

## **2023 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 stipulated to by the parties, and the Statement of Agreed Facts jointly communicated to the Court on 30 August 2022 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 correction or 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 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, both parties stipulate as to the authenticity of all documents and of the signatures on 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. Aglovale and Ragnell are not parties or signatories to any relevant bilateral or multilateral treaties, conventions, or accords except as indicated within the Statement of Agreed Facts.

### **CORRECTIONS**

1. In the first sentence of paragraph 43, “26 December 2022” is corrected to read “26 December 2021.”
2. In the third line of paragraph 66(d), after the word “obligations,” the words “under the Treaty” are added.
3. Article 3 of the Trilateral Treaty of Lasting Peace is corrected to delete the words “to their own respective sides of the international boundaries as defined in Appendix I.”
4. In Article 14(a) of the Treaty, the words “as described in Part I” are corrected to read “as described in Part II.”

### **CLARIFICATIONS**

1. Etna is a developing country located roughly 450 nautical miles from Tintagel Park’s most northwest point.
2. The eight Aglovalean aid workers who died in the attack on Warehouse 15 were volunteers with no ties to any government. Their families brought a wrongful death action in Ragnell against the Ragnellian Department of Defense in April 2022, which was summarily dismissed by the trial court on the grounds of sovereign immunity. This judgment was affirmed on appeal in July 2022 by Ragnell’s highest court.
3. On 14 July 2021, Ragnell’s Permanent Representative to the United Nations submitted a letter to the President of the Security Council, in accordance with Article 51 of the Charter, stating that “Operation Shining Star” had been launched in response to UAC armed attacks, and citing as the aims of the operation those described in President Vortigern’s statement excerpted in paragraph 31.

4. Balan's efforts to evacuate civilians from the Park's residential area began on 20 December 2021 and ended two days later. The deployment of the armed guards was the first time Balani military or law enforcement entered the Belt since 1958. These sentries complied with the restrictive rules of engagement described in paragraph 40. They were positioned at Nant Gateway and never stepped outside of it. Balan was provided sufficient notice about the bombing of the Gateway to withdraw all of its military personnel before the attack began.
5. Only men over the age of 18 have been detained in Fort Caerleon or Camlann, and the UAC detainees are housed separately from other prisoners. Fort Caerleon detainees who were ill or unfit for physical labor were not required to participate in the loading of plastic waste. The detainees who were involved worked alongside roughly 150 Ragnellian workers who had remained in Tintagel Park to support essential work in the few private facilities still operating. The treatment of the work crews was uniform, with no distinctions based on nationality.
6. The standards of detention at Camlann Correctional Center are the same as those that were adhered to in Fort Caerleon.
7. On 15 September 2021, the UAC's senior commander submitted a declaration to the Swiss Federal Council, in its capacity as depositary of the Additional Protocols to the Geneva Conventions. The statement included the claim that the UAC "represents the Balani people in their fight for self-determination against alien occupation of the Clarent Belt," and asserted that "the UAC considers itself in an international armed conflict with Ragnell," in which it "pledges to honor all applicable provisions of international humanitarian law." A few days later, the depositary issued a notice that the declaration "had the effects mentioned in Article 96, paragraph 3, of Additional Protocol I."
8. The attack on Compound Ardan carried out on 7 March 2022 resulted in the deaths of 18 UAC fighters and the destruction of a number of UAC weapons caches. There were no civilians in any of the buildings other than Warehouse 15.
9. The Aglovalean Parliamentary Subcommittee for Economic Relations, in consultation with the Treasury Ministry, was charged with periodic review of the sanctions imposed on 23 April 2022. Between May and October 2022, the Subcommittee removed a number of accounts and individuals from the list, added others, and made certain additional changes. A review of Kay Ector's designation was concluded in July, but it resulted in no changes.
10. Aglovalean law permits no further judicial review of the decision of its Supreme Court referenced in paragraph 57.