

11th World Human Rights Moot Court Competition

15-19 July 2019

Geneva, Switzerland

IN THE MATTER BETWEEN

MOSEIDON ATTORNEYS FOR DIGNITY (MAD)

AND

THE GOVERNMENT OF WANGPOLE

MEMORIAL FOR THE RESPONDENT

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LIST OF ABBREVIATIONS

ACHPR	AFRICAN COMMISSION ON HUMAN AND PEOPLES` RIGHTS
ACTHR	AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS
AI	ARTIFICIAL INTELLIGENCE
CC	CONSTITUTIONAL COURT
CCPR	HUMAN RIGHTS COMMITTEE
CRPD	CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES
DoD	DEPARTMENT OF DEFENSE
ECOSOC	UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL
ECTHR	EUROPEAN COURT OF HUMAN RIGHTS
FOC	FACTS OF THE CASE
FOE	FREEDOM OF EXPRESSION
HC	HIGH COURT
HR	HUMAN RIGHTS
IACHR	INTER-AMERICAN COMMISSION OF HUMAN RIGHTS
IACTHR	INTER-AMERICAN COURT OF HUMAN RIGHTS
IBAP	INTELLIGENT BAIL ASSESSMENT PLATFORM
ICCPR	INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS
ICESCR	INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS
IHRL	INTERNATIONAL HUMAN RIGHTS LAW
IPIJ	I PROSECUTE I JUDGE
KC	KROKODILOS CONVENTION ON HUMAN RIGHTS
KCTHR	KROKODILOS HUMAN RIGHTS COURT

MAD	MOSEIDON ATTORNEYS FOR DIGNITY
NGO	NON-GOVERNMENTAL ORGANIZATION
PWD	PEOPLE WITH DISABILITIES
SAI	SHINGKOK ARTIFICIAL INTELLIGENCE
SCA	SUPREME COURT OF APPEALS
SSG	PROJECT SOFT-SHOT GUN
TITF	TOO INTELLIGENT TO FOOL
UN	UNITED NATIONS
UNGA	UNITED NATIONS GENERAL ASSEMBLY
UNSC	UNITED NATIONS SECURITY COUNCIL
V11	VIRTUAL ELEVEN
WAGO	WANGPOLE ATTORNEY GENERAL'S OFFICE
WPD	WANGPOLE POLICE DEPARTMENT

TABLE OF AUTHORITIES

TREATIES AND DECLARATIONS

ACHPR	African Charter on Human and Peoples' Rights (Banjul Charter) of 27/06/1981.
CRPD	Convention on the Rights of Persons with Disabilities.
ECR	Rules of Procedure of the European Court of Human Rights, 02/05/1991.
ECHR	European Convention on Human Rights, 04/11/1950.
ICCPR	International Covenant on Civil and Political Rights, 16/12/1966.
ICESCR	International Covenant on Economic, Social and Cultural Rights, 16/12/1966.
IACHR	Inter-American Convention on Human Rights, 22/11/1969.
UDHR	Universal Declaration of Human Rights, 10/12/1994.
SA-Constitution	Constitution of the Republic of South Africa, 1996.

AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS (ACTHPR)

Contentious Cases

Isiaga	Kijiji Isiaga v. United Republic of Tanz, Application No. 032/2015, 21/03/2018.
Konaté	Lohé Issa Konaté v. Burkina Faso, Application no. 04/2013, 04/10/2013.

AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS (ACHPR)

Communications

Jawara	Communications 147/95 and 149/96, Sir Dawda K. Jawara v. The Gambia, 11/05/2000.
SERAC	Communication 155/96, Social and Economic Rights Action Center (SERAC) and Center for Economic and Social Rights (CESR) v. Nigeria, 27/10/2001.
Ilesanmi	Communications 268/03, Ilesanmi v. Nigeria, 11/05/2005.

EUROPEAN COURT OF HUMAN RIGHTS (ECTHR)

Contentious Cases

Akdivar	Case of Akdivar and Others v. Turkey, Application no. 99/1995/605/693, 01/04/1998.
Aksu	Case of Aksu v. Turkey, Application no. 4149/04 and 41029/04, 15/03/2012.
Allan	Case of Allan v. The United Kingdom, Application no. 48539/99, 05/02/2003.
Balogh	Case of Balogh v. Hungary, Application no. 47940/99, 20/07/2004.
Běleš	Case of Běleš and others v. the Czech Republic, Application no. 47273/99, 12/11/2002.
Bochan	Case of Bochan v. Ukraine (No. 2), Application no. 22251/08, 05/02/2015.

Burden	Case of Burden v. The United Kingdom, Application no. 13378/05, 29/04/2008.
Buzadji	Case of Buzadji v. the Republic of Moldova, Application no. 23755/07, 05/07/2016.
Chapman	Case of Chapman and others v. France, Application no. 27238/95, 18/01/2001.
Chassagnou	Case of Chassagnou and others v. France, Application no. 25088/94, 28331/95, 28443/95, 29/04/1999.
Depalle	Case of Depalle v. France, Application no. 34044/02, 29/03/2010.
D.H.	Case of D.H. and others v. The Czech Republic Application no. 57325/00, 13/11/2007.
Doorson	Case of Doorson v. the Netherlands, Application no. 20524/92, 26/03/1996.
Guja	Case of Guja v. Moldova Application no. 14277/04, 12/02/2008.
Hamer	Case of Hamer v. Belgium, Application no. 21861/03, 27/11/2007.
Hadjianastassiou	Case of Hadjianastassiou v. Greece, Application no. 12945/87, 16/12/1992.
Hristozov	Case of Hristozov and others v. Bulgaria, Applications nos. 47039/11 and 358/12, 29/04/2013.
Ilhan	Case of Ilhan v. Turkey, Application no. 22277/93, 27/06/2000.
Islam-Ittihad	Case of Islam-Ittihad Association v. Azerbaijan, Application no. 5548/05, 13/11/2014.

