

INTERNATIONAL COURT OF JUSTICE

CASE CONCERNING THE BOUNTIFUL SEA  
(UNION OF ALPHASTAN v. REPUBLIC OF RETROSTAN)

**ORDER OF 22 SEPTEMBER 2025**

**2025**

COUR INTERNATIONALE DE JUSTICE

AFFAIRE CONCERNANT LA MER GÉNÉREUSE  
(UNION D'ALPHASTAN c. RÉPUBLIQUE DU RETROSTAN)

**ORDONNANCE DU 22 SEPTEMBRE 2025**

INTERNATIONAL COURT OF JUSTICE

YEAR 2025

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22 September  
General List  
No. 201

**22 September 2025**

CASE CONCERNING THE BOUNTIFUL SEA

(UNION OF AMBROSIA v. REPUBLIC OF ROVINIA)

**ORDER**

The International Court of Justice,

After deliberation,

Having regard to Articles 40 and 48 of the Statute of the Court and to Articles 31, 44, 45, and 48 of the Rules of Court;

Having regard to the Application filed in the Registry of the Court on 13 July 2025, whereby the Union of Alphastan (“Alphastan”) instituted proceedings against the Republic of Retrostan (“Retrostan”) with respect to a dispute concerning the Bountiful Sea and certain other matters;

Whereas the Registrar immediately communicated the Application to the Government of Retrostan in accordance with Article 40(2) of the Statute of the Court, and notified the Secretary-General of the United Nations of the filing of the Application by Alphastan;

Whereas Alphastan and Retrostan have appointed their respective Agents;

Whereas, by an Order of 15 August 2025, the Court decided that all claims would be heard together in a single proceeding;

Whereas, in that same Order, the Court requested the Parties to submit a Statement of Agreed Facts;

Whereas, after negotiations, the Parties jointly communicated the attached Statement of Agreed Facts to the Court on 15 September 2025, indicating in their communication their agreement that Ambrosia would appear as Applicant and Retrostan as Respondent, without prejudice to any question of the burden of proof; and

Taking into account the views of the Parties;

*Fixes* the dates for the filing of the written and oral pleadings as the dates set forth in the Official Schedule of the 2026 Hamilton-Lugar ILSA International Law Moot Court Competition;

*Adopts* the Official Rules of the 2026 Hamilton Lugar ILSA International Law Moot Court Competition as governing the proceedings in this matter.

Done in English and French, the English text being authoritative, at the Peace Palace, The Hague, this twenty-second day of September, two thousand and twenty-five, in three copies, one of which will be placed in the Archives of the Court and the others transmitted to the Governments of Alphastan and Retrostan, respectively.

*(Signed)*  
President

*(Signed)*  
Registrar

**STATEMENT OF AGREED FACTS**  
**CASE CONCERNING THE BOUNTIFUL SEA**

**(Union of Alphastan v. Republic of Retrostan)**

**15 SEPTEMBER 2025**

1. Prologia and Prefacia (not parties to the present case) are European states that, during the 16<sup>th</sup> and 17<sup>th</sup> centuries, were actively engaged in exploration and colonization around the world. The two countries colonized the eastern shore of the Bountiful Sea in the first half of the 16<sup>th</sup> century.
2. Prologia established two adjacent colonies in the region: Alphastan in the north, where the principal economic activities were logging and farming, and Betastan in the south, where the principal economic activities related to fishing. Prefacia administered its colony, located to the south of Betastan, as a single unit, which it named Retrostan.
3. Between 1760 and 1764, hostilities arose between Prologia and Prefacia, including along the Bountiful Sea. Following Prologia's victory in the conflict, the parties concluded a peace treaty. Under that treaty, Prefacia transferred to Prologia a portion of Retrostan, which became the colony of Discontentia. The territory was sparsely inhabited by Prefacian settlers at the time of transfer.
4. In the decades following the acquisition of Discontentia, Prologia implemented measures to consolidate its administrative authority and increase the Prologian population of the colony. Between 1765 and 1795, Prologia offered individuals convicted of certain criminal offenses the opportunity to obtain reductions in sentence in exchange for permanent relocation to Discontentia. By 1800, persons resettled under this program, together with their descendants, constituted approximately twenty percent of the colony's population.
5. In the second half of the 19<sup>th</sup> century, following a prolonged economic downturn and mounting fiscal burdens associated with its overseas administration, the Government of Prologia undertook a comprehensive review of its colonial policy. On 12 May 1878, the Parliament of Prologia enacted the Act of Confederation and Independence, providing for the withdrawal of

authority from its territories along the Bountiful Sea. Pursuant to that Act, the Union of Alphastan was recognized on 1 August 1878 as an independent federal republic composed of three provinces corresponding to the former colonies of Alphastan, Betastan, and Discontentia.

