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NOTE FROM THE EXECUTIVES

The Law Association for Crimes Across History (LACAH) is a tournament between mock trial teams from various international school students that puts historical figures on trial. It provides a learning experience for students who are passionate about law at any level. Through participation in LACAH events, students learn the nuances of the courtroom while conducting in-depth research into the case and developing their critical thinking skills. Through this process, students cultivate and refine essential skills such as debate, problem solving, and public speaking.

LACAH III will take place both in person and online from October 30th to 31st at 上海市浦东新区银城中路501号 上海中心大厦.

International teams will attend the tournament via Zoom.

Teams will consist of four members: two witnesses and two attorneys. Each team will participate in 4 rounds throughout the two day tournament (2 trials per day) and will argue BOTH sides of the case (defense and prosecution) at least once. Teams have the choice to submit their own evidence and an affidavit. Teams wishing to submit their own evidence and/or affidavit must send these documents to info@lakah.net by October 20th for approval.

This packet contains logistical information and serves as an introduction. LACAH will provide evidence and affidavits in separate documents. Teams can compete with just the information given; however, teams are encouraged to do outside research to create the best possible experience. Our website (lakah.net) contains more content and mock trial training videos for additional support. Optional live lessons and private feedback sessions will also be provided in the weeks preceding the tournament.

Our LACAH Executive Team looks forward to hosting a fun, unique, and educational mock trial competition with a diverse and passionate group of young scholars. For more information, please contact Nathanc92004 (Wechat ID), lakah.net (email), @lakah_official (Instagram) or join the LACAH III Wechat group.

Sincerely,
The LACAH Executive Team
Nathan Chan, Daisy Dai, Amy Huang, Jasmine Huang,
Joey Wee, Yoyo Zou



VENUE

Teams in Shanghai will participate in person at AllBright Law Offices on the 9th floor of the Shanghai Tower.

Address: 上海市浦东新区银城中路501号上海中心大厦.

All other teams will participate through Zoom. The links to the Zoom calls will be released before each online trial.

All participants, including online teams, must show up in formal clothing.



SCHEDULE

October 30th, 2021

8:30 am to 9:00 am – Opening Ceremony

Germany, Bulgaria, & UK
excused

9:00 am to 11:30 am – Trial 1

Germany, Bulgaria, & UK
excused

11:30 am to 12:30 pm – Lunch

USA & Mexico can log off

12:30 pm to 3:00 pm – Trial 2

3:00 pm to 3:15 pm – Break

3:15 pm to 5:45 pm – Trial 3

6:00 pm to 6:20 pm – Closing

International teams
excused if needed

7:30 pm to 10 pm – Trial 2
(special case)

USA, Mexico, UK, Bulgaria, &
Germany

10:15 pm to 12:45 am – Trial 3
(special case)

USA, Mexico, UK, Bulgaria, &
Germany

6:00 am to 8:30 am – Trial 4
(special case)

USA & Mexico

October 31st, 2021

8:45 am to 9:00 am – Opening

Germany, Bulgaria, & UK
excused

9:00 am to 11:30 am – Trial 4

Germany, Bulgaria, & UK
excused

11:30 am to 12:30 pm – Lunch

USA & Mexico can log off

12:30 pm to 3:00 pm – Trial 5

3:15 pm to 3:45 pm – Closing Ceremony

Will be recorded for teams
unable to attend & awards
will be mailed

PROCEDURE

Opening for prosecution (7 min)

Opening for defense (7 min)

Direct of prosecution witness 1 (10 min)

Cross of prosecution witness 1 (10 min)

Optional redirect/recross (5 min each)

Direct prosecution witness 2 (10 min)

Cross prosecution witness 2 (10 min)

Optional redirect/recross (5 min each)

Direct of defense witness 1 (10 min)

Cross of defense witness 1 (10 min)

Optional redirect/recross (5 min each)

Direct of defense witness 2 (10 min)

Cross defense witness 2 (10 min)

Optional redirect/recross (5 min each)

Closing for prosecution (6 min)

Closing for defense (6 min)

Closing for prosecution

(only if prosecution decides to reallocate their time after closing for defense)

Only one redirect/recross per witness will be permitted.

All loss after 2.5 hours of trial and trial ends.

CASE INTRODUCTION

In the case *People of the State of New York vs. Anatoly Kornukov*, General Kornukov has been accused with 269 counts of Murder in the Second Degree and 269 counts of Manslaughter in the First Degree for his role in the ambiguous shooting down of a civilian plane.

Prosecution Witnesses

Air Traffic Controller Hiroto Takahashi (Fictional)

ICAO Secretary General Philippe Rochat

Lieutenant Colonel Gerasimenko

Defense Witnesses

General Anatoly Kornukov

Major Gennadiy Nikolayevich Osipovich

General Valery Kamensky

Available Evidence Exhibits:

Exhibit A: Collection of UN Documents

Exhibit B: Meeting between KGB Deputy Chairman Kryuchkov and East German Minister for State Security Mielke, including discussion of the shutdown of Korean Airlines (KAL) Flight 007.

