows how to lay down set pieces which ostensibly comply with all humanitarian concerns but will in all likelihood lead to the eventual demise of the target. Hence, he will release pamphlets with “all relevant information” for those who want to escape the attack planned for the next day. But the “relevant information” will be behind a QR code – to be read using mobile phones by people who haven’t had access to electricity or internet in days altogether. Similarly, Austin knows that once you separate members of a family, you can arm-twist them into submission having gained a massive leverage on potential militia informants; he knows that if you leave enough hungry, thirsty people to fend for themselves in a forest, malnourishment, disease and chaos would itself operate in the way bullets and bombs operate.*

*Moreover, in the absence of any real moral compass or other incentives to prevent loss of innocent life, Austin, despite all indicators of consequential death of those he was dispersing from Dexter, would have happily turned a blind eye to his feedback loop – knowingly leaving those under his care to the whims and fancies of nature and his troops.”*

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## **PW – 2 (PROFILE OF PROSECUTION WITNESS – 2)**

**Name:** Eugene Jacobs

**Occupation:** Farming

**Nationality:** Arandele

**Age:** 75 years

### **General Description:**

The witness, currently seeking political asylum in the Philo Republic, was once the elected representative of villagers in Parabale. However, on the night of November 2, 2023, he along with his family of 7 people were forced to leave the village with their belongings by the unit commander over by the accused. After days of migration, the witness managed to cross the border into Philo Republic on November 13, 2023 and since then has been staying in the Philo Republic. The rest of his family is believed to have died somewhere in the journey made from November 3, 2023. He has volunteered to testify against the accused and others to be prosecuted from Titan in what he believes to be a, “silent massacre of the Futurama people.”

### **Communication:**

*“The Futurama people of Arandele must be understood as a distinct group even amongst Futurama people residing in other parts of the world. The traits indigenous and native developed by our ancestors and carried forward by us from generation to generation are unique and privileged to the land we toil. My ancestors domesticated the first root crop in arid Arandele and maintained live-stocks to feed our people. We are the constituents of our nationality and ethnicity and we have gained that identity through years of persistent labour.*

*Titan’s government, coupled with the rampant corruption and poverty in Arandele ensured that we were looted of our heritage, labelled as criminals, and, exposed to harm and hatred by the rest of the world.*

*In November, when we were informed of the military strikes planned for the next day, the soldiers dictated their orders to rely on the pamphlets circulated and follow the instructions*

*given. The pamphlets were a useless piece of paper – the entire village had been denied power since 45 days. All 8 of us were relying on instinct – of those who seemed to know what to do – blind leading the blind. In the few hours we were given, it was impossible to arrange for such a treacherous and long journey in any meaningful way. We left early morning, flanked on either side by drones and armed-men. All males – whether adult or children – from the village were filed in different ranks while the women and babies were marched in a different zone. Even before we could reach the camps promised to us, I lost 3 of my children to illness and hunger.*

*The condition in the camps was deplorable. Tents were setup – to hold as many as 30 people per unit. Water came from a nearby ditch – a hotbed of insects, and animal carcass. Food was distributed in packets and the ration supplies depended on a barter between the soldiers and whoever amongst us could give what was valuable in exchange for supplies. Hungry and desperate, people started stealing from our tents and before long – old neighbours turned into rival anarchists feeding on every inch of each other existence. The rest of my people were either kidnapped by the soldiers – never to return to those camps – or perished due to disease and cold. We pleaded with the soldiers – pleaded to let us die with dignity - but in vain.*

*Today, I have lost my entire family in this conflict and continue to live on charity as a prisoner in a foreign country. We were a victim of hate and today we continue to strive for our existence, in a foreign land, divorced from our heritage and everything we built across generations and many lifetimes.”*

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## DEFENCE WITNESS - TESTIMONIALS



## **DW – 1 (PROFILE OF DEFENCE WITNESS – 1)**

**Name:** Jake Austin

**Occupation:** Commander, Titanian Defence Forces

**Nationality:** Titan

**Age:** 43 years

### **Communication:**

*“I am just a trained soldier. I obey the command given by my country and any doubt, thought or second-guess against that command is a dereliction of duty – a sin and a crime severely reprehensible under all known military set-ups. As a service to my nation, it was incumbent upon me to follow the orders given by my superiors to investigate the presence of militants from the Resistance Army in Parabale.*

