

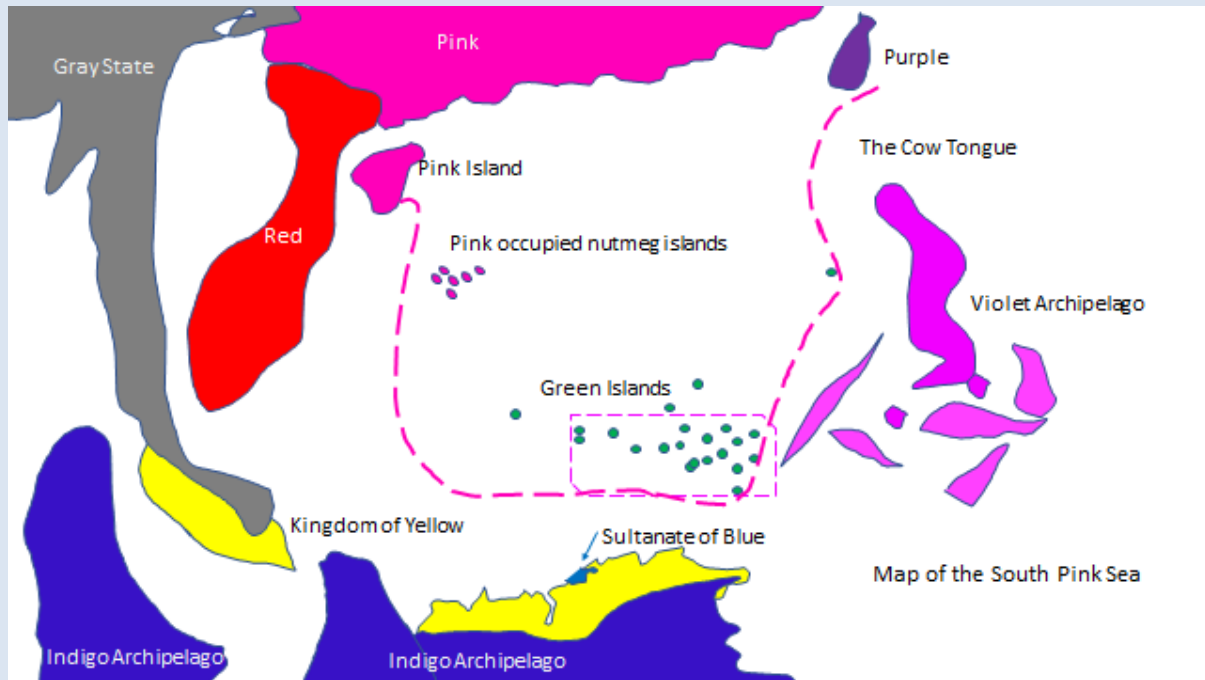


THE PINK SEA DISPUTE

BACKGROUND OF THE DISPUTE

The South Pink Sea is a body of water that separates Pink, Purple, Red, Yellow, Indigo, Blue and Violet. This body of water has a rich but stressed marine ecosystem and is host to major fisheries, with Pink capturing some 40% of the catch. The region also contains some offshore oil and gas deposits, mostly within the claimed exclusive economic zones (EEZ) of Red, Yellow, and Violet. About one-third of the global maritime traffic, valued at some \$3.37 trillion in annual trade, traverses the South Pink Sea. The South Pink Sea has numerous small features that are claimed by several of the surrounding states. These features include some islands, rocks, low tide revelations, and submerged reefs. Red, Violet, Yellow, and Purple have occupied some of these features with small outposts for several decades. Beginning in 2014, Pink transformed seven rocks and low-tide elevations into massive artificial islands, which dwarf the outposts of the other claimants. Such overlapping claims have led to disagreements between the parties.

