



Моот

ICRO

NATIONAL

ROUNDS

2021

MOOT PROBLEM

SITUATION IN ALPHA

IN THE CASE OF

THE PROSECUTOR

V. MAJOR LYDIA RODARTE-QUAYLE
BEFORE THE INTERNATIONAL CRIMINAL COURT AT THE HAGUE

Instructions

1. : The hearing takes place in the jurisdiction of the

In accordance with Article 21 of the Rome Statute:

1. The Court shall apply:

- (a) In thefirst place, this Statute, Elements of Crimes and its Rules of Procedure and Evidence;
- (b) In the secondplace, where appropriate, applicable treaties and the principles and rules of international law, including the established principles of the international law of armed conflict;
- (c) Failing that, general principles of law derived by the Courtfrom national laws of legal systems of the world including, as appropriate, the national laws of States that would normally exercisejurisdiction over the crime, provided that those principles are
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		with this Statute and with international law and gnized norms and standards.
	2. The Court may decisions.	apply principles and rules of law as interpreted in its previous
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(a))	• • • • • • • • • • • • • • • • • • • •
(b)		
(c)	;	
2.		
teams r		ational courts, these should be leading decisions and teams should es of the head note and the portion of the transcript or judgment
6.		
force fo	or Alpha and Bravo.	at all material times, the treaties listed at Annex II were in
7.	:	

Indicative Authorities and Research Material

International Criminal Court

- a) Rome Statute of the International Criminal Court (1998): http://legal.un.org/icc/statute/english/rome_statute(e).pdf
- b) Elements of Crimes under the Rome Statute: https://www.icc-cpi.int/nr/rdonlyres/336923d8-a6ad-40ec-ad7b-45bf9de73d56/0/elementsofcrimeseng.pdf

Basic IHL Documents

- a) IHL Treaties:https://ihl-databases.icrc.org/ihl
- b) Customary IHL: https://ihl-databases.icrc.org/customary-ihl/
- c) ICRC Commentaries to the Geneva Conventions and its Additional

Protocols:https://ihl-

databases.icrc.org/applic/ihl/ihl.nsf/vwTreaties1949.xsp

Cases

- a) International Criminal Tribunal for the Former Yugoslavia: http://www.icty.org/en/cases/judgement-list
- b) International Criminal Tribunal for Rwanda cases: http://unictr.unmict.org/en/cases
- c) International Criminal Court:https://www.icc-cpi.int/cases
- d) International Court of Justice: https://www.icj-cij.org/en/decisions

Statement of Agreed Facts

1. In 2021, the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction was annexed to the Rome Statute, by an amendment in accordance with the provisions set forth in articles

121 and 123. For the purposes of article 2(b)(xx) the following elements of crimes were adopted by the Court;

- a. Article 8(2)(b)(xx) Elements War crime of employing weapons etc to cause superfluous injury etc.
 - i. The perpetrator employed a weapon, projectile or material or method of warfare.

The weapon, material or methods of warfare was of a nature to cause superfluous injury or unnecessary suffering or which was inherently indiscriminate.

- iii. The weapon, projectile, material or methods ofwarfare is the subject of a comprehensive prohibition to the statute.
- iv. The conduct took place in the context of and was associated with an international armed conflict.

The perpetrator was aware of factual circumstances that established the existence of an armed conflict.

1 2021 121 123 2(b)(xx) ; 8 2 (b) (xx) -1) 2) 3) 4) 5)

2. Alpha and Bravo are countries and historical rivals. They have fought several small wars over the past 200 years but more recently have experienced a period of improving relationships and economic co-operation. Both countries are participatory democracies with complex economies.

2 Alpha Bravo

3. In 2023, the region experienced a significant economic downturn as the result of disruption to agriculture due to a drought, the effects of which were exacerbated by climate change. Several smaller neighbouring

15. Major Lydia Rodarte-Quayle was in command of the ^{3rd} Battalion, ^{2nd} Royal Bravo Infantry Regiment was stationed at the northern end of the border between Alpha and Bravo. On 2 August, the ^{3rd} Battalion moved into the Alphan province of North Alphalia and was tasked with overseeing approximately 10,000 surrendered Alphan prisoners of war (PoWs) and several hundred civilians who had also been detained on security grounds.

15. - 3

8 2 3 Alphalia Alphalia 1

Alphan (PoWs)

16. The 7th offensive came close the 3rd positions and it appeared that Alphan troops would soon overwhelm the comparatively small number of defenders. Major Rodarte-Quayle hurriedly set about re-tasking her troops from guarding the PoWs to preparing defensive positions.

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17. Major Rodarte-Quayle was unable to spare many of her own troops and so, on 30 August, she ordered some of the detained civilians to assist with the establishment of the defensive arrangements, such as digging trenches and fortifying strong points. In order to encourage their participation, the civilians were told that they would receive extra rations and their participation will be looked upon favourably at their next periodical review pursuant to Geneva Convention IV article 78.

17. - 8 30

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18. Major Rodarte-Quayle realised that she did not have enough troops to meet the enemy advance and made the decision on 30 August to deploy M1984 mines to deny avenues of advance to the enemy. This would enable her to concentrate her defending forces and funnel the enemy advance.

18. - 8 30

19.	The M1984 mine utilises a shape charged warhead to penetrate the armour of enemy
	fighting vehicles and simultaneously disburse fragmentation around a wide area. These
	weapons are designed to be command initiated by a remote control. However, the Bravo
	military manual describes how to deploy the mines also includes instructions on setting
	up an improvised tripwire which will set off the mines. Major Rodarte-Quayle ordered
	that the manual be distributed to the civilians. In placing the mines, MAJ Rodarte-
	Quayle ensured compliance with the marking and warning requirements of the amended
	second protocol to the Convention on Certain Conventional Weapons.

