

CONFLICT IN THE INOTICAN UNION

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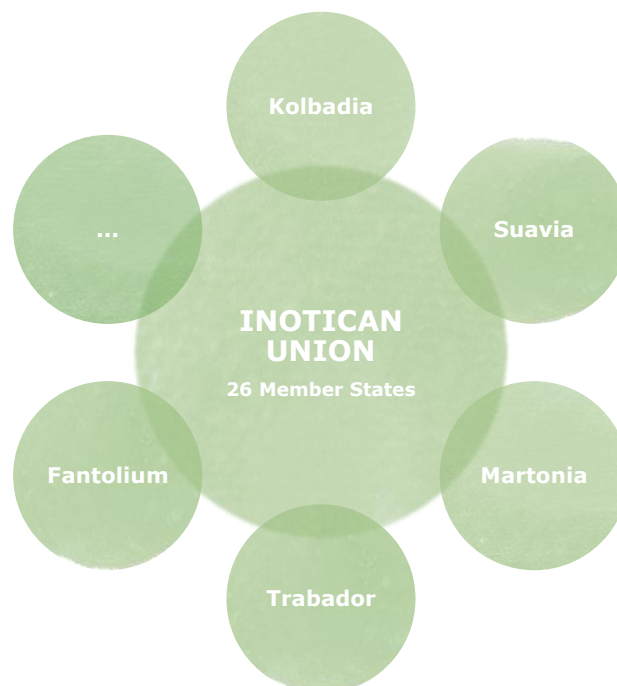
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SCENARIO



THE INOTICAN UNION (IU)

- 60 years ago, various states of the Inotican continent joined together to form a Union. Up to the present day, the Inotican Union has continued to grow and by now counts 26 Member States.
- The main objective always was to have a common market and to strengthen the economy.
- But over the years, **common values** became more and more important.
- Some years ago, the Member States agreed on a **constitution**, including common fundamental values such as freedom, democracy, the rule of law, non-discrimination and solidarity.
- The **Inotican Union's Court of Justice** controls the Member States' activities. It decides on consequences if a country does not respect the common values.



CRISIS OF VALUES? THE CASE OF SUAVIA

- In recent years, more and more disputes have come up regarding the interpretation of the common values. The **Union's Commission** has frequently criticized Member States' actions. But most conflicts have been resolved out of court.
- Currently the situation is escalating. The Member State **Suavia is accused** of having profoundly violated the Union's values.

? WHY?

- The Suavian government decided to build new nuclear power plants. Online magazine “The Radical Ecologist” has strongly attacked the government for these plans.
- As a reaction, the Suavian government has ordered a **countrywide ban** of the magazine. This has met with a lot of criticism. Many citizens and NGO’s have complained to the Commission about the actions of the Suavian government.
- Suavia has ignored several warning letters sent by the Commission. The last possible step has therefore been initiated: The Commission has brought an **official action before the Court of Justice**.
- Today, various parties involved in the issue are coming together before the Court of Justice to discuss the case.
- The central question being discussed is: is the Suavian government violating Union law with its activities?

ABSTRACT FROM THE ARTICLE | “The Radical Ecologist”

Massive construction of nuclear power plants: Suavian government commits potential genocide of all Inotican people

Lobby Alert! Our Prime Minister Cecilia Bonello makes herself a henchwoman of the nuclear industry.

Last weekend, the Suavian government came together and decided that five new nuclear power plants will be built by 2025. It uses the future of the Suavian workers as an argument, but rather gives the impression that our Prime Minister, after her recently failed marriage, is now taking her destructive rage out on the entire Inotican people, who as a whole are endangered by the mere existence of nuclear power plants on our continent.

Let us stand up for ourselves, before by our own tax money leads us to the gallows.

EXCERPT OF THE UNION’S CONSTITUTION

The Member States of the Union submitted themselves to the following fundamental principles:

Art. 1 – Values of the Union

The Union is founded on the values of freedom, democracy, equality, the rule of law and respect for human rights. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

Art. 7 – Freedom of the press

Freedom and pluralism of the press and freedom of reporting by means of newspapers and broadcasts shall be guaranteed. These rights shall find their limits in provisions for the protection of young persons and in the right to personal honour.

UNION'S COURT OF JUSTICE



Nicolas Mc Evans, Judge
Fidelma Bosco, Judge
Henrietta Mansanda, Judge

ABOUT YOUR PERSON

You love your position as judges at the Court of Justice of the Union. After working as judges in your home countries for many years, you have been appointed to the Union's Court of Justice.

Here you get to deal with all kinds of different cases and interesting legal questions. Unlike in a national court parties in these cases have highly varied backgrounds which sometimes lead to conflicting interpretations of the Union law.

Your central goal is always to overcome these differences and to help the parties involved to solve their conflicts by enforcing our common rules.

As a judge you are always neutral. You do have a certain degree of flexibility in interpreting applicable law, but you must always make your judgment in accordance with the Constitution of the Union.