Janković	Case of Sandra Janković v. Croatia, Application no. 38478/05, 05/03/2009.
Kafkaris	Case of Kafkaris v. Cyprus, Application no. 21906/04, 12/02/2008.
Karácsony	Case of Karácsony and others v. Hungary, Application no. 42461/13, 44357/13, 17/05/2016.
Khodorkovskiy	Case of Khodorkovskiy v. Russia, Application no. 5829/04, 31/05/2011.
Kostovski	Case of Kostovski v. the Netherlands, Application no. 11454/85, 20/11/1989.
Kudla	Case of Kudla v. Poland, Application no. 30210/96, 26/10/2000.
László	Case of László Magyar v. Hungary, Application no. 73593/10, 20/05/2014.
Legal Resources	Case of Centre for Legal Resources on behalf of Valentin Campeanu v. Romania, Application no. 47848/08, 17/07/2014.
Legrand	Case of Legrand v. France, Application no. 23228/08, 26/05/2011.
Lupeni	Case of Lupeni Greek Catholic Parish and others v. Romania, Application no. 76943/11, 29/11/2016.
Magyar	Case of Magyar Keresztény Mennonita Egyház and Others v. Hungary, Application no. 70945/11, 23611/12, 26998/12, 08/04/2014.
Magyar Jeti	Case of Magyar Jeti Zrt v. Hungary, Application no. 11257/16, 04/12/2018.

Mantovanelli	Case of Mantovanelli v. France, Application no. 21497/93, 18/03/1997.
Marunić	Case of Marunić v. Croatia, Application no. 51706/11, 18/09/2017.
McFarlane	Case of McFarlane v. Ireland [GC], Application no. 31333/06, 10/09/2010.
Merabishvili	Case of Merabishvili v. Georgia, Application no. 72508/13, 8/11/2017.
Mifsud	Case of Mifsud v. France, Application no. 57220/00, 11/09/2002.
Mühafize	Case of Tebieti Mühafize Cemiyeti and Israfilov v. Azerbaijan, Application no. 37083/03, 08/10/2009.
Nachova	Case of Nachova and others v. Bulgaria, Application no. 43577/98, 43579/98, 06/07/2005.
Öneryildiz	Case of Öneryildiz v. Turkey, Application no. 48939/99, 30/11/2004.
Oosterwijck	Case of Van Oosterwijck judgment, Application no. 3/1979/31/46, 04/10/1980.
Perez	Case of Perez v. France, Application no. 47287/99, 12/02/2004.
Petrović	Case of Petrović v. Serbia, Application no. 40485/08, 15/07/2014.
Rättvisa	Case of Centrum för Rättvisa v. Sweden, Application no. 35252/08, 19/06/2018.
S.V.	Case of S., V. and A. v. Denmark, Applications nos. 35553/12, 36678/12, 36711/12, 22/10/2018.

Schatschaschwili	Case of Schatschaschwili v. Germany, Application no. 9154/10, 15/12/2015.
Scoppola	Case of Scoppola v. Italy (no. 2), Application no. 10249/03, 17/09/2009.
Scordino	Case of Scordino v. Italy (No. 1), Application no. 36813/97, 29/03/2006.
Sejdovic	Case of Sejdovic v. Italy, Application no. 56581/00, 01/03/2006.
T.	Case of T. v. The United Kingdom, Application no. 24724/94, 04/12/1998.
Tanase	Case of Tanase v. Moldova, Application no. 7/08, 27/04/2010.
Taura	Case of Taura and 18 others v. France, Application no. 28204/95, 04/12/1995.
Timishev	Case of Timishev v. Russia, Application no. 55762/0, 55974/00, 13/12/2005.
Tiron	Case of Tiron v. Romania, Application no. 17689/03, 07/07/2009.
Toth	Case of Toth v. Austria, Application no. 11894/85, 12/12/1991.
Valley	Case of Pine Valley Developments LTD and others v. Ireland, Application no. 12742/87, 29/11/1991.
Varnava	Case of Varnava and others v. Turkey, Applications nos. 16064/90, 16065/90, 16066/90, 16068/90, 16069/90, 16070/90, 16071/90, 16072/90 and 16073/90, 18/09/2009.
Vučković	Case of Vučković and Others v. Serbia (preliminary objection) [GC], Application no. 17153/11, 25/03/2014.

Wasserman	Case of Wasserman v. Russia (No. 2), Application no. 21071/05, 10/04/2008.
Wojtas-Kaleta	Case of Wojtas-Kaleta v. Poland, no. 20436/02, 16/07/2009.
Zhechev	Case of Zhechev v. Bulgaria, Application no. 57045/00, 21/06/2007.

Others

Recommendation (1792)	Recommendation 1792(2007) Adopted by the Parliamentary Assembly of the Council of Europe on Fair trial issues in criminal cases concerning espionage or divulging state secrets, 19/04/2007.
Recommendation (19)	Recommendation 19(2000) Adopted by the Committee of Ministers of the Council of Europe, The Role of Public Prosecution in the Criminal Justice System, 06/10/2000.
Recommendation (85)	Recommendation No. R(85)11 Adopted by the Committee of Ministers on the Position of the victim in the framework of criminal law and procedure, 28/06/1985.
Resolution (1551)	Resolution 1551 (2007) Adopted by Parliamentary Assembly of the Council of Europe on Fair trial issues in criminal cases concerning espionage or divulging state secrets, 19/04/2007.
EU-Algorithms	Study, Prepared by the Committee of Experts on Internet Intermediaries (Msi-net), Council of European, on the the human rights dimensions of automated data processing techniques (in particular algorithms) and possible regulatory implications, DGI(2017)12.

