# THE CASE CONCERNING THEFROSTFILES\_



#### JESSUP 2016

WHITE & CASE INTERNATIONAL ROUNDS 27 MARCH – 2 APRIL 2016 | WASHINGTON, DC

# WELCOME (•

Welcome to the 2016 White & Case International Rounds of the Philip C. Jessup International Law Moot Court Competition.

As a global law firm, White & Case is proud to sponsor this annual event, which brings together the next generation of international lawyers from around the world.

By taking part in the Jessup Competition, you are not only developing skills you will use throughout your career. You are also engaging with your peers in other countries and joining the global legal community.

I would like to congratulate all of the teams that have worked so hard to reach the final rounds of the Competition. Although the White & Case Jessup Cup will go to just one team, you should all be proud of your accomplishment—we are!

Best of luck to all of you.

Hugh Verrier Chairman

White & Case LLP

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# SCHEDULE OF EVENTS

#### Sunday, 27 March

\* All events will take place in the Hyatt Regency unless otherwise indicated.

#### 10:00 a.m. to 2:00 p.m. Team Registration

(Columbia Foyer, Ballroom Level)

All Teams must check in at the ILSA Registration Desk during this period. If a Team does not arrive and check in by 2:00 p.m., the Team will not be scheduled to compete. Teams are invited to learn about LL.M. programs, study abroad programs, and international law publications at the Orientation Fair.

#### 10:00 a.m. to 2:00 p.m. Orientation Fair

(Columbia Foyer/Regency Foyer, Ballroom Level)

The Orientation Fair will feature a number of exhibition tables providing information about different opportunities in the field of international law, including LL.M. programs, study abroad programs, international law membership organizations, international law publications, and more.

#### 2:00 p.m. Team Orientation

(Regency Ballroom, Ballroom Level)

All Team members must attend the Team Orientation.

#### 4:00 p.m. Orientation for Exhibition Teams, Observation Teams, and Bailiffs

(Regency A, Ballroom Level)

Mandatory meeting for all Exhibition Teams and Observation Teams. Instructions and schedules will be provided for all bailiffs, including Exhibition Teams and Observation Teams.

#### 6:00 p.m. Distribution of Preliminary Round Schedules and

**Opponent Memorials** 

(Outside Congressional B, Lobby Level)

Competing and Exhibition Teams will receive their schedule of matches and the memorials of their opponents for the Preliminary Rounds. Teams may line up prior to 6:00 p.m.; however, memorials and schedules will not be distributed prior to 6:00 p.m.

#### 7:30 p.m. Judge Orientation and Reception

(Capitol Room, Lobby Level)

This event is for judges only. Judges are invited to a reception and orientation to meet one another in advance of the Preliminary Rounds. Expert and experienced Jessup judges will review the 2016 Jessup problem and present judging tips.

#### Monday, 28 March

#### 8:00 a.m. to 10:00 a.m.

#### Breakfast and Coffee in the Student Lounge

(Columbia C, Ballroom Level)

ILSA welcomes students and coaches to Day One of the International Rounds with coffee and bagels in the Student Lounge. The Student Lounge (Columbia C) will be available to students and coaches all week (until Thursday at 6:00 p.m.).

#### 9:00 a.m. to 9:00 p.m.

#### Preliminary Rounds-Day One

Teams should arrive no later than 15 minutes prior to the start of their scheduled matches. All are invited to attend the Preliminary Rounds, but space may be limited. Observers are requested not to enter or exit once the match has begun. Teams are reminded to follow the scouting rule.

#### Courtrooms:

Bryce, Capitol Suite 388, Capitol Suite 488, Capitol Suite 588, Congressional C, Congressional D, Everglades, Glacier, Grand Canyon, Grand Teton, Olympic, Redwood, Sequoia, Thornton Room A, Thornton Room B, Thornton Room C, Yellowstone, Yosemite

9:00 a.m. - 11:00 a.m. Jessup Preliminary Round 1

11:30 a.m. – 1:30 p.m. Jessup Preliminary Round 2

2:00 p.m. – 4:00 p.m. Jessup Preliminary Round 3

4:30 p.m. – 6:30 p.m. Jessup Preliminary Round 4

7:00 p.m. – 9:00 p.m. Jessup Preliminary Round 5

#### 8:00 p.m. to 10:00 p.m.

#### White & Case Friends of the Jessup Reception

(Capitol Room, Lobby Level)

Judges, National Administrators, Coaches, and Team Advisors are invited to a reception in recognition and appreciation of their contributions to the 2016 Jessup Competition and the advancement of international legal education.

# SCHEDULE OF EVENTS (CONTINUED)

#### Tuesday, 29 March

9:00 a.m. to 9:00 p.m.

#### Preliminary Rounds—Day Two

Teams should arrive no later than 15 minutes prior to the start of their scheduled matches. All are invited to attend the Preliminary Rounds, but space may be limited. Observers are requested not to enter or exit once the match has begun. Teams are reminded to follow the scouting rule.

#### Courtrooms:

Bryce, Capitol Suite 388, Capitol Suite 488, Capitol Suite 588, Congressional C, Congressional D, Everglades, Glacier, Grand Canyon, Grand Teton, Olympic, Redwood, Sequoia, Thornton Room A, Thornton Room B, Thornton Room C, Yellowstone, Yosemite

9:00 a.m. – 11:00 a.m. Jessup Preliminary Round 6

11:30 a.m. – 1:30 p.m. Jessup Preliminary Round 7

2:00 p.m. – 4:00 p.m. Jessup Preliminary Round 8

4:30 p.m. - 6:30 p.m. Jessup Preliminary Round 9

7:00 p.m. - 9:00 p.m. Jessup Preliminary Round 10

#### Wednesday, 30 March

#### 9:00 a.m. to 9:00 p.m.

#### Preliminary Rounds—Day Three

Teams should arrive no later than 15 minutes prior to the start of their scheduled matches. All are invited to attend the Preliminary Rounds, but space may be limited. Observers are requested not to enter or exit once the match has begun. Teams are reminded to follow the scouting rule.

#### Courtrooms:

Bryce, Capitol Suite 388, Capitol Suite 488, Capitol Suite 588, Congressional C, Congressional D, Everglades, Glacier, Grand Canyon, Grand Teton, Olympic, Redwood, Sequoia, Thornton Room A, Thornton Room B, Thornton Room C, Yellowstone, Yosemite

**9:00 a.m. – 11:00 a.m.**Jessup Preliminary Round 11

11:30 a.m. - 1:30 p.m. Jessup Preliminary Round 12

2:00 p.m. - 4:00 p.m. Jessup Preliminary Round 13

4:30 p.m. - 6:30 p.m. Jessup Preliminary Round 14

7:00 p.m. - 9:00 p.m. Jessup Preliminary Round 15

#### 8:00 p.m.

#### Announcement Party

(Ultrabar, 911 F Street NW, Washington, DC)
All participants are invited to find out which Teams will advance past
the Preliminary Rounds and socialize with fellow participants, coaches,
advisors, and judges. For Jessup Teams, Team advisors, judges,
volunteers, ILSA Members and all others. Casual attire.

#### Advanced Rounds Memorial Exchange/Coin Toss

(Congressional C/D, Lobby Level)

All advancing Teams should return for the Memorial Exchange following the announcement of advancing teams.

# SCHEDULE OF EVENTS (CONTINUED)

#### Thursday, 31 March

#### 9:00 a.m. to 11:00 a.m.

#### Jessup Run-Off Rounds 1

Teams should arrive no later than 15 minutes prior to the start of their scheduled matches. All are invited to attend the Run-Off Rounds, but space may be limited. Observers are requested not to enter or exit once the match has begun. Teams are reminded to follow the scouting rule.

#### Courtrooms:

Bryce, Congressional CD, Grand Teton, Everglades, Thornton Room A, Thornton Room C, Yellowstone, Yosemite

#### 11:30 a.m. to 1:30 p.m.

#### Jessup Run-Off Rounds 2

Teams should arrive no later than 15 minutes prior to the start of their scheduled matches. All are invited to attend the Run-Off Rounds, but space may be limited. Observers are requested not to enter or exit once the match has begun. Teams are reminded to follow the scouting rule.

#### Courtrooms:

Bryce, Congressional CD, Grand Teton, Everglades, Thornton Room A, Thornton Room C, Yellowstone, Yosemite

#### 2:00 p.m.

#### Memorial Exchange/Coin Toss for Octo-Final Teams

(Congressional CD)

Teams advancing to the Octo-Final Rounds should meet for the coin toss and Memorial Exchange.

#### 3:00 p.m. to 4:00 p.m.

#### **ILSA Spring Congress**

(Columbia C, Ballroom Level)

All ILSA members and law students are invited to attend the ILSA Congress, the bi-annual meeting of ILSA Chapters. At the Congress, ILSA members will discuss upcoming international law events and discuss elections for the 2016-17 ILSA Student Officers.

#### 4:00 p.m. to 6:00 p.m.

#### Octo-Final Rounds

Teams should arrive no later than 15 minutes prior to the start of their scheduled matches. All are invited to attend the Octo-Final Rounds, but space may be limited. Observers are requested not to enter or exit once the match has begun. Teams are reminded to follow the scouting rule.

#### Courtrooms:

Bryce, Congressional CD, Grand Teton, Everglades, Thornton Room A, Thornton Room C, Yellowstone, Yosemite

#### 9:00 p.m.

#### Go-National Dress Ball

(Regency Ballroom, Ballroom Level)

All are invited to attend and encouraged to come dressed in traditional national costume or other creative attire. White & Case will have a photo booth in the ballroom for pictures throughout the event.



# SCHEDULE OF EVENTS (CONTINUED)

#### Friday, 1 April

#### 9:00 a.m. to 12:30 p.m. Introduction to ICSID Process

(Preston Auditorium, World Bank, 1818 H Street NW, Washington, DC) Young ICSID is offering a special session for Jessup Competitors and current law students. The session will review the ICSID process, tour a hearing room, and conclude with a question and answer session with members of the ICSID Secretariat. Please note that a government issued photo identification document is required to enter The World Bank premises, and students must have RSVP'd to youngicsid@worldbank.org by 25 March 2016.

#### 10:00 a.m. to 12:00 p.m. Quarter-Final Rounds

Teams should arrive no later than 15 minutes prior to the start of their scheduled matches. All are invited to attend the Quarter-Final Rounds, but space may be limited. Observers are requested not to enter or exit once the match has begun. Teams are reminded to follow the scouting rule.

