

MEDIATION BOMBAY 2.0 PROPOSITION QUARTER - FINALS



CEASELESS CLASHES: THE MANAKUNDIA - CERCIKINA DISPUTE

GENERAL INFORMATION

Manakundia, officially the Republic of Manakundia, is a country in South Asia. In 2015, its economy was deemed as one of the fastest growing economies in the world. However, since 2020, owing to a worldwide pandemic, Manakundia has become one of the slowest growing economies in the world. It is pertinent to note that Manakundia has an active digital population in the social media realm in all the age groups. Further, its digital sphere is one of the most liberal in the world as it allows different types of businesses and financial organizations to collaborate and invest in Manakundia.

Cercikina, officially People's Republic of Cercikina, is a neighboring country of Manakundia in South Asia. In comparison to Manakundia, Cercikina is infamously known for the alleged suppression of its citizens' basic human rights such as freedom of speech and expression by acting as a strict watchdog over its citizens' digital liberty. However, there is no concrete proof of the same and it only exists in the form of hearsay and dubious reports. In Lonkinjing, the national capital of Cercikina, a state-of-the-art technology was reportedly placed for enhanced monitoring of law and justice.

Both Manakundia and Cercikina have a demonstrated history of border tensions. Cercikina, only according to Manakundia, has violated the ceasefire agreements signed with Manakundia on multiple counts. On the other hand, Manakundia, only according to Cercikina, has boycotted the bilateral talks with Cercikina for peace settlements on a plethora of occasions.

Since July 2020, Manakundia and Cercikina have been engaged in heavy border tensions at the region of Wetterakhand, located in Manakundia. These border tensions are accompanied by active deployment of border personnel and vehicles from both the fronts.

In November 2020, there was a mass-firing at Wetterakhand wherein personnel from both the countries lost their lives. The country which initiated the firing remains unknown. Thus, firstly, there is an issue of unresolved dispute with respect to the aforementioned border tensions.





The aforementioned border tensions coincidentally appear in the backdrop of Manakundia's boycott of Cercikinese manufactured goods. Thus, secondly, there is an issue of unresolved dispute with respect to the aforementioned boycott of Cercikinese manufactured goods as it affects both the countries on multiple fronts, such as political, economic, cultural, legal, and technological.

The aforementioned boycott is further accompanied by Manakundia's ban of Cercikinese digital applications that were popularly used by content creators in Manakundia. Amongst these digital applications, VicTic, a video sharing social media platform, was the most popular digital application. VicTic and other Cercikinese digital applications enabled content creators to carry out national and international businesses and financial collaborations. Such collaborations enabled the content creators to earn their living and also facilitated foreign investment in Manakundia. However, according to the Manakundian and international content creators, after the ban of the Cercikinese digital applications, the aforementioned collaborations, ability to earn livelihood, and the capacity for foreign investment has been severely hampered. Thus, this ban received heavy backlash in Manakundia from content creators. Therefore, thirdly, there is an issue of unresolved dispute with respect to the aforementioned ban of Cercikinese digital applications in Manakundia.

The explanation behind the boycott of Cercikinese manufactured goods and ban of Cercikinese digital applications was provided by the Manakundian Government in its press release (see Annexure I). A follow-up response to the Manakundian Government's explanation was provided by the Cercikinese Government in its press release (see Annexure II).

Taking cognizance of the heavy litigation and other costs that both the countries may incur in the International Courts for Justice, they have agreed to a formal mediation as a final attempt. It is agreed by both the countries that they shall attend the mediation, wherein Cercikina is the Requesting Party / Claimant and Manakundia is the Responding Party / Respondent.

In finality, it is also pertinent to note that both the parties have internationally declared that if there is a failure in the bilateral settlement, such failure may result in international disruption of peace, law, and order.





ANNEXURE - I

GOVERNMENT OF MANAKUNDIA MINISTRY OF EXTERNAL AFFAIRS PRESS RELEASE

FINAL NAIL IN THE COFFIN: MANAKUNDIA - CERCIKINA CONFLICT

November 15, 2020.

