



GLOBAL JURAL CONCLAVE



PADMA BHUSHAN PROF. N. R. MADHAVA MENON GLOBAL JURAL CONCLAVE 2023

- Mooting
- Students' Conference
- Judicial Colloquium
- Research Paper Presentation

15th to 18th February, 2023

CLARIFICATIONS

Organized by :

LLOYD LAW COLLEGE

Greater Noida (U.P.) (INDIA)

AND

MENON INSTITUTE OF LEGAL ADVOCACY TRAINING (MILAT)



PROF. N.R. MADHAVA MENON GLOBAL JURAL CONCLAVE 2023
PROF. N.R. MADHAVA MENON GLOBAL MOOTING COMPETITION,
LAW STUDENTS' CONFERENCE & COLLOQUIUM 2023

LIST OF CLARIFICATIONS

S.No.	Queries	Clarifications
1	Is Republic a Grump a typing error in Issue no. 4 and should it be replaced with Republic of Tots? If not, are there any facts to suggest that Grump's citizens moved to Tan?	
2	Is the condition of recipocity applicable to the written declarations by the countries in para 19 and 20?	Yes
3	Did Bargin continue to run after the nationalisation?	Yes
4	Were there any efforts by Tots during the stages of environmental degradation to stop the same?	The query does not require any clarification
5	Are we to assume that only the LLC in Bargin has been nationalized considering that it is a transnational company?	The query does not require any clarification
6	Was the coral reef in Tan was well?	The query does not require any clarification
7	Was Tan affected because of the coral bleaching in an enviromental manner?	The query does not require any clarification
8	Are the countries party to the Refugee Convention, Refugee Protocol and ICCPR?	Yes
9	Whether there exists any economic agreements between Grump and Tots? Whether there existed a Most Favoured Nation Clause in the agreements entered between Grump and Tots? Whether the agreements between Grump and Tots had anything pertaining to the treatment of foreign nationals?	The query does not require any clarification
10	Whether the economic agreements mentioned in para 4 is a tripartite agreement? Whether the agreements had an Arbitration Clause? Whether the agreements had any reference to ICJ?	The query does not require any clarification
11	What was the object and purpose behind the economic agreements between Tan, Grump and Tots?	Information given in the Moot Proposition is sufficient.

S.No.	Queries	Clarifications
12	Whether there exist any Compensation Convention between Grump and Tots?	The query does not require any clarification
13	Whether there exist any Compensation Convention between Grump and Tots?	Information given in the Moot Proposition is sufficient.
14	Whether there exists any BITs between Grump and Tots? Whether the written declaration of Tots with regards to Art. 36 para 2 of ICJ, have any reservations? If so what all?	The query does not require any clarification
15	In issue 4 : Whether there exists any responsibility for Tan to provide refugee status to the citizens of Grump?	The query does not require any clarification
16	Whereas parah 12 states that it was citizens of Tots who were shifting to Tan and Grump . Whether the reference in issue 4 as to citizens indicate the citizens of the Tots who were shifting to Tan owing to the natural calamities in Tots?	The query does not require any clarification
17	Whether it was the citizens of Grump or Tots or both who were shifting to Tan owing to the natural calamities in Tots.?	The query does not require any clarification
18	Date of the ordinance promulgated by the president.	12th November, 2020
19	Within how many days after the landslide incident mentioned under parah 12. was the ordinance promulgated by the president?	12th November 2020, the ordinance was promulgated
20	Whether the dispute was first considered for negotiation or mediation as suggested under Article 27 of the Convention on Biological Diversity 1992 before approaching the ICJ.If yes, then what was its outcome?	The query does not require any clarification
21	Whether Mr.chritaniniho was arrested as per the provisions of the ordinance promulgated by the president or based on any other statute?	The query does not require any clarification
22	Whether the law of any of these countries mentioned is in pari materia with that of India.	Yes
23	With respect to Issue 3, the detention of President of Bargin Company, Mr. Cristaniniho, certain clarifications are as follows: - 1. What is the factual background of his arrest? 2. What were the offences put up against him? 3. Was any trial brought up against him? 4. Whether the arrest was made as per procedure	Information given in the Moot Proposition is sufficient.