#### Courtrooms:

Capitol Room A, Capitol Room B, Regency D, Thornton Rooms

#### 12:30 p.m. to 2:00 p.m.

#### Pathways to Careers in International Law Luncheon

(Regency C, Ballroom Level)

The ABA Section of International Law and ILSA present an informative panel to offer career advice to those interested in international law. Lunch will be provided.

#### 2:00 p.m. to 4:00 p.m.

#### Semi-Final Rounds

Teams should arrive no later than 15 minutes prior to the start of their scheduled matches. All are invited to attend the Semi-Final Rounds, but space may be limited. Observers are requested not to enter or exit once the match has begun. Teams are reminded to follow the scouting rule.

#### Courtrooms:

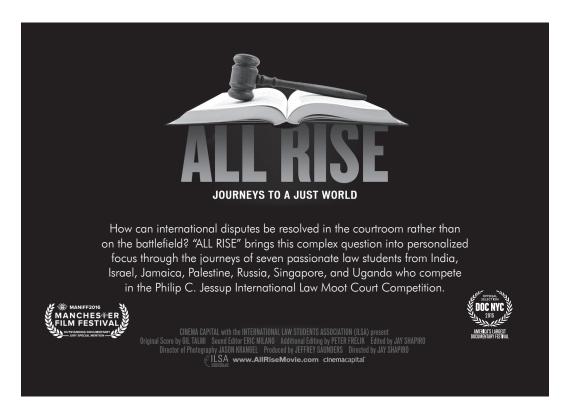
Capitol Rooms, Regency D

6:00 p.m. to 8:30 p.m.

ASIL-ILSA Reception & Screening of "ALL RISE," a Jessup Documentary (Regency Ballroom, Ballroom Level)

All Jessup Competitors, Coaches, Team Advisors and Judges are invited to join attendees of the ASIL Annual Meeting for a reception and private screening of "ALL RISE," a Jessup documentary.

Special remarks will be delivered by Benjamin B. Ferencz, former Nuremberg prosecutor and advocate for global justice. This event is sponsored by White & Case.



# SCHEDULE OF EVENTS (CONTINUED)

#### Saturday, 2 April

11:00 a.m. to 12:00 p.m. 2016 Discussion with the Compromis Author, sponsored

by the Fletcher School

(Regency B/C/D, Ballroom Level)

The Author of the 2016 Compromis will preside over an open panel discussion for Teams to ask questions about the inspiration for and legal issues in the 2016 Compromis. Coffee, tea and light brunch will

be provided.

2:00 p.m.

White & Case Jessup World Championship Round

(Regency Ballroom, Ballroom Level)

All are invited to observe the top two Teams in the world deliver their oral arguments before an esteemed panel of judges from the International Court of Justice. Judge Hisashi Owada, Judge Christopher Greenwood and Judge Bruno Simma will preside.

9:00 p.m.

Final Gala and Announcement of Awards Presented by the IBA

(Regency Ballroom, Ballroom Level)

Have fun one last time with a night of music and dancing along with the presentation of Competition awards, brought to you by the International Bar Association, All are invited to attend. Semi-formal dress.

11:00 p.m.

Jessup Law Revue: Vox Cogens

(Columbia A, Ballroom Level)

Join your fellow competitors, coaches and judges to celebrate the conclusion of the 2016 competition with ILSA's first annual spoof, song parody and written word festival. Get inspired by familiar songs, and re-write the lyrics based on the 2016 Compromis or your experiences during the week of the competition—and perform the song or lyrical styling live on Saturday evening! Your judges will get the show started with their own renditions. Song re-writes, poems or other linguistic stylings should be submitted in advance to parodies@ILSA.org.

#### Sunday, 3 April

9:00 a.m. to 11:00 a.m.

Distribution of Team Packets

(Congressional C/D, Lobby Level)

Team packets containing the Teams' oral round and memorial scoresheets will be distributed. Packets will only be given to registered Team members and advisors. Packet contents will not be mailed or duplicated after the Competition.





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 Deputy Attorney-General for Legal and International Affairs, Mexico

After earning her Fletcher degree, Mariana Benitez Tiburcio became the first female Deputy Attorney General for International and Legal Affairs of Mexico, second in line to the national Attorney General's Office.

Fletcher's multidisciplinary approach to international law—combined with full-time faculty and a diverse student body representing half the world's countries—is exceptional preparation for practicing in a globalized world. The program's alumni include legal advisors to the United Nations, international arbitration associates, and attorneys for a wide variety of diplomatic missions. An education at Fletcher will arm you with a unique and powerful skill set—wherever your career in international law may lead.

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# ABOUT THE JESSUP COMPETITION

The Philip C. Jessup International Law Moot Court Competition was the brainchild of Professor Richard R. Baxter at Harvard Law School, who worked with Professor Stephen M. Schwebel (later President of the International Court of Justice) to create a courtroom simulation experience grounded in international law.

Originally named the "International Law Moot," the Jessup Competition held its first round at Harvard University on 8 May 1960. The round, comprised only of Harvard Law students, involved a team of two American law students, Thomas J. Farer and William Zabel, and a team of two foreign LL.M. students, Ivan L. Head of Canada and Bernard H. Clark of New Zealand. The first Jessup problem was titled "Cuban Agrarian Reform Case" and was written by then Professor Schwebel. Since 1960, the Jessup Competition has been held annually, and student participation has increased dramatically.

This year's Jessup Competition has engaged students from approximately 600 schools in more than 90 jurisdictions around the world, making the Jessup Competition by far the largest moot court competition in the world.

Former Jessup participants now work at foreign, finance, and justice ministries in increasing numbers. They can also be found in the world's finest law firms, corporations, universities, parliaments and international organizations. Jessup participants continue to contribute their efforts to the development of international legal education, as well as international law itself.

More than a competition, the Jessup is a community of legal professionals, young and old, who build bonds and share an invaluable cultural and academic exchange. Now in its 57th year, the Jessup has a rich history and a longstanding commitment to promote the importance of the rule of law in the peaceful resolution of disputes.

# ABOUT THE HONORABLE PHILIP C. <u>JESSUP</u>

The Jessup Competition is named after the Honorable Philip C. Jessup. Born in 1897 in New York, Judge Jessup received his bachelor's degree from Hamilton College and his LL.B. from Yale University. He earned a Master's degree and Ph.D. from Columbia University and later, an LL.D. from Hamilton.

Judge Jessup had a long and distinguished academic, judicial, and diplomatic career. From 1961 to 1970, he was a member of the International Court of Justice.

He practiced law and taught at several American universities until 1961. Judge Jessup was an assistant to Elihu Root during the 1929 Conference of Jurists on the Permanent Court of International Justice. He attended both the Bretton Woods and San Francisco Conferences, and played a key role in the formation of the International Law Commission (ILC).

Jessup served as American ambassador to the United Nations from 1948 to 1953. He was President of The American Society of International Law from 1954 to 1955, and a member of the Curatorium of the Hague Academy of International Law from 1957 to 1968.

Judge Jessup's publications include *The United States and the World Court* (1929); *International Security* (1935); *Elihu Root* (1938); *International Problems of Governing Mankind* (1947); *A Modern Law of Nations* (1948); and *Transnational Law* (1956).

In 1964, Judge Jessup was awarded The American Society of International Law's Manley O. Hudson Medal for preeminent scholarship and achievement in international law and for the promotion of the establishment and maintenance of international relations on the basis of law and justice. Judge Jessup continued to lecture and teach until his death in 1986.



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# FRIENDS OF THE JESSUP

The Jessup Competition is supported by a worldwide volunteer network of attorneys, judges, legal scholars, and other individuals devoted to the Competition. This network, known as Friends of the Jessup or FOJs, volunteers its time and legal expertise, without which the success of the Jessup would be impossible. ILSA is grateful to FOJs for their continuing support at all levels of the Competition.



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# **ABOUT ILSA**

The idea of an organization to serve the needs of students interested in international law first arose shortly after the first Jessup Competition. In 1962, students from a number of campuses founded the Association of Student International Law Societies (ASILS). The Association evolved over the years and, in 1987, reconstituted itself as the International Law Students Association (ILSA). In response to its rapid expansion and development, ILSA incorporated in May 1994.

ILSA's mission is to promote awareness, study, and understanding of international law and related issues; to encourage communication and cooperation among law students and lawyers internationally; to promote social responsibility in the field of law; to increase opportunities to learn about other cultures and legal systems worldwide; and to publicize career opportunities in international law.

ILSA is governed by a Board of Directors, the Executive Office, which is staffed by the Executive Director, the ILSA Programs Director, the Jessup Competition Director, and the External Relations Coordinator, is headquartered in Washington, DC, USA. Each year, three ILSA student members are elected as student officers and work with the ILSA Board of Directors and Executive Office on academic programming and other initiatives.

ILSA also serves as an umbrella and support organization for student chapters devoted to the study and promotion of international law. ILSA chapters exist as independent entities and as members of the larger Association. ILSA's structure grants autonomy to its chapters to meet their unique needs locally while making available to them an international network of academic and organizational resources.

Individual membership in ILSA is also available to anyone (students, attorneys, non-lawyers) with an interest in international law and international legal education.

In addition to administering the Jessup Competition, ILSA produces and oversees several publications, including the ILSA Quarterly, the ILSA Journal of International & Comparative Law, and the Jessup Compendium.

The *ILSA Quarterly* is published four times per year. It highlights ILSA's programs and features special articles from scholarly writers and student members. Each year, one issue of the *ILSA Quarterly* is dedicated to study-abroad programs, one to LL.M. programs, and one to the Jessup Competition.

#### ILSA EXECUTIVE STAFF

Lesley A. Benn, Executive Director
Tessa Walker, ILSA Programs Director
Tariq Mohideen, Jessup Competition Director
Olga Kozlova, External Relations Coordinator

#### **ILSA STUDENT OFFICERS**

Maral Shoaei, *President* Ismael A. Velez, *Vice-President* Keely McWhorter, *Chief Communications Officer* 

#### ILSA BOARD OF DIRECTORS

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#### Information:

www.ilsa.org/conferences/international-law-weekend-ny (202) 729-2470 | conferences@ilsa.org





# ILSA HONORARY COUNCIL

The Honorary Council is dedicated to furthering ILSA's mission of promoting the worldwide study, development, and practice of international law. Through the support and assistance of the Honorary Council, ILSA will continue to engage the world's foremost jurists, scholars, and practitioners as ILSA conference panelists, keynote speakers at ILSA events, advanced round judges of the Jessup Competition, and members of the Authorial Committee responsible for drafting the annual Jessup Compromis.

