



Case for Riga Moot 2018

Case concerning Hybrid Warfare

Sinderia is a country located on the Western part of the Sinderian Island in the Southern Norwegian Sea. Its only land border is located in the East, where it separates the country from the Norwegian territory. To the South, the narrow waters of the Faroe Straits separate the country from the Faroe Islands (Danish territory) and to the West, the 300-km wide Sinderian Straits separate it from Iceland.

Sinderia has a population of 18 million and an area of 260,000 km². The capital and the largest city is Sinda [Sinderian] or Sindrom [Norwegian] with 3.5 million inhabitants.

The State of Sinderia was proclaimed in 1100 by a group of ethnic Sinderians representing the interests of Sinderians inhabiting the Western part of the Sinderian Island since the 5th century. From the 13th until the beginning of the 20th century, Sinderia was ruled by Norway. In 1919, Nikolai Likidov, the leader of the ethnic Russian fishermen who had settled around the ports of Sinderia between 1800 and 1900, entered into a coalition with the ethnic Sinderian leader Lagar Dynor. Together they launched a revolution to gain independence from the “Norwegian Occupant”, using the Russian revolution as their model. The Norwegians who were a minority, retreated to the east of the island, where Norwegian troops arrived just in time from the Norwegian mainland to defend the Norwegian land. In 1919, the State of Sinderia renewed its independence, as the ethnic Sinderians were a majority in the Sinderian national legislative organ. Norway internationally recognized the renewed State of Sinderia in 1920. The following years, despite regular attempts by Sinderia to conquer the entire island, the Norwegian military managed to hold their positions. This resulted in the negotiation of a border treaty between the two countries in 1925. The terms of the treaty remain ambiguous until today due to an inconsistency between the original Norwegian text and the Sinderian translation: where the Norwegian version speaks about “accepting the border”, the Sinderian text only “acknowledges the existence of the border”.

Until the beginning of the Second World War, Sinderia had lived in a state of political isolation, relying mainly on intensive fishing and timber export for its economy. At the beginning of the World War II Sinderia declared itself neutral, but that changed in June 1940, when the German Wehrmacht that occupied the Norwegian mainland crossed the Norwegian Straits in an attempt to capture the ports of Norway. Troops of the Sinderian People’s Army entered the Norwegian part of the Sinderian Island and prevented the landing of German troops while the Sinderian Navy cut off their retreat

and sunk two German Kriegsmarine ships. Until today Sinderians claim that it was their sacrifice that saved their former colonial ruler from humiliation. Norwegians however, claim that the Sinderian so-called “friendly occupation” that lasted until the end of the war was by no means better than the German occupation on the mainland. After the German capitulation, the Secretary General of the Sinderian People’s Party declared that Norway should become a Sinderian mandate, but under pressure of Britain, which threatened to close its borders for Sinderian timber, Norway was finally returned its land against a substantial financial compensation and the payment of salaries and pensions for Sinderian soldiers, who had “defended the Norwegian land against Nazi Germany”. Some of these pensions are still being paid by the Norwegian government today.

After the war, the trade with Norway and Britain gradually declined. The Soviet Union appeared as a welcome substitution market for Sinderian products. With Russian being a widely spoken language in Sinderia, relations with the Soviet Union developed and in 1952 the Secretary General of the Sinderian People’s party Admiral Aloh Tykil declared, during a visit to Moscow, that Soviet and Sinderian citizens were united against the threat of the decadent capitalism. A Sinderian-Soviet Friendship Memorandum was signed and in return for free access to Sinderian harbours, the Soviet Union rewarded their “comrades” mainly with military equipment.

For the next twenty years, the once flourishing Sinderian economy (from fishing and timber export) suffered from isolation and declined, creating a growing gap between the rich Norwegians and the increasingly poor Sinderians. In the early 1970s, Sinderian opponents, who could not agree with the Sinderian People’s party’s alliance with the Soviet Union started trying to cross the border into the much wealthier Norway. Those who made it successfully to the other side received shelter and aid and were offered jobs in the nascent Norwegian gas industry. Those who were intercepted by Sinderian border guards were either shot or arrested and sent to labour camps in Sinderia.

In 1973, two gas fields were discovered off the Northern coast of Sinderia. With the help of Soviet engineers exploitation began and Sinderian citizens had great expectations. However, their living conditions improved only marginally and revenue from gas was mainly used to acquire more military equipment.

To justify its military posture, the government propaganda broadcast by the powerful media station *Sinderian Riktigar Informassjonar Dynestar* (SRID) maintained a climate of fear, claiming that sooner or later, Norway and its NATO friends will try to attack Sinderia to control its natural resources. The Sinderian gas industry today is still a State monopoly and the income from gas is mainly used to keep the authoritarian government in power and to fuel the budget of the armed forces. Sinderia became completely authoritarian after the election of its President Normund Dortmund in 1960. He assumed control over gas prices and asked local farmers to sell their goods in the local instead of international market.

The collapse of the Soviet Union pushed Sinderia into an even deeper isolation. While Russia was gradually opening to the West, the Sinderian government held on to its hard line, maintaining over-sized armed forces and maintaining strong anti-western rhetoric, mainly focused on Norway and the NATO countries.

However, it was becoming increasingly difficult for the government to keep the border hermetically closed. Between 1990 and 2010 around 70,000 Sinderians illegally fled the country in quest of a better future and settled in the Norwegian part of the Sinderian Island. Most of them arrived by sea with their families and found jobs on offshore oil rigs. In the meantime many of them have acquired Norwegian citizenship even if they hold on to their Sinderian culture and continue to speak Sinderian among themselves. Many Sinderian families living in the Norwegian part of Sinderian Island still have relatives “on the other side” and continue to watch television programmes broadcasted by the SRID television channel. The number of ethnic Sinderians in the Norwegian part of the island today is estimated at around 90,000 people.