19. M1984

20. Forward elements of the ^{7th} Army were within one drive from the positions occupied by the 3rd Battalion when their fuel supply ran out. This allowed other Bravan units to attack the Alphans in the area and stop their counter offensive after several days of fighting. The remnants of the Alphan ^{7th} Army in North Alphalia surrendered to Bravan forces on 6 September without reaching the PoW camp.

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21. Meanwhile, Major Rodarte-cyberwarfare captain informed her that the famed hacker known by the name was somewhere in Alphan territory. Mr Robot is an Alphan citizen but has Bravan heritage. He had posted online about his opposition to the militaristic policies of the Alphan government.

21.

22. Major Rodarte-Quayle developed a plan to disrupt Alphan military operations and contacted Mr Robot. She messaged him telling him to conduct a cyber-attack on the National War Memorial. In one of the messages, she said should know that we have your family but we are taking good care of them. We need you to do this for us, and for In another message she said that she expected that the attack would undermine the morale of the remaining Alphan forces who were yet to capitulate.

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23. On 8 September, Mr cyber-attack disabled the climate control and the security system of the National Memorial meaning that some of the priceless objects stored there were destroyed, including the original copy of the Constitution and the Declaration of Independence. After the security system at the National Memorial failed, an anti-Fring mob stormed the Memorial wherein Fring and his aides were found and detained after being beaten by the mob. Upon hearing of the attack on the heart of Alpha, several Generals commanding most of the remaining Alphan forces in the capital formed the view that Fring was no longer suitable to lead their country. They launched a coup against the Fring regime. Prior to this, there had been no fighting at all in the capital.

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24. After the coup, all remaining resistance by the Alphan military collapsed and, by 21 September 2026, all Alpha military command had surrendered to the Bravan forces. The massive influx of prisoners threatened to overwhelm the capacity of the Bravansto administer the PoW camps safely and hygienically. The problem was particularly acute for Major Rodarte-Quayle. In order to alleviate some of the burden, on 29 September, she directed that the POW camp be guarded by an Alphan Unit - the 38th Alphan Military Police Regiment who had been detained as PoWs by the Bravan forces. In particular the Military Police were tasked with administration, discipline within the camp and guarding accused Alphan war criminals. In directing the employment ofthe Military Police regiment, Major Rodarte-Quayle says to Major Ehrmantraut, the Military commander:

would be in your interests to assist

troops will be first in line for rations and winter

24. 2026 9 21

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25. While originally it was hoped that demobilisation of the Alphan forces could be achieved within six months, the Military Police were still performing these duties in this role until 1 January 2028.

25. 6 2028 1 1

26. Explosive remnants of war littered the countryside. On 26 September 2027 a group of four Alphan civilians were walking nearby the defensive positions that the 3rd Battalion had erected during the war. One of the civilians tripped the tripwire which detonated one ofthe mines. All four died as a result oftheir injuries.

26. 2027 9 26

Charges

PRE-TRIAL CHAMBER III

Document Containing the Charges against Lydia Rodarte-Quayle

The Office of the Prosecutor ("Prosecution") herewith submits the Document Containing the Charges against Lydia Rodarte-Quayle, filed on 1 January 2029.

At The Hague, The Netherlands

- 1. Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power contrary to article 8(2)(a)(v);
 - a. That on 30 August 2026, in preparation for the defence of the prisoner of war camp against the Alphan counteroffensive being undertaken by the Alphan 7th Army, Major Rodarte-Quayle, by her order, compelled civilians to assist in constructing defensive emplacements (**Count 1**, on the basis of individual criminal responsibility for ordering the commission under Article 25(3)(b));
 - b. That on 8 September 2026, in order to disrupt the fighting resolve of the remaining Alphan military forces, Major Rodarte-Quayle compelled Mr Robot to conduct an attack against a protected civilian object of cultural significance (**Count 2**, on the basis of individual criminal responsibility under Article 25(3)(a)); and
 - c. That during the period 29 September 2026 to 1 January 2028, Major Rodarte- Quayle, by her order, compelled the 38th Alphan Military Police Regiment to serve as prison camp guards (**Count 3**, on the basis of individual criminal responsibility for ordering the commission under Article 25(3)(b)).
- 2. Employing weapons, projectiles and material and methods of warfare which are of a nature to cause superfluous injury or unnecessary suffering or which are inherently indiscriminate contrary to article 8(2)(b)(xx); that on 30 August 2026 in preparation for the defence against the Alphan counteroffensive being undertaken by the 7th Army, Major Rodarte-Quayle ordered the placement of mines in such a way that they would be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons (**Count 4**, on the basis of individual criminal responsibility for ordering the commission under Article 25(3)(b)).
- 3. Intentionally directing attacks against a historic monument, which was not a military objective contrary to article 8(2)(b)(ix); that on 8 September 2026, in order to disrupt the fighting resolve of the remaining Alphan military forces, Major Rodarte-Quayle jointly committed the attack on the Alphan National Memorial (**Count 5**, on the basis of individual criminal responsibility under Article 25(3)(a)).

Annex I: List of States parties to Treaties

	Alpha	Bravo
Treaty		
Geneva Convention (I) on Wounded and Sick in Armed Forces in the Field, 1949		
Geneva Convention (II) on Wounded, Sick and Shipwrecked of Armed Forces at Sea, 1949		
Geneva Convention (III) on Prisoners of War, 1949		
Geneva Convention (IV) on Civilians, 1949		
Additional Protocol (I) to the Geneva Conventions, 1977		

Convention

Annex I Map of Alpha, Bravo and neighbouring countries