Exhibit C: Soviet Politburo Meeting Minutes

Exhibit D: Translated Review of Soviet Archival Sources

Exhibit E: Detailed ICAO Report

Exhibit F: Translated Recovery Diver Interview

Exhibit G: Translated Izvestia Articles

Exhibit H: Kamensky Interview

Exhibit I: Scotsman Article

Exhibit J: Death Toll Breakdown

Exhibit K: KAL-007 Deviation

Exhibit L: Map of the Divergence

Exhibit M: Passenger List

Exhibit N: Soviet Chain of Command

Exhibit O: Flight Transcript

Exhibit P: Interception Procedures

STIPULATED FACTS

Korean Air Lines Flight 007 (KAL 007) was a Boeing 747 commercial airplane flying from New York to Seoul, transiting through Alaska. The plane deviated by more than 200 miles into Soviet airspace territory after leaving Alaska and was subsequently shot down. There were no survivors; all 240 passengers and 29 crew members perished in the crash.

At 4:00 A.M. on the 31st of August, 1983, Flight KAL 007 was fueled up and prepared for the transpacific flight from Alaska to Seoul. Upon leaving Anchorage, Korean Air Lines Flight 007 was given the following air traffic-control instruction: "fly directly to the Bethel navigational waypoint and then follow transoceanic track R-20 all the way to Seoul" (see Exhibit O). The aircraft followed the instructions but as minutes passed, the aircraft slowly deviated to the north of its intended route as the pilots had failed to ensure that the plane's INS autopilot had activated.

Then, instead of flying straight over Bethel, a key navigational waypoint, it passed 12 miles north of it. With every consecutive mile, the rift between the actual location of the aircraft and the intended route increased. Two hours later, when the aircraft reached another waypoint about

200 miles west of Alaska, it was already about 100 miles off track (see Exhibit K). In the cockpit, the flight crew reported to air traffic control that they were on track, flying toward Nukks, Neeva, Ninno, Nippi, Nytim, Nokka, Noho—a sequence of navigation waypoints on route to Seoul. Everything looked normal, but it wasn't. As the flight progressed, the divergence from the intended flight route continued to increase.

An hour later, Flight 007, still over international waters, entered into an airspace that was closely monitored by the Soviets. In the same area, a U.S. Air Force RC-135, the military version of the commercial Boeing 707 aircraft, was flying a military reconnaissance mission.

On the Kamchatkan mountains, the Soviets had installed several military radars and command centers to track U.S. and international flight activities over the Bering Sea. As the U.S. Air Force RC-135 aircraft was circling in the area, purposefully coming in and out of radar range, Soviet radar operators were monitoring and marking its moves.

And then, during one of the temporary disappearances of the reconnaissance aircraft from the radar screen, the Korean airliner came in. The Korean commercial

airliner continued its steady flight toward Kamchatka Peninsula. However, the pilots could likely not see Kamchatka, because although the night sky above them was clear, everything below them was pitch dark.

When the jetliner was about 80 miles from the Kamchatka coast, four MiG-23 fighters moved to intercept it. The fighter formation began to chase the fast and high-flying Boeing 747. Shortly after, low on fuel, the fighters were instructed to return to base. The Korean jetliner, now 185 miles off its designated track, crossed over the Kamchatka Peninsula and continued into the Sea of Okhotsk. Over international waters, safe for the moment, the large aircraft was heading toward another Soviet territory, Sakhalin Island, a narrow, 500-mile-long island off the Siberian coast, just north of Japan. As the target approached Sakhalin Island from the northeast, two Soviet Su15

fighters flew toward the aircraft. About 20 minutes later, Flight 007 crossed into Sakhalin Island. At 33,000 feet, a Soviet fighter was trailing behind them, ready to intercept.

The identification of the target was a source of confusing messages between the fighter pilot, his ground controller, and the entire chain of air-defense command. Completely unaware of their actual geographical location, the crew of KAL 007 were performing their regular duties and establishing routine radio contact with air traffic controllers in Japan. Since leaving Anchorage, they were out of any civilian radar coverage. After making radio contact with Tokyo Control, the crew of KAL 007 made a request to climb from 33,000 feet to a new altitude of 35,000 feet. Meanwhile, a Soviet air-defense commander ordered the fighter pilot to flash his lights and fire a burst of 200 warning bullets to the side of the



General Anatoly Kornukov

aircraft. The round of bullets did not include tracer bullets, bullets that are designed to be seen in the dark.

Whether or not the Soviets made enough of an attempt to warn the flight crew, by warnings or radio, or identify whether or not it was a passenger craft is a matter of contention. The four-engine aircraft continued straight ahead. Flying over the southern tip of Sakhalin Island, Soviet air defense controllers were engaged in communications with their supervisors about what to do. The aircraft was about to coast out of Soviet territory back into the safety of international waters. The Sea of Japan lay ahead—and 300 miles beyond it, mainland Russia and the naval base of Vladivostok, the home of the Soviet Pacific fleet.

