

2021 PHILIP C. JESSUP INTERNATIONAL LAW MOOT COURT COMPETITION

CORRECTIONS AND CLARIFICATIONS TO THE STATEMENT OF AGREED FACTS

The following corrections and clarifications to the Statement of Agreed Facts have been agreed to by the parties, and the text jointly communicated to the Court on 10 September 2020 should be considered amended accordingly. The Registrar of the Court reminds all parties and participants of the following:

- a. The wording of the Statement of Agreed Facts has been carefully chosen, and is the result of extensive negotiation. The parties decline to “clarify” matters about which they are unlikely to agree. The parties will not stipulate as to which legal principles are relevant or which arguments are acceptable or unacceptable.
- b. Any request for clarification not addressed in the following paragraphs has been considered by the parties to be redundant, inappropriate, or immaterial, or the parties were unable to reach agreement on a mutually acceptable answer.
- c. Except to the extent that corrections and clarifications are set out below, participants are to assume that the Statement of Agreed Facts is accurate and complete in all respects. In particular, the parties stipulate as to the authenticity of all documents referenced in the Statement.
- d. With respect to the pronunciation of the various proper names used in the Statement of Agreed Facts, all parties and the Court have agreed that they will not take formal or informal offense at any reasonable effort to pronounce proper names correctly.
- e. Aprepluya and Ranovstayo are not parties to any relevant bilateral or multilateral treaties, conventions, or accords other than those referenced within the Statement of Agreed Facts or herein.

CORRECTIONS

1. In paragraph 21, the reference to “Monday, 25 May” is corrected to read “Friday, 25 May.”
2. In paragraph 21, the reference to “Thursday, 28 May” is corrected to read “Monday, 28 May.”

CLARIFICATIONS

1. Ms. Gwo Hye was, at all relevant times, a national of Aprepluya.
2. Mantyan Airways is a corporation registered under the laws of Aprepluya. Its principal place of business is in Beauton.

3. Apreluya and Ranovstayo have at all relevant times been parties to the 1984 Protocol Relating to an Amendment to the Convention on International Civil Aviation (Article 3 bis).
4. Among the charges against Ms. Keinblat Vormund, “violation of a governmental non-disclosure agreement” is the most serious. According to the applicable statute, the penalty upon conviction is imprisonment for one to 20 years. Apreluya’s Prosecutor’s Office, in its statement on 8 June 2018, declared: “In light of the seriousness of the offense, we intend to seek the maximum penalty on all charges.”
5. On 28 June 2018, the Apreluyan Ambassador to the United Nations submitted a letter to the President of the Security Council, informing the Council that it had shot down an aircraft over its territory “to protect our capital from an apparent terrorist attack.”
6. Ranovstayo accepts the accuracy of the incident report prepared by the Commanding Officer of the Beauton Area Air Force Base, as reproduced in paragraph 42.
7. As of 20 November 2018, Apreluya had recorded 2,445 confirmed cases of J-VID-18, of which 1,995 were located in Segura Province. As of that date, Ranovstayo had recorded only 31 confirmed cases, all of which were individuals who had recently returned from abroad and were promptly quarantined upon arrival.
8. The Parties have agreed not to assert any claims or defenses based upon any of the Annexes to the Convention on International Civil Aviation.
9. The last time any member of the Ranovstayan consular staff saw Ms. Keinblat Vormund was at the consulate at 18:00 local time on 24 June 2018. The next morning, it was discovered that she was no longer on the consular premises.