

## **2022 PHILIP C. JESSUP INTERNATIONAL LAW MOOT COURT COMPETITION**

### **CORRECTIONS AND CLARIFICATIONS TO THE SPECIAL AGREEMENT**

The following corrections and clarifications to the Special Agreement have been agreed to by the parties, and the text jointly communicated to the Court on 13 September 2021 should be considered amended accordingly. The Registrar of the Court reminds all parties and participants of the following:

- a. The wording of the Special Agreement 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 Special Agreement is accurate and complete in all respects. In particular, the parties stipulate as to the authenticity of all documents referenced in the Special Agreement.
- d. With respect to the pronunciation of the various proper names used in the Special Agreement, 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. Antara and Ravaria are not parties to any relevant bilateral or multilateral treaties, conventions, or accords other than those referenced within the Special Agreement.

### **CORRECTIONS**

1. In paragraph 27, in the last line of the judicial suspension order, the word “accounts” is corrected to read “account.”
2. In paragraph 38, the words “The following morning” are corrected to read “Later that morning” (*i.e.*, in the late morning of 25 April 2021).
3. In paragraph 47(a), the words “the vehicle driven by Ms. Walters” are corrected to read “the briefcase found in the vehicle driven by Ms. Walters.” Correspondingly, in paragraph 48(a), the words “of Ms. Walters’s vehicle” are corrected to read “of the briefcase found in the vehicle driven by Ms. Walters.”

### **CLARIFICATIONS**

1. The servers used by the Pano network are physically located in the territory of Zemin.

2. Prof. Hundland appealed the court's dismissal of his challenge to the suspension order for lack of standing, but the dismissal was affirmed by the appellate court without opinion. No further appeal was available under Antaran law.
3. In October 2021, the judge who issued the order of 15 February 2021 suspending Prof. Hunland's Pano account for one year extended the suspension for an additional six months, "in light of the ongoing criminal investigation relating to the election interference and the botnet, including Prof. Hunland's alleged involvement in those activities." Under Antaran law, the extension of the order is not subject to judicial review.
4. Operation Moonstroke, which took down the Lunar Botnet, did not result in any harm to any of the devices that had previously been infected, nor did it cause any negative impact on users or their network experience.
5. The DPCA was not aware, until after the deployment of Operation Moonstroke, that there were any infected devices outside the territory of Antara.
6. After the police officers who apprehended Ms. Walters discovered her Ravarian diplomatic passport in the briefcase, and made note of her identity, they handed the passport back to her. They reported that she placed it in the pocket of her jacket. The passport was not in the briefcase when the duty sergeant opened and inspected it.
7. The contents of the papers found in the briefcase referred to in paragraphs 36 and 37 have not been publicly disclosed by either government.
8. After the two governments were given the transcription of the exchange between the Attorneys-General reported in paragraph 44, the fact that there was an audio recording of the meeting was disclosed to the public. The contents of the recording, however, have not been made public.
9. The documents referred to in paragraphs 47(a) and 48(a) are the photocopies of the contents of Ms. Walters's briefcase (see paragraph 38) and the official transcription of the conciliation meeting (see paragraph 44). Antara submitted these to the Court in full compliance with the Court's Rules concerning the production of evidence.
10. On 15 February 2021, Pano removed all of Prof. Hundland's posts from its platform. They were no longer accessible from anywhere in the world.
11. Emma Walters was born in Ravaria in 1961. She is, and has always been, a Ravarian national, and has never held the nationality of any other State.