

INTERNATIONAL COURT OF JUSTICE

SPECIAL AGREEMENT

**BETWEEN THE FEDERATION OF THE
CLANS OF THE AMAN (APPLICANT)
AND THE KINGDOM OF REZAN (RESPONDENT)
TO SUBMIT TO THE INTERNATIONAL COURT OF JUSTICE
THE DIFFERENCES BETWEEN THE PARTIES
CONCERNING THE ORDER OF THE OPAL**

jointly notified to the Court on 24 January 2025

COUR INTERNATIONALE DE JUSTICE

COMPROMIS

**ENTRE LA FÉDÉRATION DES TRIBUS DE L'AMAN (DEMANDERESSE)
ET LE ROYAUME DE REZAN (DÉFENDERESSE)
VISANT À SOUMETTRE À LA COUR INTERNATIONALE DE JUSTICE
LES DIFFÉRENDS QUI OPPOSENT LES DEUX PARTIES
CONCERNANT L'ORDRE DE L'OPALE**

notifié conjointement à la Cour le 24 janvier 2025

**JOINT NOTIFICATION
ADDRESSED TO THE REGISTRAR OF THE COURT:**

The Hague, 24 January 2025

On behalf of the Federation of the Clans of Aman and the Kingdom of Rezan, and in accordance with Article 40(1) of the Statute of the International Court of Justice, we have the honor to transmit to you an original of the Special Agreement for submission to the International Court of Justice of the Differences between the Applicant and the Respondent concerning the Order of the Opal, signed in The Hague, The Netherlands, on the sixteenth day of January in the year two thousand twenty five.

Her Excellency Reth Rotari
Ambassador of the Federation
of the Clans of the Aman
to the Kingdom of The Netherlands

His Excellency Kit Dubonnet
Ambassador of the Kingdom of
Rezan to the Kingdom of The
Netherlands

SPECIAL AGREEMENT

SUBMITTED TO THE INTERNATIONAL COURT OF JUSTICE BY THE FEDERATION OF THE CLANS OF AMAN AND THE KINGDOM OF REZAN ON THE DIFFERENCES BETWEEN THEM CONCERNING THE ORDER OF THE OPAL

The Federation of the Clans of Aman (“the Applicant”) and the Kingdom of Rezan (“the Respondent”) (hereinafter “the Parties”):

Considering that differences have arisen between them concerning the Order of the Opal and other matters;

Recognizing that the Parties have been unable to settle these differences by direct negotiations;

Desiring further to define the issues to be submitted to the International Court of Justice (“the Court”) for resolution;

In furtherance thereof the Parties have concluded this Special Agreement:

Article 1

The Parties submit the questions contained in the Special Agreement (“the Case”) to the Court pursuant to Article 40(1) of the Court’s Statute.

Article 2

It is agreed by the Parties that the Federation of the Clans of Aman shall appear as Applicant and the Kingdom of Rezan as Respondent, but such agreement is without prejudice to any question of the burden of proof.

Article 3

- (a) The Court is requested to decide the Case on the basis of the rules and principles of international law, including any applicable treaties.
- (b) The Court is also requested to determine the legal consequences, including the rights and obligations of the Parties, arising from its Judgment on the questions presented in the Case.

Article 4

Procedures shall be regulated in accordance with the applicable provisions of the Official Rules of the 2025 ILSA Hamilton Lugar International Law Moot Court Competition.

Article 5

- (a) The Parties shall accept any Judgment of the Court as final and binding upon them and shall execute it in its entirety and in good faith.
- (b) Immediately after the transmission of any Judgment, the Parties shall enter into negotiations on the modalities for its execution.

In witness whereof, the undersigned, being duly authorized, have signed the present Special Agreement and have affixed thereto their respective seals of office.

Done in The Hague, The Netherlands, this twenty-fourth day of January in the year two thousand twenty five, in triplicate in the English language.

