

## MOOT PROPOSITION

1. The Republic of Westeros is located in South East Asia. It is a densely populated country with a population of over 1.4 billion people. Westeros shares borders with People's Republic of Ashai to the North and North-East. In December 2019, medical professionals reported many pneumonia cases caused due to an unknown aetiology to the World Health Organisation (WHO), most of these cases were found in the Winterfell city of Ashai. In the first week of 2020, the Ashai authorities successfully identified the unknown causative agent as the coronavirus. Since then the virus has been renamed as SARS-COV-2 and the disease caused as COVID 19 by the World Health Organisation (WHO).
2. In the coming months, the virus grew rapidly and several countries all across the globe reported similar cases. Only in a matter of weeks, the virus augmented exponentially to innumerable nations around the globe. The situation constantly worsened with a subsequent rise in cases all around the world and thus on March 11, 2020, the WHO officially declared it to be a pandemic. With over 1.5 million people affected and no vaccine in sight, countries all around the globe were forced to go on lockdown. Westeros, one of the most populous states in the world was also one of the states to affect a largescale lockdown around the nation to avoid further the spread of the COVID 19 virus.
3. The Republic of Westeros has a very grave history of domestic violence especially when it came to victims of the crimes reporting the matter which was rather evident when Westeros's National Family Health Survey (NFHS) released their numbers showing that over 20% of women faced domestic violence in 2015-16. Compared to the survey results, the actual complaints registered for domestic violence to the police are negligible as more than 40% of women do not report instances of domestic abuse. The problem did not stop here as due to the lockdown, and new provisions forcing most persons to remain at home further exasperated the issue.
4. During the initial weeks of the lockdown, there was an unfortunate surge in the number of domestic violence recorded in the country. In order to combat the same, Westeros's National Commission for Women released a new helpline to fight the growing evil. According to the most recent figures given by Westeros's National Commission

regarding the new helpline, in a mere week after the announcement and the beginning of the lockdown on 24<sup>th</sup> March, over 200 complaints connected to domestic violence and abuse have been received by the Complaint and Investigation Cell. The figures clearly show a meteoric rise during the lockdown, as compared to the figures of domestic violence cases available for the first week of March.

5. Seeing the ever-worsening and extremely precarious situation, the NGO Naari Samarthak approached the Supreme Court of Westeros seeking intervention on the Apex Court's part to ensure adoption and implementation of immediate and effective measures to help victims of domestic violence and child abuse during the lockdown. Naari Samarthak filed a Public Interest Litigation in the Hon'ble Supreme Court of Westeros by claiming ..... *"like all crises in human history even in the case of COVID 19 women have been impacted disproportionately. Thus, internationally it has been observed that while the pandemic is having a tremendous negative impact on societies and economies, the adverse social and economic consequences of the pandemic for women and girls are devastating."*
6. The PIL filed by the NGO specifically questions whether the provisions of the Disaster Management Act can be used to extend protection to victims of domestic violence. Further taking note of the inability of women and children from the economically weaker sections in Westeros to access online platforms for assistance, the NGO also wanted the Westeros Government to take action in following issues specifically invoking Section 11(a) of the Domestic Violence Act 2005:
  - I. Naari Samarthak prayed for the formation of a dedicated fund to address issues of violence against women and girls as part of the Corona Virus response;
  - II. Increased availability of call-in services to facilitate discreet reporting of abuse;
  - III. Largescale implantation of online legal counseling services for victims of domestic abuse;
  - IV. Proper designation of secure spaces as shelters for victims of domestic abuse who are compelled to leave their domestic situation during the COVID-19 lockdown. Further, ensure that the aforementioned shelters follow the required safety and health guidelines;

- V. Giving urgent publicity to information regarding all of the above measures as also the availability of the facilities for seeking relief and redressal against the issues of domestic violence;
- VI. Increasing awareness campaigns on all aspects of the issues.

The Hon'ble Supreme Court shall be hearing the following issues:

- 1) Whether the petition filed by Naari Samarthak maintainable in the Hon'ble Supreme Court of Westeros?
- 2) Whether the provisions of the Disaster Management Act can be used to extend protection to victims of domestic abuse?
- 3) Whether the authorities in question are fulfilling their duty pursuant to Section 11 of the Protection of Women Against Domestic Violence Act, 2005?

Keeping in mind the ongoing situation and need of the hour being social distancing, the Hon'ble Supreme Court of Westeros has listed the hearing of the matter for 1<sup>st</sup> May 2020 via video conferencing.

**Note – Participants are not to frame additional issues or assume an extra fact to strengthen their case**

**Note – The laws of Westeros are pari materia to that of India**

**Note - In case of any queries feel free to email us at [lexmacula@gmail.com](mailto:lexmacula@gmail.com) and cc at [saharsh2206@gmail.com](mailto:saharsh2206@gmail.com) and [krishabaweja@gmail.com](mailto:krishabaweja@gmail.com)**

**Register at - <https://forms.gle/3dfokKp3sM3M1V5D6>**