#### **CHAIRMAN**

Stephen M. Schwebel, Former President International Court of Justice

#### **COUNCIL MEMBERS**

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José Alvarez, Professor

M. Cherif Bassiouni, Emeritus Professor of Law DePaul University College of Law

Robert Beckman, Professor National University of Singapore and Director of the Centre for International Law

Elizabeth Odio Benito, Vice President International Criminal Court

Mohamed Bennouna, Judge International Court of Justice

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Serge Brammertz, Prosecutor International Criminal Court

Charles Brower, Judge Iran-US Claims Tribunal

David Crane, Professor Syracuse University College of Law

James Crawford, Judge International Court of Justice

Sir Christopher Greenwood, Judge International Court of Justice

Hassan Jallow, Prosecutor
International Criminal Tribunal for Rwanda

Larry Johnson, Professor Columbia Law School

Catherine Kessedjian, Professor University of Pantheon-Assas, Paris II

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Maurice Mendelson, Barrister Blackstone Chambers

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Jordan Paust, Professor University of Houston

Alain Pellet, Professor Université de Paris Ouest – Nanterre La Défense

Fausto Pocar, Judge International Criminal Tribunal for the Former Yugoslavia

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Abraham Sofaer, Professor Stanford University

Peter Tomka, Judge International Court of Justice

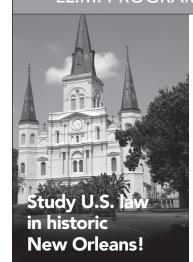
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# ILSA AND JESSUP AWARDS

#### Hardy C. Dillard Award

This Award is named in honor of the late Judge Dillard of the International Court of Justice, who was a longtime supporter of the Jessup Competition. The Award is an extension of the US Rutgers Award, initiated at Rutgers Law School in Newark, New Jersey, in 1973.

The Award is presented to Teams for excellence in Memorial writing by comparing top Memorials across participating jurisdictions. Memorials of the Teams scoring the highest at Qualifying Rounds, and Memorials of the Teams scoring in the top 20 at the White & Case International Rounds are considered for the Award. Awards will be presented to the top five scoring Teams.

#### Alona E. Evans Award

This Award is named in honor of the late Professor Evans, the first woman to be elected President of the American Society of International Law, and a faithful supporter of the Competition.

The Award is presented to Teams for excellence in Memorial writing at the White & Case International Rounds. Awards will be presented to the top ten scoring Teams based on total Memorial scores.

#### Richard R. Baxter Award

This Award is named in honor of the late Richard Baxter, who served as Judge of the International Court of Justice, and who was an eminent and pioneering scholar of International Law.

The Award is presented to Teams for excellence in Memorial writing by comparing individual Applicant and Respondent Memorials. The Applicant and Respondent Memorials of Teams that receive the Alona E. Evans Award and/or the Hardy C. Dillard Award are considered for the Richard R. Baxter Award. One award will be given to the Best Overall Applicant Memorial and one award will be given to the Best Overall Respondent Memorial. Both winning memorials will be published in the *ILSA Journal of International & Comparative Law*.

#### Stephen M. Schwebel Award

This Award is named in honor of Stephen M. Schwebel, a jurist and expert on international law who served as a Judge of the International Court of Justice from 1981 to 2000 and as the Court's President from 1997 to 2000. In 1959, as a young Assistant Professor of Law at Harvard University, Judge Schwebel established an international law moot court competition, which we recognize today as the Philip C. Jessup International Law Moot Court Competition.

The Award is presented to the best oralist of the World Championship Round.

#### The Steven M. Schneebaum Award

This Award is named in honor of Steven M. Schneebaum, an American attorney and scholar who specializes in international dispute resolution and complex litigation. Mr. Schneebaum has filled a critical role in the organization and administration of the Jessup Competition for decades. Among other positions, he has served as a Compromis Author, Chairman of the ILSA Board of Directors, Jessup Coach, and Jessup Judge. The award is presented to a National Administrator for outstanding service and dedication to the Jessup Competition.

#### The Francis Deak Award

The Deak Award is a prize provided by Oxford University Press for the best international law student article in a student-edited law journal. The award honors Francis Deak, a World War II veteran who wrote extensively on international law. The award is the student equivalent of the ASIL Deak Award, which is presented to the author of the best article of the year in the *American Journal of International Law*.

#### The Pamela M. Young Award

Created in 1993 in honor of Pamela Young, Assistant Jessup Administrator from 1974 to 1994, this Award recognizes the outstanding volunteer service of individuals to the Jessup Competition.

#### The Spirit of the Jessup Award presented by the International Bar Association

The Spirit of the Jessup Award was created in 1996 to recognize the Team that best exemplifies the Jessup spirit of camaraderie, academic excellence, competitiveness, and appreciation of fellow competitors. This award is voted upon by the Jessup participants themselves, and is intended to establish the standard to which all participants should strive to govern their performance and professional demeanor.

#### International Law Institute Award

This Award is given by the International Law Institute (ILI) to the top-ranked oralist from the non-native English-speaking Team with the Best Memorials in the White & Case International Rounds. The recipient receives a full tuition scholarship for ILI's course "Orientation in the US Legal System."

# 2016 FINAL ROUND BENCH

#### Judge Hisashi Owada

Judge Hisashi Owada is a current Member and former President of the International Court of Justice. Before his election to the Court, Judge Owada served the Government of Japan for more than 30 years, including as the Special Adviser to the Minister for Foreign Affairs of Japan, the Permanent Representative of Japan to the United Nations, the Vice-Minister for Foreign Affairs of Japan, and the Private Secretary to the Prime Minister of Japan. During his career in government service, Judge Owada represented Japan at a number of international conferences, including the Second United Nations Conference on the Law of the Sea. Judge Owada has also served in teaching positions at many leading universities, such as the University of Tokyo, Harvard Law School, Columbia Law School, Cambridge University and The Hague Academy of International Law. He was the founding President of the Asian Society of International Law. Judge Owada was born in Niigata, Japan on September 18, 1932.

#### Judge Christopher Greenwood

Sir Christopher Greenwood has been a Judge of the International Court of Justice since 2009. Educated at Wellingborough School, Northamptonshire, and Magdalene College, Cambridge (where he obtained first-class honours in Law and International Law), and prior to his election to the ICJ, he taught at Cambridge and the London School of Economics and was a barrister practicing international law before the English and international courts. His appearances as a barrister included the *Pinochet* case in the House of Lords, *Bankovic* in the European Court of Human Rights and the *Lockerbie* and *Legality of Force* cases in the ICJ. He was made a Queen's Counsel in 1999, a Companion of the Order of St Michael and St George in 2002 and was knighted in 2009. He is the co-editor of the *International Law Reports*, a Bencher of the Middle Temple and an Associate of the Institut de droit international.

#### Judge Bruno Simma

Bruno Simma was a Judge at the International Court of Justice from 2003 until 2012. In 2012, he was appointed Judge at the Iran-United States Claims Tribunal in The Hague. He frequently serves as an arbitrator in inter-State and investment disputes. From 1972 to 2003, he taught international and EC law at the University of Munich. He is now a part-time Professor of Law at the University of Michigan in Ann Arbor (on leave). From 1987 to 1996, he was a member of the UN Committee on Economic, Social and Cultural Rights and, from 1997 to 2003, a member of the UN International Law Commission. He was a co founder both of the *European Journal of International Law* and of the European Society of International Law and is an associate member of the Institut de droit international.

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# 2016 COMPROMIS

# THE 2016 PHILIP C. JESSUP INTERNATIONAL LAW MOOT COURT COMPETITION \*\*SPECIAL AGREEMENT\*\*

# BETWEEN THE STATE OF AMESTONIA (APPLICANT) AND THE FEDERAL REPUBLIC OF RIESLAND (RESPONDENT) TO SUBMIT TO THE INTERNATIONAL COURT OF JUSTICE THE DIFFERENCES BETWEEN THE TWO STATES CONCERNING THE FROST FILES

- 1. Riesland is a developed democratic state with a population of approximately 100 million, which boasts one of the fastest growing free-market economies in the world. Many of Riesland's top corporations are listed on the New York, London, and Shanghai stock exchanges. Its rapidly-expanding information technology and communications sector is world-renowned.
- 2. Amestonia is a developing country bordering Riesland to the south, with a population of approximately 20 million. Amestonia is a predominantly agrarian export economy. Agriculture employs 55% of Amestonia's workforce.
- 3. The Rieslandic Secret Surveillance Bureau ("the Bureau") engages, *inter alia*, in covert operations and collects intelligence outside of Riesland pursuant to the provisions of the Secret Surveillance Bureau Act 1967 ("SSBA"), as amended.
- 4. Section 21 of the SSBA, entitled "Electronic Surveillance," grants the Director of the Bureau ("the Director") the power to authorize "electronic surveillance," without a court order, to acquire "foreign intelligence." The SSBA defines "electronic surveillance" as "the installation of an electronic, mechanical, or other surveillance device outside Riesland's territory, and/or the acquisition by such a device of the content of or other technical information concerning a wire or radio communication." The statute defines "foreign intelligence" as "any information located or emanating from outside Riesland's territory, which is relevant to the ability of Riesland to protect itself against any actual or potential threat to its national security or the ability of Riesland to conduct its foreign affairs."
- 5. Section 32 of the SSBA, "Minimization Procedures and Structural Safeguards," sets forth five limitations on the Bureau's surveillance activity. First, electronic surveillance may not be authorized by the Director whenever there is a "substantial likelihood" that information acquired thereby will include "any communication to which a national of Riesland is a party." Second, it establishes a five-judge National Security Tribunal ("the Tribunal"), which must review all electronic surveillance conducted under the SSBA every six months. Proceedings before the Tribunal are closed to the public, but the Tribunal is authorized to call on technical experts, academics, and NGOs to participate as amici curiae. Third, a Parliamentary Committee for Surveillance Oversight is created, with access to all information relating to the Bureau's operations, and the capacity to launch independent investigations and to summon the Bureau's Director and other personnel to appear before it. Fourth, the statute provides that surveillance of "foreign public officials" may be authorized only when the Director, with the concurrence of the Minister of Foreign Affairs, considers it "necessary." Fifth, the Bureau must comply with any regulations issued by the Attorney General concerning legal aspects of any surveillance program.
- 6. Relations between Riesland and Amestonia, which share a common language and have similar ethnic composition, have been largely positive. On 11 December 1970, Riesland's Prime Minister visited Amestonia to mark the centenary of the completion of the first railway line between the two countries. During that visit, the Prime Minister and his Amestonian counterpart signed a number of bilateral agreements, concerning tourism, trade, extradition, intelligence-sharing, and other fields of cooperation. Since then, the two nations have enjoyed healthy cross-border economic, cultural and security ties, including the establishment of a free-trade area in agricultural and agricultural-

