

No.	Requests	Response
1	Para 10 of the problem mentions that security is breached if article 18 of ICAO is not complied with, however article 18 of ICAO only mentions that an aircraft cannot be validly registered in more than one state, so in this context, there is lack of clarity as to how is the security of the aircraft threatened?	Para 10 provides that under Art. 18 the action constitutes an infraction endangering safety and security. All relevant information has been provided.
2	What does "ARTAS" (Para 14), "MOPED" (Para 18) and "TCAS information" (Para 18) mean? Kindly specify in reference to the moot case.	There is sufficient information in the case. For clarity, MOPED is a designation of a sector.
3	What are the registered countries of Flight 254 and Flight 368 respectively, specifically whether these Flight 254 and Flight 368 are designated airlines of either the Democratic Republic of Shelby or the Changretta Federation?	Designated airlines of the Democratic Republic of Shelby.
4	I want to confirm that if there is a mistake in paragraph 13 of Fact because there are two paragraphs that are all marked 13 .And the order is wrong because of this mistake,so should we cite the Facts according to which paragraph they really lie?	Please see revised case. (See, Paragraphs 13A and 13B)
5	Is the Democratic Republic of Bloomers a contracting state to the Chicago Convention 1944?	Yes.
6	Are both Shelby and Changretta members of ICAO Council?	All relevant information has been provided.
7	Is there an agreement between Changretta and Bloomers regarding the registration transfer of those aircraft Changretta leased from Bloomers?	All relevant information has been provided.
8	Whether the paragraph 12 of Moot Problem starting with "On 12 November 2022, the Democratic Republic of Shelby...." is to be read as "12 November 2020" for the reason that Part D of the problem i.e., Statement of Facts (para 13 to 21) describes the occurrence of incident in 2020?	Please see Paragraph 12 in the revised case.
9	In paragraph 12 of the Record, is the date November 12, 2022 correct, or should it be November 12, 2020?	Please see Paragraph 12 in the revised case.
10	Were the operators and pilots warned of the changes in operation, namely suspicion of cyberattack, the reduction in capacity and the disconnection of neighboring ANSPs?	All relevant information has been provided.
11	At Paragraph 9 of the Compromis, is it correct to say that the Democratic Republic of Bloomers is the State transferring responsibilities to the Changretta Foundation under the agreement in 2016?	All relevant information has been provided.
12	Para. 9 (Background) In line with the provisions of Article 83 bis of the Chicago Convention, the Changretta Federation and Bloomers have signed a transfer agreement; however, the agreement excludes Article 31 of the Chicago Convention from its transferred responsibilities. As mentioned above, the Changretta Federation and Bloomers have registered most aircraft in two countries, could you please clarify to what extent they have transferred their rights, i.e. the ownership of aircraft or registration or anything else?	All relevant information has been provided.
13	Is the date "November 12th 2022" correct date of notification made by Democratic Republic of Shelby in regard to the ban of aircrafts of the Changretta airlines from entering their airspace as written in paragraph 12?	Please see Paragraph 12 in the revised case.
14	Is the transfer agreement between Changretta and Bloomers mentioned in para. 9 of the Compromis registered with ICAO and made public in accordance with Art. 83 bis b)?	All relevant information has been provided.
15	What citation format is to be followed for footnoting in memorials?	See Rules of Procedure.
16	Article 1 (f) of the Air Service Agreement stated about the definition of "Designated Airline" in accordance with the "Article _ of this Agreement". This was not mentioned clearly. Which Article in the agreement does the Article 1 (f) refer to?	Please see the case revised. (Article 1(f) should be read as follows: "designated airline" means an airline which has been designated and authorised in accordance with this Agreement;)
17	Was there an error in the time of the Democratic Republic of Shelby's notice prohibiting the aircraft designated by Changretta from entering its territory?	See answers in Clarifications 4, 8 and 9.
18	The area affected by the Hatefly is Gusofmen or Shelby? Where is the exact location of the MOPED sector, within Shelby or Changretta?	MOPED is locate in the Democratic republic of Shelby.
19	Under the transfer agreement between the Democratic Republic of Bloomers and the Changretta Federation, since Article 31 of the Chicago Convention is excluded, which party issues certificates of airworthiness (if not both parties)?	All relevant information has been provided.

20	According to page 6 of the Compromis, C. Background, paragraph 7(1), "Article 3 of the ASA prevent the use of leased aircraft". But according to the Article 3 of the ASA, there is no explicit clause referring to a ban on leased aircraft.	All relevant information has been provided.
