

2020 International Criminal Court

Case before the International Criminal Court (ICC): Prosecutor v. Cersei Bannister of Valaria

Appeal from the Pre-Trial Chamber's Decision on Confirmation of Charges

Corrections to the Problem

NOTE TO COMPETITORS

The ICC Moot Court Competition Organization has received several requests for corrections and clarifications. Any request for correction or clarification not addressed in the following paragraphs has been considered to be unnecessary, redundant, inappropriate, or immaterial. In addition to listing the corrections below, they have been incorporated into the Corrected Version of the Pre-Trial Chamber VI's Decision which can be found on our website. The Corrected Version of the Pre-Trial Chamber VI's Decision supersedes the previous document.

CORRECTIONS/CLARIFICATIONS

Pre-Trial Chamber VI of the International Criminal Court (ICC) issues the following corrections/clarifications to its decision on the application filed by the Defense, challenging the jurisdiction of the ICC and other matters in the context of Confirmation of Charges:

- 1. Which subsection of Article 82 (and which sub-subsection if it is Art 82(1)) of the Rome Statute is the Defendant relying on to appeal the Pre-Trial Chamber's decision dated 15 March 2020?**

A: The last sentence of the first paragraph of the Problem should be amended to state:

In accordance with the rules of the competition, each team shall write a Memorial for each of these groups, setting forth its legal arguments in the context of the interlocutory appeal by Defendant, Cersei Bannister, challenging the jurisdiction and admissibility of the ICC in the context of the Pre-Trial Chamber's Decision on Confirmation of Charges, under Article 82(1)(a) of the ICC Statute.

- 2. Why is the Pre-Trial chamber VI's decision to grant the "Defense Request for Leave to Appeal Issues in the Confirmation of Charges Decision" (issued on February 15, 2020) issued one month before the Pre-Trial chamber VI's "Confirmation of Charges against Defendant Cersei Bannister" decision (issued on March 15, 2020)?**

A: That is a typo. The Pre-Trial Chamber VI’s decision to grant the “Defense Request for Leave to Appeal Issues in the Confirmation of Charges Decision” was issued on March 15, 2020, at the same time as Pre-Trial Chamber VI issued its decision on the Confirmation of Charges.

3. Paragraph 12 of the facts refers to Appendix 2, should this instead be a reference to Appendix 1?

A: That is a typo. Paragraph 12 should refer to **Appendix 1** instead of Appendix 2. In addition, the third sentence of Paragraph 16 should read: “Bannister has given Mormant permission to provide the transcript of the full interview (reproduced at **Appendix 2**) to the Court and has verified its contents.”

4. In paragraph 14, Gendry is a “Solantis politician of Dothroki ethnicity.” Is there a mistake on the ethnicity? Which ethnicity does Gendry represent?

A: Gendry is of Nothroki (not Dothraki) ethnicity. Gendry is not of a third ethnic group, but rather a moderate member of the Nothroki ethnic group.