- related goods in 1992. By 1998, Riesland had become the top importer of Amestonian agricultural produce, totaling approximately €1.5 million per day. Between 2003 and 2013, Amestonia saw an annual GDP growth rate of between 6.8% and 7.4%, the highest in the region.
- 7. On 4 March 1992, Riesland and Amestonia signed the "Treaty on The Establishment of Broadcasting Facilities" ("the Broadcasting Treaty," Annex I), pursuant to which each state was permitted to build, staff, and operate a television station in the other's territory. In a joint press release, ministers from both states expressed their hopes that the treaty "will become yet another milestone in what is already the warmest of friendships between our two societies." Both Parties ratified the Broadcasting Treaty shortly thereafter.
- 8. Riesland National Television is a state-owned and operated corporation, which provides public broadcasting services across Riesland. In accordance with the Broadcasting Treaty, Riesland established a new division of the corporation, The Voice of Riesland ("VoR"), to operate in Amestonia. The inaugural program of the new station and its Amestonian counterpart, a combined performance by the two countries' national orchestras of Vivaldi's "The Four Seasons," aired on 22 December 1992. VoR broadcast a variety of award-winning documentaries and highly-acclaimed programs for the next 22 years.
- 9. One of VoR's most popular shows was "Tea Time with Margaret," a weekly one-hour news program featuring interviews with leading Amestonian political and business figures. Margaret Mayer, the show's host, is a television icon from Riesland, appointed by the Ministry of Telecommunications to serve as Head of VoR. Among those appearing on her show were former and incumbent Amestonian presidents, cabinet ministers, parliamentary party leaders, business executives, and diplomats.
- 10. The Institute for Land and Sustainable Agriculture ("ILSA"), a Dutch NGO established for the purpose of monitoring global soil structure, composition, and biodiversity, began to express concerns in the early 1990s about the long-term sustainability of Amestonia's agricultural production and trade. In particular, ILSA's reports addressed Amestonian farmers' reliance on a class of neuro-active insecticides known as neonicotinoids, or "neonics," produced solely by Rieslandic companies, to boost yields. From time to time ILSA called on the governments of both countries to study and review the environmental and ecological impacts of these insecticides on the regional biosphere.
- 11. On 2 October 2012, ILSA published a report entitled "The Plight of the Bumblebee." The report summarized a 20-year peer-reviewed scientific study examining the negative effects of the increased use of neonics by Amestonian farmers on populations of bees and other pollinators. ILSA experts found that the region's honeybee population had decreased by some 25% over the previous 20 years, due in part to the well-documented phenomenon of Colony Collapse Disorder ("CCD"). The report also found a statistically significant correlation but not definitive evidence of causation between the gradual increase in CCD and the rise in the use of neonics across the region. ILSA urged Riesland to reevaluate its production of this type of insecticide, and Amestonia to reevaluate its extensive use, suggesting that the only long-term solution would be a complete phase-out of neonicotinoids. It concluded, "the current rate of decrease in bee populations will, if it continues unchecked, result in catastrophic consequences for the environment, for food production, for sustainable farming, and ultimately for the economies of both states."
- 12. The European Commission adopted a Regulation on 24 May 2013, restricting for a period of two years the use of a number of neonics for seed treatment, soil application, and foliar treatment in crops attractive to bees. The ILSA report and the European Commission's action sparked academic and parliamentary debates in both Riesland and Amestonia, but no policy changes were undertaken in either country.

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# 2016 COMPROMIS (CONTINUED)

- 13. On 2 July 2013, a new website, www.longlivethehive.com, was launched. The website invited environmental activists to register online and to utilize its chat rooms to discuss ways to stop the continued production and use of neonicotinoids. The website quickly gained attention in Amestonia and Riesland, and at its peak was visited by approximately 200,000 users a day. Conversations on its online forums, which protected users' anonymity, often focused on lobbying activities in support of draft legislation. However some members also promoted violent actions, including sabotage and arson. One anonymous post, which was later reposted onto social media and received widespread attention in Amestonia, read: "Our politicians have failed to respond to peaceful initiatives. We must take charge and command attention. The despoliation of the Earth, and of its living creatures, is an act of violence, and unless it is stopped, it must be responded to effectively and in kind."
- 14. On the night of 2 February 2014, seven Amestonian warehouses were simultaneously set on fire. The warehouses stored a significant number of barrels of neonicotinoids. In total, five people died from smoke inhalation, and many others were injured. Two of the dead were Rieslandic nationals. Police found spray-painted images of a bee on the asphalt outside the sites. Initial government reports estimated the damage from the attacks, including long-term adverse health consequences for the local population, at €75 million.
- 15. The President of Amestonia, Jonathan Hale, was interviewed by Margaret Mayer on the day following the arson attacks. When asked about the alleged involvement of environmental activists in the attacks, President Hale responded: "We do not yet have all of the facts concerning these terrible, orchestrated crimes. The police are investigating and will bring the perpetrators to justice. Given the critical importance of agriculture to our national economy, acts of sabotage like these should be seen as attacks on us all. My administration will not tolerate such provocations."
- 16. On 7 March 2014, 263 envelopes containing white powder were sent to the Ministries of Trade and Agriculture in both Riesland and Amestonia, to prominent Amestonian farmers, and to board members of three neonic-producing Rieslandic corporations. The image of a bee was stamped on the back of all of the envelopes. Examinations determined that the powder was a non-toxic variant of a neonicotinoid. An anonymous tweet by user @buzzkiller24601 posted that evening, which quickly went viral, read: "You've been warned. The threat is real. It must be addressed. Next time you'll taste your own poison. #banneonics #savethebees."
- 17. President Hale and the Prime Minister of Riesland, Alice Silk, discussed the arson and the white powder incident in a telephone conversation the following day. Prime Minister Silk offered Riesland's continued cooperation in combatting what she called "acts of eco-terrorism," including coordination and sharing of intelligence information, and stressed the importance of continued agricultural trade between the two countries. Following the call, the Prime Minister announced that she had ordered Riesland's security and intelligence services to direct their operations against "what appears to be a new, growing, and dangerous threat to the well-being of both of our countries."
- 18. On 16 October 2014, Tom Sivaneta, the Bureau's Director, met with the Amestonian Minister of Internal Affairs. He informed the Minister that the Bureau had succeeded in identifying a ring of Amestonian environmental activists who had been plotting to contaminate a large shipment of honey, intended for consumption in Riesland, with a chemically-altered and toxic neonicotinoid. He provided the Minister with the names and locations of the ring members. The following day, Riesland declared a Terrorism Alert pursuant to the Terrorism Act 2003 (Annex II). The Terrorism Alert was reissued in April 2015.
- 19. On 21 October 2014, the police broke into a garage located in Amestonia's capital and apprehended three Amestonian college students. The students had in their possession significant

- quantities of chemically-altered neonicotinoids and detailed maps of a number of honey extraction facilities in Amestonia. They admitted to planning an attack (which they insisted would not cause injuries or deaths), and to being part of a group of environmentalists, which they called "The Hive." The students refused to provide the authorities with the names, locations, or future plans of other members of the group.
- 20. Frederico Frost, a national of Riesland, is a former Bureau intelligence analyst who had been part of the Bureau's eco-terrorism working group, established in early 2014. Frost had full access to sensitive information relating to Riesland's intelligence operations in Amestonia. On the morning of 16 December 2014, Frost drove from the Bureau's facilities to Amestonia, where he contacted Chester & Walsingham, a law firm that had previously represented defendants in a number of high-profile whistle-blower and national security cases. Frost handed lawyers from the firm a USB drive containing nearly 100,000 documents labeled top secret that he said he had directly downloaded from Bureau computers. The firm agreed to represent Frost in relation to any disclosure or dissemination of the materials.
- 21. On 18 December 2014, accompanied by his lawyers, Frost met with two reporters from *The Ames Post*, Amestonia's most widely-circulated newspaper. He gave the reporters a copy of the USB drive, requesting that the newspaper publish the contents on its website. In a written statement, Frost explained that "I have come to realize how surveillance programs, like the ones I was engaged in, threaten individual liberties and sovereign equality. I am compelled to talk about this! If we are going to trade liberty for security, we have to do it with our eyes open. These decisions should be made by the public, not by politicians."
- 22. In January and February 2015, thousands of documents marked "top secret" were gradually published, unedited and unredacted, on the website of *The Ames Post*, following what the newspaper termed "a process of authentication and review performed by our reporters and lawyers." One of the documents, published on 23 January and headed "The Verismo Program," bore a signature of Tom Sivaneta. It detailed a May 2013 operation he had authorized, in which a waterproof recording pod was installed on the undersea fiber optic cable that was the primary backbone for Amestonia's international internet and telephone communications traffic. The device was placed on a section of the cable located in Riesland's exclusive economic zone. The pod copied all information that went through the cable and transferred it to the Bureau's servers. According to the document, 1.2 million gigabytes of data were collected and stored daily pursuant to Verismo. The document also noted that, following the white powder incident on 7 March, Bureau employees had been instructed to use all of the Bureau's resources "to track environmental activists in Amestonia," relying on specifically tailored search terms, or "selectors."
- 23. On 29 January 2015, The Ames Post published on its website a document on the letterhead of the Office of the Attorney General of Riesland, James Deloponte. Dated 2 July 2014, it detailed regulations issued by the Attorney General regarding the Bureau's surveillance. The document provided that all data collected by the Bureau through Verismo or related programs, other than as the result of investigation of a specific individual, could be stored for a maximum of two years. It also noted that the Tribunal, in accordance with the SSBA, had reviewed the Verismo Program every six months since its inception with no participation from outside experts. The Parliamentary Committee for Surveillance Oversight had also reviewed Verismo twice in closed-door hearings, but neither the Tribunal nor the Committee had ever challenged its legality. According to the document, Amestonian security authorities had knowingly accepted, on at least 50 occasions, redacted information relating to terrorist activity derived from Verismo.