Her Excellency Cheva Visier
Ambassador of the Federation
of the Clans of the Aman to the
Kingdom of The Netherlands

His Excellency Ned Karol
Ambassador of the Kingdom of Rezan
to the Kingdom of The Netherlands

****SPECIAL AGREEMENT****

THE CASE CONCERNING THE ORDER OF THE OPAL

AMAN / REZAN

1. Applicant, the Federation of the Clans of Aman (“Aman”), and Respondent, the Kingdom of Rezan (“Rezan”), are neighboring states that occupy the Opal Coast. The Opal Coast, characterized by arid and semi-arid lands, is bounded to the north by the Great Sandstone Desert and is otherwise surrounded by the Emerald Ocean.
2. Aman is an industrializing state located in the eastern two-thirds of the Opal Coast. As of 1 January 2023, Aman had a population of just over 22 million. Seventy-five percent of the GDP of Aman is based on the extraction and exportation of hydrocarbons; the country’s other major sources of revenue are tourism and grain exports. In January 2018, the country’s GDP was US\$102 billion, although by January 2024, it had fallen to US\$80 billion.
3. The Kingdom of Rezan, a constitutional monarchy, occupies the western third of the Opal Coast. The current Queen, Sara Sethra II, has executive authority to command the nation’s armed forces, to convene and dissolve the national parliament, and to appoint and dismiss government ministers. Rezan’s largest export is natural gas. Rezan’s GDP in January 2024 was estimated at US\$11 billion. According to the February 2022 census, its population was 3.5 million.
4. The Lakali Canyon Complex (“the Complex”) is a group of three canyons cut by long-extinct rivers straddling the border between Aman and Rezan. The Complex covers approximately 300 square kilometers. The canyons that constitute the Complex are located at the deepest part of a greater wadi system. Each is over one kilometer deep, consisting largely of layers of brightly colored sandstone and limestone.

5. The people of both Rezan and Aman descend from the Aman, the original inhabitants of the Complex. When the rivers that carved the canyons dried up more than 3,000 years ago, most of the Aman inhabitants migrated to coastal regions and separated into 17 clans. One of the clans, Clan Lakali, remained in the Complex and provided for the protection of the Canyons, which they venerated as the birthplace of their ancestors.
6. According to legend, in 500 CE, Natara, a warrior of the Clan Lakali, uncovered a plot by a warlord, Zahir, to invade the Opal Coast. To defend the Lakali Canyons, Natara persuaded all of the Aman clans to stand together against Zahir's raiders, and under her leadership, the united clans defeated the invaders. Humbled by his defeat, Zahir offered his life to Natara. Natara forgave Zahir, raised the Sunrise Shield, a ceremonial shield laden with opals and rubies, and declared peace. Natara died a hero. Her exploits were the subject of poetry, and her image was featured in pottery, mosaics, and coinage of the era.
7. In recognition of her pivotal role in saving the sacred canyons and uniting the people of the Opal Coast, the Lakali honored Natara's memory by establishing "the Order of the Opal," a society of women dedicated to protecting and preserving the culture and traditions of the Lakali. Although much of their history has been lost through the ages, the members of the Order of the Opal continue to serve as social and cultural leaders within Lakali society and as mediators in local disputes. The members wear miniature replicas of the Sunrise Shield around their necks as a symbol of their loyalty to the Sisters and to the founder of the order.
8. After initial hostile contact with European explorers in the early nineteenth century, the Aman clans held a peaceful ceremonial gathering in 1863. Anticipating future contact with other nations and in an attempt to unite in perpetuity, sixteen of the clans elected to enter into the republican federation, Aman, which still exists today. Clan Rezan chose to remain independent and established the Kingdom of Rezan. Permanent boundaries between Aman and Rezan were established at the gathering.
9. The Lakali lived in the Complex until the formation of the two new states, when they dispersed in roughly equal numbers to the lands east and west of the Complex, in Aman

and Rezan respectively. They migrated to lands east of the Complex in Aman. They remain largely culturally and politically isolated from the rest of society in Aman and Rezan, avoiding modern technology and living off the land through farming, hunting, and gathering. As of 1 January 2024, the Lakali accounted for 98% of subsistence farmers in Aman and about 96% of subsistence farmers in Rezan. A small number of Lakali remained within the Complex, maintaining historic sites within the Complex.