21	The last line of paragraph 20 of the Statement of Facts of the Moot Compromis reads ".....as a retaliation for the ban of aircraft in the airspace of the Democratic Republic of Shelby." The timeline does not seem to match as the abovementioned statement was concluded in the 1st week of January 2021, but Shelby seems to have notified about the ban on 12th Nov 2022.	Please see revised case.
22	In Compromis para. 9, the exclusion of Article 31 Chicago Convention means that the Democratic Republic of Bloomers must comply with the obligations provided in this Article or neither of the two States bears the responsibility?	All relevant information has been provided.
23	Could you please provide us with more details regarding the exact geographical situation of the aircrafts before impact i.e. were they flying over the Sea of Zouk and/or the Green Sea ?	They were flying over the Democratic Republic of Shelby.
24	With respect to paragraph 9 of the Compromis, can it be assumed that the transfer agreement between Bloomers and Changretta is valid under Article 83bis considering the exclusion of article 31 from transferred responsibilities? If yes, who issues the certificate of airworthiness as required by Article 31 of the Chicago Convention?	All relevant information has been provided.
25	Which conventions/treaties is the Democratic Republic of Bloomers a party to?	See answer in Clarification 5.
26	In point 12, the date is given as 31st December 2022, but it doesn't align with the facts. Kindly clarify that.	Please see revised case.
27	Para 21 states that Changretta Federation had itself been target of the attack, there is ambiguity with respect to what attack Changretta Federation had been a target of?	All relevant information has been provided.
28	Which countries did Flight 254 and Flight 368, as mentioned in Para 18, belong to? Who were the owners of these flights? Were they owned or leased out by the Changretta Federation?	See answer in Clarification 3.
29	Where is the exact location of the mid-air collision between Flight 254 and Flight 368 stated in paragraph 18 of the Compromis?	See answer in Clarification 23.
30	whether the date in paragraph 12 is "12 November 2020" instead of "12 November 20 because the cyberattack happened on 31 December 2020，and the Democratic Republic of Shelby thought the cyberattack is against the ban of aircraft(see Fact 20) ,so the ban existed in 2022 is unreasonable because it shall happen before the cyberattack.	Please see revised case.
31	What were the designated routes of the Flight 254 and Flight 368? (Alternatively: Are the Flights 254 and 368 considered to be international flights, within the essence of Chicago Convention 1944?)	All relevant information has been provided.
32	Paragraph 12 of the background: "On 12 November 2022" ,maybe 2022 should be 2020?	Please see Paragraph 12 in the revised case.
33	Has Bloomers or Changretta registered the transfer agreement with the ICAO Council and notified the other Contracting States pursuant to Chicago Convention Article 83 bis?	All relevant information has been provided.
34	In paragraph 8 of the moot compromis, are the 690 aircraft of Changretta Federation leased from abroad or leased to other parties abroad?	All relevant information has been provided.
35	Regarding Flights 254 and 368, which country were the aircraft registered in?	See answer in Clarification 3.
36	At 13.55Z Shelbycontrol identified he problem with ARTAS; what did they identify?	All relevant information has been provided.
37	At Paragraph 12 of the Compromis, is the date of notification meant to read 2020 instead of 2022?	Please see Paragraph 12 in the revised case.
38	Para. 11 (Background) Furthermore, the Democratic Republic of Shelby notified the Council of the International Civil Aviation Organization (ICAO) of the infractions to the Chicago Convention committed by the Changretta Federation and requested ICAO to take immediate measures against the Changretta Federation as it is a threat to the international civil aviation safety and security. As mentioned above, is it possible to know if ICAO replied to Shelby's notification?	All relevant information has been provided.
39	What was the exact time when the news on the cyberattack were broadcasted on the Democratic Republic of Shelby's national television?	All relevant information has been provided.
40	Can we infer from para.9, "the agreement excludes Article 31", that Bloomers has transferred all the other responsibilities allowed by Art. 83 bis a) under CC44, namely Art. 12, 30, and 32 a), to Shelby?	All relevant information has been provided.

41	To which document do Article 4(2) and Article 25 that have been mentioned in Article 3 and 4 of the Annex respectively belong to?	See revised ASA Articles 3 and 4.
42	Article 3 (3) of the Air Service Agreement stated that there is an exception for the state parties to shall not enquire further into such matters provided in Article 4 (2). However, there is no Article 4(2) in Annex 1 of the Special Agreement, nor in the 1944 Chicago Convention. Which Article does Article 3 (3) refer to?	See answer in Clarification 41.
