

ASIA-PACIFIC MOOT COURT NATIONAL ROUNDS
2015
(CORRECTED)

PROSECUTOR V. HASSAN AMIR
BEFORE THE INTERNATIONAL CRIMINAL COURT AT THE HAGUE

INSTRUCTIONS

1. The hearing takes place pursuant to Article 61 of the ICC Statute (confirmation of charges).

Background

1. The Republic of Alin is on t

staff recounted some disagreement between Amir and Adada over the operational strategy to prevent the gathering.

9. On the morning of 13 June 2013, around 2,000 residents gathered to demonstrate and march towards the Town Hall. They encountered ADF obstructions not long after they started, but kept marching on. As the demonstrators were approaching the Town Hall, the ADF used tear gas and plastic bullets to disperse the crowd. Some armed demonstrators then attacked the ADF soldiers with concealed firearms, killing two and wounding several others. Six persons were killed by ADF soldiers using live ammunition. At noon, the demonstration was dispelled and more than 150 demonstrators were arrested. However, about 200 demonstrators succeeded in occupying another building in the vicinity – the National Technical College (NTC).
10. Later that day, the ADF actively searched the neighbourhood close to the Town Hall, arresting demonstrators. At around midnight, an ADF unit entered the NTC building to carry out a search which led to acts of violence. A demonstrator testified later that she was taken with several other women to the basement of the building where they were raped repeatedly before being transferred to a detention facility operated by the Ministry of Security. She was eventually released on 17 June 2013. Two other women described in detail how they were arrested outside the NTC, taken to the detention facility to be interrogated, and raped there by soldiers before being let go the following morning.
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End of Hostilities

25. The international community condemned General Amir and the government of Alin over the “despicable” attack against the ISSF outpost in suburban Orkan, and increased its material support for the ISSF. Meanwhile, the Aflan government’s legitimacy was increasingly challenged domestically. On 6 December 2013, President Aflan stepped down. Upon the end of hostilities between the parties, a

Note:

All States involved, including States participating in ISSF, were parties to the following treaties at the relevant time:

- Four Geneva Conventions of 1949
- Additional Protocols I and II of 1977, to the Geneva Conventions of 12 August 1949
- Charter of the United Nations
- Statute of the International Criminal Court
- Convention on the Safety of United Nations and Associated Personnel

Preparation of the Memorials

In preparing the memorials, the counsel for Prosecution and Defence are expected to establish the following points:

- The type (s) of armed conflict or other situation of violence and the law that is applicable to the present case;
- The elements of crimes for each of the three counts against General ener