



INTERNATIONAL COURT OF JUSTICE

SPECIAL AGREEMENT

BETWEEN

PRINCIPALITY OF TARVOS
(APPLICANT)

AND

REPUBLIC OF EUKELADE
(RESPONDENT)

JOINTLY NOTIFIED TO THE COURT ON 11 OCTOBER 2035

COUR INTERNATIONALE DE JUSTICE

COMPROMIS

ENTRE

PRINCIPAUTÉ DE TARVOS
(DEMANDEUR)

ET

RÉPUBLIQUE EUKELADAISE
(DÉFENDEUR)

NOTIFIÉ CONJOINTEMENT À LA COUR LE 11 OCTOBRE 2035

Case concerning Illicit Control of Spacecraft and Unauthorised Access to Orbital Space Station

Tarvos v. Eukelade

STATEMENT OF AGREED FACTS

Background

1. The Principality of Tarvos occupies a large portion of the continent Ploutos, which it shares with 6 other countries, with a large and advanced economy. As on 1 January 2037, Tarvos has a population of around 156 million and is the fifth largest economy in the world.
2. The Republic of Eukelade, also on Ploutos, shares a land border with Tarvos and is comparable in the size and strength of its economy. It has a population of around 62 million as on 1 January 2037. It has one of the world's highest population density.
3. Both Tarvos and Eukelade are members of the United Nations and the Ploutos Cooperation & Development Association (*PCDA*), to the latter of which all 7 countries on Ploutos are members.
4. Both Tarvos and Eukelade have highly successful government and private space programs that began in the 2010s and both countries have sent manned missions into space. The governmental space activities conducted by the Tarvos Space Administration (*TSA*) and the Eukelade Aerospace Development Agency (*EADA*) involve much coordination and cooperation with their respective strong and internationally competitive private space sectors.
5. In March 2024, there was a series of terrorist attacks that took place in Dionysia, the capital of Tarvos, that resulted in significant loss of life and property damage. The terrorists were widely and reliably believed to be nationals of Hecate, a powerful archipelagic state located near Ploutos, and the terrorists were believed to be radicalised, trained, and prepared for the attacks in Hecate. In October 2031, Tarvos led a coalition with two other PCDA member states that began to intervene in the civil war in Artemis, another member state of the PCDA, fighting against forces that are widely and reliably believed to be funded and supported by Hecate.
6. Eukelade has no military involvement in the conflict between Tarvos and Hecate, or in the civil war in Artemis. In various media statements and public broadcasts, the Prince and the political leaders of Tarvos have been critical of Eukelade, suggesting that it has abandoned Ploutos solidarity, behaved like a client state of Hecate, and supported the terrorists that were targeting Tarvos and other PCDA member states.

Access to Remote Sensing Imagery

7. Space Imagery Corporation (*SIC*) is a company incorporated in Eukelade that supplied high resolution remote sensing imagery and operated a fleet of 19 satellites in Low Earth Orbit for this purpose, with coverage over 82% of the surface of the Earth, including the entire landmass of Ploutos. SIC is listed on the Eukelade Securities Exchange and, although the *National Space*

Security Ordinance 2019 of Eukelade allowed up to 25% foreign ownership in remote sensing operators, at no time did foreign interests hold more than 10% of the issued shares in SIC.

8. Although there are quite a number of private suppliers of satellite remote sensing imagery in both Tarvos and Eukelade, SIC is generally considered to be a global market leader in both quality of the imagery as well as their efficient delivery timeframes.
9. The annual reports published by SIC to its shareholders in 2032 to 2034 showed that sales revenue from customers in Artemis ranged between 4% and 8% and those in Hecate ranged between 11% and 15% of total sales revenue. Sales revenue of less than 1% was derived from clients in Tarvos.
10. On 14 June 2033, a car bomb exploded outside a government building in Dionysia. Militia groups in Artemis opposed to Tarvos claimed responsibility for the attack. It was later revealed that the building contained the ground control centre for a number of satellite operations of the Government of Tarvos, including those of its remote sensing constellation.
11. On 4 July 2033, the Tarvos Ministry of Defence sent a letter to SIC, seeking to purchase ongoing remote sensing imagery over extensive areas of Artemis and Tarvos. Three days later, a reply from the Chief Operating Officer of SIC stated that it was unable to supply the order, on the basis that it lacked sufficient coverage over Artemis. This was followed by a further letter from the President of SIC the next day, which cited the *National Space Security Ordinance* in not taking any step that may compromise the national interests or national security of Eukelade, which had declared its neutrality in the conflict between Tarvos and Hecate and in the conflict in Artemis.
12. On 11 August 2033, the Grand Chancellor of Tarvos published an open letter to the Premier of Eukelade, in which it was suggested that Eukelade was aiding terrorists in Artemis and Hecate, including financial support and the supply of satellite imagery by companies such as SIC. The letter referred to the recent capture by Tarvos forces of an enemy field commander in Artemis, who was carrying a tablet computer containing field intelligence supplied by Hecate, and satellite imagery marked "Copyright © 2033 by Space Imagery Corporation".
13. On the next day, the Premier of Eukelade was interviewed by the Satellite News Network (*SNN*), a global web and television news channel based in Eukelade, in which she denied the accusations made by the Grand Chancellor of Tarvos and suggested that the so-called evidence was fabricated by Tarvos. Subsequently, a proposed resolution of the Security Council of the United Nations demanding that the tablet computer be examined by independent experts appointed by the Security Council was vetoed by a permanent member because of objections raised by Tarvos on the grounds that it would compromise its national security.

