



1<sup>ST</sup> SURANA AND SURANA AND RGNUL INTERNATIONAL LAW MOOT  
COURT COMPETITION, 2017



25<sup>TH</sup>-27<sup>TH</sup> AUGUST 2017

CLARIFICATIONS

Question No.	Clarifications Sought	Clarifications replied
1.	The query is that the Islamic Republic of Trobokistan is signatory/party to which all Conventions/Declarations of the world.	The laws of Islamic Republic of Trobokistan are in <i>pari materia</i> to laws of Syrian Arab Republic.  All laws to which the United States is party shall be applicable.  Irrespective of anything to contrary, all the states involved in the case have signed and ratified the Rome Statute.
2.	What are the conventions that the countries in the proposition are a party to?? Because they will be governed by the law of the convention.	Please refer to answer to question 1
3.	We request you to clarify whether the Islamic State of Trobokistan is a States Party to the Rome Statute and to the UN. Kindly also clarify as to which other conventions the Islamic State has ratified to.	Please refer to answer to question 1.  Islamic State is a Sunni militant organization and not a nation-state.
4.	What is the stage of the case (Trial/Pre-Trial/Investigation)?	Investigation by the prosecutor has been completed. For the purposes of this competition, pre-trial and trial stage shall be combined for the case.
5.	As according to the rules of ICC, there is 1 Prosecutor side and other defense side. According to the case of Surana and Surana, do we have to prepare 3 memorials	Please refer to the rules of the competition. The case title of the matter has been provided in the moot proposition. <b>Also, See response to</b>

	<p>considering the parties as</p> <ol style="list-style-type: none"> <li>1. Prosecutor</li> <li>2. United States</li> <li>3. Trobokistan</li> </ol>	<b>the question no. 11.</b>
6.	Is republic of Trobokistan state party to Rome statute?	Please refer to answer to question no. 1.
7.	What is the finding of the prosecutor of the case?	<p>The Prosecutor based on his investigations have concluded that there is sufficient evidence for matter to be committed for pre-trial and trial.</p> <p>It must be noted that for the purposes of this competition, pre-trial and trial stage has been combined.</p>
8.	Whether the countries (State of Trobokistan & United States of America) as in Moot proposition are signatories to the Rome statutes and other International Conventions?	Please refer to answer to question no. 1
9.	Whether we have to restrict our research to Rome Statute only, or we can rely upon other statutes and conventions in addition to the same?	This is a question of research.
10.	Whether the name of the countries United State of America and Militant Organisation Islamic State are imaginary or real?	Please refer to answer to question nos. 1 and 3.

11.	Whether we can change the name of the Case accordingly in relation to the Moot Proposition?	<p>The case title of the matter is <b><u>Prosecutor v. Mr. Wahab Hasan, Mr. Zaheer Usman,(Islamic Republic of Trobokistan), Mr. Micky Trump (United States of America).</u></b></p> <p>Participants are required to adhere to the same.</p>
12.	<p>As per the fact of the case, Zaheer Usman led URG and USA are allies and therefore shouldn't they be on the same side in the case? , making the case be – “WAHAB HASSAN AND ISLAMIC REPUBLIC OF TROBOKISTAN V/S ZAHEER USMAN AND USA”</p> <p>OR,</p> <p>Also, as per the rules and procedure of the ICC and looking at the past precedents the case should be – “THE PROSECUTOR V/S WAHAB HASSAN, ZAHEER USMAN, and STATE OF TROBOKISTAN AND USA.”</p> <p>And, If the name has to remain like given then which side will be the “applicant” and which side will be the “respondent” because application has not be filed by Wahab Hassan nor by Zaheer Usman but against them by the UNSC?</p>	Please refer to answer to question 11.
13.	Is the country of Trobokistan a member nation of the UN? And is it pari material with any other country?	Please refer to answer to question no. 1.

14.	Can we introduce new charges against the accused, as separate/sub issues?	This is a research point.
15.	Whether Mr. Wahab Hasan, Mr. Zaheer Usman and Islamic Republic of Turbekistan are collectively petitioners in this case and US is respondent. The moot proposition suggests that the Islamic Republic of Turbekistan is accused of human rights violation and breach of international law. Then, the Islamic Republic of Turbekistan should, logically, be the respondent, so as to enable them to respond to the accusations levied against them.	Please refer to answer to question 11.
16.	With reference to Issue 1 at Page 12 of the moot problem, is the question of maintainability with respect to the application filed by Mr. Wahab Hasan against United States or is it with respect to the UNSC referral to the ICC or both?	This is a question of research.
17.	Firstly Whether the application filed before the International Criminal Court is maintainable?	This is a question of research.
18.	Do we have to prove the maintainability of the application filed by Mr. Wahab Hasan or resolution passed by the security council to the ICC?	This is a question of research.

19.	Mr. Zaheer Usman and the US are allies and Mr. Zaheer Usman and Mr. Wahab Hasan are petitioners. So how do we deal with the fourth and the fifth issue?	URG and the United States are not allies, however, in its bid to end crisis in Islamic Republic of Trobokistan and for various other reasons, United States have been providing support to URG
20.	Under what provisions have the states (Trobokistan and USA) been made a party to a case to the ICC? And where does the ICC derive power to club two separate criminal complaints?	This is a question of research.
21.	Have Trobokistan and United States of America signed and ratified the Rome Statute?	Please refer to answer to question no. 1
22.	The cases before the ICC are called Prosecutor vs (the party concerned). In the present scenario who is to act as a prosecutor which party is to act as Defence?	Please refer to answer to question 11.
23.	Did Trobokistan have nuclear weapons in the south or western part of the country?	The nuclear weapons of the Islamic Republic of Trobokistan were at various military facilities across the country. Even though, Mr Wahab Hasan has stated that the armed forces of Trobokistan is in complete control of its nuclear weapons, however, certain reports from NGOs, human rights observatories states that certain military facilities might be in control of URG.

24.	Did USA disassociate itself from Zaheer Usman after UNSC referendum on Trobokistan?	Please refer to moot proposition.
25.	Were Christians And Hindu persecuted by URG?	Please refer to moot proposition.
26.	Did USA bombed other cities too?	No.
27.	Have the others countries have use forces to tackle IS?	Please refer to the moot proposition.
28.	Which forces were fighting IS apart from USA in neighbouring countries?	Not relevant.
29.	Did the status quo of suspension of civil rights changed in Wahab Hasan from that of General Ahab?	Please refer to moot proposition.

30.	Was there dissent against Wahab Hasan?	Please refer to moot proposition.
31.	Which Human Right Instruments have Trobokistan signed and ratified?	Please refer to answer to question 1.
32.	Is Trobokistan is the member of UN? If Yes, then when Trobokistan did joined UN?	Yes, Islamic Republic of Trobokistan is member of United Nations. It became member of the United Nations in 1945.
33.	How long was USA involved in the civil war?	United States was not involved in civil war.