INTER-AMERICAN COURT OF HUMAN RIGHTS (ICTHR)

Contentious Cases

Atala-Riffo	Case of Atala Riffo and daughters v. Chile, Judgement on Merits, Reparations and Costs, 24/02/2012.
Artavia-Murillo	Case of Artavia-Murillo et el. (" <i>in vitro fertilization</i> ") v. Costa Rica Judgment on Preliminary Objections, Merits, Reparations and Costs, 28/11/2012.
Cabrera	Case of Cabrera García y Montiel Flores v. Mexico, Judgment on Preliminary Objections, Merits, Reparations and Costs, 26/11/2010.
Canese	Case of Ricardo Canese v. Paraguay Judgment on Merits, Reparations and Costs, 31/08/2004.
Carvalho	Case of Nogueira de Carvalho et al. v. Brazil Judgment on Preliminary Objections and Merits, 28/11/2006.
Durand	Case of Durand and Ugarte v. Perú, Judgment on Merits, 16/08/2000.
Escher	Case of Escher et al. v. Brazil Judgment on Preliminary Objections, Merits, Reparations, and Costs, 06/07/ 2009.
Furlan	Case of Furlan and family v. Argentina, Judgment on Preliminary Objections, Merits, Reparations and Costs, 31/08/2012.
Gallardo	Case of Viviana Gallardo et al Series A No. 101, 15/07/1981.

Gutman	Case of Castañeda Gutman v. México Judgment on Preliminary Objections, Merits, Reparations and Costs, 06/08/2008.
Kawas-Fernández	Case of Kawas-Fernández v. Honduras Judgment on Merits, Reparations and Costs, 03/04/2009.
Kimel	Case of Kimel v. Argentina Judgment on Merits, Reparations and Costs, 02/05/2008.
López-Álvarez	Case of López-Álvarez v. Honduras, Judgment on Merits, Reparations and Costs, 01/02/2006.
Maldonado	Case of Omar Humberto Maldonado Vargas and others v. Chile Judgement on Merits, Reparations and Costs, 02/09/2015.
Saramaka	Case of the Saramaka People v. Suriname Judgment on Preliminary Objections, Merits, Reparations, and Costs, 28/11/2007.

Advisory Opinions

OC-06/86	Advisory Opinion OC-06/86 requested by Uruguay, 09/05/1986.
OC-23/17	Advisory Opinion OC-23/17 requested by Colombia, 15/11/2017.

INTER-AMERICAN COMMISSION OF HUMAN RIGHTS (IACHR)

Petitions

Gonzales	Report No 52/07, Petition no. 1490/05, Admissibility, Jessica Gonzales and others v. USA, 24/07/2007.
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Others

OAS FoE OAS Declaration on Principles of Freedom of Expression, Approved by the Inter-American Commission on Human Rights during its 108 regular session, 19/10/2000.

INTERNATIONAL COURT OF JUSTICE (ICJ)

Contentious Cases

Interhandel Interhandel Case (Switzerland v. United States of America, Preliminary Objections), 21/03/1959.

Pulp-Mills Case concerning pulp mills on the River Uruguay (Argentina v. Uruguay), 20/04/2010.

COMMITTEE ON THE ELIMINATION ON RACIAL DISCRIMINATION

CERD/C/75/D/41/2008 Opinion, Communication no. 41/2008, Seventy-fifth session, 21/08/2009.

HUMAN RIGHTS COMMITTEE (CCPR)

Communications

Fillastre N. Fillastre v. Bolivia, CPR/C/43/D/336/1988, Communication No. 336/1988, 05/11/1991.

Sawyers Sawyers, Mclean and Mclean v. Jamaica, CCPR/C/41/D/226/1987, Communications Nos. 226/1987 and 256/1987, 11/04/1991.

Sextus v. Trinidad and Tobago, CCPR/C/72/D/818/1998, Communication No. 818/1998, 16/07/2001.

Wright v. Jamaica, CCPR/C/45/D/349/1989, Communications No. 349/1989, 18/08/1992.

General Comments

CCPR-13 General Comment no. 13 on Article 14 of the International Covenant on Civil and Political Rights on the right to equality before the courts and the right to a fair and public hearing by an independent court established by law, 13/04/1984.

CCPR-16 General Comment no. 16 on Article 17 of the International Covenant on Civil and Political Rights on the right to respect privacy, family, home and correspondence, and protection of honour and reputation, 08/04/1988.

CCPR-32 General Comment No. 32 on Article 14 of the International Covenant on Civil and Political Rights on the right to equality before courts and tribunals and to fair trial, 23/08/2007.

CCPR-34 General comment no. 34 on Article 19 of the International Covenant on Civil and Political Rights on freedoms of opinion and expression, 12/09/2011.

CCPR-35 General Comment no. 35 on Article 9 of the International Covenant on Civil and Political Rights on liberty and security of person, 16/12/2014.

UNITED NATIONS SECURITY COUNCIL (UNSC)

UNSC/RES/2370 Resolution adopted by the Security Council, 02/08/2017.

UNITED NATIONS GENERAL ASSEMBLY (UNGA)

- A/RES/110 Resolution adopted by the General Assembly. United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) A/RES/45/110, 14/12/1990.
- A/RES/255 Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime. A/RES/55/255, 08/06/2001.
- A/RES/361 Resolution adopted by the General Assembly on Promotion and protection of the right to freedom of opinion and expression, A/70/361, 08/09/2015.
- A/HRC/34/49 Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, A/HRC/34/49, 19/01/17.
- UN Report-Small Arms Report of the Secretary-General on the Recent developments in small arms and light weapons manufacturing, technology and design and implications for the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, A/CONF.192/BMS/2014/1, 06/05/2014.

ECONOMIC AND SOCIAL COUNCIL (ECOSOC)

E/C.12/GC/20 ECOSOC General Comment no. 20, 02/07/2009.

E/C.12/GC/21 ECOSOC General Comment no. 21, 17/05/2010.

HUMAN RIGHTS COUNCIL (HRC)

Civilian Acquisition Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General on Human rights and the regulation of civilian acquisition, possession and use of firearms, A/HRC/32/21, 15/04/2016.

Johannesburg Report of the Special Rapporteur, Mr. Abid Hussain, pursuant to Commission on Human Rights Resolution no. 1993/45. E/CN.4/1996/39, 22/03/1996.

Sustainable Environment Report of the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, John H. Knox, A/HRC/22/43, 24/12/2012.

