

2025 PHILIP C. JESSUP INTERNATIONAL LAW MOOT COURT COMPETITION CORRECTIONS AND CLARIFICATIONS TO THE SPECIAL AGREEMENT

The following corrections and clarifications to Statement of Agreed Facts have been stipulated to by the Parties, and the Statement of Agreed Facts jointly communicated to the Court on 30 August 2024 should be considered amended accordingly. The Registrar of the Court reminds all participants of the following:

- a. The wording of the Statement of Agreed Facts has been carefully chosen and is the result of extensive negotiation. The Parties decline to “clarify” matters about which they are unlikely to agree. The Parties will not stipulate as to which legal principles are relevant, or which arguments are acceptable or unacceptable.
- b. Any request for correction or 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 a mutually acceptable answer.
- c. Except to the extent that corrections and clarifications are set out below, participants are to assume that the Statement of Agreed Facts is accurate and complete in all respects. In particular, both Parties stipulate as to the authenticity of all documents and of the signatures on all documents referenced in the Statement.
- d. With respect to the pronunciation of the various proper names used in the Statement of Agreed Facts, the Parties and the Court have agreed that they will not take formal or informal offense at any reasonable effort to pronounce proper names correctly.
- e. The Union of Ambrosia and the Republic of Rovinia are not parties or signatories to any relevant bilateral or multilateral treaties, conventions, or accords except as indicated in the Statement of Agreed Facts.

CORRECTIONS

1. In paragraph 10, “Article 1” is corrected to read “Article I”.
2. In paragraph 61, the phrase “wherever those acts may have occurred” is moved within the quotation marks forming the definition of the crime of “enforced disappearance” under Rovinian law.
3. In paragraph 63, the word “personal” is deleted from the statement of President Slimm.
4. In paragraph 67, the date “15 May 2021” is corrected to read “17 March 2021.”
5. In paragraph 68, the phrase “the United Nations Convention on Jurisdictional Immunities of States and Their Property” is deleted, and a new sentence is added that reads: “Ambrosia and Rovinia have also been, at all relevant times, contracting states to the United Nations Convention on Jurisdictional Immunities of States and Their Property (UNCJISP).”

CLARIFICATIONS

1. The OCDP Charter was duly registered with the United Nations Secretariat in conformity with Article 102 of the Charter of the United Nations.
2. Following the adoption of domestic legislation in 1980 and 1982, respectively, Ambrosia and Rovinia measured the breadth of their maritime zones from normal baselines, asserting the exclusive right to fish up to 200 nautical miles from those lines. The two states have no overlapping maritime claims.

3. Upon its ratification of UNCLOS in 1999, Ambrosia deposited with the Secretary-General of the United Nations large-scale nautical charts depicting its ambulatory baselines in effect at the time. Those were not updated until March 2016 when Ambrosia submitted new coordinates reflecting its Freezing Law. The Rovinian Permanent Representative to the United Nations objected to those coordinates shortly after they were tendered, calling them “a violation of the law of the sea and longstanding regional practice.”
4. At its first session in May 2016, the OCDP Assembly unanimously adopted a resolution declaring that “The OCDP is the appropriate regional organization to cooperate in the conservation and promotion of the optimum utilization of all tuna species in the Naegea Sea, in accordance with Article 64 of the United Nations Convention on the Law of the Sea.”
5. Ambrosia and Rovinia are parties to a bilateral extradition treaty that entered into force in 2002, under which they undertook “to extradite to each other persons sought by the authorities in the Requesting State for investigation, trial, or punishment” for certain specified offenses. The crimes of which Ms. Cross is being investigated in Ambrosia are among such offenses. On 10 May 2024, the Ambrosian Prosecutor General submitted a request for Ms. Cross’s extradition in connection with his office’s investigation of her, which had been re-opened on 20 June 2023. As of the date of submission of the Statement of Agreed Facts, Rovinia had not responded to the request.
6. Upon Ms. Cross’s arrest on 2 May 2024, the Ambassador of Ambrosia in Rovinia notified the competent Rovinian authorities that she was an Ambrosian state official at the time of the alleged crimes and is therefore entitled to immunity in Rovinian courts. Ms. Cross’s attorneys asserted her immunity before the Permola Criminal Court, but the court rejected these arguments. The conditions and duration of her detention are consistent with all due process guarantees required under both Rovinian and international law.
7. Every person arrested under the ILSA program is solely of Ambrosian nationality. Their alleged crimes, and their detentions, all took place on Ambrosian soil.
8. Between 1 November 2019 and the date of its sale, “The Falcon” was intended for use and was in fact used exclusively for government non-commercial purposes.