6. In 1888, colonists in Retrostan declared independence from Prefacia. Alphastan supported the independence movement, providing troops and supplies to the colonists. After a three-year war of independence, Prefacia formally relinquished control, and the colonists established the independent Republic of Retrostan, a unitary republic.
7. In the decades following Retrostan's independence, Alphastan and Retrostan pursued divergent paths in constitutional structure and national identity. Alphastan's federal constitution, adopted in 1941, preserved regional autonomy among its three provinces, reflecting the distinct colonial legacies and internal diversity of the Union. The federal government enjoys exclusive power over specifically enumerated matters, including defense and international relations; the provincial governments exert exclusive power over other specifically enumerated matters, including public education and culture. The constitution provides that any unenumerated powers are shared between the federal government and the provinces, but it also contains a "supremacy clause," according to which any federal act with respect to any such "shared power" takes precedence over a conflicting provincial act. Moreover, the constitution does not contain any provisions for dissolution of the federal state or for secession of provinces. Retrostan, by contrast, promulgated a unitary constitution in 1944, consolidating authority in the national government and advancing a civic identity rooted in linguistic and cultural homogeneity.
8. The majority population of Alphastan speaks Prologian, while Retrostan is defined by the Retrosript language and cultural practices rooted in Prefacian heritage. Discontentia stands apart as a province whose linguistic and religious character closely resembles that of Retrostan.
9. The two states have maintained steady diplomatic ties, engaged in regular trade, and participated jointly in regional and international fora since Retrostan's independence. Relations between Retrostanians and residents of Discontentia have been particularly close, marked by patterns of cross-border migration, shared religious observance, and enduring familial and cultural connections. Maritime trade has played a consistent role in sustaining

these links, supported by longstanding shipping routes and commercial access points along the Bountiful Sea. Alphastan possesses approximately 400 kilometers of coastline, including 120 kilometers within Discontentia, whereas Retrostan has approximately 300 kilometers of coastline.

10. Almost since independence, a small but vocal minority within Discontentia has called for independence from Alphastan, with some advocating reunion with Retrostan. Many individuals in Retrostan have voiced support for such integration, but the Retrostani government has historically sought to avoid the issue. Meanwhile, Alphastan has tolerated these calls for secession, but has taken every opportunity over the years to assert “the integrity and indivisibility of the Union of Alphastan.”
11. In 1965, several separatist leaders in Discontentia formed the Discontentia Independence Movement (DIM), a registered political party that participated in provincial and federal parliamentary elections beginning with the 1967 provincial elections. Over the next five decades, DIM enjoyed little success at the ballot box, winning no federal parliamentary seats and fewer than 10 percent of provincial parliamentary seats in any given election.
12. In the 1990s, the central government of Alphastan began imposing increasingly restrictive measures in Discontentia, aimed at squelching support for secession. These measures included limitations on the publication and public broadcasting of calls for independence in any venue that received federal funding. Alphastani commentators aligned with the government also began to openly reject the idea that the inhabitants of Discontentia were a separate people from the majority population.
13. At various points during the past three decades, senior officials within the Alphastani government intermittently raised the prospect of formally outlawing DIM as a political movement, citing concerns related to national unity and internal security. Although no such ban was ever enacted, public discourse surrounding DIM increasingly framed the party as a destabilizing force. DIM leadership has alleged that its members have been the subject of sustained surveillance, a claim the Alphastani government has neither confirmed nor denied. DIM has also reported a series of anonymous threats of violence, which party officials have characterized as consistent with “state-sponsored intimidation.”