Arms Transfer Annual Report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General on the Impact of arms transfers on the enjoyment of human rights, A/HRC/35/8, 03/05/2017.

UNITED NATIONS OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR)

- Data Guidance on a Human Rights-Based Approach to Data. “Leaving no one behind in the 2030 Agenda for Sustainable Development”. Submitted to the United Nations High Commissioner for Human Rights, 2018.
- Guidelines-Prosecutors Guidelines on the Role of Prosecutors Adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

UNITED NATIONS OFFICE ON DRUGS AND CRIME (UNODC)

- UNODC Firearms Study on firearms: “A study on the transnational nature of and routes and modus operandi used in trafficking in firearms” 2015.

MISCELLANEOUS

- OSCE-Media Organization for Security and Co-operation in Europe Representative on Freedom of the Media. Access to information by the media in the OSCE region: trends and recommendations: Summary of preliminary results of the survey, 30 April 2007.
- Tshwane Principles Global Principles on National Security and the Right to Public Information, Tshwane, South Africa, 12/06/2013.

3D Guns	Jonathan Danielczyk, 3-D Printed Guns: A Developing Technology with Dangerous Potential, 17 Pitt. J. Tech. L. & Pol'y, 2017.
Toronto Declaration	The Toronto Declaration: Protecting the right to equality and non-discrimination in machine learning systems. Published on 16/05/2018 by Amnesty International and Access Now, and launched at RightsCon, Toronto, Canada, 2018.
AI Principles	Asilomar Principles adopted on the Future of Life Institute's second conference on the future of artificial intelligence. 17/01/2017.
Montreal Declaration	Montreal Declaration for a Responsible Development of Artificial Intelligence, 03/11/2017.

SUMMARY OF THE FACTS

WangPole is a State located in the Krokodiles Continent, member of the Krokodiles Union and the United Nations. It has ratified all major HR treaties.

Throughout history, several confrontations took place between Wangpolis and natives from the neighboring country of Nero. However, Neronians constitute 20% of WangPole's inhabitants and many of them have proudly become citizens of WangPole.

Professor Prometheus is a Wangpolis well known scientific and academic. In 2003, Prometheus, together with his colleague Prof. Heart, founded ShingKoK Artificial Intelligence (SAI) a company specialized on the development of AI to improve human life.

Ten years later, the WangPolis Ministry of Justice and the Police Department contracted SAI in order to develop Project "iPiJ", meant to improve the efficiency and transparency WangPolis judicial system. In this context, "Intelligent Bail Assessment Platform" (IBAP) and "Too Intelligent to Fool" (TITF) technologies emerged as the most popular platforms created by SAI.

During trials, algorithms used by IBAP analyze the personal history and previous criminal offences of the accused, helping judges to decide whether to concede bail or not. Despite being questioned by local newspapers and universities, Prof. Prometheus publicly defended IBAP's efficiency and its low probability of failing.

TITF, SAI's second invention, is a tested polygraph that measures human reactions while a person is queried. Its main function is to determine when someone is lying. Recently, the Constitutional Court stated that Project iPiJ is does not breach any section of the Constitution of WangPole.

Statistics published between 2016 and 2019 have shown a considerable decrease in both wrongful detentions and incidents produced by people while on bail. Due to the positive results of iPiJ, the Department of Defence offered Prometheus a huge amount of money to work on a more ambitious project.

Prometheus accepted and started working on Project Zeus. This new project deals with classified military applications. However, Prof. Prometheus was fired on November 20th 2018.

Later, Prof. Prometheus disclosed secret information of Project Zeus. Hence, in accordance with the State Official Secrets Act of 1992, Prof. Prometheus was charged with treason and for violating WangPole Data Protection Act of 2008. Once Prometheus was brought to the High Court of WangPole, IBAP suggested conceding him a bail pending trial, which was granted.

During this time, Prof. Heart created Virtual11 (V11) an online game that allows users to hunt real animals with pre-installed rifles. In an attempt to make the game more accessible, Prometheus developed Project Soft-Shot Gun (SSG) and design printable guns for anyone to print their own three-dimensional firearm. Online blueprints were downloaded 941.000 times. Consequently Prof. Prometheus was charged with illegal dealing on firearms and arrested.

WangPole's Parliament enacted a new law banning online hunting and prohibited V11. Although Prof. Heart's presented a complaint before the Constitutional Court, the latter stated that the prohibition was lawful and ruled in favour of WangPole's government.

Later, SAI was invaded by a virus which was installed on its computers destroying every file, including SSG and online blueprints. Even though it was alleged that the DoD could be responsible for the attack, the Attorney General decided there was no sufficient evidence to

prosecute any suspect. When the applicant questioned this decision, the High Court of WangPole refused to compel the General Attorney to prosecute members of the DoD.

Prometheus was brought before the High Court of WangPole and tried for treason, disclosing personal data of others without their consent and illegally dealing in firearms. Based on his previous criminal records, he was denied bail. Considering the aggravating circumstances of the increased gun violence in WangPole since SSG was created and relying on TITF's results, the Court sentenced Prometheus to life imprisonment.

On June 29th 2019, Prometheus authorized MAD to approach the Krokodilos HR Court on his behalf.

SUMMARY OF ARGUMENTS

Claim A

Prometheus was lawfully prosecuted for violating WangPole Official Secret Act, the WangPole Data Protection Act of 2008 and for illegal dealing in firearms. Moreover, he was tried expeditiously as the special circumstances of the case required. During his trial, the HC of WangPole proved Prometheus's guilt by relying on the accurate results of TITF. Finally, his sentence to life imprisonment was justified by the seriousness of the crimes he committed and the aggravating circumstances of the increased armed violence in WangPole.

Claim B

WangPole complied with its international duty to guarantee the Applicants' right to access to justice. The case regarding the invasion of SAI systems was dismissed for lack of evidence since the report provided a mere list of names, from which no substantial content derived for instituting an investigation. Moreover, the Applicants still had the possibility to prosecute the case privately under the Private Prosecution Act but decided not to pursue the claim.

