Assume the following facts: Emanual Rutagonda is a  
dual national of Canada (where he was born and has lived for the past fifteen  
years) and Rwanda (where his parents are from, where he did military service,  
and where he lived the first fifteen years of his life).  He has Hutu ethnicity.  When Emanual was 14 years old, his father  
died and he was recruited into the *Interhamwe*  
militia.  The next year, when genocide  
broke out in Rwanda, 15 year-old Emanual allegedly participated in a terrible  
atrocity:  According to an indictment  
issued in 2001 by a Rwandan District Court, Emanual and several other members  
of Rwanda’s *Interhamwe*militia locked  
275 Tutsi children in the Boutaire High School, and then set the building on  
fire, killing all the Tutsis.

When the Hutu government fell to the Tutsis in August  
1994, Emanual fled to Canada.  Since  
2001, the Rwandan government has been requesting that Canada surrender Emanual  
to Rwanda for prosecution on 275 counts of murder in an ordinary Rwandan District  
Court (not a *Gacaca* court), but  
Canada has denied these requests because: (1) Canada does not have an  
extradition treaty with Rwanda, (2) Canada views Emanual as a child soldier and  
therefore a victim not a criminal, and (3) Canada believes that the courts of  
Rwanda are not able to give Emanual a fair trial.  At the request of Rwanda, Interpol has issued  
an international “wanted persons” notice for Emanual (a copy of this “Red  
Notice” document is attached to the Corrections/Clarifications).

The United States learned that Emanual was living in Canada when he was the subject of an episode of the reality TV series, “The Wanted.”  In July 2009 the United States government found out that Emanual’s mother was having a heart procedure at the  
Detroit Clinic, and decided to try to lure Emanual from Canada to the United States so that he could be arrested and surrendered to Rwanda for trial.  US agents sent Emanual an email purporting to be from the Detroit Clinic, telling him to come  
right away because his mother was about to die.  Emanual borrowed a passport from a Canadian friend, entered the United States, was arrested by US agents, and subjected to “removal” (deportation) proceedings for transfer to Rwanda.  All  
appeals have been exhausted.

Although the United States initially rebuffed Canada’s protests, Canada convinced the United States to agree to have the dispute settled by the International Court of Justice by threatening to withdraw the Canadian troops from Afghanistan a year earlier  
than previously agreed.

Members of **Group  
A** (last names that begin with the letters A-H) will represent the  
Applicant, Canada.  Members of **Group B** (last names that begin with the  
letters I-Z) will represent the Respondent, the United States.  Based on the facts above and the reading  
material below, you are invited to upload a submission that argues the case  
from the point of view of your assigned country, addressing whether the “luring  
of a Canadian citizen from Canada violated international law, and in particular  
(1) Canada’s territorial sovereignty; (2) the US-Canada Extradition Treaty and  
the January 11, 1988 Exchange of Letters Between Canada and the US on  
Transborder Abduction; and (3) Emanual’s internationally protected human rights  
under the International Covenant on Civil and Political Rights.