10. For centuries, the original Sunrise Shield was believed to have been lost forever. In 1903, Dr. Lucileo Tuckah, an archaeologist from the Division of Cultural Artifacts within the Aman Ministry of Culture, conducted an excavation in the Complex within the territory of Aman. During the dig, she discovered what appeared to be the original Sunrise Shield featuring more than 100 precious gems surrounding a large sun made entirely of rubies. Dr. Tuckah took the object to the University of Amandelle, a public university in Aman, where it was placed on public display with a note that stated “on loan from the Aman Ministry of Culture.” Subsequent archaeological research confirmed its authenticity.
11. In 2004, the Sunrise Shield, still identified as “on loan from the Aman Ministry of Culture,” was moved to a newly constructed Cultural Center, owned and managed by the Amani Ministry of Culture, on the Amani side of the Complex. The Complex and the Cultural Center have drawn an average of 350,000 visitors each year. Many of the staff of the Cultural Center are Lakali of Amani or Rezani nationality who live in the Complex.
12. On the first UN World Water Day, 22 March 1993, the Amani and Rezani Ministers of Water and Agriculture appeared together at a ceremony hosted at the Cultural Center marking the importance of water to all peoples. During their nationally televised address, the Rezani Minister said:

The people of Rezan today join our Amani neighbors and the world in recognizing the importance of water to all who live in the Opal Coast. In honor of this World Water Day, Rezan promises to make every reasonable effort to preserve and protect the shared freshwater resources of our region and to ensure their equitable use. Future generations must be assured that

they will never be denied access to these valuable, unique resources, on which life and prosperity depend, and without which we cannot survive.

13. As a result of record low rainfall, the entire Opal Coast experienced sustained drought conditions in each year from 2003 to 2008. Both Aman and Rezan were forced to import water from other countries at great expense. In order to reduce its reliance on imported water, Rezan permitted the drilling of wells on public land for private, agricultural, and commercial use.
14. In 2008, the Rezani Ministry of Water and Agriculture hired a team of hydrologists from Montreal, Canada to map the sources of its subterranean fresh water. Using ground-penetrating radar, the hydrologists found a large unconfined fossil water aquifer, which they named the Iris Aquifer. The Aquifer sits below state-owned lands that abut the Rezan-Aman border. The Iris Aquifer spans 500 square kilometers and is subjacent at its easternmost point to the Lakali Canyon Complex site. The Ministry then commissioned the hydrologists to undertake a more in-depth study to monitor the recharge rate and salinization of the Aquifer over the next 10 years.
15. In 2018, the follow-up report from the team of hydrologists found that the Aquifer contained approximately 35 cubic kilometers of extractable fresh water. The report indicated that the major deposit of the Aquifer's waters occurred more than 10,000 years ago; because of the arid climate of the Opal Coast, the recharge rate of the Aquifer is negligible, and any water extracted from it would not be replenished for many generations.
16. Drought conditions returned to the region in 2018 and continue to the present day, with record-low rainfall recorded throughout the Opal Coast. In 2020, meteorologists in the Amani State Weather Service reported that there had been a 1.6-degree Celsius average temperature increase throughout the Opal Coast during the period 1970 to 2015. The head of the Service repeatedly expressed concern that "the combined impact of these meteorological and climatological changes on fresh water sources in the Opal Coast is likely to result in a long-term shortage of water for the peoples of both Rezan and Aman."

17. In her annual birthday address on 16 June 2016, Queen Sara stated that it was her government's desire to improve access to the waters of the Aquifer, to ensure that the needs of the Rezani people could be met. She described the Aquifer as "a fundamental natural resource of our country," and declared that "as a developing nation suffering the effects of extreme drought and climate changes, Rezan has the right and indeed the obligation to seek out ways of using that resource to sustain our people." On the next day, she formally directed the Iris Logistic and Scientific Association ("ILSA"), a Rezani government-funded scientific organization, to study the feasibility and long-term effects of directly tapping the Aquifer to meet Rezan's domestic need for water. This study was conducted under the provisions of Rezan's environmental impact assessment statute.
18. ILSA released its report on 17 January 2018. It concluded that, in light of projected consumption, growth and development, completely ending Rezan's reliance on imported water and re-establishing self-sufficiency would require an alternative supply of approximately 1.2 cubic kilometers of water per year. Extraction of water from the Aquifer at this rate would deplete its total extractable freshwater reserve in approximately 30 years. The report was subjected to blind independent peer review before being accepted for publication in the *International Journal of Hydrology*.
19. On 2 February 2018, Queen Sara made a televised appearance to the Rezani nation to celebrate her birthday. In her birthday message, she described the government's plan to address the increasingly serious water crisis in Rezan. Among other things, she announced:

Our nation is confronted with a very grave dilemma, and I want all of our people to understand how your government is proposing to deal with it. We simply do not have enough water to sustain our farmers, who grow our food and provide our sustenance, and there is no obvious solution to this problem that is economically viable and practically possible. None, that is, except one. I am today ordering the Bureau of the Interior to begin implementation of a comprehensive program to extract water from the Iris Aquifer. I certainly realize that this is a short-term solution. If we exhaust the Aquifer, we risk bankrupting our future generations. But we must do something. All of our people are affected by this crisis, so we will explore means of taking life-giving water from the Aquifer so long as drought conditions continue,

and so long as we have no other way of preserving the life and culture of the great Rezani nation.

20. President Otto Das of Aman sent a diplomatic note to Rezan in recognition of Queen Sara's birthday. In this message, President Das noted his ongoing concern about "the sustainability of the aquifer, which straddles our two countries and should be viewed as a shared resource." He concluded his remarks by stating "unless and until my Government is assured that any Rezani extraction of Aquifer waters will not negatively affect Aman's ability to tap that resource in the future, we must express our serious concerns about the potential dangers that this unilateral action may provoke." He called on the Queen to stop plans to tap the waters of the Aquifer immediately and to seek alternative sources.
21. The Bureau of the Interior prepared a plan for a network of 30 pump wells located in Rezan's northern territories to be connected by a subterranean pipeline system ("the Sethra Pipeline"), which would provide a reliable source of water to Rezan's farmlands and natural gas industry.
22. The Sethra Pipeline project was completed on 20 February 2021, and pumping from the Aquifer began. Since 2021, 70% of the water was used for agriculture and 22% by the natural gas industry (the remaining 8% went to a variety of other uses). The Sethra Pipeline continues, as of the date of this Special Agreement, to pump water from the Aquifer at a consistent rate of 1.2 cubic kilometers per year.
23. Meanwhile, faced with its own loss of farmable land due to the severe and continued drought, the Amani government determined that additional water needed to be allocated to agricultural production. On 28 November 2021, the Amani Parliament enacted the Water Resource Allocation Program (WRAP) Act, which set a quota on water supplied by the Amani Public Water Works (a government agency) to every household, farm, and business in Aman, to be in effect from 1 January 2022 until further notice. The Water Works was ordered to provide the government with quarterly reports on water consumption.

24. Under the WRAP Act, all farming operations were also required to purchase licenses to utilize public water. WRAP offered license exemptions for farms that sold more than US\$75,000 worth of crops per year. Nearly 86% of farming operations in Aman qualified for this exemption. Licenses were made available for purchase online or at local WRAP offices. The WRAP Act empowered the Bureau of Agriculture to prosecute anyone who used over-quota water and farming operations that failed to obtain licenses under the Amani Criminal Code provisions for “theft of public property.”
25. Fewer than 5% of Lakali farmers applied for licenses before the end of 2022, as required by law. The Bureau of Agriculture investigations also showed that in the first two quarters of 2023, more than 80% of Lakali households and farms used water in excess of their quotas. In July 2023, all violators were sent notification of their failure to comply with WRAP.
26. In August 2023, in accordance with the WRAP Act, the Department of Justice began the prosecution of two Lakali farmers for use of over-quota water and failure to obtain a license. Both defendants asserted that their cultural traditions prevented them from seeking permission from the state to make use of natural resources. They also argued that the law discriminated against the Lakali because it favored profit-generating farms, either because they qualified for an exemption or because they were able to pay for licenses. The two defendants were convicted of theft of public property and were ordered to pay a fine. Neither complied, and both were thereafter sentenced, in accordance with provisions of the applicable Criminal Code, to prison terms of five years. Although the Department of Justice distributed flyers across Lakali lands publicizing the results of the trials and warning that more prosecutions might follow, over the following four months there was neither a noticeable increase in the number of licenses purchased nor a detectable decrease in the overall consumption of water in Lakali areas.
27. In October 2023, the Amani Parliament amended the WRAP Act to provide that farms using water in violation of the Act were subject, in addition to the existing criminal penalties, to the termination of their state-controlled water supply. Invoking those

procedures, by the end of 2023, the government of Aman cut off water to the majority of farms in Lakali lands.