CLAIM C

Rights to sports and culture are not absolute and the limitations imposed on them by the law banning V11 was prescribed by law, served a legitimate aim of protecting the environment and preserving public security, and was necessary and proportionate since no other measure was suitable for such aims. Finally, the law does not discriminate against Neronias with disabilities because they are still able to hunt as they did before the ban.

I. JURISDICTION

Respondent presents no objections to the jurisdiction of this Court.

II. MAD HAS NO LEGAL STANDING TO REPRESENT OTHER VICTIMS

Representatives of alleged victims must be authorized to act on their behalf.¹ Although Prometheus gave MAD permission to approach the KHRCT,² there was no authorization from other alleged victims.

Therefore, MAD cannot represent other victims.

III. APPLICANT FAILED TO EXHAUST DOMESTIC REMEDIES

International Courts constitute subsidiary mechanisms for guaranteeing HR.³ Accordingly, claims can only be brought before them, once all available and appropriate domestic remedies are exhausted.⁴

To free themselves of this requirement, petitioners must prove on substantial grounds⁵ that remedies: (i) were unavailable;⁶ (ii) did not offer prospects of success⁷ or; (iii) were not capable of providing redress.⁸

Remedies available in WangPole's judicial system⁹ are the HC, a SCA and a CC.¹⁰

¹ ECR [36.1/45.3]

² FoC [31]

³ Ilesanmi [44]; Scordino [140]; Interhandel [25]

⁴ Jawara [28/30]; Akdivar [65]; Gallardo [26]

⁵ Scoppola [70]; Oosterwijck [37]

⁶ Mifsud [15]; McFarlane [107]

⁷ Ilesanmi [46]; Balogh [30]; Sejdovic [46]; Gonzales [49]

⁸ Magyar [54]

⁹ SA-Constitution [165-166]

¹⁰ SA-Constitution [167-169]

CLAIM A AND B ARE INADMISSIBLE

Regarding claim A, once the HC decided on Prometheus' case he did not appeal to the SCA.¹¹ Additionally, the CC, compulsory remedy for constitutional cases,¹² was also not approached.

Concerning claim B, after the denial to prosecute SAI's invasion, Prometheus only approached the HC which uphold such decision.¹³ However, he refrained from appealing before the SCA.

Notwithstanding, remedies were available, effective and sufficient as shown by complaints filed before the CC, against the V11's ban¹⁴ and the constitutionality of IBAP and TITF,¹⁵ that were reasonably analysed.

Since local remedies were not exhausted, claim A and B are inadmissible.

IV. APPLICANT FAILED TO INDIVIDUALIZE VICTIMS

Victims must be individualized¹⁶ as direct,¹⁷ indirect¹⁸ or potential.¹⁹ If not, complaints turn into an *actio popularis*, i.e. the assessment of national laws in abstract,²⁰ which this Court has no jurisdiction to analyze.²¹

¹¹ FoC [28]

¹² SA-Constitution [167]

¹³ FoC [27]

¹⁴ FoC [25]

¹⁵ FoC [15]

¹⁶ ECR [47]; Hristozov [73]

¹⁷ Tănase [104]

¹⁸ Varnava [111]

¹⁹ Taura p.130/131

²⁰ Burden [33]

²¹ Aksu [50]; Legal Resources [101]

MAD brought claim C on behalf of “Prometheus and others”,²² without identifying victims besides him. Therefore, claim C is a request to examine *in abstracto* the conformity of the law banning V11 with the KC, deliberately guiding this Court to apply an *actio popularis* approach. Therefore, this Court can only analyze this case regarding Prometheus.

V. MERITS

CLAIM A: PROMETHEUS PROSECUTION, SENTENCE AND THE USE OF TITF DURING HIS TRIAL WERE LAWFUL

1. Prometheus was correctly prosecuted

Treason

WangPole’s Official Secrets Act describes treason as the dissemination of States’ secret information,²³ defined as data that could potentially endanger national security.²⁴ Accordingly, preventing the disclosure of State’s secrets is crucial to ensure national security,²⁵ including ongoing defence plans, military operations and the use of weapon systems.²⁶

Moreover, civil servants have a duty of reserve²⁷ that restrains them from publicly criticizing their employers.²⁸ Further, working with confidential data implies a strong duty of discretion

²² FoC [31]

²³ FoC [20]; Recommendation (1792) [1.1]

²⁴ A/RES/361 [47]; OSCE-Media [Recommendations on classification rules]; OAS FoE [4]; Johannesburg Principle 6

²⁵ A/RES/361 [43]; Hadjianastassiou [45]

²⁶ Rättvisa [111]; Hadjianastassiou [45]; Tshwane Principle 9.a

²⁷ Guja [70]

²⁸ Marunić [52]; Wojtas-Kaletka [43]

in keeping secrecy.²⁹ Additionally, public disclosures by civil servants are only allowed if internal mechanisms to reveal wrongdoings are unavailable or ineffective.³⁰

WangPole is involved in an armed conflict with a neighbouring State.³¹ In this context, DoD hired Prometheus to work on classified military applications.³² Once fired,³³ he disseminated confidential information linked to official missions through a live Facebook broadcast.³⁴ Prometheus' disclosure was made without consulting any superior. Moreover, he could have presented his allegations before judicial authorities.

Since leaked information could seriously compromise national security, Prometheus's charge is consistent with IHRL.

