

Clarifications

NO	事實段落	問題 Question	問問題的理由 reason	ICRC
1	none	How many troops does Kissaka have? (Is there only the 1st Commando Battalion?) How many lieutenants are there?	If the President had other troops or lieutenants to send, it would prove that he intentionally sent the brutal Lt. Diallo, but if not, it cannot be said that he sent the 1st Commando Battalion intentionally.	the facts in the problem are sufficient or teams have to draw their own inference, if any. The teams should always bear in mind that limited facts provided in the problem leave room for each side for developing their arguments, and teams should not use a request for clarification merely to obtain additional facts to those contained in the Moot Problem.
2	para.20:” At 11:25 pm on 24 April 2021, President Garba gave Lt. Col. Diallo the order for troops from the 1st Commando Battalion to cross the border by stealth through the Momaayo National Park and infiltrate the quiet village of Dunanti near the border.” para.36:” At 8:30 am on 5 October 2022, President Garba gave Lt. Col. Diallo the order to return to	Did President Garba and Lt. Diallo have Call Data Records during these two operations?	The President's element of responsibility requires confirmation of his knowledge, so we need to know if they have Call Data Records.	

	Dunanti to secure the oil access point.”			
3	The scuffle between the villagers and Kissaka’ s troops in para.25 and 26.	To what extent is Momaayan involved in the conflict between the two countries? (Eg: Villagers are self-defense groups, all men are soldiers)	Clarifying whether these villagers are civilians not taking part in hostilities. (Article 8(2) (b)(i) elements of crime) Eg: If they are a self-defense group due to the conflict between two countries, then they are not taking part in hostilities.	
4	Para.26: “From the reports of villagers, it was estimated that 170 Momaayan men and boys died.”	What did Garba do or how did he react to Diallo’ s behavior in Momaayo that killed 170 people?	Clarifying that if Garba ever tried to punish Diallo and expressed his thoughts about these operations.	
5	para.32. After considerable lobbying by the Council of Solfian States, Durham and the Momaayo Cultural Heritage Foundation, the United Nations Security Council considered the situation in Momaayo. Adopting Resolution 3827 on 28 August 2021 the Se	Did Kissaka know about the UN operation or ever consent to it?	Clarifying whether the UN operation was under both parties’ consent.	

	curity Council authorised a UN peace operation in Momaayo.			
6	none	Has Garba ever been to Momaayo during his term?	Clarifying whether Garba was aware of the circumstances in Momaayo or not.	
7	para 21 about the destruction of the baobab trees	What is the total number of the baobab trees in the Baobab Tree Sanctuary?	to determine whether the extent of the destruction is “widespread” , “severe” ; to assess the military necessity	
8	same	How big is the area of the Baobab Tree Sanctuary and how are the trees in the Sanctuary distributed?	to determine whether the extent of the destruction is “widespread” , “severe” ; to assess the military necessity	
9	same	Are 9 -year-old baobab trees big enough to produce fruits or other nutrients to the insects?	to assess “long-term” , “severe” as well as the military necessity	
10	para 37	Were the UN police and the UNEP workers equipped with self-defensive equipment such as shields, helmets, or bullet-proof vests?	To clarify if the UN police pulled her gun for reasonable concerns.	
11	para 3 about the estimation on baobab tree sanctuary	Is this estimation released in a place where Garba and his troops can be expected to know that information?	to assess the foreseeable effect of destroying the trees	

12	para 3 those rare species of insects rely on the baobab trees, and the insects can only be found in Momaayo.	Does it mean that Kissaka didn't have baobab trees and the Kissaka troops didn't know what the baobab trees look like as well as the functions of the baobab trees?	to assess the foreseeable effect of destroying the trees	
13	para 2 about baobab trees are part of cultural heritage in Momaayo	Is it because Abdu hasn't submitted the inventory including baobab trees to the committee, or because baobab trees didn't pass the assessment by the committee, that causes baobab trees not to be a world heritage? (art. 11(1)(2) of the world heritage convention 1972)	to assess the severity and military necessity	
14	para 22	Is the power of three explosive devices strong enough to destroy the 100-year-old baobab tree?	to assess widespread, long-term, and severe. to access military necessity. to access whether the effects are foreseeable	
15	para 30 about the poisoning effects on populations	How many residents and animals were poisoned?	to assess "severity" . to access military necessity.	
16	same	How long does it take to recover from the poisoning effects?	to access "long-term"	
17		We're wondering where is the loca		

		tion of the Pictopia since we can't find it on the map.		
18		How large is the Baobab Tree Sanctuary?		
19		How large of Momaayo territory is covered by the Nadawada River and Nadawada Lake?		
20		Are First Lieutenant Colonel Diallo and Lieutenant Addo Diallo the same person?		
21		In paragraph 17, "national" media reports Diallo openly criticizes the Momaayo people. Which country media does "national" media refer to? Momaayo or Kissaka?		
22		In paragraph 30, What are the numbers of Momaayan residents and RMA soldiers poisoned?		
23		In paragraph 29, did Garba assess the environmental damage that would result from his order to Kissaka troops to filter crude oil into the Nadawada River?		

25		[para. 20] Whether the two objectives are expressed in the president's order?		
24		Are there any cooperation contracts or agreements between Momaayo and Kissaka regarding oil exploration?		<b>Answer:</b> The agreement between Momaaya and Kissaka to investigate the oil field (as detailed in paragraph 11) was contained in a memorandum of understanding (MOU).