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International Court of Justice (ICJ)

THE HOLY SEA OF ATLANTIS V. THE REPUBLIC OF RUMELIA

1. Lemuria, the Holy Sea of Atlantis, the Republic of Rumelia, and the Kingdom of Juan all border the Guajardo Ocean (see Regional Map in Annex 1). All actors concerned, except Atlantis, are parties to the United Nations Convention on the Law of the Sea (UNCLOS).
2. Lemuria, a unitary decentralized country under a semi-democratic regime with a one party dominant system, is one of the most developed United Nations (hereinafter UN) Member States with a nominal GDP of 2.31 trillion USD. Both its access to the Guajardo Ocean and its highly educated population of 53 million allow it to export high-value products in large quantities. With a 12% share of global goods exports, Lemuria holds a lot of economic power which it often uses to influence international affairs and achieve its goals. Currently, Lemuria's main geopolitical goal is preventing the Holy Sea of Atlantis from becoming an internationally recognized State and limiting its international connections.
3. The Holy Sea of Atlantis (hereinafter Atlantis) is a stabilized democratic *de facto* regime with a permanent population of 12 million located on an archipelago west of the Gulf of Lemuria. The claimed territory of Atlantis consists of an archipelago containing the Main Island and several smaller islands, all of which are located less than 10 nautical miles apart (see map attached Annex 1). Five of those islands are almost completely covered in tropical rainforest and therefore largely inaccessible. One of the 5 islands, called the Allal Island, hosts around 3000 members of the Allaid tribe, previously uncontacted by the outside world, yet under constant observation by the Atlantean authorities which consider the island as a natural reservation. The Allal Island is the easternmost island of the Atlantean archipelago and thus the closest to the territory of Rumelia.
4. The Republic of Rumelia (hereinafter Rumelia) is a UN Member State with a population of 230 million. Despite being a developing country with a strong industrial sector and a growing market economy, Rumelia still relies on Lemuria's import of high-value products. Wanting to become politically more influential, it is attempting to make up for having to import luxury goods by exporting rare metals, oil, and intermediate products (e.g. land vehicles). This contributes to an enormous level of pollution - Rumelia accounts for 15% of worldwide CO2 emissions. This, among the lower quality of air and shrinking sources of drinking water, allowed for the rise of green political parties in the country. On 19th March 2010, to consolidate their power, the conservative government passed a *Declaration of Green Responsibility* (see Annex 2 for relevant clauses) to tackle the environmental issues and solve all climate crisis related disputes with other countries in front of the International Court of Justice (hereinafter ICJ).

5. The Kingdom of Juan (hereinafter Juan), a UN Member State, is an island state connected to the continent by a 2 kilometers long Rumelo-Juanian Yellow Bridge. Being an attractive remote work location, its population has recently grown to 120 million, with the majority concentrated in cities on the northern shore of the Polento Island, facing both the Gulf of Lemuria and the Atlantean archipelago. Although the push for green transformation is also present in Juan, the monarchy in power is strong enough to resist them without compromise.
6. The Atlantean archipelago was sparsely populated until the 16th century when large numbers of Lemurians settled the region with the support of the Lemurian government in cooperation with the Church of Lemuria, which sought to spread its faith to nearby islands. The settler expeditions were thus accompanied by missionaries who converted the locals and taught them the Lemurian language which, throughout the years of mixing with the local dialect, was then transformed into a new language.
7. In 2006, Lemuria faced a difficult transition to a market economy and strained foreign affairs, which caused the government to abandon a tight governance over the Atlantean archipelago. In the following two years, the economic struggle in Lemuria caused the support for independence in the archipelago to grow from 2.1% to 82.3% of the voter base. The spiraling debt of Lemuria used a shift in local Atlantean politics, as the ethnically Lemurian population joined the ethnic minority's decade-long protests for independence.
8. On 1st May 2008, the majority opinion was reflected in the general elections, as the *Voice of Atlantis* won 73% of seats in the Atlantean Regional Council with its sole campaign promise being an independence referendum. Only 2 months into its mandate, the Regional Council of Atlantis was already discussing the *Bill of Independence*, which would change Article 1 of the Atlantean Constitution that defined Atlantis as a Special Administrative Region of Lemuria to state that Atlantis is an independent democratic republic.
9. In April 2009, the *Bill of Independence* passed with an absolute majority and plans for the referendum began. The newly passed *Bill* caught the eye of the Lemurian central authorities, who immediately began disputing the legality of an independence referendum to ensure that the international community would not act favorably towards it.