Pink and Purple are largely synonymous in their claims as Purple claims independence from Pink which Pink denies. Along with four states outside the region, Red, Violet, Indigo, Blue, and Yellow form the Rainbow bloc. The Rainbow Bloc is a cultural and trade association for regional states. Even though there are minor disagreements concerning overlapping maritime claims among them, the members of the Rainbow Bloc situated along the South Pink Sea are united in their opposition to the claims made by Pink and Purple over the South Pink Sea. Pink is a large and powerful state that lies on the northwest edge of the South Pink Sea. The Rainbow Bloc has a longstanding dialogue with Pink, which sits amidst the member states and is larger in size, population, and military power, than all of them combined. Pink has been effective at preventing consensus in the Rainbow Bloc through various inducements to the non-claimant member states, preventing the group from taking a clear stand in support of Red, Violet, Yellow, Blue, and Indigo. Purple, a self-governing island also claimed by Pink, is situated on the northeast edge of the South Pink Sea. The other states lack diplomatic relations with Purple so as to not antagonize Pink.



BACKGROUND OF THE PARTIES

Pink

Pink is a large developed nation that has a well-balanced economy and has the largest fishing industry in the world, with some two million fishing vessels. Due to its economic clout and vast population, it spends \$178 billion on defence annually. Pink borders 14 countries. Pink claims indisputable sovereignty over the islands in South Pink Sea and the adjacent waters, and also claims sovereign rights and jurisdiction over the relevant waters, seabed and subsoil thereof, of the South Pink Sea. These claims are based on Pink's claim of historic rights as depicted by a dashed line, referred to as the "Cow's Tongue." The historic rights are said to be claimed by a map drawn in 1936 by Bai Meichu, a Pinkish cartographer. Many versions of such a map exist, some have a nine-dashed line, and others have a ten dashed line while few even have an eleven dashed line. The map which was submitted in 2009 to the United Nations had a nine-dashed line. The states of the Rainbow Bloc have individually rejected these sweeping claims and instead have advanced their own claims.



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Pink claims that it is entitled to draw straight baselines around its claimed islands as it does so for Nutmeg Islands. This allows for Pink to claim more internal waters. If Pink draws straight baselines around Green Islands, it will be able to claim around 10% of the South Pink Sea as internal waters. Further, Pink requires prior notice for foreign military vessels exercising the right of innocent passage and also disputes the right to conduct military activities in its EEZ which is objected by the international community as in violation of the United Nations Convention on the Law of the Sea (UNCLOS). Furthermore, Pink claims an extended Continental Shelf (ECS) beyond the 200nm EEZ.

Purple

Purple is an island off the coast of Pink in the South Pink Sea with a population of 20 million people. Purple claims straight baselines along its coasts and since the end of World War II has occupied the largest feature in the South Pink Sea. While it is a developed nation, it spends \$15 billion annually on defence. It is one of the world's biggest seafood exporters and is widely believed to have rich oil and gas reserves. While Purple has a cultural affinity with Pink, it is self-governing. Relations between Pink and Purple are fractious, with Pink claiming that Purple is an illegal, breakaway part of Pink – and Pink has expressed its willingness to use force to subdue Purple. Pink is Purple's largest trading partner. Pink and Purple also claim certain parts of the EEZs claimed by Violet.

Purple claims a 12nm territorial sea while claiming a 200nm EEZ. It also claims an ECS beyond the 200nm EEZ. Further, Purple disputes Pink's historic claims based on the dashed line referred to as the Cow's Tongue or its claims to Green Islands and rather claims the Cow's Tongue to represent Purple's historic claims in the South Pink Sea. It discontinued such historic claims in 2005.



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Violet

The Republic of the Violet is an archipelagic state under Part IV of UNCLOS and is located in Southeast Asia in the western Pacific Ocean between the Violet Sea and the South Pink Sea, east of Red, north of Yellow and Indigo, and south of Purple. Violet is composed of more than 7,000 islands and other features and has the 12th largest fishing industry in the world. As a developing state, Violet seeks to explore for oil and gas in its respective maritime zone but without major success. In the South Pink Sea, Violet claims Scarborough Reef, which is also claimed by Pink and Purple. Violet claims some of the Green Islands, referred to as the Kalayaan Island Group, which are also claimed in whole or part by Pink, Purple, Blue, Yellow and Red. Violet spends \$4 billion annually on national defence.

As Violet is an archipelago, it has drawn straight baselines around its coast and claims archipelagic waters which have not been specified but widely understood to align with UNCLOS. Violet also claims a 200nm EEZ and an ECS beyond 200nm. Furthermore, Violet claims 33 islands, cays, shoals and reefs contained in a delimited area (Kalayaan) of the Green Islands to be Violet territory. This claim is disputed by Pink, Purple, Red and Yellow. Violet also disputes Pink's historic claims based on the dashed line referred to as the Cow's Tongue or its claims to Green Islands and does not recognize the drawing of straight baselines by Pink around its coast or the controlled Nutmeg Islands.