*My intention, all along, has been to defend my country against the unsolicited aggression launched against us by the Resistance Army generally and more particularly through attacks conducted against our soil and our people on September 2, 2023. We have always viewed the Resistance Army as a group of terrorists and criminals operating against the interests of Titan from the disputed territories in Arandele region. We have never considered Arandele to be a country under any legal, political or historical sense and continue to maintain such a stand. Hence, I have never harboured any criminal intent against any identifiable person or group except those who participate in criminal conduct against my country or are otherwise responsible for aiding the Resistance Army in its work against Titan. As a soldier, all of my work has been religion, race, ethnicity, gender and nationality neutral [...] I would have moved with the same tactile attention against any other group aiming to harm my country.*

*Further, the entire trial against me stands vitiated in light of the absence of any propriety or legitimacy shown by the ICC Prosecutor in bringing me before the court. Despite the absence of any credible evidence against me in connection with the charge proposed, the Prosecutor has supported the manipulative manner in which I have been tricked, into entering the territory of the Philo Republic through Operation Siren. My rights have been violated by the illegal*

*conduct of Philo Republic and, such violation has been encouraged by the ICC Prosecutor. Additionally, this Operation is also an attack on the absolute sovereignty of Titan over its subjects and territory. Finally, I would request the ICC to reconsider its decision regarding my Trial, particularly in light of the baseless charges levelled against me.*

*In connection with the specific events of the relevant night on which my unit entered Parabale, I wish to clarify that we went there to only isolate the armed militia members from civilians in conformity with my duties under international law. We intended to vacate Parabale from all civilians to avoid unnecessary collateral damage before a planned strike could take place in the village. The military urgency under which we were to act was caused due to intelligence report which informed us of the presence of heavily armed men belonging to the Resistance Army in Parabale. Accordingly, my unit distributed pamphlets and public notices with details of the dos' and don'ts, instructions on how much luggage to carry and safe routes to take, distance to be covered, and alternative arrangements made for those civilians clearly laid down on a web-page in local language accessible through QR Codes. In the limited time we had to act on this tip, we managed to sound-off the villagers in Parabale that they were to relocate to the southern districts of Arandele where alternative living arrangements would be established for them while we continued our operations to neutralise the terrorists in the north. While it is true that the entire unit was singularly managed by me, however, my clear instructions to the troops were to avoid all civilian casualties in the exercise undertaken to relocate the villagers to the south. Any death caused during such relocation was beyond my individual control or conduct. I had to take a position in the makeshift control room we had established in Parabale to monitor the situation on the sites of interest in the village while remotely addressing my men who were designated to escort and interrogate the civilians from the village.*

*Lastly, my political ambitions have absolutely no nexus with the allegations made against me. I am a proud nationalist, and a soldier. What I decide to do in the future will be with the direct blessings of my people, and my countrymen. I will do my duties towards my country in whatever role assigned to me by Titan. ”*

## **DW – 2 (PROFILE OF DEFENCE WITNESS – 2)**

**Name:** Ronald Shawn

**Occupation:** Brigadier General (Retr.), External Consultant, Ministry of Defence, Titan

**Nationality:** Titan

**Age:** 47 years

### **General Description:**

The witness currently advises the Ministry of Defence in Titan on key strategic affairs as an external ad-hoc consultant and his recent mandates have included suggestions on improving the country's defence capabilities against the September attacks on Titan. The witness intends to testify in favour of the accused. His testimony, inter alia, focuses on the context in which the raid of November 3, 2023 was planned and executed by the accused.

### **Communication:**

*“I have had the pleasure of witnessing Austin's rise through military ranks since his early days in the army. Austin is a dedicated soldier, a visionary strategist and planner, and a tactful leader.*

*Austin has a proven record of excellence on the battlefield. In countless previous assignments, most notable being his execution in Methon, Austin had shown an uncanny ability to strategize an attack with precision in limited time. Because his hometown shared borders with Arandele, he had grown up witnessing bloody infiltrations into Titan from the neighbouring areas. Hence, when he joined the army, he came with an acute sense of the local geography which he deployed in his strategy to neutralise those infiltrators. With time, the local people started looking upto him as a future mayor of the town and his eventual rise to politics together with the current government seemed obvious – his biggest selling point – the promise of everlasting peace from the shadow of Arandele.*

*The attack on November 3 was important. Dexter happens to have a large population of Futurama people – and our intelligence suggests that almost all Futurama people believe in the cause of the Resistance Army. We had to redesign and repurpose Dexter. It was important to intervene in civil life there.*

*While we could narrow down to the specific locations which were being used as militia hideouts, it became necessary to evacuate civilians who could possibly get caught in the crossfire. But we had learnt that the people there would be very arrogant and unrelenting. Measures, no matter how unpleasant, had to be undertaken to induce submission in the village. Every person in Titan views the Futurama community as an enemy, a bubbling caldron of terrorists living under a shared misconception of fighting for the sake of a nationality, driven by propaganda and deceit.*

