

International Law Moot Court Competition

“Asia Cup 2018”

The Case Concerning the Armed Activities in the Border Area and the Gufa

(Acotango/Resago)

Moot Problem Supplement

1. The Pacaya region faces the Olkaria Sea.
2. In October 2001, the Government of Acotango sent troops to the Pacaya region to bring about an end to the conflict between MLF and NAD. Since then, while continuing surveillance of the region, the Government has not dispatched its troops to the region.
3. Since the beginning of 2000, when MLF was in the process of establishing its control over several villages in the Pacaya region, MLF and NAD fought several times. MLF murdered and injured Nazko residents even after October 2001. However, such atrocities committed by MLF were conducted independently of its attacks against NAD and the Government of Acotango. The Nazko residents, who were killed and injured by MLF, were not the members of NAD.
4. NAD has never established its control over the Pacaya region. NAD has several leaders within its organization.
5. “The Terrorism Support Prevention Act” of Acotango does not have a provision that explicitly mandates its competent authority to conduct a boarding inspection on a vessel suspected of violating the said act in the area beyond its territorial sea. However, the Acotango navy took the measures against the *Gufa* within its authority provided under the domestic law of Acotango.
6. When the Resago Army Special Forces destroyed the NAD base on 4 October 2017, only the members of NAD were in the building that had been targeted by the attack. Furthermore, the Special Forces had no plan to carry out attacks that were of lower intensity than the said measure.
7. MLF has conducted its operations by actually making use of the money and the weapons obtained from Mr. Hekla.

8. The Government of Acotango did not inform the Government of the Resago that Mr. Hekla had provided support to MLF. It is unknown whether the Government of Resago was aware of this fact.
9. It is unknown whether the Government of Resago was aware, prior to 20 October 2017, that the *Gufa* was about to leave for the Pacaya region.
10. The consent to accept the boarding inspection of the *Gufa* on 20 October 2017 was made solely under its master's decision. Contact with the competent authority of Resago was not made again on the occasion of the inspection. The *Gufa*, in accordance with the instructions given by the *Arenales*, diverted its course to Colachi without any resistance.