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- 24. On 2 February 2015, Riesland's Minister of Foreign Affairs sent a diplomatic note to his counterpart in Amestonia requesting the immediate extradition of Frost, in accordance with the 1970 Extradition Treaty, to stand trial for theft and a number of data security offenses. The diplomatic note also requested that Amestonia recover the information Frost had downloaded, believed to be held by either Chester & Walsingham or *The Ames Post*, and return it to Riesland for use in the ongoing criminal investigation against Frost. It emphasized that "any further publication of these materials will have a long-term, damaging impact on cooperation between our two nations in our joint campaign against terrorism." The Amestonian Minister indicated that the extradition request would be considered in accordance with the Treaty, but noted the Amestonian Government's "surprise at the reported scope and reach of Riesland's surveillance programs." He called upon the Minister to provide more information on the extent of these activities and their impact on Amestonian nationals' private lives.
- 25. On 16 February 2015, the banner headline of *The Ames Post* website read: "Margaret the Spy!" Another document leaked by Frost stated that since its inception in 1992, the premises of the VoR station had been used by the Bureau to promote its surveillance activities on Amestonian soil. The document was printed on the letterhead of the Office of the Bureau's Director. According to the document, Margaret Mayer was part of an operation called "the Carmen Program," intended to collect intelligence on high-ranking Amestonian public figures and private sector leaders. Whenever such individuals came to be interviewed for Mayer's show, they were told that their electronic devices could interfere with the sensitive wireless microphones used during broadcasts. They were offered the opportunity to place their devices in a locker within their line of sight from the studio. Electronics placed in the locker were removed during the interviews by means of a concealed backdoor. This provided Bureau engineers, who doubled as VoR employees, sufficient opportunity to hack into the guests' phones and portable computers and install a rootkit malware referred to in Frost's documents as "Blaster," which then provided the Bureau full remote privileged access to these devices. The information collected from "Carmen" was stored and later analyzed in an underground floor within the VoR building, code-named "The Opera House."
- 26. A number of memoranda mentioning "Carmen" were also published in raw form on *The Ames Post*'s site. They revealed that over 100 Amestonian public figures, businessmen, officials, and diplomats were surveilled under this program, whose primary objective was "to collect information concerning Amestonia's domestic and foreign policy, in order to advance Riesland's political and economic interests in the region." One memorandum contained an image of David Cornwell, Amestonia's Ambassador to the United Nations, and detailed how Carmen operatives had been able to hack his phone and access emails regarding Amestonia's positions on upcoming votes in the General Assembly and specialized agencies.
- 27. That evening, Amestonian police applied to a judge for an emergency warrant to seize all assets and property of VoR pending an investigation into whether criminal offenses had been committed, citing as probable cause the Carmen Program documents published by *The Ames Post*. While the police were in chambers with the judge applying for the warrant, VoR's television broadcasting was interrupted and replaced with old reruns of "Tea Time with Margaret." The judge immediately granted the warrant. Upon execution of the warrant that night, the Amestonian police found the station unattended, although the TV broadcasting equipment and various other devices and documents had been left untouched. These articles were all catalogued and removed by the police.
- 28. At 3:15 A.M. the following morning, Amestonia's Border Patrol, conducting routine operations, encountered Margaret Mayer and two other Rieslandic VoR employees on a train crossing into Riesland. The Border Patrol requested that they present their travel documents for inspection.

They refused, and were promptly detained. When the commander of the police unit conducting the investigation into VoR learned of this development, she sought and was granted a warrant for the arrest of the three on suspicion of espionage. They were subsequently charged with that offense, and were denied bail on the basis that they were a flight risk.

29. President Hale held a press conference on the morning of 17 February 2015. Before taking questions, he read a prepared statement:

I am deeply troubled by reports that Riesland has, for decades, engaged in a concerted surveillance campaign targeting our citizens and violating our territorial integrity and political independence. Riesland's own documents show that these offenses against our sovereignty were purely politically motivated and had no public order implications. We are entitled to an explanation. Any claims that such programs are necessary to combat terrorism simply ring hollow. No matter how severe any perceived threat to Riesland's national security, there is absolutely no justification for the systematic infringement of our citizens' privacy. Mass electronic surveillance of our people and institutions violates Riesland's obligations under the U.N. Charter, the Vienna Conventions on Diplomatic and Consular Relations, the Broadcasting Treaty, and principles of comity between nations. Simply put, gentlemen do not read each other's mail, and friends do not spy on friends.

- 30. In response to a reporter's question, President Hale went on to say, "Our police authorities are treating the VoR facilities and its equipment as a crime scene. Margaret Mayer and the other VoR employees are suspected of having committed the very serious crime of espionage, charges which will be handled according to our laws." He denied that the search of the premises and the detention of the three individuals violated Amestonia's obligations under the Broadcasting Treaty, saying: "the VoR facilities and employees lost their immunities and privileges once the station ceased acting as a broadcaster and became a nest of spies." Amestonia then recalled its ambassador to Riesland for consultations, and officially closed its TV station in Riesland.
- 31. On 19 February 2015, Prime Minister Silk rejected President Hale's characterization of Riesland's and VoR's activities in a televised interview. She explained that Riesland's surveillance programs complied with both domestic and international law because they "were prescribed by statutes, structured around minimization procedures, and routinely reviewed by competent authorities with oversight power." She asserted that the methods employed were "both necessary and proportionate," observing that the results of the surveillance "had benefited the national security and interests of Amestonia just as much as those of Riesland." She ended her statement by saying:

Our two nations have enjoyed decades of fruitful bilateral cooperation, which is now being severely compromised. We make no apology for our efforts to keep ourselves and our friends safe from acts of terrorism. Meanwhile, the Amestonian administration is hardly reciprocating our acts of friendship. It is providing sanctuary to Frederico Frost, who is accused of very serious crimes in Riesland, and has expropriated our property and arrested our nationals in blatant disregard of the treaty between us.

32. Joseph Kafker is a 70-year-old retired Amestonian politician who founded the Green Party, now the third largest in the Amestonian Parliament. For years, Kafker has been a vocal opponent of the use of neonics in agricultural production. During his years as a Member of Parliament he attempted, on a number of occasions, to promote legislation banning them. None of these efforts was successful, a fact he lamented on his retirement in 2012. On 7 March 2015, Kafker was invited to give the keynote address at an international environmental law conference at Riesland's largest law school. After he completed his speech, he was detained by the police, allegedly in accordance with the Terrorism Act. The story broke in the international media the

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# 2016 COMPROMIS (CONTINUED)

- following day. In a special session, the Amestonian Parliament adopted a resolution denouncing Kafker's detention and demanding his release. The Government of Riesland did not respond.
- 33. On 10 March 2015, Kafker's case was brought before the National Security Tribunal. Following a request from the Attorney General's Office, the Tribunal ruled that all evidence pertaining to Kafker's activities and leading to his apprehension was "closed material," as the term is defined in the Terrorism Act. The Tribunal further allowed Bureau officers to testify via video conferencing, with their faces and voices obscured, regarding the need to detain Kafker. Following their testimony, the Tribunal granted the petition to extend Kafker's detention for reasons of national security. Kafker's lawyer, who had been selected from a list of approved "special advocates," was present during the proceedings, but was not permitted either to consult with his client or to share with him any of the secret information said to substantiate the allegations against him. Kafker remains detained without charge in a maximum-security facility in Riesland and his detention has been extended by the Tribunal every 21 days. A motion challenging the constitutionality of the proceedings was filed before the Supreme Court of Riesland but was denied.
- 34. On 12 March 2015, Amestonia's Foreign Minister contacted his counterpart in Riesland and demanded access to the secret evidence that constituted the basis for Kafker's detention. He also stated that, in Amestonia's view, the Terrorism Act did not comply with international human rights standards. The Rieslandic Minister rejected the request, responding that disclosure of the information concerning Kafker's apprehension would endanger the integrity of particular intelligence sources and therefore the national security of Riesland. The Minister further stressed that the National Security Tribunal had already determined that the information could not be disclosed in accordance with the Terrorism Act.
- 35. On 14 March 2015, President Hale instructed his Minister of Justice to refuse the extradition request for Frederico Frost, citing the "political offense" exception in the Extradition Treaty. He also ordered that Riesland's request for the documents held by The Ames Post be denied. Attorney General Deloponte responded to these developments in a statement:
  - The Government of Riesland has repeatedly made clear that it will not tolerate the publication of leaked confidential information, and that it will do whatever is in its power to disrupt any further threats to our national security. With or without foreign government support, we will continue our efforts to bring the fugitive Frost to justice, and to stop the damage that will result from any dissemination of Riesland's top secret documents.
- 36. On 17 March 2015, *The Ames Post* website's banner read "A Kafker-esque Affair." A memorandum, sourced from Frost's USB stick, revealed that a May 2014 interview with Kafker on "Tea Time with Margaret" had allowed the Bureau to hack into his electronic devices. According to the memorandum, Kafker was considered a "high-level suspect with ties to The Hive, including the planned contamination of a large shipment of honey with a toxic variant of neonicotinoids in 2014." The continuous surveillance of Kafker, following the bugging of his devices, was considered a "top priority." From intercepted communications, Bureau analysts were able to establish that Kafker was a frequent visitor to the longlivethehive website, had participated in online chats, and had used the forum's "like" function to endorse conversations including calls for violent disruptions to raise public awareness of the neonics controversy. Attorney General Deloponte refused to comment on questions raised by the media following *The Ames Post*'s publication. He stated only that Riesland was in possession of "closed materials" that "directly link Kafker to The Hive's senior echelons."
- 37. On 22 March 2015, the computer networks and communication switches at both *The Ames Post* and Chester & Walsingham were hacked and disabled. Investigators found that the hackers