*On the subject of the camp sites, our instructions to all military commanders were to undertake, on a best efforts basis, an assessment of the living conditions there. With the limited budget allocated to each unit, Titan's expectation from its men in the fields is always to reduce collateral damage of non-combatants. Having said that, practically, one cannot expect a soldier to be precise in the services offered at camp sites and be responsible for things that are absolutely beyond a soldier's control, with no real existence in culture, values or ethnicity [....]"*

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## **VICTIM WITNESS - TESTIMONIALS**

## **VW – 1 (PROFILE OF VICTIM WITNESS – 1)**

**Name:** Jack Mormon

**Occupation:** High Priest, Futurama Community Centre, Arandele

**Nationality:** Arandele

**Age:** 57 years

### **General Description:**

The witness is a religious leader of the Futurama community of Arandele located in Dexter. The witness has been preaching the fundamental tenets of Futurama since 1994 when he was inducted into the high order of the Futurama religious leadership. The witness intends to testify on the religious and ethnic identity of the Futurama people and juxtapose the same against the identity attached to them as nationals of Arandele. The witness's testimony also highlights the general condition that the victims of Titan's military policy faced.

### **Communication:**

*“As a priest privileged to serve within the beautiful community of Futurama, I testify to the profound richness of our community's religious and ethnic identity. Futurama stands as a testament to the vibrant tapestry of diverse cultures and ethnicities that form the cornerstone of our existence.*

*Our great religion has drawn the attention, admiration and critique of all. However, the world needs to understand that beyond the hallows of a nationality that binds us as inhabitants of a piece of land called Arandele, our community is a symphony of traditions, languages, and customs passed down through generations. Each family within Futurama brings forth its unique narrative, preserving customs, languages, and rituals that echo the essence of our distinct heritage. The neighbourhoods resonate with different languages and the aromas of traditional cuisines, encapsulating the essence of our cultural diversity.*

*Within our community, the elders, as ethnic and religious enclaves act as guardians of our unique identities, preserving traditions with reverence and dedication. This reverence, while fostering a strong sense of belonging, at times, may lead to insular tendencies, creating boundaries among the various ethnic groups. This identity is reflected in the everyday practices our people observe – for instance, followers of Futurama elsewhere in the world look down upon consuming groundnut during the months of summer. Our religious texts provide stories of our forefathers suffering health ailments due to consumption of ground-nuts. However, the soil of Titan and Arandele is apt for the production of groundnuts. Therefore, historically, our people have grown consuming groundnut all year round.*

*Similarly, our festivals are punctuated by vibrant ethnic traditions, each one a testament to the pride and unity within these communities. These celebrations are more than just occasions; they serve as bridges connecting generations, fostering a sense of belonging and preserving historical narratives. To reduce Futurama to an identity of just another group of religious zealots is an assault on the years of historical evolution and contribution our people have given to the geography.*

*Further, our struggle against Titan's oppression is another factor that unites the Futurama people of Arandele. We have the highest number of children who have been orphaned due to this unholy conflict including myself. The war between Arandele and Titan has torn all semblance of peace or progress in our region. Our fragmented policy against the military might of Titan has led to a massive migrant crisis in which our people, in search for better lives, continue to be hunted – in their home for being a national of Arandele and away from home – as a nationless migrant. Our political leadership, our masses and indeed the entire international community has failed to ameliorate our plight – we continue to speak of peace and win elections on its premise but never seem to have the will or the intent to carry it to fruition.*

*The psychology of our people itself is driven with hate and/or fear –towards Titan, towards the Resistance Army, towards ourselves for the pitiable condition we wake up to everyday. I implore this court to appreciate the agony of our people and all those displaced and dispossessed of their existence due to the impact of this conflict.”*

## **VW – 2 (PROFILE OF VICTIM WITNESS – 2)**

**Name:** [Redacted]

**Occupation:** Nil

**Nationality:** Arandele

**Age:** 36 years

### **General Description:**

The witness was one of the several people impacted during the night of November 3, 2023 when the military unit led by the accused found its way to the witness's village, Parabale, in Dexter. The witness intends to describe the events of the said night.