Manakundia, only after repeated failed requests for bilateral talks with Cercikina, has finally undertaken the step of boycotting Cercikinese manufactured goods and ban of Cercikinese digital applications.

The aforementioned ban of Cercikinese digital applications comes in the light of the data security threat posed by Cercikina to the Manakundian National Data Servers. This data security threat is further strengthened by the recent technology deployed in Lonkinjing. This technology is used to unreasonably and arbitrarily monitor and track the movements of its citizens 24x7, which, in turn, makes a strong case for gross human rights violation in Lonkinjing.

The aforementioned boycott of Cercikinese manufactured goods comes in the light of the recent reports that have been received by the Manakundian Government. In these recent reports, repeated violation of the Cercikinese manufacturers is *prima facie* evident who have engaged in serious and grave violation of Sustainable Development Goal 7 (Affordable and Clean Energy), Goal 8 (Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all), Goal 12 (Responsible Consumption and Production), Goal 13 (Climate Action), Goal 14 (Life below Water), and Goal 15 (Life on Land) of the United Nations. The aforementioned violations have occurred due to the causing of large-scale environmental pollution in Cercikinese territories, usage of subpar and unsustainable raw and intermediary materials for the purpose of manufacturing goods, mercury poisoning and water pollution in the South Cercikina Sea (adjacent to both Manakundia and Cercikina), and inhumane working conditions for the human labor force.





The 2019 Progress Report of Cercikina is a projection of false facts, claims, and evidence, given Cercikina's tyrannical history with Manakundia.

Thus, Manakundia's patience has been stretched thin.

New Otli (National Capital of Manakundia). November 15, 2020.







ANNEXURE - II

GOVERNMENT OF MANAKUNDIA MINISTRY OF EXTERNAL AFFAIRS PRESS RELEASE

A DOG IN THE MANGER: MANAKUNDIA'S UNREASONABLE AND ARBITRARY ACTIONS November 20, 2020.

Recently, Manakundia has undertaken the unnecessary and uncalled for step of boycotting Cercikinese manufactured goods and banning of Cercikinese digital applications. It is pertinent to understand that the request for bilateral talks failed only as a result of Manakundia unilaterally boycotting the mutually decided informal negotiations.

The rationale given for the aforementioned ban, with respect to data security threat to the Manakundian National Data Servers, is erroneous and ill-founded because Cercikina does not, in any way whatsoever, indulge in unethical digital practices. This non-indulgence is further strengthened by the fact that no other country but Manakundia, has accused Cercikina of such a grave and false violation.

The rationale given for the aforementioned boycott, with respect to the Manakundian Government placing reliance on the reports of repeated violation by Cercikinese manufacturers, is erroneous and ill-founded because the sanctity and authenticity of these reports is neither recognized nor verified by the international community and Cercikina. It is pertinent to note that these reports are false and bogus in nature and hint towards unilateral and covert investigation of Manakundia in Cercikinese territories, which, as a matter fact, is a serious and grave violation of Cercikina's national security and international peace.

Further, it is also of quintessence importance to understand that Cercikina has upheld, affirmed, and safeguarded the values of Climate Change, Human Rights and other Sustainable Development Goals in its 2019 Progress Report. In its 2019 progress report, the Cercikinese government initiated the utilization of sustainable, environment-friendly, and above-standard raw materials coupled with relaxation of Labour laws. The Cercikinese government has also initiated a Rs. 2500 crore project of cleansing and purifying its land, water, and other natural resources.





At this juncture, it is pertinent to note that Manakundia has a demonstrated a history of severe pollution, wherein air pollution at its national capital, New Otli, is a classic example; sub-par local Manakundian manufactured goods that lose competition in comparison with high quality Cercikinese manufactured goods; reduced Gross Domestic Product of Manakundia in light of the worldwide pandemic; and diluted Manakundian State Labour laws.

Thus, Cercikinese Government fails to comprehend the stretching thin of Manakundia's patience wherein the Cercikinese Government, in turn, declares that it is the Cercikinese Government that is at its patience's end.