



Bonavero  
Institute  
of Human  
Rights



# **PRICE MEDIA LAW MOOT COURT 2022-2023**

## **CLARIFICATION QUESTIONS AND ANSWERS**

**Official clarifications of the of the 2023 International Rounds and the 2022/2023 Regional Rounds in South Asia, Asia Pacific, Central Eastern Europe, Northern Europe, the Americas, the Middle East and Africa**

### ***Education in Kurulu***

1. Paragraph 2 of the facts mention that there are only limited slots for universities in Kurulu because of a "scarcity of resources." What is the nature of this scarcity? Is it because Kurulu is not able to hire many teachers or provide funds for facilities? Or is it because students are not able to buy materials to enter school? **No answer required.**
2. Is the low number of universities in Kurulu a result of the state's scarcity of resources or of the state's budgeting decisions? **No answer required.**
3. In paragraph 1, it is said that the state maintains a monopoly over university education. How big is the monopoly and is it an all-round monopoly on university education? **No answer required.**
4. By how many percent are Besra-owned high schools doing better than state-owned high schools? **No answer required.**
5. Does university education in Kurulu include all modes of higher education? If not, are there any other educational institutions or educational modes, such as vocational schools, technical schools, or community colleges, that provide students with alternative opportunities to realize their right to tertiary education? If so, is the number of 81,000 new entrants to the university as provided in paragraph two of the case facts including only students admitted to the university? **No answer required.**
6. What was the perspective of the public regarding privatization of tertiary education BEFORE the events of July 9? **No answer required.**

### ***Chirp Operations, Community Guidelines, and Review Process***

7. Does Chirp earn profit with advertisements on its platform? **Yes, it does.**
8. Do people need a Chirp account to see the posts that are sent to them by a hyperlink, or can anybody, even those without an account, see the posts using the respective hyperlinks - e.g. If one of the users is blocked by another user, can the blocked user still see the blocker's posts using a hyperlink? **A person requires a Chirp user account to view content on Chirp.**
9. In paragraph 24, it was mentioned that the accuracy rate for Chirp's AI is at 88%. What was the accuracy rate of Chirp's content moderation in detecting violations before the installation of the AI mechanism? **No answer required.**

10. Apart from reviewing user complaints, do Chirp content reviewers have the possibility to randomly review uploaded content by their own choice? **No answer required.**
11. How many violations do content reviewers and the AI mechanism find annually? **No answer required.**
12. Are the comments below posts on Chirp shown in any particular order (e.g. chronologically, the most viewed first, friends comments shown first, an algorithm, etc?) **Comments are listed chronologically.**
13. How long, on average, does it take for Chirp's content review team to review user made "reports"? **No answer required.**
14. Can the AI mechanism take down any content automatically without a second review by the human reviewer (para 29)? **Yes.**

### ***Shikra's Post and Aftermath***

15. Did any protests for private education, occupation of university premises, or any incidence of violence occur after Shikra's and SANUK's posts? **No answer required.**
16. Was Shikra's call for refusing to teach or attend classes and occupying all university premises successful and if so, who participated in such activities? **SANUK members boycotted classes on 10 July 2022.**
17. Did anyone take action in response to SANUK's call for strict compliance with Shikra's post (para 39)? **See answer to question 16.**
18. Did the comments posted by Drongo22, Heron100, IUSU\_RedKite, and BarnOwl\_NUKSU reveal the address of Shikra and Besra's home and were they removed after the vandalism (paras 48, 49)? **No answer required.**
19. Did any of the comments removed by Chirp's IA mechanism (para 46) include Shikra's address? **No answer required.**
20. How did the intruders know about Shikra and Besra's home address? Were Shikra and Bersa's personal data leaked by Chirp? **No answer required.**
21. Does the username BarnOwl\_NUKSU have any connection to the official accounts of the Student Unions of IUSU and NUKSU on Chirp? **No answer required.**
22. Have there been any further investigative efforts by the Koha Police, apart from analysing the CCTV footage and forensic evidence (para 56)? **No answer required.**