YOUR VIEW ON FREEDOM OF THE PRESS

For you as a judge it is highly important that all Member States respect the Union's values. The common values are the cornerstone of the Union and must be protected. This also includes the freedom of the press, as defined in Article 7 of the Constitution.

Freedom of the press is crucial for a functioning democracy. First, because the media controls politics by reporting about No-Go's and mistakes of politicians. Second, because they pass on information to the citizens. If citizens are not informed well enough, they cannot make profound voting decisions. Therefore, journalists must be able to report freely.

But you also see that it is not always easy to define values conclusively. They are complex and can also have certain limits. This can easily lead to conflicts when Member States have different interpretations of values and claim them to be correct.

For you, it is important that the common values bring the Member States closer together. The long-term goal must be to have the same understanding of the Union's values.

YOUR MAIN GOAL

At the end of the negotiations you must come to a decision as judges. This must be done unanimously, that is, you must agree on a judgment together.

Your central goal is to ensure that all Member States act according to the Union's law and values. To be able to decide on the case, you must take into account different points of view. Only if you have a complete picture of the case, you can make a well-founded decision.

YOUR TASK AS CHAIR OF THE TRIAL

It is your task to structure and moderate the negotiations. The following checklist may help you with this:

- ✓ Welcome all parties present.
- ✓ Explain very briefly why you're all here today: to discuss the case of Suavia and the question of freedom of the press in the Union. The Commission will then present the specific case.
- ✓ You allow the attendees to speak. It might be helpful to keep a "list of speakers" during the open negotiation phase.
- ✓ Pay attention to a polite and constructive atmosphere (e.g. "Dear Mrs. President, please pay attention to your tone.").
- ✓ Ask questions if something is still unclear (e.g. "Dear Commissioner, what exactly do you mean by your statement? Can you please specify that?").
- ✓ Keep in mind: All parties will try to convince you of their interpretation of Union law. Listen carefully and try to figure out which argumentations and solutions are most consistent with Union law.

QUESTIONS YOU COULD ASK

- › What is your view of the case? How do you justify your criticism/ your position?
- › To Suavia: What do you have to say in your defence?
- › To other states: What would you have done in the position of the Suavian government?
- › There are limits for critical journalism: should they be the same for reports about professional politicians and private persons?
- › Do we need a common interpretation for our Union's values? Is it okay to leave room for different understandings of our values? What risks could this have?
- › Which judgement would you consider appropriate? Do you think the case offers room for a compromise between the parties?

OPENING WORDS FOR THE NEGOTIATIONS

Dear representatives of the Commission, Member States and the civil society that are present here today,

We first of all kindly ask you all to get up. Thank you.

*Welcome to today's court hearing on the case of Suavia. **First of all**, we will hear the presentation of the accusation by the Commission of the Inotican Union. A few months ago, the Commission has taken legal action against Suavia. The Commission has become active after many citizens and other civil society actors have expressed their complaints about the Suavian government to the Commission.*

***After this**, it is time for the opening statements by each party present here today. In a given order we will ask you to briefly present your general position on today's case. There is a maximum amount of time of 2 minutes for your opening statement, in case you exceed it, we will have to interrupt you. Furthermore, we have the right to ask you questions in case further clarification is needed.*

*A **following open negotiation phase** will help us all to further investigate and clarify facts and ex-change arguments on the case of Suavia. We will then make a decision in accordance with the Union's law.*

We kindly ask you to contribute to a polite and constructive atmosphere. Thank you and we pass the word to the Commission – you have the floor!

JUDGEMENT OPTIONS

We as the judges have consulted on the present case and decided to announce the following judgement:

The Member State Suavia is

- acquitted and will not be punished.**
- found guilty of _____ and**
 - must repeal its action** against "The Radical Ecologist"
 - and allow the online magazine again.
 - but can impose a small financial penalty on the online magazine because it interfered with the President's private sphere.
 - and allow the online magazine again. Suavia must furthermore pay a penalty payment.
 - will no longer receive financial support** from the Union funds until the situation regarding freedom of the press in the country has changed.
 - is deprived of its voting right** in the Union until the situation regarding freedom of press in the country has changed.
 - is excluded from the Inotican Union.**
 - _____.

NOTES

COMMISSION OF THE INOTICAN UNION



Connie Whitman, President of the Union's Commission
John Delvaux, Commissioner for fundamental rights and justice

ABOUT YOUR PERSON

You are the president of the Union's Commission and the Commissioner for fundamental rights and justice.

The Commission is responsible for upholding the Union's constitution. You are not responsible for jurisdiction in the Union. But you can identify violations of Union law by the Member States based on your own investigations or following complaints from citizens, NGOs etc. If you recognize a possible violation of Union law, you can bring an action before the Court of Justice.

You are convinced that political cooperation between the Union's states is for the good of everybody. And you are happy about the path you have taken together as a Union so far – from a solely economic cooperation to a value-based political actor.