10. Despite Lemuria's efforts, the protests and strong support for independence continued, which led Lemuria to actively prevent the Atlanteans from holding a referendum: the central government refused the usage of local ballot boxes claiming misuse of public funds, it refused to provide paper ballots and it even refused to help oversee the voting process.
11. On 14th July 2009, the Atlantean Regional Council held a public conference focused on appealing to the international community, claiming that the central authorities are oppressing the region and denying them access to basic necessities for organizing a referendum. The majority of the international community dismissed those appeals, but some private entities, likely Atlanteans living abroad, donated ballot boxes and money to support the execution of the independence referendum. That allowed the local authorities to hold a referendum on 21st October 2009. The results were counted two days later. As it was clear that 92.6% of eligible Atlantean voters answered the ballot question "*Do you want Atlantis to be an independent state with full international and legal personality?*" with yes, the Regional Council, now renamed to National Atlantean Council, proclaimed the independence of the Holy Sea of Atlantis.
12. To pave a successful path for a newly proclaimed State, Atlantean authorities almost immediately organized a Citizens Convention on Independence. The citizens proposed a design of a new currency, further specialization in the technological field, which economists claim is Atlantis' strongest sector, and a further strengthening of its military by developing military equipment, with ambitions of Atlantis becoming a naval power. The government, respecting the wishes of its citizens, speedily implemented all the proposals. In 2011, Atlantis started using the Atlantean Dong. With the help of high interest rates on Atlantean government bonds and low tax rates on equity, the Atlantean government managed to attract investors and boost the strength of its currency. It also undertook a wide reform of privatization of previously public economic activities, i.a. medical care and postal services, and privatized its lush tropical beaches to attract foreign tourists. The described measures helped the economic development of the territory, with its GDP standing at 372.6 billion USD in 2011.
13. Although the Holy Sea of Atlantis has a permanent population, its own government, currency, and a claimed territory, it is only recognized as a sovereign country by 15 UN Member States, one of them being the Kingdom of Juan, which despite historically good relations with Lemuria, saw an opportunity to align with developed western nations expressing their support for Atlantis. Most UN Member States nevertheless maintain unofficial diplomatic relations with Atlantis. This includes

having *de facto* Atlantean embassies within partner countries, and representative offices of partner countries within Atlantis. All the countries with official and unofficial diplomatic relations with Atlantis are also its trade partners, particularly interested in its export of advanced electronics, wireless communication equipment, and semiconductors. The territory is also economically important for countries with an abundance of agricultural and industrial natural resources, as Atlantis imports most of its energy needs.

14. Due to the rapid development of the shipping industry for export purposes, Atlantis ratified the Convention on the International Maritime Organization (hereinafter IMO) at the beginning of 2011 and became a member of the IMO in accordance with Articles 6 and 71 of the Convention on the IMO. Being a member of a Specialized Agency and therefore indicating that its activities cover matters of interest to the UN General Assembly, Atlantis was eligible to apply for Permanent Observer Status in December 2011, which it did.
15. In February 2012, the General Committee of the General Assembly reviewed Atlantis' request and recommended to include the item in the agenda for its annual meeting. At the end of September 2012, the Sixth Committee of the General Assembly considered the application for Observer Status before they let it be considered at the plenary session in October 2012. 54 UN Member States sponsored a draft resolution by which the General Assembly would decide that Atlantis is considered invited to participate in the sessions and work of the General Assembly in the capacity of an Observer. On 1st December 2012, the General Assembly voted on the proposed resolution, which passed with 134 votes for, 7 against, and the remaining Member States abstaining. Therefore, Atlantis was first able to participate in the General Assembly in 2013.
16. On 31st May 2014, Atlantis deposited with the Secretary-General of the United Nations a Declaration by which it accepted the ICJ's jurisdiction as compulsory, in accordance with the Charter of the United Nations and subject to the conditions of the Statute and Rules of Court, and undertook to comply in good faith with the decisions of the Court and to accept all the obligations of a Member of the United Nations under Article 94 of the United Nations Charter (see Declaration in Annex 3).
17. On 12th November 2014, the United Nations Security Council publically welcomed Atlantis' declaration accepting the jurisdiction of the ICJ and announced it shall discuss the conditions under which Atlantis may become a party to the Statute of the ICJ. On 31st December 2014, the Security Council considered and adopted a report and recommendation on this matter from its Committee of Experts.

