



2024 - 2025
Model Arab League
BACKGROUND GUIDE

Arab Court of Justice

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National
Council
on US-
Arab
Relations



Original draft by Phillip Schmider, Chief Justice of the Arab Court of Justice at the 2025 National University Model Arab League, with contributions from the dedicated staff and volunteers at the National Council on U.S.-Arab Relations

Honorable Justices,

Welcome to the 2024-2025 Arab Court of Justice. My name is Phillip Schmider, and I am excited and honored to be serving as your Chief Justice for this iteration of the Arab Court of Justice. I am a fourth-year student at Northeastern University studying International Affairs and International Business, with a minor in Mandarin Chinese. This will be my fourth year participating in Model Arab League conferences and I am grateful to have the opportunity to spend it with all of you.

It is no secret that the Arab Court of Justice is a unique committee within the Model Arab League framework. Unlike traditional committees, we will not be engaging in any resolution-writing and conventional voting procedures. Instead, this committee will require justices to engage with some of the foremost and relevant matters of international law. By researching your case and constructing an argument, you will become more proficient in this constantly changing and complex facet of foreign policy and diplomacy. With this being said, my own experience in the ACJ has been extremely rewarding and I believe yours will be too.

It is important to note the significance of participating in the Arab Court of Justice. The cases that you will be hearing, arguing, and ultimately adjudicating display some of the most complicated and pivotal issues across the Arab League. As such, I urge all justices to approach these cases with great care.

I would also like to stress the importance of pre-committee deadlines in the ACJ. Unlike traditional committees, the ACJ requires delegates to construct their arguments before the committee starts. Furthermore, petitioners and defendants depend on each other's memorials and counter-memorials to ensure that debate will run smoothly. Therefore, I urge all delegates to adhere to the deadlines for submitting these resources.

Finally, I am looking forward to this committee being a constructive learning experience for all delegates. Below, please find a link to preparatory materials and resources. If you have any questions about committee, your case assignments, logistics, or anything else, please reach out to me at schmider.p@northeastern.edu. Best of luck with your case preparation, and I look forward to seeing you all in committee!

ACJ Resources and Links: <https://ncusar.org/modelarableague/current-participants/acj/>

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1. The League of Arab States (represented by Lebanon) vs. Tunisia: Regarding the Tunisian authorities' alleged treatment of Sub-Saharan African migrants and refugees

Lebanon has filed suit before the Arab Court of Justice on behalf of the League of Arab States seeking to hold Tunisia accountable for its alleged mistreatment of Sub-Saharan African migrants. Since President Kais Saied took office in 2019, Tunisian authorities have allegedly taken a violent and repressive approach to the treatment of migrants arriving from Sub-Saharan Africa. Tactics used against migrants have ranged from forced expulsion to physical abuse, such as beatings and even torture.

In May 2024, Tunisian authorities expelled hundreds of migrants from within its borders, stranding them on the Algerian border. This expulsion of about 400 migrants has been confirmed by President Saied, and it has been reported that migrants allegedly were left without food and water. Actions like these raise concerns of refoulement, calling into question Tunisia's adherence to international refugee and migration standards. This action follows the signing of a Memorandum of Understanding between Tunisia and the European Union focused on the protection of Tunisia's borders. The agreement outlines €150 million in direct budgetary support towards Tunisia's border securitization.

While migrants have faced violent measures since the beginning of President Saied's term, the most severe actions have occurred since February 2023, when he made racist public remarks towards the migrants and claimed that they are involved in a "criminal conspiracy". Since then, abuse towards migrants has been fueled by racist and xenophobic attitudes from Tunisia's population.

Tunisia has been a key transit location for migrants seeking a pathway into Europe for many years. Migration through Tunisia, especially from the Sahel region of Africa, has swiftly increased in recent years as political turmoil, economic stagnation, and violent conflict have worsened in the region. Tunisia's government has frequently linked migration with national security concerns, claiming that the influx of migrants has threatened public safety and stability.