Illegally dealing in firearms

WangPole's constitution recognizes the right to bear and keep arms, but unauthorized dealing on firearms is not protected.³⁵ The latter, includes unauthorized exchanges of their parts, components and ammunitions.³⁶

New technologies have advanced in the creation of three-dimensional printed guns³⁷ with massive accessibility.³⁸ Such weapons are almost impossible for States to control³⁹ even if they must supervise the dissemination of firearms.⁴⁰

²⁹ Guja [71]

³⁰ Guja [73]; A/RES/361 [37]

³¹ FoC [4]

³² FoC [18]

³³ FoC [20]

³⁴ FoC [19]

³⁵ WangPole Constitution [2]

³⁶ A/RES/255 [3.e]

³⁷ UNODC Firearms [81]

³⁸ UN Report-Small Arms [18]; 3D Guns p. 18

³⁹ 3D Guns p. 25

⁴⁰ UNSC/RES/2370 [5]; Civilian Acquisition [18]

Particularly, in a meeting of States to consider the implementation of the Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons, it was affirmed that 3D printing can potentially open the market for criminal and terrorist activities, becoming a lucrative alternative for small-scale illicit weapon manufacturing and sale.⁴¹

Prometheus invented Project Soft-ShotGun⁴² through which he published free downloadable blueprints to print plastic arms.⁴³ This illegal conduct permitted 941.000 downloads of blueprints⁴⁴ compromising WangPole's public security.⁴⁵ Thus, penalizing this type of unlawful dealing on firearms does not infringe HR, but protects general order and welfare.

Disclosing personal data

Personal data should only be handled with express authorization.⁴⁶ In this sense, WangPole Data Protection Act of 2008 prohibits the dissemination of personal information without the owner's consent.⁴⁷

Prometheus admitted he disclosed data without the owner's consent.⁴⁸ In exchange for this information, he received money;⁴⁹ therefore, he sold personal data and contravened the owners' right to privacy.

⁴¹ UN Report-Small Arms [18]

⁴² FoC [24]

⁴³ Idem

⁴⁴ FoC [27]

⁴⁵ FoC [28]

⁴⁶ CCPR-16 [10]; Data p. 17-18

⁴⁷ FoC [21]

⁴⁸ FoC [19]

⁴⁹ Idem

The case required prompt resolution

In criminal proceedings, the accused must be tried within a reasonable time.⁵⁰ When bail is refused, the accused has the right to be tried expeditiously⁵¹ to avoid long periods of uncertainty about their deprivation of liberty.⁵² Moreover, criminal trials assessing public disclosures of State secrets are particularly sensitive and should be tried quickly.⁵³

Additionally, under the CRPD⁵⁴ States should prioritize the resolution of cases in which PWD are prosecuted, giving them specific attention to avoid delays.⁵⁵

The adequate time to prepare legal defences⁵⁶ depends on the circumstances of each case.⁵⁷ Moreover, it is up to the defence to manifest that time was insufficient and request an extension,⁵⁸ for States cannot be held responsible for flaws of the defence.⁵⁹

Prometheus's pre-trial detention⁶⁰ and his physical disability⁶¹ obliged judicial authorities to prioritize his case. Indeed, WangPole has complied with international standards by bringing Prometheus to trial and sentencing him in a brief period.⁶² Additionally, Prometheus did not complain about the length of the trial.⁶³ Thus, his procedural rights were not violated.

The refusal of bail was lawful

⁵⁰ ICCPR Art. 9(3); ICCPR Art. 14(3); Fillastre [6.5]

⁵¹ CCPR-35 [37]; Sextus [7.2]

⁵² CCPR-32 [35]

⁵³ Resolution (1551) [10.4]

⁵⁴ CRPD Preamble and Art.13

⁵⁵ Furlan [196]

⁵⁶ KC Art. 16(2); ICCPR Art. 14.3.b

⁵⁷ CCPR-13 [9]; Kelly [5.9]

⁵⁸ CCPR Sawyers [13.6]

⁵⁹ CCRP Wright [8.4]

⁶⁰ FoC [28]

⁶¹ FoC [8]

⁶² FoC [28]

⁶³ Idem

Generally, the accused should be released pending trial.⁶⁴ However, if there is an objective risk that they will relapse into crime, bails can be denied.⁶⁵ Previous offences constitute relevant and sufficient grounds to justify a preventive detention.⁶⁶

Prometheus was charged with treason and unlawful disclosing of personal data.⁶⁷ When released on bail, he was detained again for dealing firearms illegally.⁶⁸ Evidently, this repetition of illegal conducts raise suspicion about his propensity to commit further crimes. Therefore, denying bail was lawful.

2. Prometheus sentence to life imprisonment does not violated his HR

States have a wide margin of appreciation in deciding the applicable punishment for each offence.⁶⁹ Sentences to life imprisonment are not *per se* incompatible with IHRL,⁷⁰ and can be justified by the commission of especially serious crimes.⁷¹

Prometheus was sentenced for illegally disclosing personal data, illegal dealing of firearms and treason.⁷² Additionally, the HC assessed the extremely grave consequences of Prometheus actions such as the increased armed violence in the country.⁷³ The seriousness of the crimes together with the aggravating circumstances reached the threshold for a life imprisonment sentence.

⁶⁴ ICCPR [9.3]; A/RES/110 Rule 6.1

⁶⁵ Buzadji [88]; Tiron [37]

⁶⁶ Toth [70]

⁶⁷ FoC [21]

⁶⁸ FoC [27]

⁶⁹ T. [117]

⁷⁰ Kafkaris [97]

⁷¹ László [47]

⁷² FoC [28]

⁷³ Idem

3. The use of AI during Prometheus´ trail was lawful

The use of AI on criminal trials has numerous benefits⁷⁴ on the protection of due process guarantees; for example in the determination of the length of a prison sentence, AI may allow more even results.⁷⁵ Due to its incipient development, it cannot replace judges but can support and assist them in taking decisions.⁷⁶

Moreover, the privilege against self-incrimination⁷⁷ represents the right to remain silent allowing the accused to freely choose which questions to answer when queried.⁷⁸ When severe coercive methods are used to obtain evidence from a suspect, these rights are violated.⁷⁹

TITF is a mechanism that calculates a suspect´ s credibility⁸⁰ through sensors and thermal cameras that measure the accused´ s physiological responses.⁸¹ Its ability to determine whether a person is lying has a 95% accuracy -as proved by a sample of real life cases- while human's ability, according to reliable scientific evidence, rises to only 53%.⁸² This reliable software benefits suspects by avoiding wrongful detentions; in fact 117 inmates were released due to the use of this system that proved their innocence.⁸³

Furthermore, it only serves to rate credibility when accused answer in a loud voice. In fact, if Prometheus had not testified, it would have been impossible to know whether he was lying

⁷⁴ Toronto Declaration [5/27]; AI principles [20/23]; Montreal Declaration [1]

⁷⁵ EU-Algorithms [III.1]

⁷⁶ Idem

⁷⁷ ICCPR Art. 14.3.g

⁷⁸ Allan [50]

⁷⁹ Ibidem [44]

⁸⁰ FoC [12]

⁸¹ Idem

⁸² Idem

⁸³ FoC [17]

or not. TITF does not inflict coercion against the accused but tends to soften unnecessary and cruel questioning during cross-examination.⁸⁴ Therefore, its use during trial was lawful.