18. In October 2015, the UN General Assembly considered the recommendation of the Security Council for Atlantis to become a party to the Statute of the ICJ. On 25th October, it adopted the conditions the Security Council laid out in Resolution S/RES/7777, with 143 votes for, 3 votes, including Lemuria, against, and the rest, including the Republic of Rumelia, and some other nations relying on Lemuria's exports, abstaining from voting.
19. In November 2016, having fulfilled all the conditions, Atlantis made its first annual contribution to the ICJ expenses, showing its thorough commitment to being a party to the ICJ Statute. Lemuria tried to hinder Atlantis from contributing to the ICJ expenses on time by setting high tariffs on the imports to the archipelago which had to pass through Lemuria. Lemuria further attempted at draining Atlantis's already quickly diminishing natural resources by inviting foreign multinational companies into the region Atlantis claims to be its exclusive economic zone - a claim Lemuria disputes, as it still sees Atlantis as forming a part of Lemurian territory. Hence, at the beginning of 2016, multiple private companies began with oil extraction in the disputed region.
20. Four years after the beginning of their excessive oil drilling in the region, two enterprises with headquarters in Rumelia - RumOil and GasPort - started using jack-up ships to drill large amounts of oil in parts of the sea claimed as an exclusive economic zone by Atlantis. Rumelia financed the two enterprises laying down submarine pipelines after they applied to partner up with the government.
21. Since 2021, these submarine pipelines operate based on the newly discovered amphibian particle acceleration technology developed by Rumelian scientists from the Lekiesha Jacobs Research Center - a Rumelian State-owned yet independent institution: the new technology arose from a public procurement project that sought a more efficient way of liquid transfer. GasPort and RumOil were both the main investors by way of public-private partnerships as well as partners in innovation chosen by the state. On 28th November 2020 the project was concluded and the Lekiesha Jacobs Research Center submitted a patent application for the amphibian particle acceleration technology, which the authorities approved in the following week. As partners in the project, both companies were licensed to use the new technology, yet with several restrictions.
22. The companies outsourced the manufacturing of pipelines using the new technology to a local petroleum infrastructure company. In January 2021, the first submarine cables using the new technology were laid down. The government

required both companies pioneering the technology to have one scientist from the Lekiesha Jacobs Research Center present on board each jack-up ship to monitor the new pipelines for the first two months.

23. In May 2021, the Rumelian government reached an agreement with the Lekiesha Jacobs Research Center that it may sell the rights to use the patented technology provided that 20% of the profits go to their equipment budget and 5% get donated to the University of Damico, Faculty of Science, to support and improve STEM education in the country. In July 2021, Rumelia made its first sale of the right to patent use to its neighbor, the Kingdom of Juan. Juan manufactured its first submarine pipeline using amphibian particle acceleration technology in September 2021. During that month, the first pipeline Juan manufactured was laid down 5 nautical miles from the coast of its most remote and uninhabitable island to conduct a series of tests. The execution of the tests and the monitoring of the process was in the hands of Juan's best scientists.
24. After 2 months of exhaustive testing, the Juanian authorities decided not to use the new technology just yet, as the Juanian scientists reported having suspicions about its effect on the safety of oil drilling. They notified the technology developers at the Lekiesha Jacobs Research Center about their concerns, but the Rumelian scientists were quick to dismiss them for a lack of definitive proof.
25. The Juanian authorities approved the use of the new technology six months later, in May 2022, as the Rumelian pipelines seemed to work flawlessly, increasing the speed of oil transfer by 22%. On 4th June 2022, the State company JuanOil laid down its first set of submarine cables manufactured with the new technology just outside the region Atlantis claims as its exclusive economic zone.
26. On 24th June 2022, Atlantis released a written public statement accusing Rumelia of exploiting its exclusive economic zone by laying down new submarine pipelines behind the veil of the two private corporations RumOil and GasPort and urged the Rumelian government to remove the pipelines using the new technology. The Rumelian Prime Minister Nettles responded in an interview on national television stating: "Atlantis, as a special administrative region of Lemuria, does not have its own exclusive economic zone. Lemuria invited our world-class companies to extract oil from the region, promoting sustainable development of both countries." He added that the accusations are baseless, claiming Atlantis is envious of its efficient technology, recently reported to speed up oil transfer by over 20%.

