

**Queries & Clarifications:**

**We have recently received queries from teams, who have sought a clarification on the Moot Problem as under:**

Q1. Are the laws of Granicus Pari materia to the laws of India?

A1. Granicus and Islander follow the common law system.

Q2. Issue 4, line 3 mentions "Directorate of **Industries**". I would like to know if this a typing error or not.

A2. In the paragraph 13 (c) of the Moot Problem, the words 'Directorate of Enforcement' shall be replaced with, and read as "Directorate of Investigation".

In the paragraph 14 (D) of the Moot Problem, the words 'Directorate of Industries' shall be replaced with, and read as "Directorate of Investigation".

Q3. Apart from the conventions and Crime Act already mentioned in the moot problem, can other conventions/treaties/laws be referred to as well?

A3. Participants are expected to rely upon the moot problem. No clarification is required.

Q4. If there is an extradition treaty between Islander and Granicus?

A4. Participants are expected to rely upon the moot problem. No clarification is required.

Q5. Is any other convention like UDHR etc or any law other than

a. Vienna Convention on Diplomatic Relations, 1961.

b. United Nations Convention against Transnational Organized Crime (15.11.2000).

c. Proceeds of Crime Act, 2017.

applicable?

A5. No clarification is required. Participants are expected to rely upon the moot problem.

Q6. Are Indian case laws applicable or not?

A6. Both Islander and Granicus follow the common law system.

Q7. Who is the owner of Drenner Advisors?

A7. No Clarification is required. Participants are expected to rely upon the Moot Problem.

Q8. The bank accounts which were seized are Aria Dark's personal accounts or the accounts of the diplomatic mission?

- A8. No Clarification is required. Participants are expected to rely upon the Moot Problem.
- Q9. Has Granicus recognized Aria Dark as the Head of State of Islander?
- A9. No Clarification is required. Participants are expected to rely upon the Moot Problem.
- Q10. Is the interpretation of the phrase "common conspiracy" used in 14.D same as the phrase "criminal conspiracy"?
- A10. No Clarification is required. Participants are expected to rely upon the Moot Problem.
- Q11. Did Islander and Granicus become signatories to the Vienna Convention on Diplomatic Relations and Optional Protocol concerning the Compulsory Settlement of Disputes to the Vienna Convention on Diplomatic Relations in 1961, and the United Nations Convention [against Transnational Organized Crime] in 2000? If not, kindly provide the dates on which the countries became signatories to the above mentioned International Treaties and Conventions.
- A11. Islander and Granicus are signatories to the conventions since 2010.
- Q12. Which procedural laws are to be followed?
- A12. Participants are expected to rely upon the moot problem. No clarification is required.
- Q13. Are we permitted to argue evidence at the current stage of legal proceedings?
- A13. Participants are expected to rely upon the moot problem. No clarification is required.
- Q14. Are we to assume that the Proceeds of Crime Act, 2017 (except the Schedule) is present in the Statement of Facts in its entirety?
- A14. The relevant portions of the Act have been extracted in the problem.
- Q15. Is the "National Bank of Islander" that was taken over by Walhala Industries, stated in Paragraph 8, the Central Bank of Islander?
- A15. Participants are expected to rely upon the moot problem. No clarification is required.
- Q16. Does the "bank account" stated under Paragraph 13(c) include the banks accounts of Ms. Aria Dark in Islander or Granicus or both?
- A16. Participants are expected to rely upon the moot problem. No clarification is required.
- Q17. Can we cite the Indian cases and constitution for persuasive value in our memorandums.
- A17. Participants can rely upon common law principles.

- Q18. The Note to Counsel on Page 7 mentions that Islander and Granicus are signatories to the Vienna Convention on Diplomatic Relations, 1961, the Optional Protocol concerning the Compulsory Settlement of Disputes to the Vienna Convention on Diplomatic Relations of 18 April 1961 (18.04.1961) and the United Nations Convention [against Transnational Organized Crime] (15.11.2000). Have they ratified the treaties as well?
- A18. No. They are only signatories to the Conventions.
- Q19. Which country holds the bank accounts of Ms Aria Dark? (whether the bank accounts of Ms Aria Dark are in Islander or Granicus)
- A19. Participants are expected to rely upon the moot problem. No Clarification is required.
- Q20. Can the teams include an alternative argument under a count in the memorial?
- A20. Yes. Participants may raise all arguments that they deem appropriate.
- Q21. Whether the visit for diplomatic protest was given an approval by Granicus?
- A21. Participants are expected to rely upon the moot problem. No Clarification is required.
- Q22. The proceeds of crime act has been enacted in 2017 or is it an error?
- A22. Participants are expected to rely upon the moot problem. No Clarification is required.
- Q23. Whether the proceeds of crime act is a complete act or is it only an extract (as the schedule and constitution have been qualified as extracts but that was not the case with the act)?
- A23. The relevant portions of the Act have been extracted in the problem.
- Q24. In issue 4 the fact that the money laundering originated from monies belonging to Drenner Advisors is an accepted fact or assertion by the petitioner?
- A24. Participants are expected to rely upon the moot problem. No Clarification is required.
- Q25. Does Convention on Special Missions, 1969 come within the purview of the problem?
- A25. No clarification is required. Participants are expected to rely upon the moot problem.
- Q26. How is Drennor Advisors related to Ms Aisha Drenner?
- A26. No clarification is required. Participants are expected to rely upon the moot problem.
- Q27. How is Drenner Advisors able to take control of Walhala Industries in issue d (or do we have to assume it)?
- A27. No clarification is required. Participants are expected to rely upon the moot problem.