14. Beginning in the early 2000s, the teaching of the Retrosript language in Discontentian schools, which used to be common, became increasingly disfavored. Through the restriction of federal funds, the government has created a host of curricular and bureaucratic obstacles to instruction in the Retrosript language and related cultural practices within Discontentia. Federal authorities in Discontentia also harassed prominent supporters of DIM. In a few cases, DIM supporters were whisked away by masked government officials only to be released from detention a few days later without explanation or formal charges.
15. Despite this strategy, DIM gained popular support throughout Discontentia, winning an increasing number of seats in the triennial parliamentary elections. After the 2021 elections, DIM held 20 of 50 seats in the Discontentian parliament, and eight of Discontentia's 10 seats in the 30-member federal parliament.
16. Throughout DIM's political ascent, the Government of Retrostan declined to offer any form of public support. This approach was criticized by DIM party leaders and other activists in Discontentia, who urged the government of Retrostan to more vigorously support Discontentian secession. An influential group of media figures in Retrostan also began to actively encourage the government to support Discontentia.
17. In February 2022, scientists from the National University of Alphastan made public that they had discovered significant oil and natural gas deposits on the continental shelf between 15 and 30 nautical miles off the coast of Discontentia. The Alphastan parliament directed the Ministry of Energy to begin negotiations with private companies to conduct exploratory drilling.
18. The Discontentian parliament, with support from DIM leadership, adopted a resolution strongly opposing the drilling plan, asserting that it would disrupt fishing, recreation, and other maritime and cultural activities in Discontentia. Parliament members also worried that revenues from the project would flow mostly to the federal government rather than to the people of Discontentia. A number of non-violent marches and protests took place advocating a freeze on maritime exploration and drilling. Alphastani officials strongly rejected this criticism, with Minister of the Interior Shana Hershey, accusing DIM of "trying to hold the Alphastani economy hostage."

19. As the Alphastani plans for drilling moved forward, Retrostani officials and a range of climate change groups also expressed concern about the impact of maritime drilling on the environment. These groups pointed out that an accident or spill associated with the drilling operation could easily extend to the broader Bountiful Sea as well as to Retrostan's waters. The government of Alphastan has rejected these concerns and has argued that Retrostan has no right to influence Alphastan's use of its own sovereign resources. In a press conference in December 2022, Minister Hershey promised to conduct a robust environmental impact assessment (EIA) prior to any significant extraction work beginning at the site.
20. The announcement of offshore exploration contracts in March 2023—issued without reference to an EIA—sparked a new wave of protests in Discontentia. Initially peaceful demonstrations escalated amid reports of arbitrary arrests, excessive police force, and prolonged detentions without charge. In the aftermath, the federal government dissolved several environmental and pro-Retrostan organizations on national security grounds, including Troubled Waters (TW). TW's leadership and membership, some 200 in total, fled to Retrostan and reestablished the group as Troubled Waters Abroad (TWA), launching a regional advocacy campaign against the Alphastani government's policies. Around the same time, members of the federal parliament introduced the "National Educational Coherence Act" (NECA), a draft law to centralize control over educational curricula. Though facially neutral, its limitations on provincial discretion in areas such as language and history have been widely viewed as targeting Discontentia. DIM and TWA leaders condemned the bill as "unconstitutional and a threat to Alphastan's unity and federal structure."
21. In April and May 2023, the Retrostani government hosted several meetings of government officials and civil society to increase awareness of the social and environmental impact of Alphastan's planned drilling activity. At the opening session of one such meeting, Retrostan's prime minister, Torani Walden, appeared onstage to congratulate the participants for their concern and activism, concluding:

"Please know that Retrostan stands with you as you seek to safeguard the waters of the Bountiful Sea for all its users and not just for the rich oil and gas companies who will benefit most from this project. Those who seek to



move the tide must be willing to make a splash. No one has ever altered the course of history without disturbing the surface, even if it means that some may be knocked over. This disastrous drilling project will not be stopped unless those supporting it understand that there will be costs to pay.”

22. Over the next six months, Retrostan’s government awarded grants to several Retrostani non-governmental organizations that opposed the drilling operations. These grants provide funding so that the organizations can “raise awareness about the dangers of offshore drilling” through “consciousness raising” and “educational activities.” One of the primary recipients of the grants was TWA.
23. In April 2023, the United Nation Human Rights Council adopted Resolution 52/44, titled “Situation of human rights in Alphastan.” By a 26 to 6 vote, with 15 members abstaining, the Council decided “to appoint, for a period of one year, a special rapporteur to monitor the situation of human rights as it develops in the province of Discontentia.” The mandate has been extended annually by the Council, most recently in April 2025. Mr. Evan Handed, a national of Canada and former President of the Institute for Liberation and Social Accountability (ILSA)—an independent organization that conducts field-based investigations and policy advocacy on behalf of communities experiencing systemic repression—was appointed special rapporteur, a position he holds to this day.
24. In February 2024, Mr. Handed, who had been based in Discontentia with the permission of federal and provincial authorities, submitted his first report on the human rights situation in Discontentia. He documented a number of violations in the region and noted, in particular, abuses by the federal Alphastani police. The report also emphasized that if NECA would pass in the federal parliament it “risks not only a constitutional crisis within Alphastan, but a violation of the social and cultural rights of the provincial residents of Discontentia.” He also noted with concern the lack of Discontentian participation in the drilling decisions.
25. In the March 2024 election, DIM for the first time gained a super majority, taking 43 of 50 seats in the provincial parliament. Prime Minister Walden was caught in a “hot mic” moment at a meeting with local politicians from Discontentia, admitting that “the political situation in

the province is changing fast” and that “there may be room to reconsider public support for the independence of the province.”