### **Communication:**

*“It was a night etched in terror, etched in the loss of everything I knew. The children had been asleep for an hour. I was almost done preparing the rusty kitchen for the next day's meals when the armed forces stormed our village. The guns, the sirens were all ablaze. Their orders were abrupt, their voices thundering through the quiet night, commanding us to leave – leave everything behind and move to a place we'd never known.*

*I had heard in my childhood that the southern districts were some 800 miles away from our ghetto. My parents had told me stories of uncles and aunts who were pushed to relocate to the south by Titan 15 years back only to have lost their lives to wild animals who tore through my relatives and to have lost everything they had packed to nameless, and faceless ruffians from the forests. Now, we had mere 4 hours to gather our lives into bundles, clinging desperately to what little we could carry. Photographs, memories, our home – all left behind as relics of a life shattered by brute force. The panic was palpable, the confusion rampant as our community, rooted for generations in the land we toiled, sowed and ploughed, was uprooted in a matter of moments.*

*Our journey is a story of anguish. Packed like sardines into cramped transport, uncertainty*



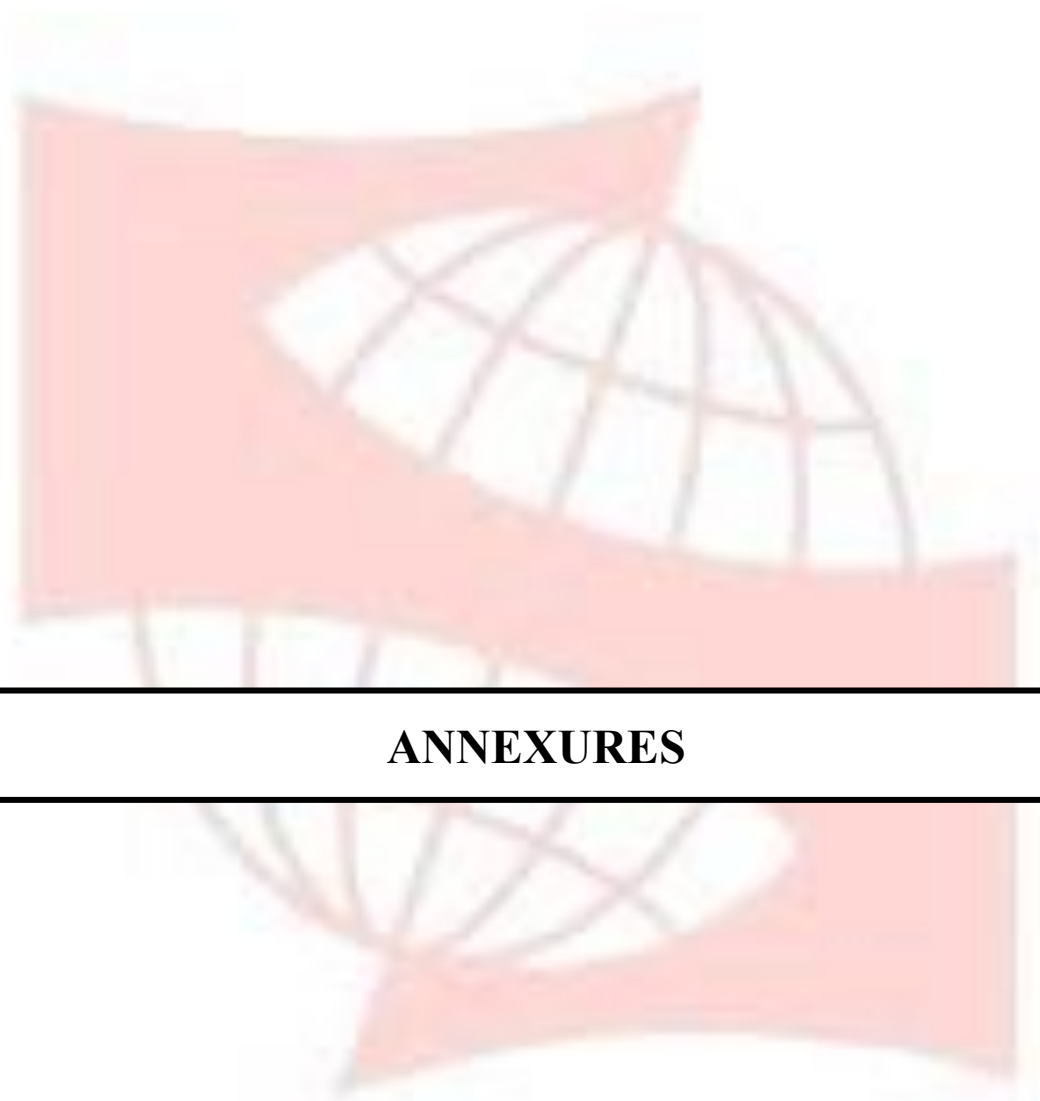
*loomed with each mile traversed, carrying us away from familiarity, from safety. The fear in our hearts mirrored the desolation of the landscape passing by, barren of hope, robbed of our existence. Two hundred households of our neighbourhood decided to run for our lives. Pamphlets left by army-men declared that the route through adjoining the forests of Dexter has been declared a safe passage by the masters in Titan.*

