



वसुधैव कुटुम्बकम्  
SYMBIOSIS INTERNATIONAL UNIVERSITY  
(Re-Accredited by NAAC with 'A' Grade)  
SYMBIOSIS LAW SCHOOL, PUNE  
CARE | COURAGE | COMPETENCE | COLLABORATION

**STUDENT BAR ASSOCIATION, 2025-26**

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**11<sup>TH</sup> SYMBIOSIS LAW SCHOOL, PUNE –  
INTERNATIONAL CRIMINAL TRIAL  
ADVOCACY COMPETITION, 2025-26**

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**OFFICIAL CLARIFICATIONS**



- 1) Please clarify whether any of the above states had reservations, declarations, or opt-outs relevant to Article 7 of the Rome Statute.

Answer: No clarifications needed.

- 2) Kindly clarify whether customary international law norms relating to non-refoulement, transfer with risk of torture, and due process are assumed to be applicable to Islandia during the relevant period.

Answer: No clarifications needed.

- 3) Kindly clarify whether the acts occurring in Noland are considered sufficiently linked to Islandia for ICC jurisdiction.

Answer: No clarifications needed.

- 4) Kindly clarify the legal character of the Protocol on Third-Country Transfer: treaty, executive agreement, administrative arrangement and informal understanding.

Answer: No clarifications needed.

- 5) Was the Protocol legally binding under Islandian domestic law?

Answer: No clarifications needed.

- 6) Was the Protocol subject to: parliamentary ratification, or executive approval alone?

Answer: No clarifications needed.

- 7) Please clarify whether the Protocol's non-registration with the UN is legally relevant or merely factual background.

Answer: No clarifications needed.

- 8) Kindly clarify whether SUBE and NMA were independent statutory bodies or executive extensions of the Ministry of Home Affairs.

Answer: No clarifications needed.



- 9) Did the accused, as Director-General of NMA, possess: de jure authority, de facto authority, or both?

Answer: No clarifications needed.

- 10) Was the NMA hierarchically subordinate to SUBE, or vice versa?

Answer: No clarifications needed.

- 11) Please clarify whether any official other than the accused had authority to suspend MOON-X deployment.

Answer: No clarifications needed.

- 12) Kindly clarify whether MOON-X is to be treated as: a decision-support system, or a decision-making system in effect and did MOON-X generate audit logs, decision trails, or version histories?

Answer: No clarifications needed.

- 13) Could MOON-X datasets or weightings be modified after deployment, and if so, by whom?

Answer: No clarifications needed.

- 14) Kindly clarify whether MOON-X outputs were binding in practice, notwithstanding formal claims of human oversight.

Answer: No clarifications needed.

- 15) Are participants permitted to argue that algorithmic opacity contributed to the absence of remedies?

Answer: No clarifications needed.

- 16) Please clarify whether MOON-X disproportionately flagged: Frolandian nationals, or persons of Frolandian origin irrespective of nationality.

Answer: No clarifications needed.



17) Is there any evidence of individualised assessment, or were group-level indicators used?

Answer: No clarifications needed.

18) Kindly clarify whether participants may argue that nationality-based targeting amounts to persecution under Article 7.

Answer: No clarifications needed.

19) Please clarify whether reports on conditions in Noland were formally communicated to Islandian authorities.

Answer: No clarifications needed.

20) Were such reports available to the accused in his official capacity?

Answer: No clarifications needed.

21) Kindly clarify whether knowledge of deaths or mistreatment in Noland is to be treated as: actual knowledge, or constructive knowledge.

Answer: No clarifications needed.

22) Was Noland officially designated a safe third country by Islandia?

Answer: No clarifications needed.

23) Were any bilateral safeguards legally enforceable?

Answer: No clarifications needed.

24) Kindly clarify whether Islandia retained post-transfer obligations toward transferred individuals.

Answer: No clarifications needed.

25) Are participants permitted to argue that Islandia exercised effective control over transferees even after transfer?

Answer: No clarifications needed.



26) Kindly clarify whether individuals flagged by MOON-X had: access to legal counsel, administrative review, judicial remedies prior to transfer.

Answer: No clarifications needed.

27) Were families, children, and medical travellers within the intended scope of the Protocol?

Answer: No clarifications needed.

28) Kindly clarify whether lack of remedy may be argued as imprisonment or inhumane acts under Article 7.

Answer: No clarifications needed.

29) Please clarify whether all annexures are to be treated as: authentic, admissible, and undisputed.

Answer: No clarifications needed.

30) Are participants allowed to challenge: credibility, weight, or interpretation of annexed documents?

Answer: Yes, participants are free to argue on credibility, weight, and/or interpretation of the annexures.

31) Kindly clarify whether leaked documents may be relied upon fully during examination and submissions.

Answer: No clarifications needed.

32) Kindly clarify whether contradictions within witness testimony are intentional and may be exploited.

Answer: No clarifications needed.

33) Are witnesses deemed to have first-hand knowledge, or is some testimony based on inference or reports?

Answer: No clarifications needed.



34) Kindly clarify the scope of participation of victim representatives: examination of witnesses, objections, submissions on guilt, reparations only

Answer: No clarifications needed.

35) Are victim representatives permitted to advance independent legal theories?

Answer: No clarifications needed.

36) Kindly clarify whether defences based on: superior orders, lack of technical expertise, or automation bias are open to the accused.

Answer: No clarifications needed.

37) Are policy justifications (national security, border control) legally relevant at the trial stage?

Answer: No clarifications needed.

38) Are acts prior to 2019 relevant as contextual evidence?

Answer: No clarifications needed.

39) Are post-2024 consequences admissible to establish gravity or pattern?

Answer: No clarifications needed.

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