CLAIM B: WANGPOLE'S REFUSAL TO PROSECUTE THE CASE CONCERNING THE INVASION OF SAI DID NOT VIOLATE IHRL

1. WangPole guaranteed the Applicant's right to access to justice

Access to justice encompasses the right to available and effective remedies⁸⁵ to protect against unlawful practices.⁸⁶ Availability must be certain in theory and in practice.⁸⁷ To be effective remedies must have a prospect of success.⁸⁸

Effectiveness does not mean a favourable outcome for the applicant,⁸⁹ but rather dealing with the substance of an arguable complaint.⁹⁰ Accessibility, clarity and foreseeability of legal measures guarantee such effectiveness.⁹¹

Applicant had the chance to appeal the decision of the WAGO to not prosecute the invasion of SAI for lack of evidence before the HC of WangPole,⁹² proving that remedies were in fact available.

Even though HC's outcome was unfavourable, remedies were effective because the independency of the judiciary provided certain prospect of success.⁹³ Therefore, Respondent granted Prometheus and others' access to justice.

⁸⁴ FoC [13]

⁸⁵ ICCPR Art 2,3,a; KC Art 23

⁸⁶ Běleš [49]

⁸⁷ İlhan [97]; Kudla [157]; Durand [102]

⁸⁸ Lopez-Alvarez [139]; Shumba [57]

⁸⁹ Wasserman [45]; Vučković [69-71]

⁹⁰ Saramaka [177]; Kudla [157]

⁹¹ Legrand [34]

⁹² FoC [27]

⁹³ Idem

2. Respondent can legitimately dismiss a case for lack of evidence

Generally, the admissibility of evidence is assessed by domestic courts⁹⁴ and its value is regulated by national law.⁹⁵ Additionally, international courts avoid the appreciation of evidence⁹⁶ and restrain their analysis to whether the proceeding as a whole was fair.⁹⁷

The weight national courts give to evidence presented is not for this Court to review as it cannot act as a fourth instance.⁹⁸ An analysis by this Court of the decisiveness of the proof in question comes into conflict with domestic authorities' margin of appreciation.⁹⁹

Moreover, the burden of proof should rely on the Applicant¹⁰⁰ and it can only be shifted to States on severe cases of discrimination,¹⁰¹ torture or enforced disappearances.¹⁰²

In this case, the WAGO dismissed the case after considering the sole piece of evidence provided by the Applicant:¹⁰³ a mere list of names and no substantial information.¹⁰⁴ The HC of WangPole confirmed this decision.¹⁰⁵

Since the evidence was lawfully assessed and dismissed, a further revision by this Court would imply acting as a fourth instance.

3. In any event, Applicant could have resorted to private prosecution

State-assisted prosecutions are not always required.¹⁰⁶ In fact, public prosecutors can choose with due and legal consideration which cases not to follow and where to focus judicial

⁹⁴ Doorson [67]; Kostovski [39]

⁹⁵ Mantovanelli [34]

⁹⁶ Carvalho [80]; Maldonado [137]

⁹⁷ Doorson [67]; Cabrera [19]

⁹⁸ Bochan [61]; Lupeni [90]

⁹⁹ Schatschaschwili [124]; Isiaga [65]

¹⁰⁰ Merabishvili [310]; Khodorkovskiy [256]

¹⁰¹ Timishev [57]

¹⁰² Nachova [157]

¹⁰³ FoC [27]

¹⁰⁴ Idem

¹⁰⁵ Idem

¹⁰⁶ Jankovic [50]

investigations.¹⁰⁷ However, victims should be able to challenge those decisions¹⁰⁸ and to engage in private proceedings¹⁰⁹ that might be effective.¹¹⁰

Once the WAGO declined to prosecute the case,¹¹¹ Applicant had the possibility to prosecute the case privately under the Private Prosecution Act.¹¹² Even though MAD had a private prosecutor certificate,¹¹³ Applicant decided not to pursue the complaint.¹¹⁴ Therefore, Respondent did not violate any international obligation regarding public prosecutions.

CLAIM C: WANGPOLE'S BAN ON V11 DOES NOT VIOLATE PROMETHEUS' AND OTHERS' FUNDAMENTAL HR

1. The ban on V11 constitutes a lawful restriction

States must guarantee the rights to culture and to sports.¹¹⁵ However, they can be restricted if limitations are neither abusive nor arbitrary.¹¹⁶ Accordingly, such restriction must be prescribed by law,¹¹⁷ serve a legitimate aim¹¹⁸ and be necessary in a democratic society and proportionate.¹¹⁹

1.A. The restriction was prescribed by law

¹⁰⁷ Perez [68]; Petrovic [93], Guidelines-Prosecutors [2]

¹⁰⁸ Recommendation (19) [34]

¹⁰⁹ Jankovic [50]; Perez [68]; Recommendation (85) [7]

¹¹⁰ CERD/C/75/D/41/2008 [4.6]

¹¹¹ FoC [27]

¹¹² FoC [6]

¹¹³ FoC [16]

¹¹⁴ FoC [27]

¹¹⁵ KC Art. 33.4; CRPD Art. 30; ICESCR, Art. 15.1.(a)

¹¹⁶ Artavia-Murillo [273]

¹¹⁷ Islam-Ittihad [43]; Konaté [131]

¹¹⁸ Baena [170]; Canese [125]

¹¹⁹ Artavia-Murillo [273]; Atala-Riffo [164]

When enacting the law¹²⁰ States must follow the legal procedure established in domestic law,¹²¹ and it should be accessible¹²² and precise.¹²³

Here, the restriction was adopted by the majority of WangPole's Parliament, after a thorough debate.¹²⁴ Therefore it complied with this requirement.