*We must have been on the road only for a few miles when the accused and his cavalry started picking families apart. Men had to be rounded up and segregated from the women and the children. Someone was acting as an informant of the Resistance Party and they could not risk another attack from the party they said. We ran and ran and ran till exhaustion, hunger and injuries clung to our bones, while the stark reality of starting anew gnawed at our souls. We had reached a small nomadic settlement – somewhere in the middle of nowhere. Strangers in a foreign land, displaced from our history, our sense of belonging shredded by the whims of power.*

*Days turned to weeks, weeks to months, yet the scars of displacement remained etched deep within. The trauma of that forced exodus lingers, haunting our dreams, a constant reminder of the injustice inflicted upon us.*

*Forced displacement wasn't just the upheaval of our physical existence; it was the annihilation of our identity, our sense of self. The scars may fade, but the ache of loss, the ache for what was taken away, remains a permanent resident in our hearts and minds.”*

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## **ANNEXURES**

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# National Daily of Titan

Issue May 2023

## COMMANDER AUSTIN'S ASCENT AND THE DARKNESS IT CASTS

Dora, once a land riven by strife and border skirmishes, due to its proximity to the Arandele region, stands today united and resolute under the iron fist of Commander Austin. His rise through the ranks is a legend whispered in barracks and sung across taverns, a tale of unwavering dedication and ruthless efficiency. Some call him a hero, the Lion of Dora, a bulwark against chaos. Others speak of him in hushed tones, a butcher, a man who treads the line between soldier and executioner.

Austin's path to the present-day glory began not in gilded halls but in the dusty plains of the southern marches in Dora. A farm boy hardened by the unforgiving sun, he joined the army with a fire in his eyes and steel in his soul. His early years were a blur of skirmishes and raids, with Resistance Army ("Militia") and Titan's young military being at constant loggerheads over the excess fertile land in the area, where his fearlessness bordering on recklessness earned him both admiration and reprimands. Yet, his tactical brilliance shone through, turning potential defeats into decisive victories. His capture of the rebel stronghold of Black Canyon, a seemingly impregnable fortress of the Resistance Army on Dora's border, cemented his reputation as a rising star, albeit one with a questionable moral compass.

Over a period of time, the many battles fought between the two forces, proved to be Austin's crucible. In that bloody conflict, his ruthlessness became a double-edged sword. While his swift, brutal campaigns crushed resistance forces and secured our territories, collateral damage stained his victories. Futurama villages caught in the crossfire, civilians deemed "sympathetic" to the enemy – the cost of Austin's victories was high. Yet, to a nation desperate for peace, he became the symbol of unwavering resolve, the man who wouldn't hesitate to eliminate any threat, internal or external.

Then came the siege of Methon in the Western Frontier Strip during the winter of 2022, the Militia city that defied all predictions and held out for months in a battle over the custody of a famed Militia leader. Its fall under Austin's command was swift, merciless. The official reports speak of a strategic siege, of unwavering courage in the face of impossible odds. But whispers paint a different picture – of civilians used as shields, of summary executions, of a scorched earth victory leaving no room for nuance. Whatever the truth, Methon remains a turning point. Austin, the soldier who delivered a lasting peace to Dora, became Commander Austin, the man whose methods blurred the lines between war and atrocity.

His post-Methon record is undeniable. The Great Purge, as it is called in local Dora circles, purged neighbouring areas of Arandele of large settlements of Futurama people with an alarming speed and efficiency. Threats from Arandele, once festering wounds, were cauterized with an iron fist. Border defenses, under Austin's command, have become impenetrable, thwarting incursions from all Militia tactics. But the echoes of Methon linger. Reports of disappearances, of whispers by those who dared to speak truth to power met with swift, silent disappearances, cast a long shadow over the Commander's triumphs.

Yet, to many in Dora and the rest of Titan, these are mere whispers, whispers drowned out by the drums of victory and the chants of "Austin! Austin!" He is Dora's hero and its darling. They want him to be their mayor. They want him to start with the post of mayor and be seated in Titan's parliament soon. His methods, while unorthodox, are deemed necessary evils, the price of safety in a perilous world. Whether this adoration can withstand the scrutiny of time, whether whispers become

## National Daily of Titan

screams, remains to be seen.