Embargo on Eukelade

14. On 19 September 2033, the Government of Tarvos and three other PCDA member states severed all diplomatic and commercial relations with Eukelade. Under the relevant Executive Directive, signed by both the Prince and the Grand Chancellor of Tarvos:
 - (i) all Tarvos diplomatic and consular staff in Eukelade are recalled;
 - (ii) all Tarvos nationals are recommended to leave Eukelade immediately;

- (iii) the territorial waters and airspace of Tarvos are closed to all Eukeladean vessels and aircraft;
 - (iv) all Eukeladean nationals in Tarvos are to leave within 14 days;
 - (v) access to any website of the “.ek” suffix or one that is hosted in Eukelade or controlled by Eukeladean interests are blocked; and
 - (vi) all Eukeladean radio station and television channels are not to be broadcast in Tarvos.
15. From 20 September 2033, all 2.8 million subscribers of the SNN in Tarvos, all of whom have been receiving the SNN broadcast from their satellite dishes directly from satellites owned and operated by the SNN, found that they could no longer watch the SNN on their television or access the SNN website. Instead, a message is displayed that read, “The Government of Tarvos has blocked the broadcast of this channel in the interest of national security and for your safety. Have a nice day.”

Cyberattack on SIC

16. On 22 November 2033, SIC suffered a major cyberattack, during which all control over their computers, servers, and ground control equipment was lost for around 14 hours. The hackers:
- (i) retrieved transaction records of the company, including all bank account and credit card details of its clients;
 - (ii) retrieved extensive historical and recent satellite imagery data over Artemis, Eukelade, Hecate, and Tarvos (to the extent that processed imagery was stored and available);
 - (iii) planted software routines on all devices connected to the internal network so that at 0700 and 1900 each day, it would display the Tarvos national flag and play the Tarvos national anthem on maximum volume; and
 - (iv) caused three of its satellites (*SI-4*, *SI-7*, and *SI-13*) to crash into each other while in orbit, resulting in the total loss of these 3 satellites.
17. Cybersecurity experts engaged by international media outlets, as well as those hired by SIC, agree that the hackers were based in Tarvos. When asked by international journalists about links between these hackers and the Government of Tarvos, the Grand Chancellor of Tarvos said that he “sympathised with all who share in our outrage that Eukelade is holding the hands of terrorists that kill our husbands, our wives, our children, our parents, our neighbours, our friends”, and refused to condemn the actions of the hackers.
18. On 12 December 2033, sales records of SIC, including bank account and credit card details, believed to have been retrieved by the hackers were published on the mass dissemination website Megaleaks.com. Subsequent investigations by foreign media outlets show that some of these bank accounts are connected with Hecate and militia groups on both sides of the conflict in Artemis.
19. Six executives of SIC, including its Chief of Cybersecurity, Loonian Ghan, resigned.
20. On 22 December 2033, Eukelade enacted the *Compensation (Illegal Actions by Tarvos) Ordinance 2033*, which provided for financial compensation by the Government of Eukelade to SIC resulting

from the cyberattack, including large severance payments to the executives who resigned, and to the SNN for the loss of revenue from the PCDA member states that have blocked its channels.

