

## *Case Concerning Land Reclamations in the Narrow Sea*

(Kingdom of Maristan v. Federal Republic of Alimea)

### CLARIFICATIONS

#### Clarifications on para.4

When conducting land reclamation activities, the sands and rocks were dredged from the seafloor of the Bonita Reef and its surrounding waters.

#### Clarifications on para.9

Alimea declared to establish the National Nature Reserve on 20 June 2017.

#### Clarifications on para.11

The two states have been entering into negotiations for maritime delimitation since 1997. Maristan contended that neither Maristan nor Alimea could extend its EEZ beyond the median line since the distance between the two countries does not exceed 400 nautical miles. Alimea insisted that the two states shall reach an agreement to delimit the maritime boundary based on equitable principle. After Alimea's land reclamation activities, Maristan accused Alimea of violating Article 74 of UNCLOS. Alimea argued that pursuant to the domestic law of Maristan (Law No. 1 of 1997) and considering Maristan's consistent claim of median line, the Bonita Reef is obviously not in the disputed maritime area. However, Maristan claimed that the median line claim is just the boundary delimitation proposal. Pursuant to the UNCLOS, Maristan has the right to claim 200-nautical-mile EEZ from its baseline.

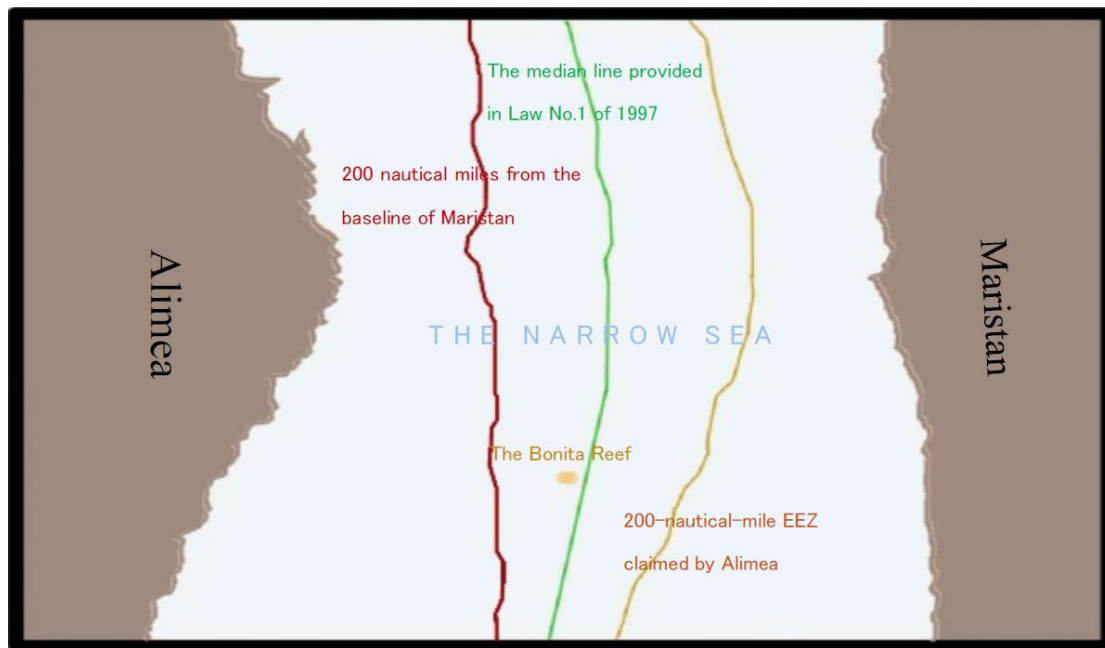
#### Clarifications on para.12

On 31 December 2018, Maristan submitted the dispute to the International Tribunal for the Law of the Sea (hereinafter “ITLOS”), as both Alimea and Maristan have adopted declarations [ANNEX IV] pursuant to Article 287 of the UNCLOS.

#### Clarifications on para.15

Both States are parties to the *Convention on Environmental Impact Assessment in a Transboundary Context* (“Espoo Convention”) and the *Convention on Biological Diversity* (“CBD”).

## Clarifications on Annex I



## Clarifications on Annex II

### Article 1

1. The exclusive economic zone of Maristan comprises the areas of the sea extending from the baseline of Maristan ("The baseline" here is as defined in the United Nations Convention on the Law of the Sea). The same shall apply hereinafter to the line every point of which is 200 nautical miles from the nearest point on the baseline of Maristan (excluding therefrom the territorial sea) and its seabed and its subsoil.
2. Provided that, where any part of the 200 nautical line lies beyond the median line ("The median line" here is the line every point of which is equidistant from the nearest point on the baseline of Maristan and the nearest point on the baseline from which the breadth of the territorial sea pertaining to the foreign coast which is opposite the coast of Maristan is measured), the median line (or the line which may be agreed upon between Maristan and a foreign country as a substitute for the median line) shall be substituted for that part of the line.

### Article 2

The Kingdom of Maristan shall determine the delimitation of its exclusive economic zone in respect of the overlapping claims by agreement with the States with opposite or adjacent coasts, in accordance with the equitable principle and on the basis of international law.

### Article 3

The Kingdom of Maristan exercises its sovereign rights over the exclusive economic zone for the purpose of exploring, exploiting, conserving and managing the natural resources of the waters superjacent to the sea-bed and of the sea-bed and its subsoil, and in its other activities for economic exploitation and exploration of the zone, such

as production of energy from water, currents and winds. The Kingdom of Maristan exercises jurisdiction over the establishment and use of artificial islands, installations and structures, marine scientific research, and the protection and preservation of the marine environment in the exclusive economic zone. The natural resources in the exclusive economic zone referred to in this Law consist of living and non-living resources.

## *General Rules and Appendix*

### CLARIFICATIONS

Clarifications on Article 2.6, page 8 of the general rules

The Preliminary Conclusions will be published after all the teams finish their OPs.

Clarifications on Article 2.8.4, page 9 of the general rules

In principle, the better Applicant and the better Respondent from each Semi-Final Round will advance to the Grand Final. In the circumstance of significant violation of the procedure and regulations of OP, the Judges (in consensus) have the right of discretion to determine the teams to advance to the Grand Final.

Clarifications on Article 3.4, page 10 of the general rules

The timekeepers will ascertain the time allocation of the OP before starting.

Clarifications on Article 1.6(5), page 14 of the general rules

The student participated as an oralist in previous competition (including 2017 LOSMCC, 2018 LOSMCC & 2018 SINOLOSMCC) can participate as a researcher but not an oralist in the 2019 SINOLOSMCC.

Clarifications on Article 5.2, page 17 of the general rules

The title of the electronic document shall follow the example provided in this Article.

Clarifications on Article 6.5, page 19 of the general rules

Oralists can ask for time extension, the Judges have the right of discretion to allow the extension and the time.

Clarifications on Appendix B1 and Appendix B2

The new versions of Appendix B1 and Appendix B2 has been updated in the website of: <http://www.cibos.whu.edu.cn/index.php?id=1166>