But lately you have been more and more concerned about the state of the Union. You have seen several disputes on issues that you have taken as granted for a long time. You are convinced that the cooperation within the Union will only last and be successful if the Member States have a common ground also on aspects not only directly related to economic growth.

YOUR MAIN GOAL

Today, the judges will come to a decision in the case of Suavia. You brought the case to court after many citizens and NGOs contacted you and complained. Your main goal is clearly that the Court of Justice punished Suavia for its actions.

The judges must take a decision that shows that violations of the fundamental values of the Union are not ignored!

YOUR STRATEGY

You are "the expert" of the case and will have to present its details to the others. Use the attached template to prepare your presentation of the case.

- Find weak points in the other's argumentations.
- Look for strong statements of other actors and support them if it strengthens your position.

- Highlight the Union-perspective over and over again.
- Make clear that this is not just a national issue, but one that affects the whole Union.

Facts of the case	
ACTIONS AGAINST SUAVIA	<ul style="list-style-type: none"> • The decision of the Suavian government to build 5 new nuclear power plants is not the central problem, but it has started a heated debate about the chances and dangers of nuclear energy. • The public reactions to the article were controversial. Some found the article drastic but good, others thought that the magazine had gone too far. • The Suavian government’s position in this matter is very clear: They found the article unacceptable. They ordered a countrywide ban of the online magazine. • As a reaction, NGOs such as “Reporters for Freedom”, journalists but also readers of the online magazine turned to you in shock. Convinced that the ban by the Suavian government was illegal, they asked you to do something. • You fully support them. You tried to convince Suavia by writing warning letters. But when they showed no reaction to it, you had to take the hard way and bring an action before the Union’s Court of Justice.
YOUR POSITION	<ul style="list-style-type: none"> • The press is one of the most important actors to control the government. • If freedom of the press is endangered, so is the democracy. How can citizens get critical information about their government if every critical voice gets banned by the government? • If people do not have different sources of information about politics, they cannot make an informed decision in the elections. • Professional politicians are given power by the people. This is a privilege. As a side effect they must accept to be subject to media reporting, also critical ones. • There might be situations in which it is necessary to restrict the freedom of the press, for example when the media expresses extremist views or calls for violence. But this does not apply to the case of Suavia. • It poses a great danger to the future of the Union if the common principles and values are gradually undermined.
YOUR CLAIMS	<ul style="list-style-type: none"> • You do not want Suavia to leave the Union. But it must respect the common values and, therefore, needs to be punished for its actions. • Suavia must reverse its action against “The Radical Ecologist”. • Also, it should pay a penalty payment of 50.000 Inotican Dollar, so other countries can see that such a behavior has consequences. This money could be used to support projects promoting the freedom of the press in the Inotican Union.

QUESTIONS YOU COULD ASK

- › To Suavia: How would you see your actions if you were not part of the government but for example a journalist in your country?
- › Did you see any other possible reactions in your situation? Why did you immediately ban "The Radical Ecologist"?
- › If you consider your actions legal, which actions would violate the freedom of press in your view?
- › To everyone: How can future cooperation within the Union work with such contrary interpretations of our values?

PRESENTATION OF THE ACCUSATIONS AGAINST SUAVIA

Dear judges, dear representatives of Member States as well as the civil society,

thank you very much for the introductory words and for being here today to discuss the recent case of Suavia. Today's case is of high importance for us, because:

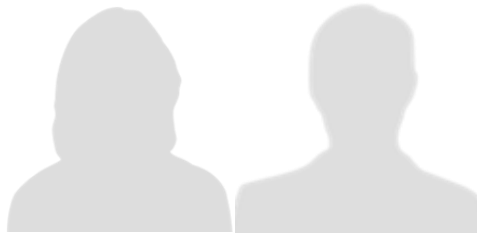
What has happened in Suavia is the following:

We accuse Suavia of:

We think it is high time for us to deal with this case here and today. If we don't discuss the future of our value-based Union today, we risk losing our principles and values. Therefore, we call upon all present parties to keep in mind the future of our community of values. Thank you!

NOTES

SUAVIA



Cecilia Bonello, President of Suavia
Paul Pedersen, Legal adviser of the Suavian government

ABOUT YOUR PERSON

You are the president of beautiful Suavia and her legal adviser. Being surrounded by ~~neighbouring~~neighboring countries who have a lot of influence within the Union, you often had to stand up for yourselves as one of the smaller Member States.

Your government has managed to lead your country from turbulent times to economic growth and good cooperation with other countries. Being a member of the Union is of course part of this success story, you especially appreciate the cooperation in the fields of economy and security affairs.

When it comes to more controversial issues, however, you think that nation states should still be able to go their own way instead of forcing compromises within a Union of 26 that is often not even able to act effectively because of its size.

It is therefore in your interest to carry through that nation states still have enough freedom within the Inotican Union, especially when it comes to sensitive areas such as value concepts.