Capture of the *TSRH-5* Orbital Space Station

21. Since 2024, in an effort to facilitate technology innovation and provide assistance to space technology start-ups in Tarvos, the TSA has launched a series of orbital space stations under its Tarvos Space Research Hub program, on which research facilities are rented to space technology start-up businesses to conduct microgravity research, product testing, and other space-related research. Initially conceived as a cooperative joint program with other space agencies in the PCDA, the EADA and other space agencies within the PCDA quickly withdrew and began work on their own programs in competition with that of the TSA. In response, the TSA made access to the program exclusive to start-up businesses in Tarvos and refused all applications from businesses in Eukelade and other PCDA member states from participating in the program.
22. Construction in orbit of the fourth orbital station in the series, *TSRH-5* (in Tarvos culture, the number “4” is not used for names of transport vessels because it is considered bad luck), was completed by the TSA on 11 February 2033. By 1 January 2034, there were 19 persons, all of Tarvos nationality, 3 of which were employed by the TSA under the command of Commander James T. Smock, and the remainder were engineers employed by 11 start-up businesses from Tarvos.
23. On 22 November 2034, the crew onboard *TSRH-5* received a distress call from a private transport *Demeter-14*, which is registered to Eukelade on the U.N. register of space objects. The distress call indicated that *Demeter-14* was on its way to the Moon and, as an impact from space debris has damaged its life support systems, it was seeking to dock with the *TSRH-5* to seek emergency shelter until a supply freighter arrives in 4 days with replacement parts. The request from *Demeter-14* was denied, as the crew was under strict orders from the TSA not to allow access from any Eukelade spacecraft to the *TSRH-5*, and Cmdr. Smock noted in his log that serious objections were raised by 5 of the 16 employed engineers onboard on humanitarian grounds.
24. The *Demeter-14* nevertheless approached the *TSRH-5* and docked with it using the Universal Berthing and Docking Mechanism that has been adopted as standard for most crewed spacecraft. The 7 people onboard *Demeter-14*, all of them Eukeladean nationals and led by Mr. Ghan secured a hard dock with the *TSRH-5*, entered the orbital station with weapons and easily overpowered the crew, which were not armed as per TSA standard protocols. The *Demeter-14* crew confined the *TSRH-5* crew to their living quarters and, for the next 24 hours, hacked into each electronic device onboard and took all data from all 11 businesses conducting research onboard the *TSRH-5*.
25. After reading Cmdr. Smock’s log to which Mr. Ghan added the notation “PAYBACK FOR 22 NOVEMBER”, Mr. Ghan released the 5 engineers that protested Cmdr. Smock’s actions. The engineers pleaded with Mr. Ghan to release the rest of the *TSRH-5*’s crew, but Mr. Ghan was unmoved, and they remain confined without food or water. The engineers assisted Mr. Ghan and the crew of the *Demeter-14* in making repairs to its systems without the need for replacement parts.
26. After another 24 hours, Mr. Ghan and the rest of the crew returned to *Demeter-14* and undocked from the *TSRH-5*. After a brief stop at an orbital space station operated by the EADA, at which Mr. Ghan uploaded all the data taken from the *TSRH-5* onto Megaleaks.com, the *Demeter-14*

sought to return to Eukelade but crashed into the ocean after its retrograde rockets and parachutes failed to open. Four days later, Dr. Carol Marks, one of the 5 engineers onboard the *TSRH-5* that was released by Mr. Ghan, committed suicide using one of the airlocks onboard the *TSRH-5*. She left behind a note admitting to sabotaging the re-entry systems on the *Demeter-14*.

27. The loss of the proprietary research data led to the collapse of all 11 start-up businesses that operated onboard *TSRH-5*.

Special Agreement

28. After months of diplomatic efforts having failed to resolve the disputes between the States, including the use of the good offices of the Secretary-General of the United Nations, Tarvos and Eukelade agreed to refer the dispute to the International Court of Justice.

29. Tarvos claims that:

- (i) Eukelade is liable for the unlawful supply by SIC of remote sensing imagery to Artemis and Hecate for military use;
- (ii) Eukelade is liable for the refusal of SIC to supply Tarvos with remote sensing imagery over Artemis and Tarvos;
- (iii) Eukelade is liable for the loss of the proprietary research data stolen from the *TSRH-5* and the subsequent business collapses; and
- (iv) all claims by Eukelade ought to be denied.

30. Eukelade claims that:

- (i) Tarvos is liable for the jamming of the broadcasting of the SNN satellite television channel;
- (ii) Tarvos is liable for the loss and damage suffered by the SIC resulting from the cyberattack on 22 November 2033;
- (iii) Tarvos acted unlawfully in refusing access to the *TSRH-5* when the *Demeter-14* was in distress; and
- (iv) all claims by Tarvos ought to be denied.

31. Both Tarvos and Eukelade are parties to the Outer Space Treaty, the Rescue Agreement, the Liability Convention, and the Vienna Convention on the Law of Treaties. Eukelade is party to the Registration Convention, which has not been signed by Tarvos.

32. Both Tarvos and Eukelade are founding members of the International Telecommunication Union and the International Civil Aviation Organisation.