26. On 4 April 2024, the Discontentian parliament passed a resolution calling for a province-wide popular referendum on independence from Alphastan. The vote was 43 to 7, along party lines. Alphastan’s prime minister, Nevill Knope, described the vote as “madness” and cast doubt on its constitutional legitimacy. On 10 April 2024, the federal parliament passed its own resolution, by a vote of 21 to 7, calling the proposed referendum “extraconstitutional, illegal, and without effect” further calling on the federal government “to take all necessary measures to oppose the resolution.” The only votes against the federal resolution were the seven DIM members of parliament from Discontentia.
27. The provincial authorities in Discontentia commenced preparations for an independence referendum but were met with persistent resistance from federal representatives based in the province. Meanwhile, Retrostan’s government—facing mounting pressure from an increasingly vocal domestic constituency aligned with Discontentia’s aspirations—publicly endorsed the referendum and affirmed that the people of the province must be permitted to determine their own political future.
28. In May 2024, the first private exploratory drilling operation commenced off the coast of Discontentia, under active protection from the Alphastani coast guard. As the summer progressed, TWA, operating from Retrostan, began chartering vessels to stage maritime protests in Discontentian waters. Citing customary norms of civil disobedience at sea, TWA ships deliberately entered “exclusion zones” declared by Alphastani authorities. Several protest vessels maneuvered in close proximity to support ships servicing the drilling platforms, narrowly avoiding collisions and forcing temporary suspensions of logistical operations that drew international attention.
29. On 15 July 2024, TWA and DIM protestors aboard one such vessel, the *Sailor of Peace*, entered the exclusion zone and displayed protest banners while broadcasting pro-Discontentian messages over radio channels. Several hours later, the *Sailor of Peace* approached a drilling rig that was under construction. The armed protestors boarded the rig, imprisoned the crew, and hung the flags of Discontentia and Retrostan from the rig. After a brief period, the

Alphastan coast guard counterattacked and exchanged fire with the protestors. On 17 July 2024, the coast guard secured the rig and arrested all 25 protestors, all Alphastani nationals. Retrostan's navy moved its vessels to the maritime boundary between the countries and observed the events from a distance but did not intervene.

30. All those arrested were charged with criminal assault and terrorism. They were tried and convicted in Alphastani criminal court in separate trials throughout October 2024. Their charges were upheld on appeals throughout 2025.

31. One of those arrested and charged was the captain of the *Sailor of Peace*, Aldrich Philby. Philby was a former DIM community organizer with extensive connections in the Movement. Unlike the other protesters, Philby was additionally tried for espionage, after it was revealed during his investigation that ever since relocating to Retrostan in April 2022 he acted as a spy for the Retrostani foreign office. For two years he had shared information with his Retrostani case agents about the political situation in Discontentia and the likelihood of secession. He insisted he had ended his connection with the foreign office in April 2024, and that he was acting purely in his private capacity in joining the protest trip. At the trial, Alphastani prosecutors produced evidence suggesting that Philby had been posting on social media about his protest activities and that a number of Restrostani foreign office of active employ had liked and recirculated those posts.

32. The *Sailor of Peace* was impounded by Alphastani authorities following the arrests. During a subsequent inspection, documents recovered on board revealed that the vessel — a former Retrostani naval patrol ship — had been leased to TWA under a commercial agreement with a private maritime services company operated by retired Retrostani military officers. Though the vessel had been formally decommissioned, it retained its advanced navigation systems and reinforced hull. The Alphastani Ministry of Justice described the vessel as “a warship in civilian disguise” in its submissions to the Alphastani criminal court.

