



## 2015 MANFRED LACHS SPACE LAW MOOT COURT COMPETITION

### RESPONSES TO REQUESTS FOR CLARIFICATION

Many of the requests for clarification were declined as they either are answered by a careful reading of the *compromis* or an answer would unnecessarily limit the arguments. Also, as in past years, the requests were reproduced verbatim and not edited for content so there is some duplication.

1. Did URA made (sic) formal consultations before it had launched TYRUS from FLOYD-4 to Syd-1?

**Response:** Further clarification is declined

2. If there was the reasonable doubt that the Syd-1 will crash in SPIDR's territory why weren't any actions undertaken in order to mitigate the potential damage to SPIDR territory?

**Response:** Further clarification is declined

3. In addition to extraction for scientific purposes as stated in paragraph 6 of the Problem, did the SPIDR Space Agency also intend to use the resources extracted from Floyd-4 for commercial purposes?

**Response:** Further clarification is declined

4. As per paragraph 3 of the Problem, is the URAC an inter-governmental agency which, in addition to its competence to issue exploitation licences, also serves public administrative functions?

**Response:** Further clarification is declined

5. By whom will the "further NEO planetary defence activities" be undertaken? (par. 10)

**Response:** Further clarification is declined

6. By whom "was it determined" that the risk corridor was moved toward the SPIDR coast of the Cold Ocean? (par. 25)

**Response:** Further comment is declined

7. Which one or ones of the space crafts were manned or were any of the space crafts manned in the case?

**Response:** Unless otherwise indicated, spacecraft should be considered to be unmanned.

8. What is the correct time for the re-launch of Tyrus. Is it four dates later (on March 1st 2024) as written in point 19 of the problem, or on March 2nd 2024 (5 days later) as written in the overview? Currently the description of the problem and the overview are not matching.

**Response:** TYRUS launched on 2 March 2024.

9. Who is the responsible actor regarding the TYRUS mission? The formulation "FUSA announced that URAC would relaunch TYRUS" in No. 18 Sentence 1 gives the impression that since then URAC is the responsible actor. In No. 19 Sentence 6 again FUSA makes a decision regarding TYRUS. Such potential permutations of FUSA, URA and URAC occurs throughout the whole fact scenario (compare: No.13 S.1 ("URAC's mission"); No.19 S.7 ("FUSA announced that TYRUS"); No.21 S.1 ("unilateral decision by FUSA"); No.24 S.2 ("URA responded [...] with its decision to redirect the TYRUS mission").

**Response:** Further clarification is declined

10. Does the formulation "claiming the right to prior harvesting" in No. 24 S.2 mean, that URA claimed "priority rights" on Floyd-4 as well as SPIDR did? Or does the "prior" indicate the chronology of the events?

**Response:** Further clarification is declined

11. What is the "keyhole event of 2028" as referred to in paragraph 25?

**Response:** Further clarification is declined

12. Does loss of communication with KNUD-1 mean that SPIDR also lost its ability to operate KNUD-1?

**Response:** Yes

13. Is TYRUS registered by URA (a State) or by URAC (an international organization)?

**Response:** Further clarification is declined

14. Please clarify what date is being referred to in paragraph 20? Pursuant to paragraph 19 TYRUS reached SYD-1 on 19 August 2024, and within three days (22 August 2024) FUSA had made a decision and within three more days (25 August 2014) FUSA made an announcement.

**Response:** Further clarification is declined

15. When was this dispute brought before the ICJ? (For purposes of statute of limitations).

**Response:** The Compromis specifies that there is no issue regarding the jurisdiction of the Court.

16. Did URA and SPIDR register their rockets, space crafts, space objects, or missions with the UN as required by article 8 of the outer space treaty?

**Response:** Further clarification is declined

17. Is URAC a private or public entity?

**Response:** Further clarification is declined

18. Whether the URA Consortium is recognized as an official licensing authority by the International community and the UNCOUOS?

**Response:** Further clarification is declined

19. Prior to the attempted landing of Knud-2, was the URA aware of the alterations made to the surface of Floyd-4 caused by TYRUS?

**Response:** No.

20. In 2020, when the URA detected the NEO Syd-1, did the URA publicly announce the discovery?

**Response:** Yes, in conformity with its general commitments undertaken in the COPUOS Working Group on NEOs.

21. Whether URAC is an international organization?

**Response:** Further clarification is declined

22. If URAC is not an international organization, is there a contract/ treaty between the member states which governs their right and liabilities within URAC and the status of URAC?

**Response:** Further clarification is declined

23. According to Paragraph 7 of the problem, FUSA singled out Floyd-4 as a target mission based on general scientific information available. Was this based on the information released by SPIDR only, or did other sources also give the same information?

**Response:** Further clarification is declined

24. According to Paragraph 14, SPIDR announced the KNUD-2 was scheduled to arrive on Floyd-4 at on 7 March, 2024 without any consultation. Was this consultation done by URA and SPIDR in their earlier space operations? (specifically, landing of TYRUS and KNUD-1)

**Response:** Further clarification is declined