

Clarifications to the Moot Problem

1. **Where was the in-country audit conducted, Jumbree or Nagori?**

Jumbree

2. **In para 18 of the factual matrix, it is mentioned that outbreaks in Nagori were very limited. Hence, no need for the implementation of any control mechanism by the government. Is this with respect to implementation in Nagori or Jumbree?**

Nagori

3. **Was the audit conducted by Nagori done under the directions given under Article 6 of the SPS agreement?**

No.

4. **Was the risk assessment based on international procedures/requirements for GreenPox?**

— Yes

5. **Was the risk assessment based on international procedures/requirements for Chimera?**

Yes

6. **Are the testing requirements requested of Jumbree for prevention of GreenPox are provisional measures?**

The testing requirements are not provisional measures as understood under Article 5.7 of SPS.

7. **Are the enhanced testing requirements and labelling requirements for prevention of Chimera are provisional measures?**

The testing requirements are not provisional measures as understood under Article 5.7 of SPS.

8. Has Nagori been actually affected by the Chimera disease at any point?

Yes

9. What is the geographical proximity of Jumbree and Nagori?

The countries are not close to each other.

10. Referring to Paragraph 21 of the Moot Proposition, there is a differentiated treatment between MFNs and Jumbree for fresh and raw Ilish. However, there are no details concerning Ilish preparations for non-MFN countries, including Jumbree. Please clarify the same.

The table is an excerpt from the tariff schedules. Other trading partners have been allocated quotas based on historical import data.

11. Referring to Paragraphs 25 & 32 of the Moot Proposition, are there any related/ancillary proceedings from Jumbree against other WTO members for the enhanced testing?

No.

12. In which category of Development status do Jumbree and Nagori fall- least developed, developing or developed?

Both countries are developing countries.

13. In their note, the authors state that "arguments under Article 3 of the SPS Agreement, the GATT, or the TBT Agreement are not expected to be taken." The query is whether the authors expect that the participants will not take arguments under articles 3 of the SPS, GATT, and TBT, i.e., respective article 3 of all three Agreements, or solely under article 3 of the SPS, and the entirety of the GATT, and the entirety of the TBT Agreements.

Article 3 of the SPS Agreement, and the entirety of the GATT and TBT Agreements.