27. Just seven days after a streak of accusations between Atlantis and Rumelia, a part of a submarine pipeline connected to a GasPort's jack-up ship located 30 nautical miles (nm) off the shore of Allal, an island claimed by Atlantis, and 100 nm from the coast of Rumelia, exploded. The explosion resulted in the spillage of 650 million liters of crude oil. The Atlas current flowing from the southwest towards the northeast, whose magnitude increased from 0.87 cubic meters per second to 3.61 cubic meters per second between 2002 and 2022, accelerated the movement of the oil towards the Atlantean archipelago.
28. Just two months before the incident, the environmental department of the Lekiesha Jacobs Research Center released a report on the impact of human-induced emissions and climate change on the Guajardo Ocean. It remarked, i. a., that the increased power of the Atlas current is to be attributed to human factors, such as increased industrial activity in the region in the last century and disposition of industrial waste into the ocean from the largest industrial centers in the Gulf of Lemuria and on Polento Island. The report speculates that such development is the result of several decades of pollution caused by presently developed States and can only partially be attributed to polities that are still in development. The report faced little opposition by environmental scientists abroad and is consistent with previous statements released by the Intergovernmental Panel on Climate Change (IPCC).
29. Many environmental scientists reported that the usage of amphibian particle acceleration increased the risk of the explosion and enhanced the magnitude of the spill. However, as the technology is still very new and data is still missing, the Lekiesha Jacobs Research Center released a statement calling the reports unfounded and speculative, emphasizing their technology is being used in at least ten other pipelines that have been working flawlessly since their installment. This statement caused a divide in the scientific community, which only found common ground in the fact that the situation needs to be further analyzed for such an environmental catastrophe not to repeat itself.
30. The spill severely affected the unique ecosystems of the North-Eastern islands of the Atlantean archipelago, most significantly of the Allal Island: the Atlantean mangrove, an important actor in the local biome, nearly disappeared from the Allal Island. The population of birds nesting on the island dropped significantly and several marine mammals that were traditionally hunted by the Allaid tribe disappeared from the island's vicinity.
31. The Atlantean government also feared potential contamination of water sources and the atmosphere on the island, which would endanger its human habitation. As

a result, the Atlantean government decided to dispatch emergency evacuation groups to the island to contact the Allaid tribe for the first time in decades, ensuring their relocation to safety. The combined costs of the relocation encompassing the costs of integration of the Allaid tribe members and their education estimated by the Atlantean government amounted to 40 million USD. As a means of aiding the resettled tribesmen, the government also created a relief and compensation scheme which distributed 50 million USD among the affected individuals. The Atlantean Ministry of Culture also issued a statement on the “priceless” cultural loss due to the ruined way of life of the island’s inhabitants.

