Clarifications to the Record
Thirty-First Annual Stetson International Environmental Moot Court Competition
2026–2027

Please note this document does not contain responses to all the requests for clarification. The answers to some requests are already contained within the Record, and other requests were beyond the scope of the legal and factual issues that should be the focus of your arguments in the memorials and during the oral rounds of the competition.

The estuary, river, navigation channel, and Ramsar Site

Q1. What is the relationship between the estuary, river, navigation channel, and Ramsar Site?
A1. An estuary is a stretch of a river where it approaches an ocean or sea. In the present matter, the estuary includes salt marsh and mudflats. The Ramsar Site encompasses the salt marsh, mudflats, and the corresponding open-water portion of the river. Most of the navigation channel is in Rusteya's portion of the river, including within the Ramsar Site.

Q2. Has Avifull designated any of its territory as a Wetland of International Importance?
A2. Yes, Avifull has designated several inland areas as Ramsar Sites, but not any area associated with the River Scaldis.

Q3. Does the information presented by the Ramsar Sites Information Service (RSIS) signify the opinion of the Secretariat of the Convention on Wetlands, or is it information sent by Rusteya?
A3. The summary on the RSIS should be accepted as fact.

The Joint Commission and dredging operations

Q4. When the Joint Commission makes its reports on the necessity of dredging, are the votes between the members from Rusteya and Avifull unanimous?
A4. The Joint Commission operates on the basis of consensus.

Q5. Is the Joint Commission's 2013 recommendation concerned solely with the additional dredging necessary to accommodate 16-meter-draft ULCSs, or does it also include recommendations concerning continued maintenance of the channel for 12-meter-draft Panamax vessels?
A5. A navigation channel that accommodates 16-meter-draft ULCSs would also accommodate 12-meter-draft Panamax vessels.

Q6. Does Rusteya's 2015 suspension of dredging operations apply exclusively to the additional capital works required to achieve the 16-meter ULCS standard, or does it also

extend to the routine maintenance dredging necessary to preserve the previously established 12-meter Panamax depth?

A6. Rusteya has suspended all dredging operations.

Q7. Paragraph 14 states that Rusteya did not implement the Joint Commission's 2013 recommendation for additional dredging to accommodate ULCSs, while paragraph 23 states that Rusteya suspended "all dredging operations" in 2015. Did Rusteya continue any pre-existing or maintenance dredging operations between the 2013 recommendation and its suspension of all dredging in 2015?

A7. During that timeframe, Rusteya continued with maintenance dredging that permitted Panamax containerships to reach Werpant.

Vessel traffic and economic impacts

Q8. Aside from Panamax and Ultra Large Container Ships, are non-containerized trade or other vessel classes (e.g., smaller feeder ships) still able to navigate the River Scaldis to reach the port of Werpant?

A8. Yes, however, it is not economically feasible for the companies operating the Panamax vessels and ULCSs to use feeder ships to convey their cargo to Werpant.

Q9. In reference to Para. 25, were all Panamax containerships rerouted to Mokum or just some?

A9. All Panamax containerships were rerouted to Mokum; no Panamax vessels currently use the River Scaldis.

Q10. Does Avifull possess any other ports for maritime trade beyond Werpant, and if so, to what extent are such ports capable of accommodating the shipping traffic ordinarily passing through Werpant, including their respective draft capacities and infrastructure?

A10. Avifull possesses no other port that can accommodate Panamax vessels.

Q11. When did Mokum develop the port capacity and sufficient depth to absorb the increased traffic flow, stemming from the rerouting of ships to Mokum?

A11. Rusteya expanded the port facilities in Mokum in 2023.

Q12. With reference to paragraph 25, are the stated reductions in Werpant's containership traffic and TEU shipping volume attributable entirely to the loss of access for Panamax vessels resulting from siltation in Rusteya's portion of the estuary?

A12. Yes.

Q13. In reference to Paragraph 25, aside from the lowered traffic, has there been any specific severe economic harm that has been posed to Avifull, and if so, what is the extent of this economic impact?

A13. The reduction in traffic has resulted in a disruption to the supply chain in Avifull. Consequently, unemployment in Avifull has increased from 4 percent to 7.5 percent, and the Gross Domestic Product contracted by 2 percent in the first half of 2026.

Environmental effects

Q14. With reference to paragraphs 23, 27, and 32, did Rusteya undertake any active ecosystem restoration measures in its portion of the River Scaldis Estuary beyond suspending dredging operations?

A14. The only active measures that Rusteya is undertaking is an invasive species removal program, which has been in place since 2014. The removal of invasive species has no effect on the depth of the navigation channel.

Q15. What is the change in the population trend of the "other endangered breeding birds", "endangered mollusks", and the "critically endangered jaggedtooth royal sawfish (Pristis Maximus)" since dredging ceased in 2015?

A15. Bird and mollusk populations have increased, although there has been no change in endangered classifications. Similarly, the jaggedtooth royal sawfish population has increased, but the species remains classified as critically endangered on the IUCN Red List.

Scope of arguments

Q16. Was a Preliminary Assessment or an Environmental Impact Assessment carried out by either party involved in the case?

A16. The question of environmental impact assessments is not at issue in this case.

Q17. Does "**its**" in "B. Whether Avifull's request for Rusteya to dredge the River Scaldis is in accordance with its international legal obligations; (Par. 33)" refer to Avifull or Rusteya?

A17. It refers to Avifull's obligations (e.g., under the Ramsar Convention).

Q18. When representing a Party, may a team advance legal arguments and interpretations that differ from, and are inconsistent with, the legal stance taken by that Party in its diplomatic note, provided, however, that such arguments remain within the Questions presented and the factual record?

A18. You should not advance legal arguments that are inconsistent with your Party's legal stance taken in diplomatic notes or otherwise. You are expected to address and focus your arguments on the provisions of the conventions discussed in the Record; however, this expectation does not preclude you from referencing other provisions or principles.

Q19. Paragraph 34 states: "The Parties are expected to address the provisions of the conventions referred to in this Annex but are not required to present their arguments in the order above." May a Party organize its argument by convention rather than by question?

A19. You must address all issues but may organize them in any way or order you deem appropriate. Note, however, that organizing your arguments by convention, rather than by issue, is an approach that may create a risk of confusion on the part of judges.

Q20. Should the diplomatic notes in the Record be considered aspersions or facts?

A20. The facts referenced in the diplomatic notes should be taken as true, but the legal assertions in the diplomatic notes may be debated.

Date correction

Avifull and Rusteya were provinces of the Kingdom of Evirr from 1648 until 1835, not 1849. This correction has no impact on arguments.