YOUR MAIN GOAL

Today, the judges will come to a decision in your case. Your main goal clearly is to return home without a punishment. Thus, you want to make the judges rule in your favor and to convince the other present actors that you acted according to your national and the Union's values.

YOUR STRATEGY

- Find weak points in the other's argumentations and counter-arguments to your opponents.
- Look for strong statements of other actors and support them if it strengthens your position.
- Give reasons for your actions and explain which values you pursued in doing so. Suggest alternative interpretations of the Union law.
- Make it clear to the others that the Union's values can be interpreted in different ways.
- Just throw back critical questions to a questioner if you're stuck for an answer.

	Your view of the case
THE CASE OF SUAVIA	<ul style="list-style-type: none"> You are not against the free press. But it goes way too far when you are accused of “committing a potential genocide” or when the press drags the failed marriage of the President through the dirt. That goes against the personality rights, even if the criticism is directed against a “public personality”. Article 7 does allow to limit the freedom of the press. You bet that the magazine would not have dared to write such things about a male President. Your action was also necessary in the sense of gender equality! You are worried that with such brutal attacks by the media, people (and especially women) will turn their back on politics. If the tone is this rough nobody will want to get involved in politics. You fear that your family will be pulled more and more into this and become victims to unfair media reporting. The privacy of an individual has nothing to do with its role as a politician – even if it is the President of a country. Besides, your government stands for the protection of the environment and a green future. That is why you wanted to secure the supply of green, carbon-free energy from the new nuclear power plants. At the same time, it creates lots of well-paid jobs.
THE FUTURE OF THE UNION	<ul style="list-style-type: none"> The press plays a key role in a democracy, but national governments do not have to helplessly watch when journalists cross a line. If other Member States want to surrender themselves to the shameless press, they shall do so. But it is clearly still in your power as the Suavian President to defend yourself against such attacks. To be honest, you think the Union should not have anything to say in this case. If such articles do not have any consequences, such articles will become socially acceptable and the tone is getting rougher and rougher. So called “hate speech” is an increasing problem – not only in Suavia, but in the whole Union.
YOUR CLAIMS	<ul style="list-style-type: none"> Try to make it clear to the judges that you did not violate the values of the Union. But it could be helpful for a constructive atmosphere if you said again in your closing statement how important the common values of the Union are for you as well. You just wish there was more freedom for the nation states in the concrete interpretation and enforcement of these.

QUESTIONS YOU COULD ASK

- › How would you have reacted in our situation?
- › How can we find a balance between the freedom of the press and conflicting values, such as the right to personal honour?
- › How can cooperation within the Union work if states are forced to act against their sincere beliefs?
- › If we allow this to happen, how can we make sure that the media does not react even more brutally and defamatory after our next political decision?

NOTES

TRABADOR



Egbert Hemsworth, President of Trabador
Alwina Bianku, Legal adviser of the Trabadorian government

ABOUT YOUR PERSON

For seven years already, you are in office as the President of Trabador and his legal adviser. Trabador is a medium-sized country in the very North of the Union, far from the Union's capital.

And you are not only geographically far from the Union. While you appreciate the political cooperation within the Union in some fields, you think you generally know best what is good for you. The situation is unique in each Member State and this needs to be respected.

But lately the Commission has been interfering in Member States' internal affairs more and more, just like in the case of Suavia now. If the Member States let this happen you will lose what makes you special, your national identity and sovereignty.

The Union has reached a point where it becomes clear that there are very different ideas for its future development. It is important for you to help shape this discussion and to throw the question into the room whether it is really possible to enforce the same understanding of values among 26 Member States or whether the Union should not better focus on economic cooperation.

YOUR MAIN GOAL

Today, the judges will come to a decision in the case of Suavia. You think today's decision will be central for the Union's future.

It is in your interest that the judgement makes clear that nation states still have the power to decide how values are interpreted in the concrete case.

YOUR STRATEGY

- Listen carefully to the arguments of the others.
- Find weak points in the other's argumentations.
- Look for strong statements of other actors and support them if it strengthens your position.
- Suggest alternative interpretations of the Union's values.
- Just throw back critical questions to a questioner if you're stuck for an answer.

Your view of the case	
THE CASE OF SUAVIA	<ul style="list-style-type: none"> • In your view, Suavia cannot be described as an opponent of the free press. • The constitution itself says that also the freedom of the press has certain limits. On example is that the media is not allowed to show so-called "sensation pictures", e.g. pictures from heavily hurt people after an accident. • Another limit is the right to personal honor. Cecilia Bonello, the Suavian President, was clearly hurt in her personal honor by this dangerous and borderline article. • Freedom of the press – fair enough. You're quite sure that everyone present thinks that freedom of the press is important. But journalists are not all angels. Many people are very easily manipulated by the media and some journalists simply like to tell fairytales. There must be some form of control of the press as well, not only control of the government. • The press also must respect certain rules. It is a government's responsibility to intervene if this is not the case anymore.
THE FUTURE OF THE UNION	<ul style="list-style-type: none"> • You were already sceptical about this whole value discussion when the Inotican Constitution was created. • For you, the current disputes about the situation in Suavia only show that it simply does not work to define something as complex as values "from above" – and for 26 members! • It interferes too much with the national competences of Suavia, if the Court of Justice or Commission now wants to decide how values are interpreted.
YOUR CLAIMS	<ul style="list-style-type: none"> • You see that Suavia has touched the freedom of the press, but this was only for the good of other important aspects of our common Union such as the right to personal honor. • Suavia has thus not crossed any borders and should not be punished. It should be within the competence of national governments to deal with such a case.