Red

Red is a developing country that shares a border with Pink. Red is sometimes ideologically inclined toward Pink, and yet has historical animosity and suspicion from historical invasion by Pink. Red spends \$ 4 billion annually on defence. Red controls some of the Green Islands, which are claimed by the other states. Red has experienced numerous incursions by Pink fishing vessels and oil exploration operations in its claimed EEZ.

Red has claimed straight baselines around its coastline and has specified their coordinates. Red requires prior notice for foreign military vessels exercising the right of innocent passage which is objected by the international community as in violation of UNCLOS. Red has also claimed a substantial portion of Gulf of Tonkin (Bac Bo) as historic internal waters which were contested by Pink with whom now a delimitation agreement has taken place. Red's claims concerning Nutmeg Islands though have not been resolved yet. Red also claims parts of Green Islands and



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hence rejects all other claims to those parts of Green Islands. Red disputes Pink's historic claims based on the dashed line referred to as the Cow's Tongue and objects to the drawing of straight baselines for islands.

The Sultanate of Blue

The Sultanate of Blue is a small, developing country surrounded on one side by the South Pink Sea and the other side, by Yellow. Its crude oil and natural gas production account for approximately 65% of GDP and 95% of exports. Blue is the only claimant state that does not occupy any maritime features or maintain a military presence in the South Pink Sea. It claims a part of Green Island.

Blue claims a 12nm territorial sea and claims and 200nm EEZ and an ECS beyond 200nm. The only feature Blue claims in the Green Islands is Louisa Reef which is also claimed by Yellow apart from the historic claims by Pink. It has largely been silent in regards to acceptance or rejection of all other claims in the South Pink Sea but reaffirms that all claims must be complainant with UNCLOS.

Kingdom of Yellow

Yellow is a developing country which spends roughly \$5 billion on defence annually. Located South of Pink, it claims a part of Green Islands in the South Pink Sea. Its principal economic interests are energy and fishing.

It claims straight baselines due to the nature of its coast and 12nm of territorial sea subsequently. Yellow does not allow innocent passage for nuclear-powered ships or ships carrying nuclear cargo without authorization and claims that other states may not carry out military exercises without consent in its 200nm EEZ which is objected by the international community as in violation of UNCLOS. Yellow claims an ECS beyond 200nm. As it claims a part of Green Islands, it rejects Pink's historic claims based on the dashed line referred to as the Cow's Tongue and claims to Green Island. It has informally agreed on Blue's claim that Blue has sovereignty over two oil blocks within which Louisa Reef is located



Indigo

Indigo is a large developing country and with the fourth largest population in the world and spends around \$9 billion on its defence. Its economy is mainly dependant on the export of rubber, crude oil, palm oil, seafood. It has overlapping claims with Pink over Indigo's EEZ and Continental Shelf claims which overlap with the historical claims made by Pink.

Indigo claims to be an archipelagic state and therefore draws straight archipelagic baselines. It allows innocent passage through its archipelagic waters and 12nm territorial sea is claimed from archipelagic baselines. Indigo claims 200nm of EEZ. It claims an ECS beyond 200nm but the delimitation of most claims with neighbours has taken place. Pink's historic claims overlap with Indigo's EEZ claim which is rejected by Indigo.

THE MEDIATION

The claimant states of the Rainbow Bloc have unanimously agreed on certain points and have approached Pink to mediate the numerous overlapping claims. Pink is represented by its Foreign Minister and the Southern Theater Command Navy Admiral. The Rainbow Bloc is represented by its Chairman and its Deputy Chairman who oversees the Security Strategy and Policy for the Rainbow Bloc.

The Mediation is occurring under Article 284 and Annex V of UNCLOS

Article 284:

Conciliation

1. A State Party which is a party to a dispute concerning the interpretation or application of this Convention may invite the other party or parties to submit the dispute to conciliation in accordance with the procedure under Annex V, section 1, or another conciliation procedure.
2. If the invitation is accepted and if the parties agree upon the conciliation procedure to be applied, any party may submit the dispute to that procedure.
3. If the invitation is not accepted or the parties do not agree upon the procedure, the conciliation proceedings shall be deemed to be terminated.
4. Unless the parties otherwise agree, when a dispute has been submitted to conciliation, the proceedings may be terminated only in accordance with the agreed conciliation procedure.