28. On 2 February 2024, the United Nations Food and Agriculture Organization (“FAO”) Director-General condemned the effects of WRAP in a speech to the U.N. General Assembly. He described numerous reports received from Lakali villages in Aman claiming that small farmers whose water supplies had been terminated for failure to comply with WRAP and therefore had to abandon farming had no other means of securing sufficient food and were suffering severe deprivation. Dr. Qu implored the government of Aman to stop the denial of access to water and to provide assistance to Lakali villagers already affected by the changes to the water rights regime in the country.
29. On 28 June 2024, the International Federation of the Red Cross and Red Crescent Societies released a report entitled “It’s a WRAP: Starvation and Illness among the Lakali.” Based on six months of interviews and surveys of Lakali villagers by IFRC staff in the region, the report found rapidly rising rates of food-deprivation-related illnesses such as scurvy and beriberi among the Lakali population. It also indicated that, of the 1.1 million Lakali then living in Aman, more than 500,000 were undernourished. The report confirmed the FAO’s conclusion that the termination of the Lakali’s water supply was depriving them of the ability to continue the traditional farming that had been their primary source of sustenance.
30. On 17 July 2024, Judi Mikael, one of the elders of the Order of the Opal and an Amani national, chained herself to a flagpole in the plaza outside the President’s residence in Amandelle. She told reporters that she was engaging in a hunger strike to protest “the Amani government’s persecution of the Lakali” through what she called “the theft of our water, our food, and our way of life.” She also called on her fellow Sisters to “stand together” and “remember Natara, and the true meaning of the Sunrise Shield that we proudly wear.” Within two weeks, over 5,000 members of the Order of the Opal and their supporters had congregated in the plaza.

31. The protest was widely reported in international media, which noted that numerous public buildings and other structures, including the seat of the Parliament, had been tagged with hand-painted Sunrise Shield symbols. Many international human rights NGOs tweeted messages of solidarity with the Order of the Opal. Thousands of demonstrators and onlookers began to assemble in the plaza and the immediate vicinity. Sisters led protesters to form human chains across major roads into the city, blocking traffic and preventing employees from entering municipal offices. Mikael spoke with reporters at the scene and used the media spotlight to raise her Sunrise Shield, invoking “the memory of Natara,” calling on all members of the Order of the Opal and the entirety of Clan Lakali to “stand together against the persecution of our people” by the government. Other speakers, all of whom wore or carried replicas of the Sunrise Shield, called for “stronger and more resolute action until our representatives listen to our cries.” The crowds refused orders to disperse, and on 2 August 2024, the mayor of Amandelle described conditions in his city as “chaotic, unsanitary, dangerous, and entirely unsustainable.”

32. On 5 August 2024, President Das issued the following order:

The ongoing unrest and the seditious protests led by the Order of the Opal can no longer be tolerated. The untenable situation in our capital city requires that the Government take drastic action to preserve law and order for all of our citizens. Therefore, I am today deploying armed police to assist government officials working to maintain peace and to permit all of our people the opportunity to live their lives without disruption. We respect the history of the Sisters and are mystified by their apparent decision to sacrifice their peaceful traditions to promote social disorder and mistrust of the Government. The Sunrise Shield, once a symbol of respect and even veneration that represented the united cultures of our nation, has come to identify and to provoke disruptive elements within Aman. It must be banned. We can no longer accept its public display. All Sunrise Shield replicas worn or carried in public shall be confiscated and destroyed by agents of law enforcement.

33. Following this order, Amani officials removed the Sunrise Shield from public display in the Complex Cultural Center and placed it in storage.