QUESTIONS YOU COULD ASK

- › Imagine being Cecilia Bonello and being criticised in such a slanderous, unacceptable way. How would you react?
- › How can cooperation within the Union work if states are forced to act against their sincere beliefs?
- › Is it really possible to have the same understanding of values among 26 Member States?
- › Don't you think that this dictate from the Union can endanger the future of our Union even more than this harmless - and justified - action of Suavia?

NOTES

“REPORTERS FOR FREEDOM”



Monika Fratell, board member of “Reporters for Freedom”
David Valise, board member of “Reporters for Freedom”

ABOUT YOUR PERSON

You are board members of the internationally active organisation “Reporters for Freedom”. You studied politics and journalism and have worked as a correspondent for various magazines and TV programs.

“Reporters for Freedom is a Non-Governmental Organisation (NGO) standing up for freedom of the press and against censorship worldwide. Usually your organisation is active primarily in regions of the world where freedom of the press is completely disregarded and where democratic structures are still far from reality. The countries of the Inotican Union have so far not really been in the focus of your work.

However, recently this has changed with some alarming happenings in Suavia. You see strong restrictions on media diversity and freedom of the press there and fear that other Member States may follow in a similar direction.

Yourself both coming from a Member State of the Union, namely Kolbadia, you are very concerned about the latest developments.

YOUR MAIN GOAL

Today, the judges will make a decision in the case of Suavia. As you helped to initiate the case against both countries by communicating your concerns to the Commission, your goal is clearly to reach a powerful judgement by the Court of Justice.

YOUR STRATEGY

- You have the expertise of what can happen in countries where the freedom of the press is totally disregarded. Take a tough position and tell the others what is at stake.
- As a representative from an NGO you have less restrictions in your argumentation than the official government representatives. Use this chance!
- It is your task to strongly defend the Union’s values and to make clear why especially freedom of the press is important for society.
- Find the weak points in the other’s argumentations.

Your view of the case

THE CASE OF SUAVIA

- Freedom of the press is a human right and we have to show solidarity with everyone that is endangered to live out this right. Solidarity with "The Radical Ecologist"!
- Politicians are not angels. They do make mistakes, and some do also abuse the power that was given to them from the people. Press and media in general ~~is~~are needed as a control mechanism!
- Suavia did not directly make a mistake with the decision for new nuclear power plants. But it is absolutely okay to criticise the decision. The government has to cope with that.
- Where it is not allowed to report independently, we are not far from a situation where other rights and values are violated as well. What is the next step going to be? Saying goodbye to freedom of expression and not allowing citizens anymore to go on the streets and demonstrate?

THE FUTURE OF THE UNION

- You know how weakly freedom of the press is respected in other parts of the world. For this reason, you have always been thankful for having grown up in a Union of states where these basic rights are guaranteed.
- It gives you some hope that with the Inotican Union there is a chance that the national power of Suavia is being "undermined" and that the Court of Justice is bringing the situation under control.
- But the Union needs to act now! If it is not able to protect its central values, it will slip into meaninglessness!
- Each year you publish ranking about the freedom of the press for every country in the world. Until now, the Member States of the IU have always been among the coun-tries where journalists enjoy the biggest freedoms. But this year, Suavia might fall sharply in the ranking.
- This is not good for the overall image of the Union, which always presents itself as a community of values and freedom!

YOUR CLAIMS

- Suavia must be severely punished for its actions. Others might think that you're exag-gerating, but there definitely is the risk of a value loss.
- If the Court does not make a tough judgement now, other Member States of the Union might soon follow the example of Suavia and undermine other important community values.
- Suavia should at least lose its voting right in the Union for a while. If the situation in the country does not change, Suavia must be excluded from the Union.

QUESTIONS YOU COULD ASK

- › Think of the worst-case-scenario: Imagine our Union in some years, where every Member State just does what it likes without any respect for our common values. Do you think we will be able to further exist as a Union in such a scenario?
- › So far, the Union has a very good image worldwide. What are the consequences of the situation in Suavia for the Union's reputation?
- › Do you not see the risk of a domino effect?
- › To Suavia: Don't you think that for every government some sort of control is necessary? Why do you fear the controlling function of the press that much?