43	Did Bloomers have a historical dispute with the Democratic Republic of Shelby? Has Bloomers been part of the Union of the Gusofmen?	All relevant information has been provided.
44	In para.12 of Compromis, on 12 November 2022, the Democratic Republic of Shelby notified the Changretta Federation that all aircraft of the designated airlines under the International Air Services Agreement are banned from entering the airspace of the Democratic Republic of Shelby. We want to confirm whether this happened in 2022 or not.	Please see revised case.
45	Paragraph 12 of the case fact pattern puts forth the date "12 November 2022." Should this date instead be "12 November 2020"?	Please see Paragraph 12 in the revised case.
46	Why the Changretta Federation enacted Law No. 666/2016, was it because Bloomers restrained Changretta Federation's use to the leased aircrafts based on its registration?	All relevant information has been provided.
47	Can a claim on the independence and impartiality of an ICAO Council decision be validly discussed in the legal field?	All relevant information has been provided.
48	Could you please indicate whether the incorrect information/instructions given by air traffic control was a consequence of the cyberattack or a personal mistake ?	All relevant information has been provided.
49	With respect to paragraph 21 of the Compromis can the indisputability of the fact that Changretta was attacked by the Hacktivist Group Solomons be assumed?	All relevant information has been provided.
50	When did the Democratic Republic of Shelby notify the ICAO of the infractions to the Chicago Convention committed by the Changretta Federation?	Please see Paragraph 12 in the revised case.
51	Was the performance issue with the ARTAS linked only with the computer virus Hatefly, which activist and hacktivist group Solomons claim responsibility for?	All relevant information has been provided.
52	In Para 21, it is mentioned that, "It further stated that the Changretta Federation had been itself the target of the attack." By what circumstances had Changretta been a target of the attack? Is there any set of facts to establish the same?	All relevant information has been provided.
53	3.In Annex 1 (Air Service Agreement between the Democratic Republic of Shelby and the Changretta Federation), please clarify:- a.The article number in article 1(f): "designated airline means an airline which has been designated and authorised in accordance with Article_ of this Agreement" b.Whether reference to "Article 4(2)" in article 3 and "Article 25" in article 4 refers to the Chicago Convention or the Air Service Agreement	See answers in Clarifications 16 and 41.
54	Was there an oral hearing in the proceedings before the ICAO Council?	All relevant information has been provided.
55	Is Bloomers a party of the Chicago Convention?	See answer in Clarification 5.
56	Could you please provide the specific route/s with the departure time of Flights 254 and 368 respectively?	All relevant information has been provided. See also answer in Clarification 23.
57	Given that the Changretta Federation has signed a transfer agreement with Bloomers in accordance with Article 83 bis of the Chicago Convention, are the aircrafts in question dual registered in both the States or are their registrations transferred from Bloomers to Changretta Federation or vice-versa?	All relevant information has been provided.
58	In which territory did the collision between Flights 254 and 368 take place?	See answer in Clarification 23.
59	Was the ARTAS system properly secured so that the simple virus would not cause it to break down?	All relevant information has been provided.
60	Does 'physical location' at Paragraph 19 of the Compromis refer to the IP address of the server, or was the Democratic Republic of Shelby able to confirm its physical location?	It refers to the physical location of the server.
61	Para. 13 (Background) In this regard, the aviation authorities of the Changretta Federation have taken retaliatory measures related to depriving operators of the Democratic Republic of Shelby of the right to fly to and through the Changretta Federation. If it is appropriate to clarify when the Changretta Federation took retaliatory measures？	All relevant information has been provided.

62	Is there any official evidence and/or investigation report of the cyberattack on the Changretta Federation?	All relevant information has been provided.
63	Is the primary jurisdictional basis of the case Article 84 of the Chicago Convention or Article 14(3) of the Air Services Agreement between Shelby and Changretta?	All relevant information has been provided.
64	Is there any notice of the Changretta Federation taking action against Solomons in its territory?	All relevant information has been provided.
65	"Joint Committee" had been mentioned twice in Article 4 and Article 12 of the Air Service Agreement. However, there has not been a definition nor a clear statement if there is any Joint Committee established between the Republic of Shelby and The Changretta Federation. What is a "Joint Committee", is it already established? And how was the result of the establishment of the Joint Committee?	The Joint Committee existed for a long time. The Joint Committee consisting of representatives of the Parties shall meet at least once a year to conduct consultations relating to the Agreement to review its implementation.
