



THE MANFRED LACHS SPACE LAW MOOT COURT COMPETITION

INTERNATIONAL COURT OF JUSTICE

SPECIAL AGREEMENT

BETWEEN

THE AKERAN FEDERATION
APPLICANT

AND

THE COMMONWEALTH OF MHENI
RESPONDENT

JOINTLY NOTIFIED TO THE COURT

COUR INTERNATIONALE DE JUSTICE

COMPROMIS

ENTRE

LE MANFRED LACHS
ET LE COMMONWEALTH OF MHENI



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**CASE CONCERNING
SATELLITE ELECTROMAGNETIC INTERFERENCE**

Statement of Agreed Facts

The Akeran Federation (Akeran) and the Commonwealth of Mheni (Mheni) are neighboring states with a long history of competition, diverging political systems, alliances and disputes. Mheni is a large mountainous State on the coast of the Botuos Sea. Akeran is comprised of a federation of nearly 100 islands, some large, some small, all extending 1000 kilometers north-south, closely along the length of Mheni. Both nations allocate a significant part of their budgets to civil and military space programs.

In the late 21st century, huge reserves of natural gas and crude oil were discovered under Akeran's island chain, and it became a major p



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Recently fully functional other communications and digital systems tied to the SEANAV PNT system in Akera suffered deterioration. Numerous sensitive electronic and electrical devices also were disrupted including those used for military purposes and civil aviation. The prestigious investigative journal *Akera Times* reported that as a result of the interference of the SEANAV signal an Akeran unmanned aerial vehicle (UAV) equipped with a SEA U receiver had crashed at a military base destroying the vehicle as well as a building at the base and killed two military personnel on the ground. In a press conference the President of Akera confirmed that an Akeran UAV had crashed. She announced that Akeran analysts had confirmed the loss was caused by EMI generated by the X A and that the EMI had disabled the UAV's onboard navigation capabilities. According to the Akeran President the analysts concluded that the interference phenomena had never occurred prior to placing the X system on orbit. She described the X A satellite as a sophisticated weapon and complained that it was being used against Akera endangering its territorial integrity and national security.

By early 2015 the X A EMI had increased to prevent the use of SEA U receivers throughout Akera's islands and near the Langerhans Archipelago. This had the effect of causing a substantial reduction in international shipping and transit through Akera's waters because large supertankers and container cargo ships could not navigate safely through its reefs and hazards. As a result Akeran oil exports and trade declined significantly. During this time however several companies from Mheni including Peaody Enterprises began oil drilling operations in the Langerhans Archipelago.

The Akeran Foreign Ministry issued a démarche to the Mhenian authorities demanding that Mheni take immediate action to prevent the transmission of signals from X satellites that were causing or could cause harm to Akera's use of the SEANAV system.

In a news conference Mheni's foreign minister Preston Yukon responded to the Akeran démarche. He said that Mheni was not at fault for the deterioration of Akera's communications. Yukon stated that there was no proof of a direct connection between the malfunctioning of the Akeran systems and devices and the transmissions of the X satellites and Mheni refused to take responsibility for the interference. He stated that Sain Communications was in possession of valid authorizations to perform its space experiments and testing in accordance with both Mheni's laws and international obligations. He added that during the authorization process nothing indicated that X

A was designed to disrupt any other satellite's signal. He disclosed that Mheni was using M/SUE tuners and explained that it would not be in Mhenian interests to interfere with the SEANAV system since its military and national space systems also used the signal for PNT purposes. As further proof on this point Yukon stated that he was told



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the X satellites also used the SEANAV PNT signal for navigation purposes. He stated that Akera's authorities should search for the source of disruption in their own territory.

Akera sought redress for its complaints about the X satellite's transmissions through the International Telecommunication Union (ITU) and requested that Mheni accede to the Optional Protocol on Compulsory Settlement of Disputes. Mheni rejected the request. Thereafter, Akera invoked the ITU dispute resolution consultations. Mheni denied any responsibility for the EMI, and the ITU procedures were unsuccessful.

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