NOTES

KOLBADIA



Marietta Valonka, President of Kolbadia
Damian Balitz, Legal adviser of the Kolbadian government

ABOUT YOUR PERSON

You are the president of Kolbadia and her legal adviser. Kolbadia is a smaller country in the South of the Union. You are one of the newer Inotican Member States, becoming a member only three years ago.

It was your country's central political goal for a long while to join the IU, but for many years Kolbadia was not regarded to be ready for that. One reason was that freedom of the press did not really play a role in your country. To be able to become a member, you incorporated it into your national constitution. But to be honest, freedom of the press is still not taken too serious in Kolbadia.

You were very proud to be the President who finally accomplished this step of entering the Union, especially because of the economic prosperity that came along with it.

On the one hand, being finally part of the Union is very important for you and you don't want to risk becoming an "outsider" by being noticed in a negative way. On the other hand, you have governed Kolbadia for a long time only in a national context, without considering a "higher" community level. It is in some parts hard for you and your people to accept that there is an Inotican Court of Justice that could meddle in your national affairs.

Therefore, you think that it is only justified that Suavia and other countries as well wish to discuss the question of the Union's competence for these very national matters.

YOUR MAIN GOAL

Today, the judges will come to a decision in the case of Suavia. Although you have worked very hard to join the Union, you still fear all the obligations that the membership entails. You mainly joined because of economic reasons, values and principles are a matter of interpretation anyway. Thus, it is obviously in your interest that this whole debate on values is not overblown.

YOUR STRATEGY

- Look for strong statements of other actors and support them if it strengthens your position.
- As a relatively new Member State you don't want to make yourself unpopular, therefore you might argue more carefully than other actors.
- Try to find and propose compromises, if there are options for it. This could be your chance to take on the role of a kind of mediator.
- Keep in mind that you yourself would also prefer a judgement that leaves more power to the Member States.
- Thus, support good arguments of Suavia and other actors sharing this view.

Your view of the case	
THE CASE OF SUAVIA	<ul style="list-style-type: none"> • One should thus listen carefully to the arguments of Suavia before prejudging the country. • Article 7 clearly leaves room for limits to press freedom. • Every coin has two sides: Let us not forget to also discuss aspects such as privacy rights of individuals (including also politicians!). Certain limits of the freedom of the press are necessary, also in a democracy. • A free press is of course highly important, but the press as well must be controlled somehow – hate speech is the keyword. The president has maybe gone a bit too far by directly banning "The Radical Ecologist" but punishing the magazine for its radical statements is fine.
THE FUTURE OF THE UNION	<ul style="list-style-type: none"> • It is absolutely good that we attach great importance to the values of the Union, but we should leave room for action and individual interpretation in specific situations. • It is a difficult issue for those Member States who joined the Union later (like you) that you must simply adopt all rules and even the interpretation of values (!) defined by other countries in earlier years – long before you joined. For you, in some cases, this is difficult to explain to your voters and the Kolbadian citizens in general. • Sometimes it is also a thorn in your side that in the Union often the biggest states have the most say. That is why sometimes you also support, on principle, the smaller Member States such as Suavia against the assertive and dominant magnates, such as Martonia. • Art. 1 of the constitution also includes solidarity as one fundamental value of the IU. It is also no expression of solidarity when one Member State thinks that it can dominate everything and force its understanding upon all others. Just because Martonia interprets certain values in a special way, e.g. freedom of the press, doesn't mean that all other Member States must interpret it in the same way.
YOUR CLAIMS	<ul style="list-style-type: none"> • In your view, Suavia doesn't need to be punished. But you don't have to make a specific claim of punishment or non-punishment to the judge. • But you should ask them to weigh very carefully whether this really is a value violation, which must urgently be punished.

QUESTIONS YOU COULD ASK

- › Couldn't it also be overall harmful for the future of the Union, if the national policies of the Member States are too strictly controlled and dictated by the Union level?
- › How can it be possible to find a balance between the importance of community values and national autonomy of Member States?
- › Addressed to the critics: In what specific situations could the freedom of the press be restricted in your view?
- › Or do you believe that the values of the Union are above all else and leave no room for action in very specific situations?
- › What could a possible compromise look like?

NOTES

MARTONIA



Peter Bowle, President of Martonia
Anika Martinelli, Legal adviser of the Martonian government

ABOUT YOUR PERSON

You are proud to be the president and his legal adviser of Martonia, one of the biggest and economically strongest Member States of the Inotican Union, located in the Union's South-East. Although you are not one of the Union's founding members, you joined it quite quickly after its foundation and therefore played a significant role in its further development.

Certainly, your national identity still constitutes a crucial factor for your government as well as the Martonian citizens. But you think it is high time to move forward. Therefore, you were very relieved when, after many negotiations, a common constitution was finally signed some years ago. A constitution which, already in the first article, names the fundamental values and principles of the Union.

But it annoys you extremely that some Member States reopen the debate about these values and the interpretation of those again and again. By now, it should be clear that we are not just members of the Union for economic reasons but have also committed ourselves to certain values and principles. Full stop!