66	Is Bloomers a party to the Chicago Convention?	See answer in Clarification 5.
67	During the ICAO Council deliberations that the Changretta Federation now appeals, which States comprised the ICAO Council?	All relevant information has been provided.
68	How far does the region stated in para. 13 of the Compromis cover? Does it cover the Changretta Federation or is the area limited to Shelby?	All relevant information has been provided.
69	In the Compromis para. 7 it is stated that "either Party may prevent the use of leased aircraft for services under the Agreement, which does not comply with safety and security requirements provided by the Agreement". However, this statement is not included in the actual text of Article 3 of the Air Service Agreement in Annex 1. Shall we consider this statement as legally binding and as part of the ASA?	Yes. See answer in Clarification 20.
70	Could you please provide us with documented details regarding the Democratic Republic of Shelby's CPU discovery ?	All relevant information has been provided.
71	With respect to paragraph 7 read with paragraph 9 of the Compromis, what is the principal place of business of airlines such as Changa Cargo, West Changa, Vendetta, Black Swan, Phobia, and Independence?	All relevant information has been provided.
72	Which ATC was responsible for the MOPED sector? Did it belong to the Democratic Republic of Shelby?	Democratic Republic of Shelby.
73	What is the effect of the attacks on Changretta Federation, that they mentioned in point 21?	All relevant information has been provided.
74	What are the specific grounds on the basis of which Changretta is challenging the impartiality of ICAO's decision?	All relevant information has been provided.
75	4. Please provide particulars and content of the transfer agreement between the Changretta Federation and the Republic of Bloomers as specified in paragraph 9 of the Compromis. Specifically, does it have any details pertaining to registration of leased aircraft?	All relevant information has been provided.
76	Were the reasons for the ICAO Council's decision given to the parties of the dispute?	All relevant information has been provided.
77	In paragraph 19, what does "physically" mean?	See answer in Clarification 60.
78	What was the specific reason for Shelbycontrol's disconnecting all connections with its neighbouring Air Navigation Service Providers (ANSPs)?	All relevant information has been provided.
79	Does Law No. 666/2016 of the Changretta Federation allow registration of aircraft simultaneously registered in another State, or ones whose registrations are transferred to Changretta Federation/that are not registered elsewhere?	All relevant information has been provided.
80	Did Shelby notify Changretta about the ARTAS problem?	All relevant information has been provided.
81	The Changretta Federation reports being a target; how exactly did they suffer at the hands of the cyberattack?	All relevant information has been provided.
82	At Paragraph 21 of the Compromis, did the Changretta Foundation take any steps to prevent its ministries from being hacked?	All relevant information has been provided.

83	<p>Para.18 (Statement of facts) On 31 December 2020, at 18:38 UTC, the air traffic controller (ATC) responsible for the MOPED sector observes two aircraft, Flight 254 and Flight 368 flying at the same level and on convergent trajectories that have a risk to enter into a conflict trajectory. At 18:42 UTC, under low visibility conditions, the Short Term Conflict Alert (STCA) is triggered. ADS-B is not yet implemented in the Democratic Republic of Shelby, and no aircraft is equipped with the system. ATC instructs Flight 254 to descend at a lower flight level. At 18:42:15 UTC, a mid-air collision takes place between Flight 254 and Flight 368. All persons on board both aircraft perished.</p> <p>If it is appropriate to clarify where the mid-air collision took place?</p>	See answer in Clarification 23.
84	Did the Democratic Republic of Shelby warn its neighbouring countries of the cyberattack, including the Changretta Federation?	All relevant information has been provided.
85	Has the appeal against the ICAO Council Decision been brought by the means of a counterclaim or is there a joinder of two separate claims in this matter?	All relevant information has been provided.
86	Do we assume that a diplomatic note has been exchanged by the parties for the treaty to have come into force?	All relevant information has been provided.
87	The term "Permanent Residence" was mentioned in paragraph 7 of the Special Agreement and referring to Article 3 of the Air Service Agreement. How should this permanent residence refer to? Is it the residence of the shareholder, the airlines, or the principal place of business?	All relevant information has been provided.
88	Which nationality is the air traffic controller in charge of the MOPED sector?	All relevant information has been provided.
89	What are the nationalities of the two crashed planes?	Democratic Republic of Shelby.
90	Are the dually registered aircraft from the Changretta Federation operating nationally or also internationally in the Republic of Shelby?	Both.
