



Clarifications to the Record
Twenty-Fifth Annual Stetson International Environmental
Moot Court Competition
2020–2021

Please note that this document does not contain responses to all of the requests for clarification that were received. 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 arguments should largely focus on the conferences, conventions, agreements, documents, and legal principles that are mentioned in the Record.

- Q1. Is Alducra considered the Applicant and Runbeti considered the Respondent for the purposes of this competition?
A1. Yes.
- Q2. Are Alducra and Runbeti parties to any other relevant multilateral environmental agreements, including the Espoo Convention?
A2. No.
- Q3. Have Alducra and Runbeti entered into any other bilateral or multilateral agreements?
A3. None that are relevant.
- Q4. When did Alducra and Runbeti become parties to the conventions and agreements mentioned in the Record?
A4. Alducra and Runbeti signed and deposited instruments of ratification in the first year in which the conventions or agreements were opened for signature.
- Q5. Did Alducra and Runbeti attend all of the Conferences or Meetings of the Parties related to the conventions or agreements to which they are parties?
A5. Yes. They fully participated in all Conferences or Meetings of the Parties.
- Q6. What type of Parties are Alducra and Runbeti considered to be under the UNFCCC?
A6. Alducra is an Annex I Party, and Runbeti is a non-Annex I Party.
- Q7. Are European Union directives binding on Alducra and Runbeti?
A7. No. Alducra and Runbeti are not members of the European Union.
- Q8. Should the participants address jurisdiction in the memorials?
A8. Each memorial should include a statement of jurisdiction, but the arguments in the memorials and the oral rounds should not address jurisdiction.
- Q9. Should the diplomatic notes be considered aspersions or facts?
A9. The facts referenced in the diplomatic notes should be taken as true, but the legal assertions in the diplomatic notes may be debated.



Q10. Other than Alducra and Runbeti, do any other countries in the world produce tapagium?

A10. No.

Q11. In paragraph 14 of the Record, what is meant by “almost identical” when referring to the bat species?

A11. It means the species are physically, behaviorally (including migration), and genetically similar. You may refer to scientific or other information about the common noctule (*Nyctalus noctula*) and the lesser long-nosed bat (*Leptonycteris yerbabuena*) by analogy, but any specific discussion about the royal noctule and the Architerpan long-nosed bat (including population numbers) must be based on the Record or Clarifications.

Q12. Does the 20% tax apply only to sales of tapagium produced domestically or to all tapagium sales in Alducra, including imported tapagium?

A12. The 20% tax applies to all sales of tapagium, including domestically produced tapagium and imported tapagium.

Q13. Is the ARTA a WTO-related treaty?

A13. No. The ARTA is a multilateral agreement that was not entered into under the auspices of the WTO. The ARTA remains in force to date.

Q14. May we assume that the other articles of the ARTA are similar to the provisions of the GATT, the Agreement Establishing the World Trade Organization, and the TBT?

A14. No. The arguments should be based on the ARTA excerpts provided in the Record.

Q15. Is the 2015 statute still in effect?

A15. Yes. As required by the 2015 statute, all domestic farmers in Alducra transitioned to bat-safe farming practices by the end of 2015. All domestic farmers in Alducra remain in compliance with the 2015 statute.

Q16. Will the wind turbines expected to be built during the subsequent phases of the PECO wind farm project be constructed on land that includes known migration routes, feeding and roosting areas, and commuting routes for the royal noctule?

A16. Yes. The locations would cover at least some known migration routes, feeding and roosting areas, and commuting routes for the royal noctule.

Q17. Is Pinwheel Energy Co. (PECO) a private company?

A17. Yes.