At the same time, you also enjoy a bit your role as a large, influential Member State that at the same time also takes over the moral superiority.

YOUR MAIN GOAL

Today, the judges will come to a decision in the case of Suavia. It is in your interest that Suavia gets punished for its recent activities, because this would be an important sign for our community of values.

YOUR STRATEGY

- Listen carefully to the arguments of the others.
- Find weak points in the other's argumentations and support those statements that strengthen your own position.
- Remind the others from time to time that today's negotiation is fundamental for the future of your Union.
- Don't lose sight of your main goal: the judges must take a decision showing that violations of the Union's fundamental values are not ignored!

- You are used to playing a leading role in shaping the Union’s further development. However, some don’t like this at all, so be aware that this could possibly lead to conflicts.

Your view of the case	
THE CASE OF SUAVIA	<ul style="list-style-type: none"> • Article 7 of the Union’s constitution guarantees the freedom of the press and there is no doubt that Suavia has violated this freedom. • One can certainly discuss whether a magazine has gone too far with its criticism. But this does not justify the radical interventions of the Suavian government. • Politicians must know that they are public figures, so you have to be able to deal with public criticism of their own person.
THE FUTURE OF THE UNION	<ul style="list-style-type: none"> • You haven’t agreed on common values in your constitution without a reason. You have decided all together to commit your political work as a Union as well as individual nation states to these values in order to guarantee the Inotican citizens fundamental rights. • You would have expected that the actions of the Suavian government would set alarm bells ringing for all other governments. You are shocked that apparently many actors think that Cecilia Bonello and her Team acted according to the Unions values. That fills you with concern for the future of your common Union. • The Inotican Union is proud of being a federation of democratic states that all respect the rule of law - we risk giving up our leading role in the world if we do not remain true to ourselves.
YOUR CLAIMS	<ul style="list-style-type: none"> • It’s not the moment for diplomatic words, the case is too delicate for that in your eyes. If Suavia continues to disrespect your shared values, it must be an option to exclude the country from the Union or at least to withdraw their right to vote. • It would be okay for you if today's decision is not yet that drastic. First of all, a fine could be imposed and a deadline by which Suavia must have reversed its action against “The Radical Ecologist”. • In the long term, however, it must be clear that such violations will not be accepted. At least not if you want to continue to be part of the Inotican Union.

QUESTIONS YOU COULD ASK

- › To Suavia: How would you assess your actions from the point of view of “The Radical Ecologist”?
- › How do you imagine our Union’s future based on the way you interpret our common values?
- › What is your main problem in recognising the Union level as a superordinate level?
- › Let’s do some straight talking: Why are you even a member of this Union, if you are not willing to respect our basic principles?

NOTES

READERSHIP OF “THE RADICAL ECOLOGIST”



Maria Paldoni, Reader of “The Radical Ecologist”
Jonathan Halday, Reader of “The Radical Ecologist”

ABOUT YOUR PERSON

You are citizens of the Inotican Union. Maria is from Suavia and Jonathan from Trabador. Today, you both attend the court proceedings in the case of Suavia because you are both subscribers and regular readers of “The Radical Ecologist”.

Together with other actors, such as “Reporters for Freedom”, you have expressed your concerns about the activities of the Suavian government to the Commission of the Inotican Union. You are very happy that the Commission took your concerns seriously and brought an action against the Suavian government before the Inotican Union’s Court of Justice.

The publisher of “The Radical Ecologist” is Suavian. But as it is an online magazine which, furthermore, often reports about topics concerning the whole Inotican Union, the magazine has a large readership throughout the countries of the Inotican Union.

You appreciate the magazine for its often very critical and clear words. You feel that the commercial newspapers are often only telling the same old stories without risking any critical word about current politics.

YOUR MAIN GOAL

Today, the judges will come to a decision in the case of Suavia. Your central goal obviously is that the ban on “The Radical Ecologist” is lifted.

YOUR STRATEGY

- Listen carefully to the arguments of the others.
- Find weak points in the other’s argumentations.
- Look for strong statements of other actors and support them if it strengthens your position.
- Often, politicians are not aware of what their decisions mean to the citizens. Make it clear to the others what it means for you if, from one day to the next, your main information medium is banned.

- To your advantage that you are not really bound by the rules of political diplomacy. Tell the others clearly what is at stake!