The air-defense commander asked the fighter pilot if the enemy target was descending in response to the burst of bullets; the pilot responded that the target was still flying level. By a coincidence, just as the aircraft was about to cross into the sea, KAL 007 received instructions from Tokyo air traffic control to “Climb and maintain 35,000 feet.” As the airliner began to climb, its airspeed dropped somewhat, and this caused the pursuing fighter to overpass. Shortly afterward, the large aircraft was climbing on its way to the newly assigned altitude. The fighter pilot reported that he was falling behind the

ascending target and losing his attack position. This otherwise routine maneuver sealed the fate of KAL 007. The move could have reasonably been interpreted as the intruding aircraft was engaging in evasive maneuvers. The fighter pilot moved in to attack.

Seconds later, the fighter aircraft launched two air-to-air missiles toward the target. One missile exploded near the jet causing the aircraft to pitch up. The blast burst a hole in the aircraft skin and caused a loss of pressure inside the large cabin. Two minutes later, the aircraft stalled out of control and then plummeted down into the sea. It impacted the water about 30 miles off the Sakhalin coast. However, due to the aircraft’s position near the border between Russian and international waters, there is a debate as to on which side of the border the plane was shot down.

General Anatoly Kornukov was the Base Commander of Sokol AirBase on Sakhalin island. Official transcripts show him giving orders to fire on KAL 007. However, the transcript also provides evidence showing that the order may have come from his superiors. The fault regarding the resulting deaths of 269 civilians remains in contention, and whether or not Anatoly Kornukov is guilty of second degree murder or manslaughter is the focus of the trials of LACAH III.

INDICTMENT

PEOPLE OF THE STATE OF NEW YORK

v.

ANATOLY KORNUKOV,

Defendant.

COUNT I

NY Penal Law § 125.25: Murder in the Second Degree

ANATOLY KORNUKOV committed the offense of MURDER IN THE SECOND DEGREE in that the said defendant

1. Caused the death of a person with the intent to cause such death; or
2. Although without any premeditated design, perpetrates an act imminently dangerous to another that ultimately results in the death of another person; or
3. Under circumstances evincing a depraved indifference to human life, the defendant recklessly engages in conduct which creates a grave risk of death to another person, and thereby causes the death of another person.

COUNT II

NY Penal Law § 125.20: Manslaughter in the First Degree

ANATOLY KORNUKOV committed the offense of MANSLAUGHTER IN THE FIRST DEGREE in that the said defendant

1. With intent to cause serious physical injury to another person and full knowledge of their actions, caused the death of such person or of a third person; or
2. With intent to cause the death of another person, he causes the death of such person or of a third person under circumstances which do not constitute murder because he acts under the influence of extreme emotional disturbance, negligence, or heat of passion.

Burden of proof: the Prosecution must prove beyond a reasonable doubt that Anatoly Kornukov is indeed guilty of Murder in the Second Degree and/or Mansalughter in the First Degree

Date: 10/30/2021

Nathan Chan - New York State Court Official

CRIMINAL CODE

Knowledge:

A person knows, or acts knowingly or with knowledge of:

1. The nature of his/her conduct, when he/she is consciously aware that his/her conduct is of that nature,
2. The result of his/her conduct, when he/she is consciously aware that that result is practically certain to be caused by his/her conduct.

*Conduct performed knowingly is performed willfully.

Intent:

A person intends, or acts intentionally to accomplish a result, when his/her conscious objective or purpose is to accomplish that result or engage in that conduct.

AFFIDAVITS & EVIDENCE

In order to encourage creativity and unique trials, we encourage teams to find their own evidence and witnesses; however, each additional witness will require a formal affidavit to be submitted. Both the affidavits for these witnesses and all outside materials **MUST** be sent to the email info@lakah.net before **October 20th 12pm GMT+8 (CST/CCT)** to be admissible during the tournament. All affidavits and outside sources will be assessed and approved by the LACAH executive team in order to be used in trial. Late submissions will not be accepted.

AFFIDAVIT FORMAT

Introduction:

Full name, occupation, occupational qualifications if applicable (janitor, police officer, coroner, military general, gun salesman, etc.), relevance to case (direct eyewitness, expert witness, etc.)

Case Related Information:

Details of events, detailed descriptions of all relevant information that witness holds (timelines, what the witness saw/heard, past information, etc.)

Conclusion:

Witness's reason for testifying in court

Affidavits must be between **500 to 1500 words**.



LACAH FALL

KAL 007



Flight of the Korean
The smaller detail at 9:23 p.m. PDT after the crash...
The smaller detail at 9:23 p.m. PDT after the crash...
The smaller detail at 9:23 p.m. PDT after the crash...

Inside Today
EPA announces 132 more toxic waste sites for action...
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Salvador rebel admits killing Schaufelberger
The police bulletin said...
The police bulletin said...
The police bulletin said...

U.S. accuses Soviets of shooting down Korean jet
Chronology of Korean Air Lines Flight 007
All Times Pacific Daylight S...
All Times Pacific Daylight S...
All Times Pacific Daylight S...

Gromyko's... called 'inadequate'
From News Service
The United States said yesterday that a missile fired by a pilot destroyed a South Korean 747 jumbo jet and dozens of passengers and crew in a 25,000-foot plume in waters near Japan...
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