23. Has any further progress been made in the investigation of the break-in to Shikra's and Besra home during the constitutional court trial? **No answer required.**
24. What was the reaction of the public regarding the possible privatization of universities in Kurulu AFTER the events of July 9? **No answer required.**

### ***Code of Conduct Inquiry***

25. Would the National University of Kurulu be liable if it did not punish Shikra? **No answer required.**
26. Is the University Standards Board Law the parent statute of the Academic Code of Conduct of the National University of Kurulu (para 58)? **Yes.**
27. Did section 100 (or any other section of the University's Academic Code of Conduct) include further information as to manner and severity of the disciplinary actions it can impose, other than what is already written in the competition case? **No answer required.**
28. Is the National University of Kurulu's Vice-Chancellor elected by the University within the framework of university autonomy or appointed by the government? **The Vice-Chancellor is elected by the university.**
29. Is the appointment of a suitable panel for disciplinary action the discretionary power of the Vice Chancellor (para 58)? **No answer required.**
30. How were the academic peers selected to form the panel? Were there any qualifications to ensure they are "suitable" panel members (para 58)? **No answer required.**
31. Is the Code of Conduct detailed on how the academics forming the panel are selected, and the necessary criteria to be a member of the panel and is it publicly available (are the criteria, and the Code of conduct itself, publicly available, or at least available to students and faculty)? **No answer required.**
32. Paragraph 61 states that the panel recommended Shikra be suspended for one week. The present proceedings before the UCTHR presumably takes place more than one week from the imposition of the suspension (which presumably commenced from the handing down of the panel's recommendations). Is the suspension imposed on Shikra now over? **No answer required.**
33. Besides Shikra, did any other professor in the University get punished under Section 24 of the Academic Code of Conduct? **No.**

### ***Battichcha v The State of Kurulu***

34. Was there any intrusion into the privacy of or violence against the journalist in the *Battichcha v The State of Kurulu* case after publication of his address on Chirp (para 34)? **No answer required.**
35. To what extent is the Constitutional Court bound by its own *Battichcha v The State of Kurulu* decision? **No answer required.**
36. What was the legal basis for *Battichcha v The State of Kurulu*? **No answer required.** Is Kurulu a case law state, as such the outcome of *Battichcha v The State of Kurulu* is binding to subsequent cases? **No answer required.** Were the adjustments to Chirp's Community Guidelines and its comment review mechanism scrutinized by any administrative body? **No.**

### ***Domestic Court Proceedings in Kurulu***

37. Is there a statutory requirement to apply for a warrant or did Chirp establish the obligation to obtain a warrant? **A warrant is required by section 215 of the Criminal Procedure Act of Kurulu.**
38. What do we know about the criminal law of the Kurulu? What standard of proof or information is needed for the Magistrate of Central Koha to issue a search warrant? **The standard required by section 215 of the Criminal Procedure Act for a warrant to be issued is 'reasonable suspicion'.**
39. In which scenario does the police need a legal warrant to conduct its investigation, and what criteria shall it meet to obtain such a legal warrant in Kurulu? **See answer to question 38.**
40. Does any provision of the domestic law in Kurulu specify the kinds of speech that shall be restricted? For example, whether the 'harmful content' defined in Chirp's Community Guidelines has legal sources in domestic law? **The only speech related offence in Kurulu's law is found in section 38 of its Penal Act, which criminalises 'the advocacy of ethnic or religious hatred that constitutes incitement to violence'.**
41. Was Shikra and Besra's joint petition dismissed by the Constitutional Court on substantive or procedural grounds? Can Shikra and Besra file the petition again after the dismissal? **No answer required.**

### ***General***

42. Are Shikra and Besra same-sex partners? What is Besra's gender? **No answer required.**
43. For the purposes of the oral rounds and memorial writing, please clarify what Shikra and Besra's pronouns are. **Shikra: She/her; Besra: they/them.**