S.No.	Queries	Clarifications
	<p>established by law? If yes, which law?</p> <p>5. What were the diplomatic rights shared between the countries? Kindly shed some light on that aspect as the moot proposition is completely silent.</p> <p>6. Whether the Principles of Audi Alteram Partem has been followed while Arrest of Mr. Cristaniniho?</p> <p>7. Whether the Notice has been served before arrest of Mr. Cristaniniho?</p>	
24	<p>With respect to Issue 4 of the moot compromise, will it be “Whether there exists any responsibility for Tan to provide refugee status to the citizens of Grump?” or “Whether there exists any responsibility for Tan to provide refugee status to the citizens of Tots? The reason being that as per para 12 of the moot compromise, due to massive landslides in Khasra, citizens of Tots started migrating to Republic of Tan, not the citizens of Grump. So, in Issue No. 4, it should be refugee status to the citizens of Tots, not the citizens of Grump.</p>	<p>The query does not require any clarification</p>
25	<p>With respect to Issue 5 of the moot compromise, will it be “Tots is responsible for environmental harm done to the coastal and coral reef-rich region of the Republic of Grump?” or “Tots is responsible for environmental harm done to the coastal and coral reef-rich region of the Republic of Tan?? This is because as per para 16 of the moot compromise, it was Tan who immediately proceeded to the ICJ to prevent any further harm and determination of violations as well as rectification under international law. The humanitarian crisis as well as environmental degradation took place in the Republic of Tan, not in the Republic of Grump. So, in the issue no. 5, it should be Republic of Tan, not the Republic of Grump.</p>	<p>The query does not require any clarification</p>
26	<p>When and where was Mr.Cristaniniho arrested?</p>	<p>The query does not require any clarification</p>
27	<p>Who was Mr. Cristaniniho secretly arrested by?</p>	<p>The query does not require any clarification</p>
28	<p>Who is the president referred to in issue 3?</p>	<p>The query does not require any clarification</p>
29	<p>Is the President and CEO one and the same?</p>	<p>The query does not require any clarification</p>
30	<p>How can a company from Grump be nationalized by Tots or how can a multinational company be nationalized by an ordinance in Tots?</p>	<p>The query does not require any clarification</p>

S.No.	Queries	Clarifications
31	Can we look into other conventions other than the ones mentioned in the problem? If so, how do we understand if the countries have ratified it or were merely parties to it?	The query does not require any clarification
32	Was Mr. Cristianinho arrested before or after his expulsion?	The query does not require any clarification
33	Would it be right to assume that Tots, Grump, and Tan have ratified the conventions mentioned in para 20 & 21?	Yes
34	Are the coral reefs of Tots and Grump next to each other?	The query does not require any clarification
35	Who was responsible for the EIA of the coal exploitation project?	Information given in the Moot Proposition is sufficient.
36	Is the procedure for promulgating an ordinance and its time period pari materia to that of India?	Yes
37	Is the word "TNC" in para 14 "LLC" which stands for limited liability company?	Yes
38	Are the studies done by Protect Coral Reefs authentic/certified for being true?	The query does not require any clarification
39	Who is the Applicant, and who is the Respondent?	The query does not require any clarification
40	In Paragraph 20, are Tan and Grump used interchangeably? If not, is Grump also a signatory to the Paris Agreement and UNFCCC?	The query does not require any clarification
41	Similarly, in Paragraph 19, are Tan and Grump used interchangeably? If not, is Tan a signatory to CBD?	The query does not require any clarification
42	"12. The coral region started to deteriorate and there were massive landslides in Khasra due to mining work and about 2000 people lost their lives due to such massive landslides. The area became unfit for habitation and was declared a hazardous zone. The right Hon'ble Minister of Environment Mr. Gavin Belson was faced with a lot of backlash and protest due to such environmental harm. In the meanwhile, 189,000 people were internally displaced, and Tots was unable to house them in 55 temporary sites. The citizens of Tots thus then instead of internal migration started shifting to neighbouring states of Grump and Tan. They were the freshest group of climate migrants, and it became a huge cause	The query does not require any clarification

S.No.	Queries	Clarifications
	<p>of concern for the international organisations. Further, the population exodus was also creating a refugee crisis in both nations"</p> <p>Issue 4 of the proposition is</p> <p>4) Whether there exists any responsibility for Tan to provide refugee status to the citizens of Grump?</p> <p>The doubt is that the citizens of grump are not the ones fleeing, so why should tan provide refuge to them? Shouldn't issue 4 be:</p> <p>4) Whether there exists any responsibility for Tan to provide refugee status to citizens of Tots?</p>	
43	<p>Is there any typo in the spelling of 'Bargin'/'Bargain'? Is there any correct spelling for this particular LLC or they have been intentionally written this way?</p>	<p>It is Bargin for all references.</p>
44	<p>Is there any change in sentence structuring or wordings of the second last line of Para 14, especially considering the word 'only'?</p>	<p>The query does not require any clarification</p>
45	<p>Is the 11th para a general fact or it has been said by the leader of PCR Dr Haze in continuation of Para 10?</p>	<p>The query does not require any clarification</p>
46	<p>Can the suit be considered as a compilation of disputes of 2 countries with same subject matter</p>	<p>Information given in the Moot Proposition is sufficient.</p>
47	<p>Is it important for the petitioners and respondents to remain on the same side throughout the 5 issues?</p>	<p>The query does not require any clarification</p>
48	<p>Whether the countries in dispute are party to any climate refugee agreement</p>	<p>Information given in the Moot Proposition is sufficient.</p>



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