

**10TH JUSTICE HIDAYATULLAH MEMORIAL NATIONAL MOOT COURT
COMPETITION 2018**

CLARIFICATION QUESTIONS AND ANSWERS

1. Is the location of Borsi Islands, same as “Shalanka” in the map mentioned in Aressibharat Katha?

Answer: Yes.

2. What is the exact location of Shalanka Island i.e. Borsi Islands? How far is the island from each of the countries? Does the Borsi Island come under the Territorial waters or Exclusive Economic Zone of Aressia or any other country?

Answer: Read the problem carefully.

3. Did people believe that the Shalanka Island was situated in the Arbanian Sea?

Answer: Read the problem carefully.

4. Whether the geographical location of the three-nation are also pari- materia?

Answer: No.

5. Shalanka Island was in the middle of which ocean? Whether the island, at any time was submerged or not? If yes, when did it submerge? Is there any scientific report on the island being submerged in water?

Answer: Read the problem carefully.

6. What is the G.D.P of each of the nation? Is it also part material to the India, China and U.K?

Answer: No.

7. Are the Investment and financial aid mentioned in ¶4 provided to Boranda by Boressia same?

Answer: No. The investment and financial aid mentioned in ¶4 are different.

8. What is the nature of the financial aid provided by Boressia to Boranda in ¶ 4 of the problem?

Answer: Refer to Clarification given for question 7.

9. Were there any conditions to any financial aid given in ¶ 4 of the problem?

Answer: Read the problem carefully.

10. What was the nature of the investment made by Boressia in Boranda mentioned in ¶4? Was there any particular MOU or Treaty between Boressia and Boranda?

Answer: Refer to Clarification given for question 7 & 8.

11. Did the investment made by Boressia in Boranda came with any caveats?

Answer: As per usual business practices.

12. Was there any agreement between Aressia & Boressia for the rescue mission (rescue mission being carried out by ship MV Borsi)?

Answer: Read the problem carefully.

13. Under whose command was the military ship of Boressia working during the time of rescue mission? Which State flag did it carry?

Answer: Read the problem carefully.

14. What was the time of Aressibharat Katha?

Answer: Time immemorial

15. Whether the god and goddesses mentioned in Aressibharat Katha enshrined within the government of Aressia?

Answer: Read the problem carefully.

16. Is Aressibharat a valid document? Does it have any historical significance or is it just mythology? What part of the population actually follows this mythology (as in a major part of the population or a small one)?

Answer: Read the problem carefully.

17. Are Aressibharat Katha and Ramayan pari materia?

Answer: Only to the extent the similarities can be found in the compromises and the Ramayana.

18. In what language were the ancient scripts?

Answer: Read the problem carefully.

19. Where is the NGO i.e. the club of Aressia established?

Answer: Read the problem carefully.

20. What kind of organization is 'Club of Aressia' in terms of its scientific credibility and authenticity? Does Club of Aressia have any links to the govt. of Aressia?

Answer: Club of Aressia is an environmental NGO.

21. What kinds of "rare and endangered species of flora and fauna" inhabit the Borsi Islands and the area around it? Are the species featured in the IUCN Red List?

Answer: Some of the species found in Borsi Islands are included in the IUCN Red List.

22. Does Boranda expressly consent to emitting sulphur dioxide more than the prescribed limits, as stated in the 3rd issue from Respondents side?

Answer: Read the problem carefully.

23. What is the global prescribed limit for Sulphur di oxide emissions?

Answer: Refer to concerned international laws and instruments.

24. Is there any source of pollution (especially Sulphur Dioxide) in the state of Ahali itself? (For example, Industries, transportation, etc)

Answer: Read the problem carefully.

25. What was the percentage of agriculture land in Boranda?

Answer: Read the problem carefully.

26. Was Shalanka island annexed by Arama or his successors in the Aressibharat Dynasty and when? Additionally, was the island of 'Shalanka' occupied anytime thereafter?

Answer: Read the problem carefully.

27. What is the geographical position of the State of Ahali in the Union of Aressia? Was the State of Ahali is geographically pari materia with the State of Delhi of India?

Answer: Read the problem carefully.

28. Whether the steel industries located in boranda were public sector or private sector industries?

Answer: Read the problem carefully.

29. Whether the previous rivers, in the State of Boranda, continued to exist post Tsunami or not?

Answer: Yes.

30. In 2014 was Boressia supplying fossil fuels to Boranda?

Answer: Read the problem carefully.

31. Whether the damaged hydroelectric project and the nuclear power plant were again revamped or not?

Answer: Read the problem carefully.

32. In ¶ 5, is the multi-national task force formulated under the aegis of United Nations or is there any document about the multi-national task force? If there is any treaty concerning the multi-task force, please provide the text of such treaty.

Answer: It is a multinational task force created by affected nations informally.

33. ¶5 of the Compromis talks about the disappearance of a flight, please provide the details regarding the passengers in the flight, i.e. how many passengers were there from the countries involved in the dispute?

Answer: Read the problem carefully.

34. Whether before occupying the Islands was there any notification by the Republic of Boressia to the United Nations?

Answer: No.

35. What kind of strategic importance did the Borsi Island have?

Answer: It is known only to Boressian Government and is open to interpretation.

36. What percentage of excavation has been completed on the discovered island (Borsi Island)? Is there any scientific report on the items (idols) which were found at the Island after the excavation?

Answer: As per the prepared plan of Boressia, 45% of the excavation has been completed. Consequently, The Archaeological Department of Boressia published some reports stating that idols were found on the island.

37. Pursuant to ¶ 9 of the Compromis, Was there any government owned news agency of Aressia criticising the act of Borressia?

Answer: Read the problem carefully.

38. Whether the Asian Environment engineering research institute is a government authority or otherwise?

Answer: AEERI is a government aided institute.

39. In ¶12 of the Compromis “The experts gave a caution warning that the presence of sulphur dioxide will adversely affect the soil fertility and cotton production”, were there any subsequent steps taken by Union of Aressia?

Answer: Read the problem carefully.

40. How can we quantify the loss suffered by farmers due to decrease in quality of cotton?

Answer: On the basis of facts and circumstances of the case.

41. In ¶13, one is holding Boranda and Boressia accountable for the damages suffered due to smog and the mitigation costs and only Boranda liable for the decrease in the yield and the adverse impact on cotton exports. However, in issue no. 4, they are holding both the countries liable for both the issues. Which is the correct position?

Answer: The correct position is one that stated in Issue IV. ¶13 stands amended accordingly.

42. What is the quantum of the damages claimed by Aressia in ¶14 of the Compromis?

Answer: In proportion to the loss.

43. Whether there is any previous attempt by the Union of Aressia to search the Shalanka Islands?

Answer: No.

44. Is Boressia expressly and intentionally made not a party in the third issue?

Answer: Read the problem carefully.

Note: All questions that do not find mention in this document are not relevant to the present case.

