



2014 Manfred Lachs Space Law Moot Court Competition Agreed Upon Responses to Requests for Clarification

1. Are the analysts referred to in paragraph 8 qualified with proper credentials to enable them to give a reliable report?

Response: The analysts have Akeran credentials

2. Is the base that was damaged by the crash of the UAV an Akeran base or does it belong to another country?

Response: The base was Akeran

3. What is the purpose and reach of Mheni's Space Licensing Act?

Response: The Mheni Space Licensing Act regulates space activities conducted from territories under Mheni jurisdiction or by Mhenian nationals

4. What, if any, EMI shielding/electromagnetic compatibility techniques did Akera employ in the SEA-U receivers and aboard the crashed UAV?

Response: Further clarification is declined

5. What was the date of finding oil and gas in the Langerhans Archipelago?

Response: Prior to 2017

6. What was the date of the Akeran Foreign Ministry issuing the demarche to Mheni?

Response: Early 2017

7. Whether SEANAV-2 works with or independent from SEANAV-1?

Response: Further clarification is declined

8. What happened to the X-12 B satellite after the destruction of the X-12 A?

Response: Further clarification is declined

9. Which satellite system's frequencies, SEANAV's or X-12's (if any), were first appropriately registered in accordance with ITU procedures?

Response: All satellite system's frequencies were properly registered in accordance with the ITU procedures.

10. Aside from their orbital positions, what were the functional differences between the X-12A and the X-12B?

Response: The nominal functions were identical

11. Are Mheni and Akera parties to the WIPO Copyright Treaty?

Response: Further clarification is declined

12. Does the term 'liable' as used in Claim A refer to liability for damages in terms of the Liability Convention or does it rather refer to responsibility according to Art. VI OST?

Response: Further clarification is declined

13. Was Mheni aware of Akera's attempt to assert its interest in the Langerhans Archipelago region (para.6)?

Response: Further clarification is declined

14. Whether Peabody Enterprises is owned and/or controlled by Mheni?

Response: Further clarification is declined

15. What is the exact distance between Akera & Langerhans Archipelago and Mheni & Langerhans Archipelago?

Response: Further clarification is declined

16. It is stated in paragraph 8 of the Problem that "an Akeran unmanned aerial vehicle (UAV) equipped with a SEA-U receiver had crashed...". Is the UAV in question used for military purposes or civil aviation?

Response: Further clarification is declined

17. It is stated in paragraph 9 of the Problem that "By 2017, the X-12 A EMI had increased to prevent..." It is contradictory to Mheni's subsequent stance that it was not responsible for the harmful EMI (e.g. paragraphs 12 and 15). Is there a change of stance?

Response: Further clarification is declined

18. Para 16 of the Compromis states that X 12A de-orbited and lowered its perigee to 100 kms and within two weeks the satellite re-entered the Earth's surface and was destroyed.

Clarification 1: Was this destruction done manually by Mheni?

Response: No

19. Issue II of the case states that Akera acted in conformity with international law by disabling X-12A satellite.

Clarification 2: Does that mean Akera concedes to their involvement in the disablement of the same?

Response: Further clarification is declined

20. Were both the original SEANAV system & the new SEANAV-2 system (comprising of Klondike, Hudson and Simcoe), and the X-12 system registered with the UN?

Response: Yes

21. Did the Mhenian military and national space systems (including the X-12 satellites) encounter the same disruptions which Akera experienced as a result of the alleged electromagnetic interference with the SEANAV system?

Response: Further clarification is declined

22. According to paragraph 3, "the SEANAV PNT capabilities have been employed by the Akeran military as well as the international private sector". Does the SEANAV provide open service free of charge similar to that of the GPS, or it provides authorized paid service only to certain subscribed users?

Response: Further clarification is declined

23. Could you please clarify the meaning of "an international commercial launch services consortium which included entities incorporated in Akera" in paragraph 7? Does it mean that the consortium has the independent legal personality and with the nationality of Akera?

Response: Further clarification is declined

24. Was the purpose of SEANAV 2 just to counter act or disable X-12A?

Response: Further clarification is declined

25. Were the M-SUE tuners and Akeran receivers significantly different in design?

Response: Further clarification is declined

26. The floating platform used for the launch of X-12A and X-12B was located in the territorial waters of Langerhans Island. Was this also in the overlapping economic zones of both Akera and Mheni?

Response: Further clarification is declined

27. Did Akera take any action to locate the source of disruption in their territory?

Response: Akera took action to ascertain the source of the intermittent EMI

28. (Para 7, line 8): Whether the term 'entities' used here, refer to both, public & private Akeran entities or one of them. If only one of them, then which?

Response: Further clarification is declined

29. Does the investigative journal *Aviation Daily & Space Operations* belong to Akera?

Response: The journal is not a government publication

30. Is the liability claimed by Akera against Mheni (contention 3) made by the State of Akera itself or by Akera on behalf of any of its nationals (including relatives of the deceased) and whether the question of damages / compensation needs to be argued under this contention?

Response: Further clarification is declined

31. Where have the SEA-U receivers been placed? (meaning the exact area type of their position).

Response: Further clarification is declined

32. Is there an official agreement between Akera and Mheni that regulates the use of each other's satellites?

Response: No

33. Is there any act, that can be used to solve the problem, that hasn't come into force?

Response: Further clarification is declined