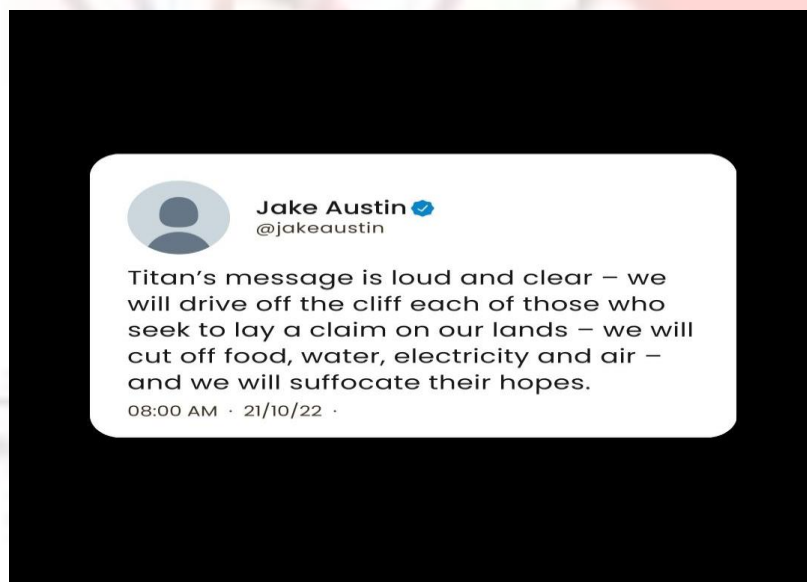
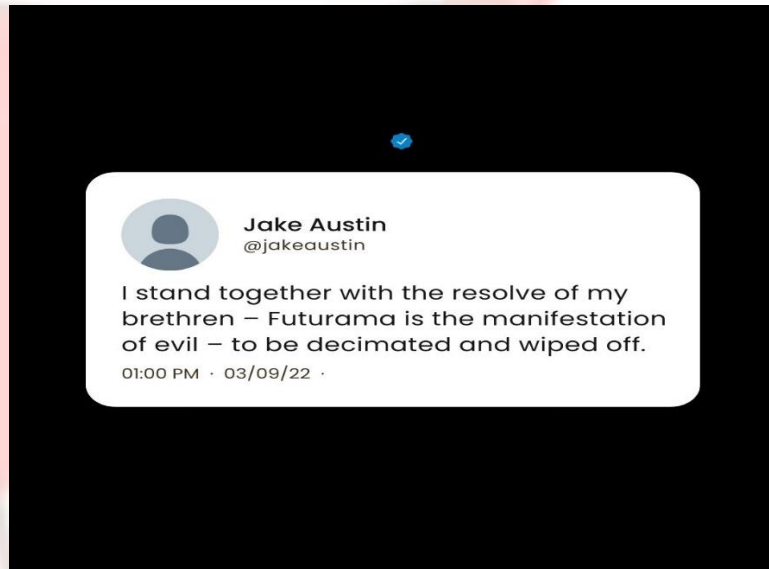
Austin's rise is a story etched in blood and iron, a tale of heroism and horror intertwined. Whether he is the Lion of Dora or a butcher of Methon, one thing is certain: his shadow looms large over this land, a testament to the complexities of war and the heavy price of victory. Irrespective of which camp you belong to, what remains undeniable is that Austin has secured for himself a promising political future – within the rule of the Central Government – and he may one day thank the dead in Arandele, beyond the safety and comfort of Dora, for it.

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## ANNEXURE 2

The following are series of micro-blogs shared on X, a popular micro-blogging platform. The Prosecutor has submitted it to the Court as evidence intending to establish, *inter alia*, that the accused had knowledge and motive to destroy all Futurama inhabitants of Dexter:







**Jake Austin** ✓  
@jakeaustin

Our work in Methon was reflective of our retrain; what we shall accomplish in Dexter will reflect our resolve to perish and starve our enemy.

02:00 AM · 01/11/22 ·



**Jake Austin** ✓  
@jakeaustin

To all those looking to distance themselves from the sins of the Resistance, we offer peace – move to the southern regions of Arandele, leave Dexter immediately, and help us hunt our enemies or prepare to be hunted.

11:00 PM · 02/11/22 ·



**Jake Austin** ✓  
@jakeaustin

To all members of international press – we appreciate your sentiments for the unfortunate loss of civilian life in Dexter. Please trust Titan's defence personals – we will secure a safe passage for civilians and arrange for new settlements for those having to relocate or otherwise cooperate with us in our efforts to secure our safety.

09:00 AM · 03/11/22 ·

## ANNEXURE 3 | REPORT OF SPECIAL PRESS COLLECTIVE

### Report of Special Press Collective

*Published on :15th December 2023*

*The following is a report prepared a group of special reporters' collective tracking the violence in Arandele in the aftermath of September 2, 2023 by Titanian Defence Forces, published on December 15, 2023.*

### **Titan's Shadow Casts Long: Arandele Under Siege in Silent War**

An oppressive quiet blankets the streets of Arandele. Smoke hangs heavy in the air, a perpetual shroud over the nation ravaged by Titan's iron fist. The siege is young, yet the scars upon Arandele's soul run deep with a history and context as deep as those scars. Titan, the colossus of the east, has descended upon its smaller neighbour with the cold vengeance of a scorned almighty.

