

**2018 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 23 August 2017 should be considered amended accordingly. The Registrar of the Court reminds all parties and participants of the following:

1. The Statement of Agreed Facts reflects a negotiated stipulation. Its words have been carefully chosen, and they are 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.
2. 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.
3. 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 of Agreed Facts.
4. 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.
5. Anduchenca and Rukaruku are not parties to any relevant bilateral or multilateral treaties, conventions, or accords other than those referenced within the Statement of Agreed Facts.

**CORRECTIONS**

1. In the first sentence of Paragraph 47, the words “concluded the night before” should be inserted after the words “an agreement.”

**CLARIFICATIONS**

1. When the Egart was captured on 29 October 2015, it was 11 nautical miles from Anduchenca’s coast and was collecting optical and acoustic data.
2. Rukarukan AUVs employ a navigation system that requires them to periodically surface to receive GPS signals.

3. At one of its first meetings, the arbitral tribunal adopted its own set of *ad hoc* procedural rules. The rules do not contain any provisions relevant to determining the validity of the arbitral award.
4. The paragraph from the arbitral tribunal's award recited in Paragraph 26 is the only part of the award that discusses the tribunal's jurisdiction.
5. The ballistic missiles aboard the Ibra had a range of over 5,500 kilometres, allowing them to accurately strike targets throughout the Odassara Region from anywhere in the Kumatqesh Ocean.
6. Anduchenca attended the 8 May 2017 session of the Security Council and opposed the draft of Resolution 3790.
7. Rukaruku immediately reported to the Security Council (1) its firing of missiles at the Covfefe on 6 June 2017; and (2) its dispatching of warships on 14 June 2017 to the area in which the Ibra was located and its firing of the torpedoes that forced the Ibra to surface. In its communications, Rukaruku expressly invoked both Article 51 of the U.N. Charter and Resolution 3790.
8. High Seas Supplies (HSS), which owned and operated the Covfefe, is a privately held company registered in Anduchenca. HSS charters a fleet of supply vessels, including submarine tenders and offshore platform suppliers. HSS specializes in refueling, rearming, restocking, and rescuing vessels at sea. HSS's board of directors comprises 12 former high-ranking Anduchencan naval officers. In 2012, the Anduchencan Navy awarded HSS a contract to be the primary provider and operator of supply vessels to the Navy. According to the Covfefe's manifest, on 6 June 2017, it was transferring 10 Anduchencan sailors as well as carrying in its cargo: bedding, medical supplies, communications equipment, food, and water. Seven HSS civilian employees were also on board and manning the Covfefe.
9. On 6 June 2017, between 3:22 and 3:53 a.m. local time, Rukarukan warships made six attempts to communicate via radio with the Covfefe, which did not respond to the calls or change its course. The Covfefe, an unarmed vessel, sank within an hour of the 6 June 2017 attack, and no survivors were found.
10. On 11 September 2017, the Director General of the IAEA, Kilinda Vrede, provided an update to the Board of Governors on the Agency's work in monitoring Anduchenca's nuclear activities. She informed the Board that a team had been formed within the IAEA's Department of Safeguards "to enhance our ability to monitor any future Anduchencan development of nuclear capabilities while maintaining our preparedness as an Agency to play a more active role in the Odassarra Region if called upon." Vrede clarified that investigations concerning the development of Anduchenca's nuclear capabilities were ongoing. Initial findings indicated that the weapons found on the Ibra, including its nuclear weapons, had been manufactured in Anduchenca.