32. On 13th July 2022, the Atlantean parliament passed a law that declared the members of the Allaid tribe to be Atlantean citizens. The law produced retroactive effects as it stated that as inhabitants of Atlantis, the members of the Allaid tribe are to be considered citizens of the country since its proclamation of independence in 2009.
33. On 17th July 2022, a meeting between government officials and tribal leaders was held. The Allaid leaders accepted the situation and promised to obey the orders of the National Atlantean Council for two months, after which they demanded to be moved back to their island. The Atlantean government agreed to the Allaid leaders' demands, but decided to withhold important information: the removal of environmental damage to the level which would make the island habitable again is estimated to take 15 to 20 years, which is also the time in which the island's habitable land is likely to shrink by 70% due to rising sea levels. Without cleanup and land reclamation measures, likely to be valued in hundreds of millions of USD, the island is projected to become uninhabitable by 2030.
34. On 22nd July, Atlantis’ Prime Minister Solis traveled to meet Rumelia’s Prime Minister Nettles in Juan’s capital Mead for the first three-day-long discussion of Atlantis’ demands of compensation for environmental damage. Although there was a proposal of a *Treaty on ad hoc arbitration in the Rumelo-Atlantean Oil Spill Dispute*, the parties could not agree on how to appoint the arbitrators. The talks in Mead did result in the parties agreeing to send a formal request to the United Nations Environmental Programme (hereinafter UNEP) to help them conduct an independent environmental damage assessment. Seeing the urgency of the matter, the UNEP recommended the international environmental expert group GEI (Global Environmental Institute) to conduct the assessment and release a report.
35. On 30th July, the GEI released the *Environmental Damage Assessment Report - Oil Spill and Its Effects on Allal Island* (see Annex 4 for relevant excerpts), after experts in

environmental science, biodiversity, and conservation spent 5 days gathering data, assessing the ecological damage and evaluating different strategies for recovery. The Report estimated the cost for the recovery and restoration at approximately 200 million USD.

36. After several months of diplomatic exchanges between the Rumelian government and the National Council of Atlantis, which, according to the Prime Minister of Atlantis, did not reach a meaningful conclusion, the Atlantean Ministry for the Environment expressed great dissatisfaction with the process. The Ministry observed with profound grief the delayed environmental restoration prospects and expected a further deterioration of the ecosystem, including the possibility of extinction of certain species of flora and fauna. The cost of the delay was estimated by the Ministry to be in the hundreds of millions of USD.
37. From 4th to 8th November 2022, the National Council of Atlantis held an extraordinary session on the topic of resolving the Rumelo-Atlantean Oil Spill Dispute, where the majority agreed that the dispute cannot be solved through diplomatic channels due to strained relations. On the suggestion by the Minister for Foreign Affairs Martel, the Council decided that Atlantis shall submit an application for a contentious case in front of the ICJ.
38. On 5th December 2022, the Atlantean Minister for Foreign Affairs submitted the application to initiate proceedings against Rumelia with the Registrar of the ICJ, stating Rumelia's *Declaration of Green Responsibility* and Atlantis' own Declaration accepting the jurisdiction of the ICJ as the basis for the Court's jurisdiction.
39. In its application Atlantis, as Applicant, respectfully requests the Court to adjudge and declare that:
 - a. Rumelia is internationally responsible for laying down submarine pipelines and using jack-up ships in the area of Atlantis' exclusive economic zone and should thus remove all pipelines using the new technology;
 - b. Rumelia is internationally responsible for all oil-related environmental damage to Allal Island and should hence pay a compensation of 200 million USD to Atlantis; it should also compensate Atlantis for the relocation of the Allaid tribe in the sum of 140 million USD;
 - c. Rumelia is partly internationally responsible for the sinking of the Allal Island and should pay a compensation of 300 million USD to Atlantis.
40. The Rumelian Ministry for External Affairs and the Ministry for Justice released a joint statement calling the Atlantean application manifestly unfounded. They opined that