- had used a malicious program to disrupt the operation of the computer systems and to corrupt master boot records, to the extent that nearly 90% of the information was "non-recoverable."
- 38. Based on traffic analysis, cyber security experts from the Amestonian Institute of Technology concluded: "The malware used in the hacking of the computers has been traced to IP addresses within Riesland's territory that are associated with Riesland's computer infrastructures. Significant segments of code in the malware are exact replicas of those used in the Bureau's 'Blaster' program. These code segments are not otherwise known to be in use or available to the general public." Both Chester & Walsingham and *The Ames Post* contracted external appraisers, who have estimated the combined damages related to infrastructure and to unrecoverable data at €45-50 million. A significant number of proceedings before Amestonian courts were delayed for months as a result of Chester & Walsingham's inability to access its files. *The Ames Post* had to shut down its operations entirely; it resumed publication only in June 2015.
- 39. On 1 April 2015, President Hale issued a statement denouncing the cyberattacks, stating that "all of the evidence points back to the Bureau and to Riesland." He described them as "not only undermining freedom of expression and attorney-client privilege essential values in and of themselves," but as an "assault upon the very principles that stand at the core of our society." In an interview with local news held on 5 April 2015, Attorney General Deloponte refused to respond to allegations that Riesland was involved in the attacks.
- 40. On 22 April 2015, the Amestonian Ministry of Justice announced that the police investigation into the items found at the VoR station premises had determined that a number of them had been used for surveillance. The Ministry reported that it had obtained a forfeiture order against the premises and all property found there on the basis that it was employed in criminal activity. Finally, the Ministry stated its intention to sell the station's real estate and property, estimated to be worth €20 million, by public auction. Challenges to the original warrant dated 16 February 2015 and to the forfeiture order, presented to Amestonia's High Court by attorneys from Riesland National Television Corporation, were rejected. All subsequent appeals were summarily dismissed. The auction has been stayed until the conclusion of all outstanding legal proceedings before the International Court of Justice.
- 41. In mid-2015, diplomats from Riesland and Amestonia began meeting in an attempt to settle their differences. After several months of negotiations, the parties were unable to reach an agreement. In July 2015, Amestonia circulated among the members of the United Nations Human Rights Council the text of a proposed resolution calling on the recently-appointed Special Rapporteur on the Right to Privacy to investigate whether Riesland's cyber and surveillance programs were in compliance with international law. An article published in *The Sydney Morning Herald* on 9 July 2015 reported that Riesland's supporters on the Council had urged it to resolve its disputes with Amestonia. A source within the Council told the newspaper: "A number of countries voiced their concern that the continued uncertainty as to the legality of the challenged surveillance programs would hinder their ability to continue to engage and share intelligence with Riesland without fear of being complicit in human rights abuses."
- 42. In light of growing international pressure, Riesland and Amestonia agreed to refer all matters in dispute to the International Court of Justice, and for this purpose have drafted and signed this Special Agreement. Riesland, however, has reserved its objections to the admissibility of information derived from any confidential documents that may have been provided to *The Ames Post* by Frost. The parties agreed that the issue of the admissibility of the documents would be left for the Court to resolve, as reflected in Article 2(b) of this Special Agreement.

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# 2016 COMPROMIS (CONTINUED)

- 43. Amestonia and Riesland are both members of the United Nations, and are parties to the Statute of the International Court of Justice; the Vienna Convention on the Law of Treaties; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social, and Cultural Rights; the Vienna Convention on Diplomatic Relations; the Vienna Convention on Consular Relations; the International Convention for the Suppression of Terrorist Bombings; and the International Convention for the Suppression of the Financing of Terrorism. Neither state has made any reservations, declarations or understandings with regard to any of these treaties.
- 44. Applicant asks the Court to adjudge and declare that:
  - (1) The documents published on the website of *The Ames Post* are admissible as evidence before the Court; Riesland's mass electronic surveillance programs against Amestonian public figures and nationals revealed in those documents violates international law; and Amestonia is therefore entitled to an order directing the immediate cessation of those programs with assurances of non-repetition;
  - (2) The seizure and forfeiture of the VoR station and its equipment, and the arrest of Margaret Mayer and the other two VoR employees, did not violate the Broadcasting Treaty, and were in accordance with Amestonia's other international law obligations;
  - (3) The detention of Joseph Kafker under the Terrorism Act violated international law, and Amestonia is therefore entitled to his immediate release, the disclosure of all information which formed the basis of his apprehension, and the payment of compensation for his detention; and
  - (4) The cyber attacks against the computer systems of *The Ames Post* and Chester & Walsingham are attributable to Riesland, and constitute an internationally wrongful act for which Amestonia is entitled to compensation.
- 45. Respondent asks the Court to adjudge and declare that:
  - (1) The illicitly-obtained documents published on the website of *The Ames Post* are inadmissible before the Court, but in the event that the Court does find them to be admissible, they do not evidence any breach by Riesland of an international obligation owed to Amestonia;
  - (2) The arrest of Margaret Mayer and the other VoR employees, and the expropriation of the VoR facility and its equipment, violated the Broadcasting Treaty and international law generally, and Riesland is therefore entitled to the immediate release of its nationals and compensation for the value of the confiscated property;
  - (3) Riesland's detention of Joseph Kafker under the Terrorism Act is consistent with its obligations under international law, and the Court has no authority to order either Kafker's release or the disclosure of the information relating to his apprehension; and
  - (4) The cyber attacks against the computer systems of *The Ames Post* and Chester & Walsingham cannot be attributed to Riesland, and in any event did not constitute an internationally wrongful act.

# ANNEX I TREATY ON THE ESTABLISHMENT OF BROADCASTING FACILITIES BETWEEN THE STATE OF AMESTONIA AND THE FEDERAL REPUBLIC OF RIESLAND 4 MARCH 1992 [excerpts]

The State of Amestonia and the Federal Republic of Riesland ("the Contracting Parties"), (a) desiring to fortify the friendship between the two countries; (b) recognizing the importance of strengthening understanding and cooperation between their peoples; (c) seeking to offer their citizens radio and television channels that will reflect the two nations' dynamic political, cultural, and artistic activity; have agreed upon the following articles:

#### ARTICLE 1

- 1. Each Contracting Party may establish and operate in the territory of the other a radio and television broadcasting station.
- 2. The land on which each station will be constructed will be procured by the operating-state and held in its name. The operating state will be responsible for staffing, running, and funding the station, and shall procure at its own expense and in its own name the materials and other equipment required for its operation.

  [...]

#### ARTICLE 2

Each station shall produce and air programs and content including news stories, interviews, documentaries, and movies produced either in or by the operating country, with local viewers and listeners in the host country as the target audiences.
[...]

#### **ARTICLE 14**

- The premises referenced in article 1(2) of the present Treaty shall be inviolable, and agents of
  the host state may not enter those premises without the consent of the head of the station. Such
  consent may be assumed only in cases of fire or other similar disaster posing or threatening serious
  immediate danger to public safety or order.
- 2. In addition to the premises of the station, its furnishings, equipment, and other property used in its operation, as well as its means of transport, shall be immune from search, requisition, attachment, expropriation, or execution.
- 3. The receiving state is under a special duty to take all appropriate steps to protect the premises of the station against any intrusion or damage, and to prevent any disturbance of the peace of the premises or impairment of its dignity.
- 4. The archives and documents of the station shall bear visible external marks of identification, and shall be inviolable at all times and wherever they may be.
  [...]

# 2016 COMPROMIS (CONTINUED)

#### **ARTICLE 15**

- 1. Each station's employees, who are also nationals of the operating state, shall be entitled to the following immunities and privileges:
  - a. The persons of each station's employees shall be inviolable, and they shall not be liable to any form of arrest or detention. The host state shall treat them with due respect and shall take all appropriate steps to prevent any attack on their freedom or dignity.
  - b. Each station's personnel shall enjoy immunity from the criminal jurisdiction of the receiving state, and shall not be obliged to give evidence as witnesses.
  - c. In respect of acts performed by an employee of the station in the exercise of its functions, the immunities and privileges shall continue to subsist after the employee's functions at the station have come to an end.

[...]

#### **ARTICLE 23**

- 1. Without prejudice to their privileges and immunities, it is the duty of all persons employed by each station to respect the laws and regulations of the host state. Those who are nationals of the operating state have an additional duty not to interfere in the internal affairs of the host state.
- 2. The premises of the station must not be used in any manner incompatible with the station's functions as envisaged in the present Treaty, in other rules of general international law, or in any other agreements in force between the Parties hereto.
  [...]

#### **ARTICLE 36**

All privileges and immunities provided for in this Treaty, save for those in Article 15(1)(c) above, shall cease to have effect upon the cessation of the station's functions as envisaged in the present Treaty.
[...]

#### **ARTICLE 40**

The term of this agreement shall be 30 years.

(Signed)
Shannon Belle Cambridge
Minister of Telecommunications
State of Amestonia

(Signed)
John Andre Sorge
Minister of Telecommunications
Federal Republic of Riesland

## ANNEX II TERRORISM ACT 2003 [excerpts]

#### 1. Definitions

[...]

"National Security Tribunal" ("the Tribunal") shall have the meaning given that term under the Secret Surveillance Bureau Act 1967;

[...]

"Terrorist Act" shall mean an act as defined in Article 2.1(b) of the International Convention for the Suppression of the Financing of Terrorism (9 December 1999); [...]

#### 2. Terrorism Alert

If the Government receives information that there is a credible danger of an imminent terrorist act being committed in Riesland, it may issue a Terrorism Alert. Such an Alert shall be valid for six months, unless it is revoked earlier. Upon its expiration or revocation, the Government may issue a new Terrorism Alert if it considers that the credible danger of terrorist acts still persists or has been revived.

#### 3. Detention Powers

- a. When a Terrorism Alert is in force, the Government may detain any foreign national suspected of being involved in instigating, authorizing, planning, financing, carrying out, or aiding a Terrorist Act, as defined herein, for a period not exceeding 180 days.
- b. Except as provided herein, no court shall review the detention of any person hereunder, but every detainee shall be brought before the Tribunal within three days of his or her detention.
- c. Proceedings before the Tribunal will be held in secret, and its proceedings will not be disclosed to the public or the media. Records of the Tribunal's proceedings shall be entitled to the highest protection provided by law.
- d. The Tribunal may decide whether continued detention of an individual is required for reasons of national security or public safety. The Tribunal shall give appropriate consideration to factors including, but not limited to:
  - i. the likelihood that the detainee has in fact committed, instigated, authorized, planned, financed, or aided a Terrorist Act;
  - ii. the likelihood that the detainee will commit a Terrorist Act or will incite others to do so if he or she is released;
  - iii. the likelihood of family or government rehabilitation or support for the detainee if he or she is released:
  - iv. the likelihood that the detainee may be subject to criminal trial, whether under this Act or some other statute;
  - v. the likelihood that, following release, the detainee's country of nationality will request extradition from Riesland; and
  - vi. any substantial interest in the detainee expressly stated by national law enforcement or intelligence authorities.
- e. In making its decision under subsection (d), the Tribunal may receive and accept any documentary or testimonial evidence from any source. It shall determine whether or not particular evidence is to be

# 2016 COMPROMIS (CONTINUED)

treated as "closed material." Closed material shall not be made available to the detainee, his or her counsel, or third parties, without the Tribunal's authorization.

