



The 14th Red Cross International Humanitarian Law (IHL) Moot (2020)

An Inter-University Competition for Mainland China

CLARIFICATIONS

1. Do we still need to analyze the jurisdiction and admissibility since it is required that “any other issues of jurisdiction and admissibility should be ignored” in Instructions?

Please refer to the point no. 4 under the “instructions”, which clearly answers this question.

2. In paragraph 6 of Statement of Agreed Facts, it is stated that “the TFRA was composed of “Units” generally derived from tribal groups and commanded by a tribal leader.” What is the subject of “commanded by a tribal leader”? The TFRA? The “Units”? Or the tribal groups?

The sentence could be clarified as “the TFRA was composed of “Units” derived from tribal groups and each unit was commanded by a tribal leader”.

3. In paragraph 11, it is stated that “Caladan tanker aircraft, crewed with pilots from the Caladan Airforce, provided air-to-air refuelling of the drones to keep them in almost constant circulation.” Is this fact generally known to the public? Did the Caladan tanker aircraft have some unique marks to be distinguishable? Are the uniforms of Caladan Airforce different from those of Caladan tanker aircraft?

All the needed information is provided in the problem. If there are some ambiguities, you may make your own inferences from the available facts. Regarding the uniforms issue, please note Caladan tanker aircraft is crewed with pilots from the Caladan Airforce.

4. Paragraph 13 in the agreed facts shows that foreign fighter ecowarrior99 posted footage of eagles attacking drones. However, the post did not contain any information as to the identity of the eagles in question, namely, whether the eagles were owned by TFRA?

You may infer the answer from the facts described in para. 29.

5. According to the facts in para. 13, was the explosion caused by the impact of an eagle or did the eagle carry man-made explosives?

You may infer the scenarios based on the available facts described in para. 13 and 29.

6. In the para. 19, "the go-pills had a tendency to cause an unpredictable anaphylactic reaction in around 5% of recipients within the first half hour of dosing." Are there any specific symptoms of this unpredictable anaphylactic reaction? Whether these adverse reactions are life-threatening?

The specific symptoms of anaphylactic reaction are not mentioned in the problem, and no deaths were reported based on the available facts.

7. What is WhosApp? Is it an open social media platform or an App for TFRA members only? (para. 12)

WhosApp is a multi-purpose messaging and social media App. It allows users to send text messages and voice messages, make voice and video calls, and share images, documents, user locations, and other media.

8. Whether the identity of Kynes should be expressed as one of the TFRA leaders rather than TFRA commander?

See para. 6. Kynes was, for sure, the commander of the Red Eagle Unit, which was the largest TFRA Unit.

9. Are there any Freman local people among RIF's soldiers?

The question is not that relevant. In any case, as described in the para. 21, they were against the use of "unnatural" substances to aid the oppression of the Freman and forbade "such toxins" on Freman land.

10. Is there an error in "TRFA" in the seventh line of paragraph 25?

Yes, it should be "TFRA".

11. Is the image of a Raveen Eagle on the red armbands (Facts para.29) the same as the classic black TFRA eagles (Facts para.15)?"

Based on the facts described in para. 29 and 15, the uniformed TFRA members bore the red outlined tattoo of Raveen Eagle, and the boys wore red armbands bearing an image of Raveen Eagle.

12. Do medical officers have other medical or administrative functions besides the affairs related to the use of go-pill?

It may be an element you can take into account for your arguments and you should make your own inferences from the available facts.

13. The original version of Rome Statute is stated as “Conscripting or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities”, while the statement, to be specific, in Charges of count 3, is “the war crime of conscripting or enlisting children under the age of fifteen years into armed forces or groups using them to participate actively in hostilities under Article 8(2)(e)(vii) of the Rome Statute”, which lacks the “or” between “groups” and “using”, resulting in the misunderstanding of the meaning. Could you please clarify the adopted version?

Yes. An “or” should be added between “groups” and “using”.