- Q28. Is Mr. Andrew Dark an official advisor to Ms. Aria Dark as per the facts? For such statement has been mentioned in issue No. 2 and nowhere mentioned in the statement of facts.
- A28. No clarification is required. Participants are expected to rely upon the moot problem.
- Q29. Is Granicus a dualist or monist state?
- A29. No clarification is required. Participants are expected to rely upon the moot problem.
- Q30. Is there an act similar to Proceeds of Crime Act in Islander?
- A30. No clarification is required. Participants are expected to rely upon the moot problem.
- Q31. Was there a law similar to Proceeds of Crime Act 2017 before the Proceeds of Crime Act 2017?
- A31. No clarification is required. Participants are expected to rely upon the moot problem.
- Q32. In paragraph 14 C, what does the term “(on a demurrer)” refer to? Did Aria Dark raise objections under 14 C in the form of a demurrer? Or did the Directorate of Investigation file a demurrer?
- A32. Demurrer means "assuming without admitting that money-laundering has taken place". No formal legal proceeding regarding objections on demurrer have been filed.
- Q33. Did Islander give prior notification that Mr. Andrew Dark will be accompanying Ms. Aria Dark? (Irrespective of whether role/position was informed?)
- A33. No clarification is required. Participants are expected to rely upon the moot problem.
- Q34. Was any part of the investigation conducted in Islander itself?
- A34. No Clarification is required. Participants are expected to rely upon the moot problem.
- Q35. Should the immunity of Aria Dark and Andrew Dark be considered under ISSUE A (jurisdiction) as well?
- A35. Participants can raise all issues that arise in the moot problem.
- Q36. Does Islander have an Embassy in Granicus?
- A36. No clarification is required. Participants are expected to rely upon the moot problem.
- Q37. Whether the states of Granicus and Islander are monist or dualist in nature.
- A37. No clarification is required. Participants are expected to rely upon the moot problem.



- Q38. Whether the two states are members of the United Nations General Assembly.
- A38. No clarification is required. Participants are expected to rely upon the moot problem.
- Q39. Is the order of seizure of Walhala One a permanent order?
- A39. No Clarification is required. Participants are expected to rely upon the moot problem.
- Q40. Is the arrest of Andrew Dark to be followed by some kind of criminal proceedings (prosecution etc.)?
- A40. No Clarification is required. Participants are expected to rely upon the moot problem.
- Q41. In paragraph 14D, what exactly does the term "common conspiracy" mean?
- A41. The term "common conspiracy" connotes "conspiracy in common", that is all transactions were part of the same conspiracy.
- Q42. Is Aria Dark making an assumption when she claims "no action was permissible by the Directorate against Walhala without prior action against Drenner"?
- A42. No Clarification is required. Participants are expected to rely upon the moot problem.
- Q43. When were investigations started by the Directorate of Investigation?
- A43. No clarification is required. Participants are expected to rely upon the moot problem.
- Q44. Whether or not a list was sent by Islander to Granicus, mentioning the names of the people that were to visit Granicus? If not, was there any oral communication in this regard?
- A44. No clarification is required. Participants are expected to rely upon the moot problem.
- Q45. Page 6 ¶14(B): How was Mr. Andrew *named* as "Official Advisor" (the procedure)? Was the Foreign Ministry notified in this regard?
- A45. No clarification is required. Participants are expected to rely upon the moot problem.
- Q46. Was any charge sheet filed against Mr. Andrew Dark in Granicus? If yes, please specify the charges and mention the date on which such charge sheet was filed.
- A46. No clarification is required. Participants are expected to rely upon the moot problem.
- Q47. Were there any other Act/ law/ precedent dealing with the offense of money laundering in Granicus, before the Proceeds of Crime Act, 2017?

- A47. No clarification is required. Participants are expected to rely upon the moot problem.
- Q48. Have the Proceeds of Crime Act, 2017 enacted following the Model money laundering legislation for Common Law Countries? If not, is there any section in the Proceeds of Crime Act, 2017 that deals with the “Power to Arrest” of the Directorate of Investigation? If yes, please provide the text of such section/sections.
- A48. The relevant sections have been extracted, as is stated in the problem.
- Q49. Alleged relationship b/w Wallhala Industries and Drenner Advisors (whether that of an associate, subsidiary, or a holding). Para 9 mentions that “Wallhala industries is actually associated with Drenner Advisors”. Is it, therefore, to be inferred that the two are associate companies.
- A49. No Clarification is required. Participants are expected to rely upon the moot problem.
- Q50. Where is Drenner Financials (‘biggest financial services company running in Granicus) incorporated. Its place of incorporation is not explicitly mentioned.
- A50. No clarification is required. Participants are expected to rely upon the moot problem.
- Q51. Is Money Laundering a civil or a criminal offence in the state of Granicus.
- A51. No Clarification is required. Participants are expected to rely upon the moot problem.
- Q52. Can we have ‘speaking footnotes’?
- A52. Speaking footnotes are not permitted. The Memorial must conform to the Rules.
- Q53. Para 13 is not clear at “..as such monies had originated from Islander where it was alleged that they were proceeds of crime”. Kindly clarify whether the proceeds of crime were alleged to have originated from Islander or Granicus.
- A53. No Clarification is required. Participants are expected to rely upon the moot problem.

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