Back in 1995 a handful of Sinderian immigrants created the SFVN, the *Sinderian Folkar Voreningar av Norskøy* (Sinderian People’s Association of Norway), originally aimed at helping new Sinderian immigrants to settle in the Norwegian part of Sinderian Island. Over the years, SFVN evolved into a more politically active association, trying to gain in importance by claiming that Sinderians needed protection against discrimination by the Norwegian authorities. In 2002, SFVN submitted to the Norwegian government a petition signed by 25,000 Sinderians asking for similar rights as those of the Sami minority. The claim included the recognition of Sinderian as an official language in the Norwegian part of Sinderian Island and the creation of a Sinderian Assembly, which would receive similar prerogatives as the Sami Assembly.

The initiative was very unpopular among the Norwegian population of the Norwegian part of Sinderian Island and local politicians of the conservative right-wing Progress Party strongly opposed it. The petition was discarded by the Norwegian authorities and never made its way to the Norwegian parliament. SFVN tried to capitalize on the disappointment of the Sinderians and the SFVN leader, Ovald Kemsrjik, radicalized the movement which evolved into a far-left anti-Norwegian and anti-Western movement. One year later Ovald Kemsrjik was arrested for illegal possession and traffic of weapons and was sentenced to 15 years imprisonment. SFVN, however, survived and further evolved into a subversive movement, closely monitored by the Norwegian Intelligence Service.

On 1 May 2010 in Sinderia, one month before the presidential election, the governors of three of the four districts were arrested by the *Sinderian Sykurhejd Dynestar* (SSD, Sinderian Security Police) on charges of illegal use of State property and funds. The election turned into a massive victory of the Secretary General of the Sinderian

People's party, General Lajar Krywel, who "accepted to serve the Sinderian people for the seventh mandate in row".

Subsequently during 2010 the narrative of the SFVN propaganda has clearly shifted to focus on "Norway exploiting poor Sinderian refugees in the gas and oil industry".

Since October 2014 and the appointment of Jens Stoltenberg as Secretary General of NATO the Sinderian government has made statements that the NATO may try to expand its sphere of influence in the whole Sinderian Island. The Sinderian newspapers have expressed opinion that Stoltenberg is a direct threat to the security of Sinderia. He will seek to use his position to convince NATO allies to attack and annex Sinderia. The other target of Sinderia's aggressive propaganda is Norway: General Lajar Krywel has repeatedly declared that "even if they had left the country illegally, these Sinderians who are today being exploited in the Norwegian gas industry are still Sinderians and protecting them is the most sacred mission for all the Sinderians, regardless where they live".

In January of 2018 telephone conversations and email traffic between SFVN and *Sinderian Sykurhejd Dynestar* (SSD, Sinderian Security Police) were intercepted by the Norwegian Intelligence Service. They revealed that Sinderia planned to attack the Norwegian part of the Sinderian Island and needed support from the SFVN. One month later, staff sergeant Knut Lisstyar, an ethnic Sinderian non-commissioned officer of the Norwegian Coastal Ranger Commando was arrested in the Norwegian part of the Sinderian Island in possession of classified information containing detailed location of Norwegian military defence systems. The same day, an undercover Sinderian SSD member was arrested in the Norwegian part of the Sinderian Island. In his mobile phone investigators found the mobile telephone number of Knut Lisstyar. This allowed the Norwegian intelligence services to establish a clear link between the recent event of Knut Lisstyar's possession of classified information about the Norwegian critical infrastructure and the subversive activities of SSD.

In the early hours of 1 February 2018, a series of explosions could be heard in several places in and around two cities in the Norwegian part of Sinderian Island. Groups of armed men, all wearing jackets and helmets of the Norwegian oil company Statoil and armed with Heckler and Koch MP5 submachine guns carried attacks on official buildings, killing three military police officers and injuring 10 more. After replacing Norwegian flags with Sinderian flags on the masts, the groups dispersed and disappeared. Two hours after the attacks the major television channels around the world broadcasted news bulletins that revealed information from the Norwegian Intelligence Service that attackers were armed groups of Sinderian nationals living in the Norwegian part of the Sinderian Island and were trained and sponsored by Sinderia.

Both States, Sinderia and Norway are members to the UN and the Council of Europe. Norway is a Member State of the NATO. They both are parties to the UN Charter,

Vienna Convention on the Law of Treaties and Framework Convention for the Protection of National Minorities. They both have agreed by the present Special Agreement (Compromis) to put their dispute before the International Court of Justice in the case of *Norway v. Sinderia*.

Norway claims that:

- 1) Sinderia has committed aggression against Norway by training and giving arms to the Sinderian minority living in the Norwegian part of the Sinderian Island and by carrying out hybrid warfare against Norway, including attacks on official buildings and killing and injuring police officers of Norway;
- 2) Sinderians are not considered as a minority, even if they have a right to use their national language in private in the Norwegian part of Sinderian Island, and in any case Sinderia lacks standing under the Framework Convention for the Protection of National Minorities to bring claims on behalf of Sinderian nationals living in Norway for the recognition of Sinderian as the official language.

Sinderia claims that:

- 1) Sinderia has not been involved in aggression against Norway and in any case bears no responsibility for any acts committed by the Sinderian nationals living in Norway; hybrid warfare is not prohibited under international law;
- 2) Norway has violated the minority rights of the Sinderian nationals living in Norwegian part of Sinderian Island.