Further Resources

<https://www.ohchr.org/en/press-briefing-notes/2024/05/tunisia-concern-increased-targeting-migrants>

<https://www.hrw.org/news/2023/07/19/tunisia-no-safe-haven-black-african-migrants-refugees>

<https://www.thenewhumanitarian.org/news/2024/05/07/tunisia-accused-mass-desert-dumping-migrants>

2. The European Parliament (represented by Oman) vs. Qatar: Regarding claims of corruption against the Qatari government

The Sultanate of Oman has, on behalf of the European Parliament, filed suit against Qatar, seeking to hold it accountable for an alleged corruption scandal in the European Parliament. On December 9, 2022, Belgian police acted on an investigation in connection with several members of the European Parliament, executing 20 raids across 19 different addresses. Simultaneously, Italian police executed European Arrest Warrants across Italy and pursued raids. As a result of these raids in Belgium and Italy, €1.5 million in cash was seized, and numerous arrests were made. This alleged corruption case would come to be known as “Qatargate”.

On December 15, 2022, Francesco Giorgi, an arrested suspect, was the first to make a connection between the seized cash and Qatar. He confessed in front of police to having been bribed by Qatar in return for political support and influence. Further in his testimony, he implicated three further colluders. These colluders were all arrested in connection with the NGO that Giorgi co-founded, Fight Impunity.

Giorgi exonerated his partner, Eva Kaili, who was a Vice President of the European Parliament at the time of her arrest, and the highest-profile person under investigation. While no distinct connection has yet to be made between Kaili and Qatar, other than through Giorgi, certain remarks Kaili has made in the European Parliament suggest her involvement. Before her arrest, Kaili had voted in favor of a report within a committee that she was not a part of, advocating for visa-free travel to the EU for Qatari citizens. She has also previously praised Qatar’s human rights record.

It is important to note that Qatargate is still an ongoing legal case. No formal decision has yet been made on the individuals arrested or Qatar’s alleged involvement. Furthermore, the justices should know that Qatar is not the only Arab League state suspected of corruption, as Morocco and Mauritania were also implicated in testimonies given by arrested suspects. However, Qatar is the most deeply implicated Arab League state at this time, resulting in Oman’s suit against Qatar alone.

Further Resources

<https://www.brusselstimes.com/343769/qatar-corruption-scandal-stunning-testimony-highlights-minister-role-of-panzeri>

<https://www.politico.eu/article/inside-fight-impunity-brussels-ngo-qatar-corruption-scandal-european-parliament-panzeri-kaili-giorgi/>

<https://www.dw.com/en/qatargate-one-year-on-eu-cash-for-influence-scandal-still-far-from-over/a-67670541>

3. Sudan vs. UAE:

Regarding the UAE's interference and exacerbation of the Sudanese Civil War

Sudan has filed suit against the United Arab Emirates, seeking to hold it responsible for its alleged involvement with the Rapid Support Forces, a key belligerent of the Sudanese Civil War. Over one year since the onset of the devastating Sudanese Civil War, at least 15,000 have been killed with 8.2 million people being displaced. This complicated conflict involves several state and non-state actors, with the primary state actor being the Sudanese Armed Forces (SAF) led by General al-Burhan, Sudan's de facto leader. The Rapid Support Forces (RSF), a paramilitary force once serving directly under former president al-Bashir, is led by Hemedti. Al-Burhan and Mohamed Dagalo, who had once collaborated to overthrow al-Bashir, are now engaged in a violent struggle for power that has uprooted millions of Sudanese people.

It has been frequently alleged by Sudan and others that the UAE is another state actor involved in the civil war. On June 2, 2023, just three months after the war began, Ugandan officials were cited to have found weapons and ammunition on an Emirati flight intended to supply aid to Sudanese refugees. This flight had a final destination in Chad, where the alleged weapons could then be transported to the RSF. Since then, Sudan has formally accused the UAE of aiding the RSF with weapons and fueling its atrocities. While the UAE has fervently denied such involvement and contributions to the war, the UN has since found that these accusations were credible based on discovered evidence. The UAE responded with a letter to the UN Security Council, calling the allegations "baseless".

The UAE has had a relationship with RSF forces in Sudan since before the war's outbreak. According to reports, their relationship began in 2018 when the UAE recruited RSF soldiers to fight against the Houthis in Yemen. This initial relationship may be the basis and incentive for the UAE's alleged support of the RSF war effort.