91	Did ICAO Council respond or take relevant measures in response to Shelby's notification of Changretta Federation's infraction of the Chicago Convention in Compromis paragraph 11?	All relevant information has been provided.
92	Could you please indicate on what grounds the Changretta Federation sustains that it was a victim of the cyberattack ?	All relevant information has been provided.
93	With respect to paragraph 12 of the Compromis, has the Democratic Republic of Shelby notified the ICAO about the termination of the bilateral international Air Services Agreement between the countries as is a requirement under article 16 of Annex 1 of the Compromis.	All relevant information has been provided.
94	Flight 254 and Flight 368 were registered in which state? What was the nationality of the respective pilots and of the persons on board who died?	Flights registered in the Democratic Republic of Shelby.
95	Para 8 of the Moot Case mentions Changretta passing Law No. 666/2016 but does not specify the name of the statute or the purpose of the law. Also, Article 1(f) of Annex 1 is incomplete as it does not specify the Article number. Kindly clarify the same.	See answers in Clarifications 16, 41 and 53.
96	5.Paragraph 26 of the Compromis states "The Changretta Federation decided to appeal the decision adopted by the ICAO Council on the grounds that the Council did not act in an independent and impartial capacity in the proceedings.", please particularise the specific grounds on why the Council did not act independently and in an impartial capacity	All relevant information has been provided.
97	Did the transfer responsibility under the transfer agreement include the functions and duties as per Chicago Convention Articles 12, 30 or 32(a)?	All relevant information has been provided.
98	Whether either or both States are party to the Convention on International Interests in Mobile Equipment and Protocol on Matters Specific to Aircraft Equipment (Cape Town Convention and Protocol)?	All relevant information has been provided.
99	Is Bloomers a contracting State of the Chicago Convention?	See answer in Clarification 5.
100	Based on the nature of investigations on cyberattacks, it is highly improbable that it was completed so swiftly. How did the Shelbian CPU accomplish this?	All relevant information has been provided.
101	What were the allegations of lack of independence and impartiality mentioned at Paragraph 26 of the Compromis?	All relevant information has been provided.

102	Para. 25 (Follow up) The Council, deliberating on the issue at hand, concluded that the Changretta Federation violated Article 3 bis, Article 18 and Annex 17 of the Chicago Convention. Do the Changretta Federation and the Democratic Republic of Shelby have any political or economic connections with the ICAO Council's members?	All relevant information has been provided.
103	On which routes were the Shelby Airways flights 254 and 368 flying, and what was the nationality structure of the passengers on those flights?	See answer in Clarification 23.
104	Are the grounds for Changretta to allege that ICAO Council "did not act in an independent and impartial capacity in the proceedings" (para. 26) related to the capacity of certain members of ICAO Council (e.g. conflict of interest)? If not, what are the grounds for Changretta to allege it?	All relevant information has been provided.
105	Has Shelby followed the procedure under the agreement before notifying the ICAO about the threat of safety by Changretta's leased airlines?	All relevant information has been provided.
106	Clarification for the repeated use of paragraph numbering in the Special Agreement. There is a double numbering on Paragraph 13 Problem case, how do we follow the right numbering if we need to mention it? Does the second 13th paragraph become the 14th paragraph and change the rest of the numbering?	See answer in Clarification 4.
107	Have Bloomers or Changretta informed the ICAO Council of the transfer agreement they have signed? When was the transfer agreement signed?	All relevant information has been provided.
108	Can you provide further information on the decision-making procedure of the ICAO Council in this case?	All relevant information has been provided.
109	What Article does Article 3(3) refer to when stating that "except as provided in Article 4(2)" noticing that there is no paragraph 2 in article 4?	See answer in Clarification 41.
110	Could you provide more information about the connection between the Solomons and the Changretta? Has the Changretta Federation ever funded or trained the hacktivist group Solomons?	All relevant information has been provided.
111	Are neighboring ANSPs from Shelby's bordering countries, among which Changretta's ANSP, or from Shelby's other controlled sectors like the MOPED one ?	All relevant information has been provided.
112	Concerning paragraph 19 of the Compromis, can the indisputability of the Information found out by the Cybercrime Prevention Unit of Shelby be assumed? If not, such an accusation can be argued to be in contravention of Clause 3.1 and Note number 2 under Clause 5.3.2 of annex 13 of the ICAO.	All relevant information has been provided.
113	Did the Changretta Federation have any proof/evidence/ grounds of 'impartial' acting of the ICAO Council?	All relevant information has been provided.