1.B The restriction served legitimate aims

Laws designed for environmental protection are legitimate.¹²⁵ Indeed, States must guarantee the right to a sustainable environment,¹²⁶ including preserving fauna.¹²⁷ There is a link between the environment and IHRL,¹²⁸ since environmental degradation could affect rights such as life and property.¹²⁹

Furthermore, States can also restrict rights to protect public security.¹³⁰ Particularly, the international community is concerned about how the irresponsible use of unregulated arms may undermine individual HR,¹³¹ highlighting the importance of arm control.¹³²

The restriction on V11 has two legitimate aims. First, it protects the environment, since V11 allows the hunting of 1000 animals per year,¹³³ without State control, which according to the Chief Justice would "...endanger all animal species".¹³⁴ Second, it protects public security, as the game leaves many dangerous weapons in the jungle.¹³⁵

¹²⁰ Gutman [176]; Escher [126]

¹²¹ OC-06/86 [27]

¹²² Magyar Jeti [59]; Karácsony [123]

¹²³ Muhafize [56]; CCPR-34 [25]

¹²⁴ FoC [25]

¹²⁵ Valley [57]

¹²⁶ KC art. 38; OC-23/17 [51]; Sustainable Environment [51]

¹²⁷ Pulp-Mills [262]; O/C 23/17 [129]

¹²⁸ OC-23/17 [47]; Kawas-Fernández [148]

¹²⁹ SERAC [51]

¹³⁰ S.V. [155]

¹³¹ Civilian Acquisition [4]

¹³² Arms Transfer [17]

¹³³ FoC [23]

¹³⁴ FoC [26]

¹³⁵ FoC [23]

1.C The limitation was necessary and proportionate

States possess certain margin of appreciation when assessing necessity of the restriction,¹³⁶ especially regarding environmental protection.¹³⁷ Additionally, restrictions should be proportionate to the aim pursued¹³⁸ and their reasons must be “relevant and sufficient”.¹³⁹ Moreover, States must balance general interests and individuals’ HR.¹⁴⁰

The right to culture can be limited.¹⁴¹ Although hunting is part of some cultures, international courts have rejected the existence of the right to hunt.¹⁴² Such a right is not protected under the KC, that does, however, expressly guarantee the right to a healthy environment.¹⁴³ Moreover, States should assess the environmental impact of all proposed projects and policies that may affect biodiversity.¹⁴⁴

V11 causes the death of 1.000 wild animals per year¹⁴⁵ with animal rights activists condemning such practice.¹⁴⁶ Furthermore, there are currently at least 50 rifles installed in the jungle without State control.¹⁴⁷ This could be related to the 33 % increase in cases of untraceable gun violence and the 14% of fatal cases.¹⁴⁸ Hence, the total ban was the mean to control the situation.

WangPole recognizes that under the CRPD it has a duty to provide support and assistance to PWD.¹⁴⁹ However, V11 was not conceived as an assistive technology for PWD but rather

¹³⁶ Öneriyildiz [107]

¹³⁷ Depalle [81]

¹³⁸ Kimel [58]; D.H. [196]

¹³⁹ Zhechev [44]

¹⁴⁰ Hamer [77]

¹⁴¹ E/C.12/GC/21 [19]

¹⁴² Chassagnou [113]

¹⁴³ KC Art. 38

¹⁴⁴ A/HRC/34/49 [67a]

¹⁴⁵ FoC [23]

¹⁴⁶ FoC [25]

¹⁴⁷ FoC [23]

¹⁴⁸ FoC [28]

¹⁴⁹ CRPD Art. 4

for “*prospective hunters to sit in the comfort of their home or office and ... kill real game*”.¹⁵⁰

Further, PWD can hunt without V11 as Prometheus did throughout his life.

2. The restriction is not discriminatory

States must guarantee the enjoyment of rights to all without distinction.¹⁵¹ Accordingly, formal discrimination implies that laws cannot discriminate on prohibited grounds¹⁵² and indirect discrimination refers to laws with a disproportionate impact.¹⁵³

Even if PWD are specially protected,¹⁵⁴ belonging to a minority with a traditional lifestyle does not confer immunities from general laws intended to safeguard the assets of the community as a whole, such as the environment.¹⁵⁵

Applicant cannot argue that the banning is discriminatory towards Neronian PWD. The law bans V11 to all WangPolis citizens, without discriminating. Furthermore, it cannot be argued that it particularly affects Neronian PWD, since they are still able to hunt.¹⁵⁶

Consequently, V11’s ban does not constitute discriminatory treatment.

VI. REMEDIES

Considering that WangPole is not responsible for any alleged violation of HR, it humbly requests this Court to declare that no reparations are to be awarded.

VII. PRAYER FOR RELIEF

WangPole humbly prays this Court to declare that Applicant’s claims are inadmissible.

Subsidiarily, prays this Court to adjudge that:

¹⁵⁰ FoC [23]

¹⁵¹ KC Art. 3

¹⁵² E/C.12/GC/20 [8.a]

¹⁵³ E/C.12/GC/20 [10.b]

¹⁵⁴ CRPD Art. 4

¹⁵⁵ Chapman [96]

¹⁵⁶ FoC [22]

1. Professor Prometheus' prosecution, sentence and use of TITF during his trial was lawful.
2. WAGO's refusal to prosecute the case concerning the invasion of SAI does not violate Prometheus and others' HR.
3. WangPole's ban on V11 does not violate Prometheus and others' HR.
4. Consequently, no reparations must be granted.

VIII. WORD COUNT

- Summary of arguments: 234
- Memorial: 2970