The official reason – self-defence in light of the events of September 2, 2023 emanating from Arandele's soil. Arandele, crippled by Titan's superior might, can only offer murmurs of dissent, whispers of clarifications, distancing itself from the conduct of a rogue group, lost in the deafening boom of Titan's war drums. This war is one of shadows, fought not on open battlefields but in the silent arteries of Arandele's lifeblood – power lines, internet cables, supply routes, and water pipelines.

Titan's military, a marvel of cold chrome and ruthless efficiency, has become a master of siegecraft in the modern age. Arandele's grid lies dormant, plunged into an abyss of darkness. Hospitals gasp for breath, their vital equipment flickering uselessly in the eternal dusk. Communication is reduced to hushed whispers and flickering oil lamps, the digital silence, lack of functional internet connectivity, a chilling testament to Titan's political and military dominance.

Food, electricity, internet and water, taken for granted in the west, have become luxuries hoarded and traded in hushed tones. Water rations are measured in thimbles, meals in stale crumbs scraped from empty bowls. Hunger gnaws at the region's belly, or what remains of it, twisting faces into masks of desperation. The siege, Titan assures, is targeted and precise and justified by military necessity. Yet, the bombs that fall don't discriminate between soldier and child, the hunger that stalks doesn't respect age or infirmity.

The Futurama people, otherwise world renowned for their vibrant spirit, in Arandele are hunched figures cloaked in fear. Under the leadership of commanders like Jake Austin, the

streets in important cities like Dexter, instead of teeming with life, are hushed corridors patrolled by Titan's ironclad sentinels, their emotionless visages a constant reminder of the oppressor's gaze. Resistance, if it exists, is a whisper in the dark, a flicker of defiance in the eyes of mothers shielding their children from Titan's powerful drones' watchful eye.

A lot has been said and written about Titan's efforts to nonetheless adhere to basic tenets of public international law in its assault on the population of Arandele. However, most of the available information in the public domain suffer allegations of being biased and manipulated in favour of Titan. These allegations are built on the fact that Titan has not allowed many independent media outlets to access and report the ground realities unfolding in this conflict.

The limited access given to a select few outlets show a reality in stark contrast to the guidelines laid by the United Nations and prescribed under law. For instance, in most cases, Titan has failed to respect the humanitarian corridors created by countries like the Philo Republic and its allies to facilitate relief packages comprising of essentials such as food packages, portable drinking water, first-aid and other medical supplies into the areas impacted due to the conflict. Similarly, Titan seemed to have completely failed in fulfilling its obligations in forcing civilians from the WFS to migrate to other parts of Arandele or the rest of the world, a charge Titanian army vehemently denies and justifies as evacuation of civilians based on military necessity.

The international community, meanwhile, plays the role of a macabre voyeur. Resolutions debated behind closed doors carry the weight of tissue paper against a hurricane. Sanctions threatened are mere whispers against Titan's economic juggernaut. Arandele's plight is a cautionary tale whispered in hushed tones at diplomatic soirées, a footnote in the grand narrative of power politics.

Countless families have been separated due to the brute force used by Titan in coercing people to migrate to the southern regions of the land-mass. Thus, for Arandele, there is no cavalry galloping over the horizon, no white knight to slay the dragon. Only the cold, calculating siege of a technologically superior foe, an enemy who fights not with swords and shields, but with algorithms and drones. Titan's shadow stretches long across Arandele, its suffocating grip draining the life out of a nation. And in the suffocating silence, one question hangs heavy in the air – how long will the world turn a blind eye to the slow death of a nation?

Testimony of survivors of the coerced migration plan imposed by Titan on the Futurama people such as the one conducted on November 2, 2023 also brings to light the pitiable condition in which those survivors found themselves when they made it to the make-shift

camps set up by Titan. The said camps were infamous for being worse than pits created for prisoners of the second world war. Mostly set up in the middle of forests, these camps, for the unforgiving winter months, provided as much safety and basic utilities as those offered in an animal shelter. With no drinking water, food, toilets, or medical supplies, for those who managed to survive the arduous journey across the stretch of forest, life in these camps was worse than the after-life.

This is not just a report on a siege; it is a snapshot of human resilience pushed to its breaking point, a chronicle of a nation fighting for its very breath against an enemy who wields the future as its weapon. As the siege grinds on, the world watches, holding its breath. Will Arandele emerge from the darkness, or will it become another ghost in the annals of forgotten wars, a victim of a conflict fought in the shadows and ignored by the light? Only time will tell, but one thing is certain – the silence speaks volumes about the cost of indifference in the face of tyranny.