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The principal issue concerns Pink's "Cow's Tongue" historic claims over the South Pink Sea and the entitlement of the features in the South Pink Sea. The Rainbow Bloc suggests that all claims by Pink must be made in accordance with UNCLOS, and specifically that:

1. The drawing of straight baselines by Pink happen under the United Nations Convention on the Law of the Sea (UNCLOS) which reflects the customary international law for the principles that underlie the proper and legal establishment of baselines. The UNCLOS states that straight baselines may be drawn only in two specific geographic situations, that is, (a) "in localities where the coastline is deeply indented and cut into", or (b), "if there is a fringe of islands along the coast in its immediate vicinity". Pink has a long coastline which includes low tide elevations, some fringing islands along the coast in its immediate vicinity and majority of the mainland coast is relatively smooth. On this basis, Pink has claimed straight baselines for the entirety of its coast. Other states in the South Pink Sea allege that such drawing of straight baselines is not in consonance with UNCLOS and expands Pinks internal waters and subsequent maritime zones significantly.

Furthermore, Pink has drawn straight baselines around the Pink occupied Nutmeg Islands which is a group of a dozen small islands and reefs scattered over an area approximately 120 miles by 100 miles. All the other claiming Green Island or parts thereof dispute this and claim that the standard to draw straight baselines is not met in the case of Nutmeg Islands and that the proper baseline would be the low-water line of the islands and reefs.

2. The sovereignty of Green Islands and the distribution of features happen under UNCLOS. Green Islands is a group of islands which contains many features such as islands, reefs and shoals, the sovereignty of which is disputed among the states with each of them claiming Green Islands in part or in the whole. Over the past two decades, all of the claimant states, other than Blue, have developed outposts in the South Pink Sea, which they use to project civilian or maritime presence into surrounding waters, assert their sovereignty claims to land features, and monitor the activities of other claimants. In Green islands, Red has 48 outposts, Violet has 8, Pink has 8, Yellow has 5 and Purple has 1. These outposts have been built on the occupied features of Green Island such as rocks, reefs and shoals. All of these states have also engaged in construction activity of differing scope and degree. The types of outpost upgrades vary across states but are broadly comprised of land reclamation,



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building construction and extension, and defence emplacements. Certain states have also artificially extended the islands they hold to allow for the construction of airstrips among other unknown defence capabilities. Pink has 3 airstrips while Purple, Red, Violet and Yellow have 1 each. Currently, Pink's land reclamation activity vastly exceeds those of other states activities. Furthermore, Pink has established the most sophisticated defence mechanisms on the outposts due to its advanced navy and defence technology. Such militarization of Green Islands is seen as an escalating conflict between all the states involved

FEATURES OCCUPIED BY EACH COUNTRY IN THE GREEN ISLANDS

Pink:

1. Subi Reef
2. Gaven Reef
3. Hughes Reef
4. Johnson South Reef
5. Fiery Cross Reef
6. Cuarteron Reef
7. Mischief Reef

Purple:

1. Itu Aba Island

Red:

1. Southwest Cay
2. South Reef
3. Petley Reef
4. Sand Cay
5. Namyt Island
6. Discovery Great Reef
7. Sin Cowe Island
8. Collins Reef
9. Lansdowne Reef
10. Sin Cowe East Island



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11. Ladd Reef
12. Spratly Island
13. West Reef
14. Central Reef
15. East Reef
16. Pearson Reef
17. Allison Reef
18. Cornwallis South Reef
19. Pigeon or Tennent Reef
20. Barque Canada Reef
21. Amboyna Cay

Violet:

1. Northeast Cay
2. Thitu Island
3. Loaita Cay
4. Loaita Island
5. West York Island
6. Flat Island
7. Nanshan Island
8. Second Thomas Shoal
9. Commodore Reef

Yellow:

1. Swallow Reef
2. Ardasier Reef
3. Mariveles Reef
4. Erica Reef
5. Investigator Shoal