33. Several recovered documents indicated that TWA leadership had held at least three “strategy sessions” with senior personnel from Retrostan's Office of Civil Mobilization within the Retrostani Foreign Office, in January, March, and May 2024. These meetings, several of which took place within government facilities, reportedly covered topics such as “protective

maneuvers at sea” and “permissible use of firearms.” Retrostan has publicly rejected any claims that it has directed or controlled TWA’s activities. Still, Alphastani prosecutors asserted that the combination of state-linked logistical facilitation, access to sensitive maritime assets, and sustained contact with government officials constituted persuasive evidence of indirect foreign interference.

34. Despite federal efforts to prevent the vote, the Discontentian government proceeded with its referendum, which was held on 21 November 2024. With 81% of eligible voters participating, the referendum concluded in support of independence by a margin of 78% to 22%. The speaker of the Discontentian parliament, Ms. Marina Vexley, immediately announced her intention to call a special session of parliament to formally declare independence.
35. The Alphastani parliament reacted by reiterating that the referendum was without legal effect, and Prime Minister Knope ordered the federal police to take all measures necessary to prevent Discontentia from moving toward independence.
36. On 1 December 2024, the provincial parliament managed to meet in emergency session at a secret location and passed a resolution declaring its immediate secession from Alphastan, citing alleged human rights violations, suppression of Discontentian national and cultural identity, and the need to control the resources of the province. Shortly thereafter, the federal government deployed troops and special police and put the entire province under what it called a “special security lockdown,” which remains in effect to this day.
37. Prodded by outraged supporters of Discontentia, Prime Minister Walden welcomed the secession resolution in a recorded video announcement. He further insisted that “our brothers and sisters in Discontentia, who share close linguistic and cultural ties to all of us here in Retrostan, are entitled to be free from oppression.” In the video, Walden explained that his government “has tried to be moderate for years as this crisis has developed. But moderation has no place in the face of increasingly violent injustice.” Alphastan’s foreign minister responded angrily in a news conference by calling on Retrostani officials to “mind [their] own business.” He also accused Retrostan of “violating international law by meddling in our internal affairs.”

38. In February 2025, the Retrostani foreign minister announced that Retrostan recognized Discontentia's independence and said that Retrostan would look forward to the opportunity to discuss welcoming Discontentia into Retrostan.
39. Throughout the spring, TWA's protest voyages continued, but they did not engage any drilling rigs or other vessels. In May 2025, Alphastan began supplanting its coast guard detachment with naval vessels and aircraft, sweeping a broad area around the drilling rig. During this operation, Alphastani naval forces sank several TWA vessels, resulting in the deaths of twelve individuals, all former Alphastani residents of Discontentia who had relocated to Retrostan in 2023. Speaker Vexley of the Discontentian parliament denounced the attacks and the deaths and called upon Retrostan to "protect your neighbor against the imperialists from Alphastan."
40. On 15 May 2025, Prime Minister Walden sent a note to Prime Minister Knope, deploring the deaths and promising to "explore Retrostan's options to minimize the loss of life in Discontentian waters." He recalled Retrostan's ambassador to Alphastan and urged a meeting among what he called "the leaders of Alphastan, Discontentia, and Retrostan." Prime Minister Knope declined to meet with "the self-styled head of state of Discontentia." Privately, diplomats from both Alphastan and Retrostan continued to meet to attempt to de-escalate the situation and resolve the dispute, with little success.
41. On 13 July 2025, Alphastan filed an Application with the Registry of the Court instituting proceedings against Retrostan. It alleged Retrostan violated international law by recognizing the independence of Discontentia. It also claimed that Retrostan bore responsibility for the illegal activities of the TWA protestors.
42. On 15 August 2025, the Court entered an Order recommending that the parties draft a Statement of Agreed Facts. The parties prepared the present document and stipulated that Alphastan would appear as Applicant and Retrostan as Respondent in these proceedings.
43. Alphastan and Retrostan were founding members of the United Nations. Both states are parties to the Statute of the International Court of Justice and have deposited unilateral declarations pursuant to Article 36(2) of the Statute recognizing the ICJ's compulsory jurisdiction in legal disputes with other states that have made such declarations. Both are also, and have been at all

relevant times, parties to the Vienna Convention on the Law of Treaties, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights. Neither state has made any reservations, declarations, or understandings with respect to any of these treaties, and neither is a party to any other treaty of relevance to the present case.

44. The Parties request the Court to adjudge and declare:

- a. whether armed protest activities by TWA in Discontentian waters, including the activities of the *Sailor of Peace* and its crew members, are attributable to Retrostan and constitute a violation of international law; and
- b. whether Retrostan violated international law by recognizing the independence of Discontentia.