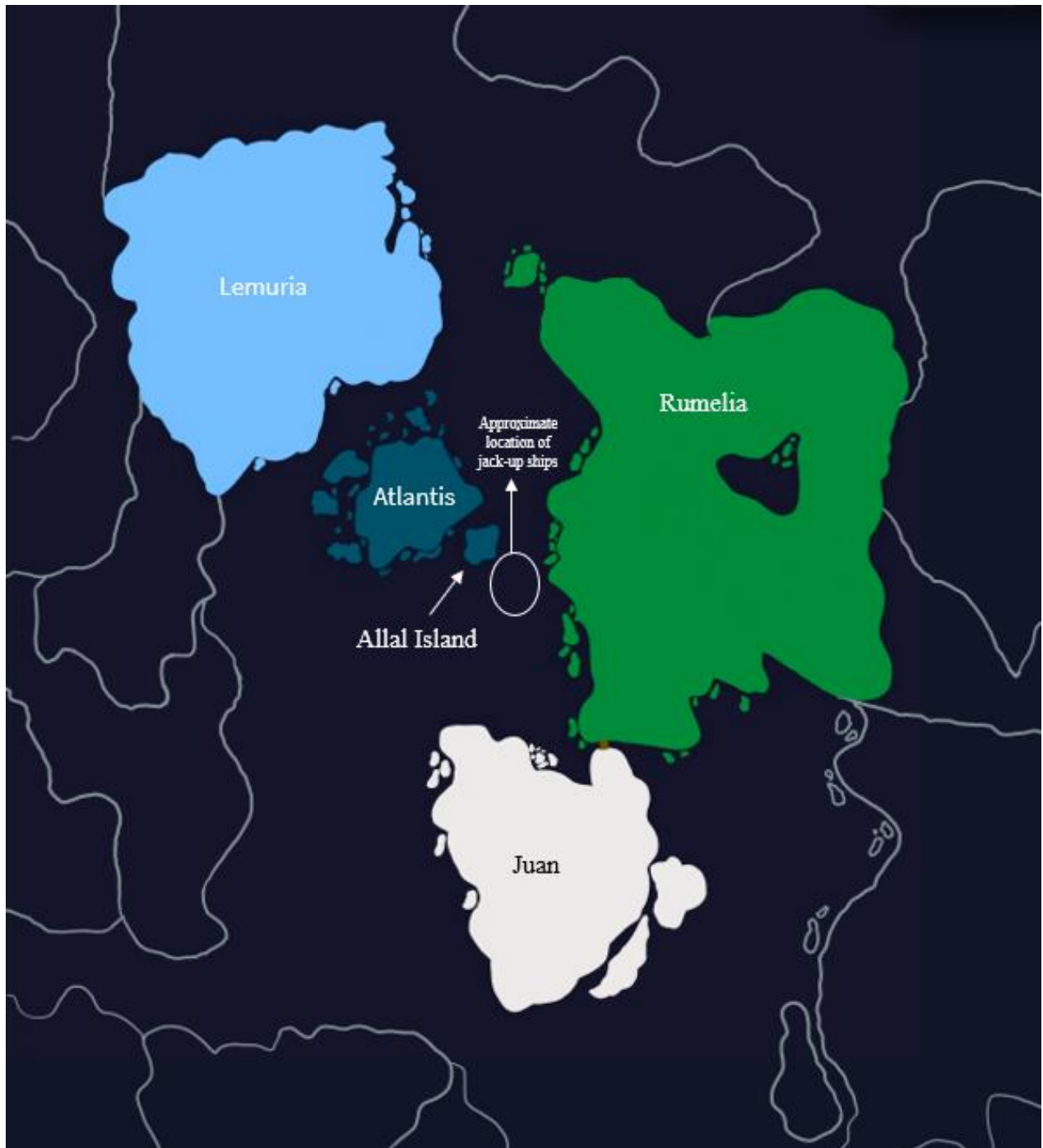
accepting any of the Atlantean pleas would lead to grave deterioration of legal certainty in international relations.

41. In the end, Rumelia, as Respondent, respectfully requests the Court to adjudge and declare that:
 - a. the dispute does not fall within the jurisdiction of the Court; alternatively, should the Court consider itself in possession of jurisdiction to resolve the dispute, it should reject the claims as unfounded and declare that:
 - b. Rumelia acted in accordance with international law when laying down submarine pipelines and using jack-up ships; in any case, it must not remove any pipelines;
 - c. Rumelia is not internationally responsible for the oil-related environmental damage caused to the Allal Island; in any case, Rumelia does not have any obligation to compensate for the environmental damage, nor for the relocation of the Allaid tribe;
 - d. Rumelia is not internationally responsible for the sinking of the Allal Island; in any case, Rumelia does not have any obligation to compensate.