- f. In proceedings before the Tribunal, officials from the security and intelligence authorities may be allowed to testify anonymously via video conferencing with their faces and voices obscured.
- g. After the initial review provided in subsection (b), each detainee will be brought before the Tribunal no less often than every 21 days for a periodic review. The Tribunal will consider whether conditions such as those listed under subsection (d) have changed, allowing for the detainee's criminal prosecution or release.
- h. The Tribunal may extend the detention of any detainee in appropriate circumstances, but no detainee shall remain in custody under this Act for a period of more than 540 days in total.
- i. Persons detained under this Act may be represented by legal counsel to be selected by them from a list of "Special Advocates," who possess appropriate security clearance. This list shall be compiled by the Attorney General. Only Special Advocates will be entitled to participate in proceedings where closed material is presented. A Special Advocate may not disclose closed materials to or discuss them with the detainee or any third party, or obtain the detainee's instructions pertaining to such materials. [...]



# CORRECTIONS AND CLARIFICATIONS TO THE COMPROMIS

#### CORRECTIONS AND CLARIFICATIONS TO THE SPECIAL AGREEMENT

The following corrections and clarifications to the Special Agreement have been agreed to by the parties, and the text jointly notified to the Court on 1 September 2015 should be considered amended accordingly. The Registrar of the Court reminds all parties and participants of the following:

- a. The Special Agreement is, in essence, a negotiated stipulation of facts. Its words have been carefully chosen, and are the result of extensive negotiation. The parties decline to "clarify" matters about which they are unlikely to agree.
- b. 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.
- c. Except to the extent that corrections and clarifications are set out below, participants are to assume that the Special Agreement is accurate in all respects.
- d. With respect to pronunciations of the various proper names used in the Special Agreement, 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.

#### CORRECTIONS

- 1. The words "radio and" should be deleted from both subparagraph (c) to the preamble and Article 1(1) of the 4 March 1992 Broadcasting Treaty, excerpted in Annex I.
- 2. At the end of section 3(a) of the Terrorism Act, excerpted in Annex II, the following sentence should be added: "No detention shall be undertaken under this Act except pursuant to a warrant issued by the National Security Tribunal."
- 3. At the end of Paragraph 43 the following sentence should be inserted: "Amestonia and Riesland are not parties to any other bilateral or multilateral treaty of potential relevance."

#### **CLARIFICATIONS**

- 1. Amestonian police investigators found that the chemically altered neonicotinoids in the possession of the three Amestonian college students, referenced in Paragraph 19, could potentially cause serious bodily injury to anyone handling or inhaling them.
- 2. The undersea fiber optic cable, referenced in Paragraph 22, is owned by a multinational telecommunications company registered in Germany, and is roughly 2000 km in length. At the request of the Amestonian government, divers from the telecommunications company were sent to the coordinates cited in the "Verismo Program" published on the *Ames Post* website. They identified the pod and dismantled it by 6 April 2015. Company investigators were able to determine that the pod did not cause any breaking or injury to the cable, nor did it interrupt or in any other manner obstruct communications.
- 3. When, as referenced in Paragraph 23, the intelligence obtained under what the Frost Files called "the Verismo Program" was provided to Amestonian security authorities, its source was never disclosed. Amestonian officials always accepted the intelligence, and never challenged or otherwise demanded additional information as to the nature, scope, and reach of the Verismo Program, until 2 February 2015.
- 4. In accordance with the provisions of the Broadcasting Treaty, Amestonia approved the appointment of each Rieslandic national working at VoR. Thereafter, these employees received documentation detailing their privileges and immunities under the Treaty.
- 5. The memoranda detailed in Paragraph 26 additionally revealed that the Rieslandic Minister of

# CORRECTIONS AND CLARIFICATIONS TO THE COMPROMIS (CONTINUED)

Foreign Affairs was consulted on the authorization of the Carmen Program and was routinely briefed on the program's activities.

- 6. Amestonia was immediately informed of Kafker's detention when he was apprehended, and he was afforded consular assistance. Kafker has access to medical care and the ability to communicate with, and accept visits from, his immediate family.
- 7. Riesland reissued a Terrorism Alert in October 2015. It has notified the Secretary General of the United Nations of each of the issued Alerts without providing any additional information.
- 8. The Amestonian Institute of Technology (AIT) referenced in Paragraph 38 is a world-renowned research-intensive academic institution with a focus on engineering and computer science. The Amestonian Government turned to security experts from AIT following the 22 March 2015 cyberattack, and asked for their assistance in determining the identity of the perpetrators. The experts were also provided unfettered access to the devices seized from the VoR station.
- 9. AIT's subsequent investigation determined that the computer infrastructures referenced in Paragraph 38 were Rieslandic governmental computer infrastructures.
- 10. Amestonia and Riesland became parties to the Vienna Convention on the Law of Treaties in 1982 and 1976 respectively.



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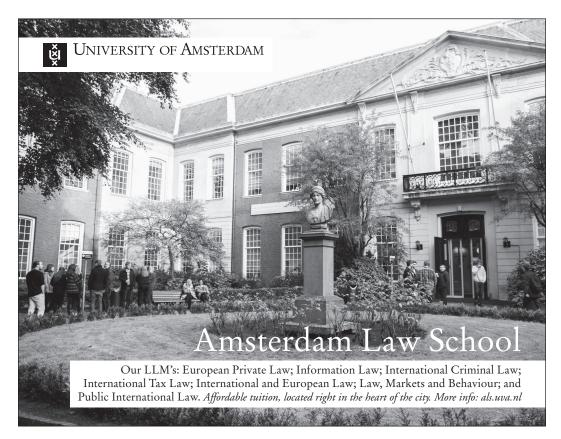
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University of Ottawa Faculty of Law – Civil Law Section University of Ottawa Faculty of Law – Common Law Section University of Saskatchewan University of Toronto University of Western Ontario

#### CHILE

Pontificia Universidad Católica de Chile Pontificia Universidad Católica de Valparaíso Universidad Adolfo Ibáñez\* Universidad de Chile

Universidad de Chile

Universidad de Valparaiso

#### CHINA

Beijing Foreign Studies University Beijing Normal University Capital University of Economics and Business

Central University of Finance and Economics

China Foreign Affairs University

China University of Political Science & Law

China Youth University for Political Sciences\*

Chongqing University
Dalian Maritime University

East China University of Political Science and Law Fudan University

GuangDong University of Foreign Studies

Hopkins-Nanjing Center

Jilin University

Liaoning University Minzu University of China

Nanjing Normal University

Nanjing University of Science & Technology

Nankai University
Peking University

Peking University School of Transnational Law

Renmin University of China Shandong University

Shandong University at Weihai

Shanghai University

Shanghai University of Finance and Economics

Shanghai University of International

Business and Economics

Shanghai University of Political Science and Law

Shantou University Shenzhen University

Sichuan Normal University

Soochow University

South China Normal University
Southwestern University of Finance

and Economics

Sun Yat-sen University

Tianjin University

University of International Business

and Economics

University of International Relations

Wuhan University Law School

Xiamen University

Yantai University

Zhejiang University

Zhongnan University of Economics and Law

#### CHINESE TAIPEI

Chinese Cultural University

Fu Jen Catholic University

Ming Chuan University

National Chengchi University – College of Law

National Chung Cheng University

National Taipei University

National Taiwan University

 ${\sf National\ Taiwan\ University-Department\ of}$ 

Political Science (International Relations)

National Tsing Hua University

Soochow University

Tunghai University

#### COLOMBIA

Pontificia Universidad Javeriana

Universidad de La Sabana

Universidad de los Andes\*

Universidad del Rosario

Universidad Externado del Colombia

COSTA RICA Universidad de Costa Rica

**CYPRUS** 

University of Cyprus

**CZECH REPUBLIC** 

**Charles University** 

Palacký University

DOMINICAN REPUBLIC

Universidad Iberoamericana (UNIBE),

Facultad de Derecho

# 2016 JESSUP TEAMS (CONTINUED)

#### **EGYPT**

Ain Shams University

Al-Azhar University\*

**ETHIOPIA** 

Addis Ababa University Haramaya University

**ESTONIA** 

Tallinn University School of Law

University of Tartu\*

**FINLAND** 

University of Helsinki

**FRANCE** 

Sciences Po - Paris

Sciences Po, Campus Europe – Asie au Havre

Université Catholique de Lille

Université de Strasbourg

Université Panthéon-Sorbonne Paris 1

**GAMBIA** 

University of the Gambia

**GEORGIA** 

Free University of Tbilisi

Tbilisi State University

**GERMANY** 

Albert-Ludwigs-Universität Freiburg

**Bucerius Law School** 

Christian-Albrechts-Universität zu Kiel

Eberhard Karls Universität Tübingen

Freie Universität Berlin

Friedrich-Schiller-Universität

Friedrich-Alexander-Universität

Erlangen-Nürnberg

Georg-August-Universität Göttingen

Heinrich-Heine-Universität Düsseldorf

Hertie School of Governance

Humboldt-Universität zu Berlin

Johannes Gutenberg-Universität Mainz

Ludwig-Maximilians-Universität München Ruhr Universität Bochum

Universität Trier

Universität Augsburg

Universität Bonn

Universität Hamburg

Universität Heidelberg

Universität Passau

Westfälische Wilhelms-Universität Münster

**GHANA** 

Ghana Institute of Management and Public Administration (GIMPA)

**GREECE** 

Aristotle University of Thessaloniki

National and Kapodistrian University of Athens Panteion University

**GUATEMALA** 

Universidad Francisco Marroquín

Universidad Rafael Landívar\*

HONG KONG, CHINA

Chinese University of Hong Kong

City University of Hong Kong University of Hong Kong

HUNGARY

Eötvös Loránd University

**ICELAND** 

University of Iceland

INDIA

Army Institute of Law

Chanakya National Law University

Government Law College Mumbai

Gujarat National Law University

Guru Gobind Singh Indraprastha University

IFIM Law College

ILS Law College

Institute of Law – Nirma University

Jindal Global Law School

Kerala Law Academy

National Academy for Legal Studies and Research, Hyderabad (NALSAR)