**ANNEXURE 4 | TRANSCRIPT OF THE EXCHANGE BETWEEN THE ACCUSED AND  
HIS IMMEDIATE SUBORDINATE INCHARGE OF RELOCATING ARANDELIANS  
DATED NOVEMBER 3, 2023**

The following transcript has been accessed by the ICC Prosecutor through the aid and assistance of the officials in Arandele and submitted as evidence before the ICC.

**Date:** Nov 3, 2023 (Friday)

**Time:** 1714 hours

**Subordinate (“Zero One”):** Commander, we have received confirmation that 3 people have been shot dead by the forces. I believe that atleast one among those was working as an informant of the Resistance. We are trying to keep a tight watch on these villagers but the crowd is becoming unruly and restless.

**Date:** Nov 3, 2023 (Friday)

**Time:** 1730 hours

**Jake Austin:** We have been under direct line of fire here in Parabale. The command centre is defending against a massive battery of militia fighters. Crush all informants feeding the militia immediately. Divert suspects from the rest. Use the forest cover and the darkness to carry actions covertly. At present, the entire Futurama community is a threat to our motherland. Deal with them how you would deal with any other similarly placed foe.

**Date:** Nov 5, 2023 (Sunday)

**Time:** 1114 hours

**Zero One:** Commander, we seem to have missed the camp preparations by miles. These folks are becoming more and more erratic and uncooperative...the camp sites are becoming a dump yard. The soldiers are not certain if these animals can be restrained with dignity for long here. Confirm if there are alternative sites available for some.

**Date:** Nov 5, 2023 (Sunday)

**Time:** 1330 hours

**Jake Austin:** I am here to make an example of Titan’s wrath, not to offer a hotel service to cockroaches. I have been very generous with the facilities made available on the camp sites. They should thank their stars for our hospitality. Let them bicker. Withdraw more men from the site and



send them here to help the control centre. Those mucks can fend for themselves together with the rest of the animals from the forests!

**Date:** Nov 8, 2023 (Wednesday)

**Time:** 1000 hours

**Zero One:** Commander, the camp site seems to be catching upto chaos. There is a rampant spread of diarrhoea and COVID amongst the migrants here. We have tried to isolate the infirm from the rest but the water situation is underwhelmingly unhelpful in the forest. I have initiated arrangements to create a separate morgue for the dead. The survivor count seems to be dwindling very fast. We have tried to keep information under wraps. Don't have room for more panic.

**Date:** Nov 8, 2023 (Wednesday)

**Time:** 1045 hours

**Jake Austin:** You are advised to observe strict discretion and control in handling this mess. The TDF cannot draw any more drama to itself. Handle the dead. Distract the rest. Contain them within the camp till further orders. Expecting another party being sent your way from the eastern ghettos. May also need more camps soon.

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## NOTES TO THE COMPROMIS

1. Any questions pertaining to the jurisdiction/authority of the ICC, including but not limited to jurisdiction over the charge approved, shall not be raised by the participants.
2. For purposes of these mentioned issues, participants shall solely rely on the facts given in the official Compromis under strict application of the principle - *“as is, there is...whatever where is.”*
3. The participants are at the liberty to develop multiple strategies to be used in the different oral rounds of the trial, and the same is encouraged.
4. Notwithstanding anything mentioned in Point (3) above, the memorials submitted by the participants shall cover all aspects of the law as applicable to the factual matrix in the backdrop of the charge confirmed against the accused.
5. Paying due reverence to the spirit of SICTA, the participants are encouraged to understand and showcase the technical nuances of different events covered in the factual matrix.
6. Through oral submissions, the participants in their respective roles are expected to appreciate the Rules of Procedure and Evidence used by the International Criminal Court. Additionally, the participants are also encouraged to appreciate and put into use the various principles of international criminal law and public international law explored in various parallel jurisdictions and justify the application of the same in an ICC-based trial with cogent reasons.
7. The official Compromis, including all the annexures, is a work of fiction and has been framed with the sole intention of facilitating the advanced study of international criminal law and the development of professional advocacy skills of law students. The official Compromis has no connection, intentional or otherwise, to any historical/present political, sociological, or cultural event and does not represent any ideology or affiliation to any political/non-political issue.
8. The participants will note that for the purposes of SICTA, 2024, it will be deemed that each of Titan, Philo Republic and representatives of Arandele have executed and ratified the Rome Statute, the Geneva Conventions and each of the other relevant international instruments, as and to the extent applicable to the present case based on the factual matrix provided hereinabove.