42. The hearing in front of the ICJ is scheduled to begin on 1st December 2023.

ANNEX

Annex 1: Regional Map



Annex 2: Excerpts from the Declaration of Green Responsibility (19th March 2010)

Pursuant to Article 36 (2) of the Statute of the International Court of Justice, the Republic of Rumelia hereby declares that it recognizes as compulsory *ipso facto* and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice, for the settlement of all environmental disputes that may arise or have already arisen, with the exception of:

- a) any dispute relating to military activities or other measures taken by the Republic of Rumelia for the protection of its sovereignty and territorial integrity, for national defense purposes, as well as for the protection of its national security and essential interests;
- b) any dispute concerning State boundaries or sovereignty over the territory of the Republic of Rumelia, including any dispute over the breadth and limits of its territorial sea and its airspace.

The Republic of Rumelia further reserves the right at any time, by means of a notification addressed to the Secretary General of the United Nations, and with effect as from the moment of such notification, to add to, amend or withdraw this Declaration.

Annex 3: Declaration Accepting the Jurisdiction of the International Court of Justice as Compulsory (31st May 2014)

Pursuant to Security Council Resolution 9 (1946) of 15 October 1946, which provides the conditions under which the Court shall be open to States not parties to the Statute of the International Court of Justice, adopted by virtue of its powers under Article 35 (2) of the Statute of International Court of Justice, the Holy Sea of Atlantis recognizes as compulsory ipso facto and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes concerning:

- a. The interpretation of a treaty;*
- b. Any question of international law;*
- c. The existence of any fact which, if established, would constitute a breach of an international obligation;*
- d. The nature or extent of the reparation to be made for the breach of an international obligation.*

In addition, Atlantis accepts the provisions of the Statute of the International Court of Justice and commits to contributing to the expenses of the Court such an equitable amount as the United Nations General Assembly shall assess from time to time after consultation with the Atlantean authorities.

This declaration which is made under Article 36 (2) of the Statute of the International Court of Justice shall take effect from the date on which the Holy Sea of Atlantis becomes a party to that Statute and shall have effect as long as it has not been abrogated subject to one year's notice.

The Holy Sea of Atlantis additionally declares that it accepts all the obligations of a Member of the United Nations under Article 94 of the Charter of the United Nations.

Annex 4: **Excerpts from the *Environmental Damage Assessment Report - Oil Spill and Its Effects on Allal Island (30th July 2022)***

Part III: Environmental Damage Assessment

(1) Marine Ecosystem

The spilled crude oil formed large oil slicks on the sea surface, covering an area of approximately 1,500 square kilometers. The following impacts were observed:

- a) The Atlantean mangrove, an ecologically important species in the region, suffered extensive damage due to oil contamination. Approximately 45% of the mangrove trees were affected and approximately 20% experienced complete die-off.
- b) The marine fauna, including marine mammals and fish species, experienced disruption of their natural habitat and high mortality rates due to toxic effects of the oil.
- c) The population of seabirds nesting on Allal Island also decreased significantly with an estimated 35% reduction in breeding pairs.

(2) Water Quality

Water samples taken from the affected area showed high concentrations of hydrocarbons, with levels reaching up to 65 parts per million in some locations. The presence of these pollutants severely compromised the water quality raising concerns about the potential effects on human health.

(3) Air Quality

Air quality monitoring stations recorded elevated levels of volatile organic compounds, with benzene concentrations reaching up to 5 parts per billion, posing health risks to the tribal population.

Part IV: Cost and Length of Recovery and Restoration

(1) Cost of Recovery and Restoration

The total estimated cost for recovery and restoration of Allal Island's ecosystem is approximately 200 million USD. This includes 50 million for cleanup and remediation costs, 50 million for rehabilitation of the mangrove ecosystem, 40 million for species conservation

and management, 10 million for monitoring and research, and 50 million for administrative support.

(2) Length of Recovery and Restoration

Conservatively estimating the timeline, it is expected to take around 15 to 20 years for the Island to become habitable again. It is not advisable for the Allaid tribe to move back to the Island before the restoration efforts are complete.