34. Following President Das's announcement, Amani police cleared the plaza, arresting more than 800 members of the Order of the Opal and Lakali protesters. Many of the protesters wore t-shirts displaying the Sunrise Shield and raised signs with slogans such as "Defend the Shield As It Once Defended Us." The remaining demonstrators were driven from the plaza with tear gas and rubber bullets; no deaths or serious injuries were reported. The police seized all of the Sunrise Shield replicas worn by the Sisters.
35. That evening, the Rezani Minister of Lakali Affairs, whose mother is a member of the Order of the Opal, denounced the arrests as "a gross violation of the religious rights and freedom of expression of the Lakali people and of the individual protestors!"
36. Those arrested following the protest in Amandelle were charged with inciting a riot, a felony charge under Amani domestic law. They were provided with court-appointed counsel. Each protester had an initial appearance and was remanded to custody pending trial. No trial dates have been set as of the date of this Special Agreement. The pretrial detentions comply with Amani domestic law.
37. In the following days, members of the Order of the Opal throughout Aman publicly expressed what they called their "outrage over the ongoing treatment of the Lakali and the government response to peaceful protests." The Ministry of the Interior claimed that in many areas, demonstrations blocked roads, interfered with local businesses, and disrupted regular social activities, although again, there were no reports of deaths or serious injuries. Amani police arrested more than 100 members of the Order of the Opal and 900 other Lakali demonstrators across the country over the following days. Hundreds remain in prison as of the date of this Special Agreement.
38. During routine border security checks at a checkpoint on the Rezan-Aman border on 3 October 2024, Rezani border patrol agents encountered Judi Mikael. She told the agents that, a few days earlier, she had entered the Lakali Canyon Complex Cultural Center in Aman under cover of darkness and removed the original Sunrise Shield from the vault in which it had been stored. She declined to provide more details (including the names of

Center employees who she claimed had helped her) but told the border personnel that she had taken the treasure “to ensure its protection from destruction,” and because “it belongs with the Lakali, wherever we are.” After meeting with officials from the Rezani Ministry of Culture, who assured her that the Ministry would take direct responsibility for the preservation of the relic and would “explore opportunities for its return to public display,” Mikael voluntarily turned over the Sunrise Shield to the border agents, who delivered it to the Rezani Ministry of Culture.

39. The Rezani Minister of Culture notified her counterpart in Aman that Rezan was in possession of the Sunrise Shield and that, given that its public display had been prohibited by President Das, it would be “inappropriate” for it to be returned. Aman replied that the refusal to return the Sunrise Shield demonstrated “a blatant disregard for the cooperative relationship shared by our two states and a clear violation of international law.”
40. On 3 November 2024, Rezan formally rejected the request for repatriation of the Sunrise Shield. In a press release, the Rezan Ministry of Culture stated:

Aman responsibly stewarded the Sunrise Shield for a century. However, it has recently declared the Sunrise Shield to be a symbol of sedition and those who wear it to be enemies of the state. Aman’s attacks of expression and speech put this item at risk. As such, Rezan will protect it and display it publicly. We are happy to return it to Aman if and when it agrees to protect the Lakali protestors’ freedom of expression, including returning this symbol to public display. The campaign to eradicate all vestiges of the Sunrise Shield is incompatible with any claim to its ownership. We will keep this priceless treasure where it will be available to all who wish to see it, and we will treat it with the respect and veneration that it deserves.

41. At the suggestion of the Secretary-General of the United Nations, the governments of Aman and Rezan convened high-level discussions. The discussions quickly revealed to both parties that the crisis was part of a much larger dispute and, in December 2024, the parties agreed to refer these matters to this Court. In the following weeks, the parties negotiated the present Special Agreement.

42. Aman and Rezan were admitted to the United Nations in 1962 and became parties to the Statute of the International Court of Justice. Each country has been party 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 since 1975.
43. Applicant, the Federation of the Clans of Aman, respectfully requests that this Court adjudge and declare that:
 1. The Sethra Pipeline operations violate Rezan's international obligations, both the customary law of transboundary aquifers and prior unilateral declarations, owed to Aman and therefore must cease; and
 2. Rezan must immediately return the Sunrise Shield to Aman, its lawful owner.
44. Respondent, the Kingdom of Rezan, respectfully requests that this Court adjudge and declare that:
 1. Rezan's Sethra Pipeline operations do not violate any legal obligations owed to Aman; and
 2. Rezan is entitled to retain temporary possession of the Sunrise Shield in response to Aman's violations of the Lakali rights and in further protection of its cultural significance.