National Law Institute University, Bhopal National Law School of India University

National Law University Odisha

National Law University Delhi

National Law University Jodhpur

National University of Advanced Legal Studies (Kochi)

Rajiv Gandhi National University of Law

SRM School of Law

Symbiosis Law School, Pune

The Tamil Nadu Dr. Ambedkar Law University -

School of Excellence in Law

Tamil Nadu National Law School

University of Petroleum & Energy Studies The WB National University of Juridical Sciences

#### **INDONESIA**

Airlangga University
Andalas University
Atma Jaya Catholic University
Brawijaya University
Gadjah Madja University
Hasanuddin University
Tarumanagara University
Universitas Indonesia

Universitas Indonesia
Universitas Islam Indonesia

Universitas Katolik Parahyangan Universitas Padjadjaran\*

# Universitas Pelita Harapan

Universitas Sumatera Utara Universitas Udayana University of Surabaya

#### **IRAN**

Allameh Tabataba'i University\* School of International Relations (SIR) University of Tehran – Alborz Campus

#### **IRAQ**

Duhok University\*
Sulaimani University

#### **IRELAND**

The Honorable Society of King's Inns Law Society of Ireland

### ISRAEL

Hebrew University of Jerusalem

#### **ITALY**

International University College Torino

### L.U.I.S.S. Guido Carli

Università degli Studi Roma Tre Università degli Studi di Milano Università degli Studi di Roma La Sapienza Università di Napoli Federico II\* Università de Teramo Università di Torino Università di Verona

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Norman Manley Law School University of the West Indies, Mona

#### JAPAN

Kyoto University Nagoya University Osaka University Sophia University Tokyo University Toyo University Waseda University

KAZAKHSTAN KazGUU University

#### **KENYA**

Kenya School of Law **University of Nairobi** 

KOSOVO University of Prishtina

#### **KUWAIT**

Kuwait International Law School

#### **LITHUANIA**

Vytautas Magnus University

### LUXEMBOURG Université de Luxembourg

MACAU University of Macau

#### **MALAYSIA**

Ahmad Ibrahim Kulliyyah of Laws,
International Islamic University
College of Law, Government and International
Studies, Universiti Utara Malaysia
Universiti Kebangsaan Malaysia
Universiti Sains Islam Malaysia
Universiti Teknologi MARA
University of Malaya

#### MEXICO

Centro de Investigación y Docencia Económicas, A.C.

#### Universidad Iberoamericana

Universidad Nacional Autónoma de México (UNAM) Universidad Panamericana Campus Aquascalientes

Universidad Panamericana Campus Guadalajara

# 2016 JESSUP TEAMS (CONTINUED)

#### **NEPAL**

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Nepal Law Campus

#### **NETHERLANDS**

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Universiteit van Amsterdam

## NEW ZEALAND Auckland University

#### **NIGERIA**

Ambrose Alli University

Obafemi Awolowo Úniversity University of Benin

#### **PAKISTAN**

Indus College of Law Institute of Law and Criminology International Islamic University, Islamabad

Lahore University of Management Sciences

Pakistan College of Law

Shaheed Zulfikar Ali Bhutto Institute of Science and Technology (SZABIST)

School of International Law\*

#### **PALESTINE**

An-Najah National University\* Arab American University Jenin Al Quds University

Birzeit University

**Hebron University** 

Palestine Ahliya University College

#### **PHILIPPINES**

Ateneo de Manila University De La Salle University Saint Louis University San Beda College of Law Silliman University

# University of San Carlos

University of San Jose — Recoletos University of the Philippines

#### **POLAND**

Jagiellonian University – Cracow\* John Paul II Catholic University of Lublin Maria Curie-Sklodowska University University of Łódź University of Silesia University of Warsaw

#### **PORTUGAL**

Universidade de Lisboa

#### **PUERTO RICO**

Universidad de Puerto Rico, Rio Piedras

#### **ROMANIA**

University of Bucharest

#### **RUSSIA**

Astrakhan State University Bashkir State University Belgorod State University Chechen State University

Diplomatic Academy of the Ministry of Foreign Affairs of the Russian Federation

Financial University under the Government of RF Immanuel Kant State University of Russia

Kazan Federal University\* Kursk State University

Kutafin Moscow State Law University

#### MGIMO University

Moscow State Law Academy in Kirov Moscow State Linguistic University Moscow State University named after M.V. Lomonosov

# National Research University Higher School of Economics

National Research University Higher School of Economics – Saint-Petersburg\* Northern Arctic Federal University

Novosibirsk State Technical University Peoples' Friendship University of Russia

Perm State University

Plekhanov Russian University of Economics

Pyatigorsk State Linguistic University

Regional Open Social Institute

Russian Academy of Justice – Rostov Branch Russian Academy of Justice – Privolzhsky Branch

## Russian Foreign Trade Academy Russian State University of Justice

Russian State University of Justice — Kazan branch Russian State University of Justice — North Caucus Saint-Petersburg Institute (branch) of the

All-Russian State University of Justice

# Saint-Petersburg State University

Severo Kavkazsky Federal University Siberian Federal University South Ural State University
Southern Federal University
Syktyvkar State University
The Russian Presidential Academy of National
Economy and Public Administration
Tomsk State University
Udmurt State University

Udmurt State University
Ural Institute of Economics, Management and Law
Ural State Law Academy
Voronezh State University
Yaroslavl State University

## **SINGAPORE**

National University of Singapore
Singapore Management University School of Law

# SLOVAKIA

Comenius University University of Pavol Jozef Šafárik in Košice

## SLOVENIA University of Ljubljana

## SOUTH AFRICA

University of Johannesburg
University of Pretoria
University of the Witwatersrand
University of the Western Cape

#### **SOUTH KOREA**

Jeju National University Korea University **Seoul National University** Sung Kyun Kwan Law School

#### **SPAIN**

ESADE – Universidad Ramon Llull Universidad Autónoma de Madrid Universidad Carlos III de Madrid Universidad Complutense de Madrid Universidad de Navarra Universitat Autónoma de Barcelona Universitat Pompeu Fabra

# SRI LANKA University of Colombo

SWITZERLAND Université de Geneve

# TANZANIA St. Augustine University of Tanzania

#### **THAILAND**

Chulalongkorn University
Thammasat University

# TRINIDAD AND TOBAGO University of the West Indies, St. Augustine

#### **TURKEY**

Ankara University Bahçeşehir Üniversitesi **Galatasaray Üniversitesi** Gediz University

Istanbul University
Koc Üniversitesi

#### **UGANDA**

Law Development Centre Makerere University Uganda Christian University\*

#### **UKRAINE**

Academy of Advocacy of Ukraine Ivan Franko National University of Lviv, School of Law Kiev University of Law Taras Shevchenko National University of Kyiv

(International Relations)
Taras Shevchenko National University of Kyiv

National Aviation University
Yaroslav Mudyri National Law University

National University of Kyiv-Mohyla Academy National University of Ostroh Academy Odessa Law Academy V. N. Karazin Kharkiv National University

# UNITED ARAB EMIRATES American University of Sharjah

#### UNITED KINGDOM

BPP London
Honourable Society of the Inner Temple
King's College, London
London School of Economics
University College London

University of Cambridge
University of Durham
University of Edinburgh
University of Exeter
University of Leeds
University of Oxford
University of Stirling

# 2016 JESSUP TEAMS (CONTINUED)

University of Strathclyde University of Warwick

#### UNITED NATIONS SCHOOL

University for Peace

#### **UNITED STATES**

## **American University**

Arizona State Boston College Boston University

Brigham Young University

Brooklyn Law School

#### California Western School of Law

Case Western Reserve University Chicago-Kent College of Law

## Columbia Law School

Cornell University
Creighton University

DePaul University Drexel University

Emory University

Florida State University Fordham University

George Mason School of Law George Washington University

Georgetown University Georgia State University Gonzaga University Harvard University

Howard University Indiana University – Bloomington Indiana University – Indianapolis

Johns Hopkins School of Advanced

International Studies

### Lewis & Clark Law School

Louisiana State University Loyola University – Chicago

Loyola University – Los Angeles

Loyola University – New Orleans

Marquette University

New England School of Law

New York Law School

#### New York University School of Law

Northeastern University
Northern Illinois University
Northwestern University
Nova Southeastern University
Ohio Northern University

Ohio Northern University
Oklahoma City University

Pace University

Pennsylvania State University Rutgers University – Camden Rutgers University – Newark

Seton Hall University School of Law

Southern Methodist University

St. John's University

St. Louis University

St. Mary's University

St. Thomas University, Florida

## Stanford University

Stetson University Suffolk University Syracuse University

Temple University

Thomas Jefferson School of Law

University at Buffalo University of Alabama University of Arizona

University of Arkansas - Fayetteville

University of Baltimore

University of California – Berkeley University of California – Davis

# University of California - Hastings

University of California – Irvine

University of Chicago University of Connecticut University of Denver

University of Florida University of Georgia University of Hawaii

University of Illinois University of Iowa University of Kansas University of Maryland

University of Massachusetts

School of Law – Dartmouth University of Michigan

University of Minnesota

University of Missouri – Kansas City University of Montana

University of North Carolina University of Oklahoma

# University of Pennsylvania

University of Pittsburgh University of San Diego

University of Southern California

University of St. Thomas University of Texas University of the Pacific, McGeorge School of Law University of Toledo

## University of Utah

University of Virginia

University of Washington

University of Wisconsin

University of Wyoming

Valparaiso University

Vanderbilt University

Wake Forest University

Washburn University

Washington University in St. Louis

Wayne State University

West Virginia University

 $We stern\ Michigan\ University-Cooley$ 

School of Law

Western New England University

Whittier College

Widener University - Wilmington

Willamette University

William Mitchell College of Law

Yale University

#### **UZBEKISTAN**

Westminster International University in Tashkent

#### **VENEZUELA**

Universidad Católica Andrés Bello

#### VIETNAM

Diplomatic Academy of Vietnam

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# VERY SPECIAL THANKS



ILSA would like to thank the many Friends of the Jessup, the ILSA student officers, the members of the Board of Directors, ILSA chapters, individual members, judges, bailiffs, volunteers and sponsors around the world for their limitless support of the Jessup Competition. The Jessup would not be possible without their efforts.

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