Further Resources

<https://www.securitycouncilreport.org/whatsinblue/2024/04/sudan-private-meeting.php>

<https://www.mofa.gov.ae/en/mediahub/news/2024/4/22/22-4-2024-yae-saudan>

<https://www.theguardian.com/commentisfree/article/2024/may/24/uae-sudan-war-peace-emirates-uk-us-officials>

4. Somalia vs. Ethiopia (represented by Djibouti):

Regarding Ethiopia's Memorandum of Understanding signed between itself and Somaliland

Somalia has filed suit against Ethiopia, represented in the Arab Court of Justice by Djibouti, regarding the Memorandum of Understanding (MoU) that it signed in coordination with Somaliland. Somalia seeks to hold Ethiopia responsible for infringing on its national sovereignty. Somaliland is a self-governed territory that declared its independence from Somalia following a brutal 10-year civil war. However, since declaring its independence, its government has not been recognized by any international organizations or UN member states. Somalia still claims full national sovereignty over the region.

On January 1, 2024, Somaliland and Ethiopia signed a MoU addressing Ethiopia's longtime search for port access and Somaliland's desire for international legitimacy. The MoU details that Ethiopia will be able to lease an area surrounding Somaliland's port of Berbera for 50 years in exchange for some form of international legitimacy and equity in Ethiopia's state-run companies. While the government of Somaliland announced that Ethiopia would formally recognize Somaliland, Ethiopia later stated that it would make an "assessment towards taking a position regarding the efforts of Somaliland to gain recognition."¹ Regardless, Somalia responded with great displeasure towards Ethiopia and Somaliland's commitments. The government officially accused Ethiopia of infringing on its national sovereignty and recalled its ambassador to Ethiopia. In a letter written to the UN Security Council on January 23, 2024, Ethiopia stated that the MoU critically challenges regional peace in Eastern Africa and urged the UNSC to condemn Ethiopia's actions.

While international response to the MoU has been limited, especially within the Arab League, China's spokesperson for the Ministry of Foreign Affairs stated that the country's position is that Somaliland is a part of Somalia.

Further Resources

<https://www.securitycouncilreport.org/whatsinblue/2024/01/consultations-on-the-situation-between-ethiopia-and-somaliland-under-the-peace-and-security-in-africa-agenda-item.php>

<https://www.reuters.com/world/africa/how-ethiopias-quarrel-with-somalia-could-destabilise-horn-africa-2024-01-24/>

<https://www.bbc.com/news/world-africa-68734631>

¹<https://www.securitycouncilreport.org/whatsinblue/2024/01/consultations-on-the-situation-between-ethiopia-and-somaliland-under-the-peace-and-security-in-africa-agenda-item.php>

5. The League of Arab States (represented by Iraq) vs. Saudi Arabia: Regarding human trafficking and the mistreatment of workers

Since the 1950s, the Kafala system has been a method of facilitating relationships between migrant workers and their employers by several Arab League states. In most countries that utilize a form of the Kafala system, migrant workers are bound to their employers or their in-country sponsor. A sponsor is responsible for managing their migrant workers' visa and legal status. The Kafala system has received negative international attention for its susceptibility to human trafficking, as migrant workers often have little control over their own legal status and are allotted very few freedoms.

Kuwait, on behalf of the League of Arab States, is filing suit against the Kingdom of Saudi Arabia regarding the extent of human trafficking in the country. Kuwait alleges that the Saudi government has been negligent towards human trafficking occurring within its borders and seeks to hold it accountable for this accusation. Although many GCC and Arab League states employ the Kafala system, Saudi Arabia has the worst human trafficking statistics across the Arab region, according to the Global Slavery Index. On average, in 2021, 740,000 individuals across Saudi Arabia were living in modern slavery at any given time, correlating to about 1 in every 47 people. While the state itself is not directly at fault for the inhumane conditions that many migrant workers in Saudi Arabia endure, Kuwait alleges that the state is not upholding the necessary standards to prevent human trafficking. According to HRW, the power granted to employers through Saudi Arabia's administering of the Kafala system leads to a sense of ownership that can lead to inhumane conditions and human trafficking.

This issue was brought to the attention of several public media outlets and human rights organizations in 2023 when it was reported that employees working at Amazon warehouses across the nation were being subjected to human trafficking. According to these reports, Amazon relies on contracts from third-party labor supply companies, which are the official employers and sponsors of migrant workers. It is claimed that these third-party labor companies supply migrant workers to Amazon's warehouses while overworking them, cheating them out of pay, and housing them in inhumane conditions.

Further Resources

<https://www.cfr.org/backgrounder/what-kafala-system>

<https://www.amnesty.org/en/location/middle-east-and-north-africa/middle-east/saudi-arabia/report-saudi-arabia/>

<https://hrf.org/wp-content/uploads/2023/08/Saudi-Arabias-Human-Trafficking-Mechanisms-Report.pdf>