Your view of the case	
THE CASE OF SUAVIA	<ul style="list-style-type: none"> • You have anyway already been critical of the Suavian government in recent times due to its plans to build new nuclear power plants. But now you are really fed up! • How can a government of a "democratic" country just like that ban a magazine? Has anyone in this crazy government ever heard of freedom of the press? • Everyone knows that "The Radical Ecologist" often does not mince its words and, in contrast to many other "traditional" newspapers quite openly expresses its criticism. • This is not a bad thing! Not for nothing does Article 7 of the Union's constitution also protect the pluralism of the press! There must be offers for everybody's taste. This is why there are also satirical articles in very conservative magazines. • Vice versa, you wouldn't dream of suggesting the pro-government newspaper be banned, because it is not critical enough and doesn't "control" the government in a way the media should do. • To be honest, you think that the Suavian government fears free reporting, because having access to comprehensive information is the first step towards a critical society and change.
THE FUTURE OF THE UNION	<ul style="list-style-type: none"> • You are generally speaking in favourfavor of the Inotican Union which is why you also contacted the Inotican Commission with your concerns. • But you also know that the Inotican Union is not always very assertive and does not always use its competences effectively. • You are here today to tell the institutions of the IU: We need you! We are your citizens and expect you to protect our rights and fight for our values! • The Union is currently at a critical point where not all citizens trust it and are enthusiastic about it. This would be the chance to show them that the Union is actually a community for its citizens and of values!
YOUR CLAIMS	<ul style="list-style-type: none"> • Most importantly: "The Radical Ecologist" must be able to publish again! • It would also only be fair if the magazine received financial compensation for not being able to earn any profits over the past few months.

QUESTIONS YOU COULD ASK

- › Honestly, what did "The Radical Ecologist" do wrong? Is it such a crime to criticise the head of government in a slightly creative way?
- › Democracy means that the power comes from the people. How can citizens make their own decisions if they are not informed well enough? What would be the basis for their decisions?
- › If a government can forbid magazines, newspapers etc. that it thinks are too critical of its politics, which options are left to control the government? How can the public be informed about mistakes of the government?
- › Do you not see the risk that the Union will dig its own grave if it fails to defend its values?

NOTES

FANTOLIUM



Ben Ghikas, President

Karolina Virtanen, Legal adviser of the Fantolian government

ABOUT YOUR PERSON

You are the president of Fantolium as well as his legal adviser. Fantolium is a middle-sized country lying in the South-West of the Inotican Union and is one of the IU's five founding members.

Many years ago, your predecessors were the driving force behind integrating the countries of the Inotican continent and finding a common path. You are very proud of this development and don't want to endanger it. It is also Fantolium where the capital of the Union is located. With the creation of the Union, Kantula, the biggest city in Fantolium, became the home of the main institutions of the Union – including the Court of Justice as well as the Inotican Commission.

A few years ago, in order to continue the tradition of your predecessors, you also strongly supported the creation of a common constitution for the IU. You felt it was time to take the next step.

However, you cannot understand why some governments and actors are interpreting these values so seriously. You've always seen the constitution and the common values more as a helpful guidance than a strict "cage" from which the Member States may under no circumstances step out even a centimeter.

YOUR MAIN GOAL

Today, the judges will come to a decision in the case of Suavia. Your central goal is to keep the Union together and find back to a common path of finding solutions together instead of accusing each other.

YOUR STRATEGY

- Listen carefully to the arguments of the others.
- Try to find common ground and possible solutions.
- Tell the ardent defenders of freedom of the press that they might be taking that principle a little too literally. They, too, must show some will to meet the others halfway.
- Especially in recent times there has been an increasing risk of the Union drifting apart. Therefore, always try to mediate compromise.
- Due to Fantolium's special role in the IU, you feel like you have a particularly strong influence. Play your role to the full!

Your view of the case	
THE CASE OF SUAVIA	<ul style="list-style-type: none"> Of course, it is not right to simply forbid a magazine that becomes uncomfortable. But not for nothing does the constitution also include the possibility of certain limits of the freedom of the press. The case of Suavia made you immediately think of a similar case that happened some years ago. The case was about Marianne from the Egerston Family, an old noble family from Martonia, who took legal action against the repeated publication of paparazzi-pictures from her private life. There were several lawsuits that went through all instances up to the Inotican Court of Justice. The final, so-called "Marianne-judgement" included certain restrictions for the Inotican press concerning reporting about details of the private life of celebrities. It entailed that it generally must be accepted by persons of public life that there is a public interest in their life (and that private, publiclypublicly unknown people always need more protection than people known to the public). However, the judgement stated that this public interest must have limits, e.g. when it comes to marriage problems or money worries of famous people. Of course, this judgement does not fit one-to-one with Suavia's case as it was mainly for celebrities and did not exactly talk about politicians. But it might also be interesting for today's case as it shows that there can definitely be limits of freedom of the press in specific cases.
THE FUTURE OF THE UNION	<ul style="list-style-type: none"> Of course, the values of the Union are important. They weren't defined for nothing. But you have the feeling that the current interpretation of the constitution by some Member States does no longer go in the direction that you once intended. You very much doubt that the Union will exist in the long run and that it will receive sufficient support if it makes top-down decisions and takes away all power from national governments. This is not the way the Union will receive support from the population and the national governments. Therefore, it is only in the interest of the Union, if it leaves a little more freedom here.
YOUR CLAIMS	<ul style="list-style-type: none"> Suavia should not be punished. We will lose the people's confidence and trust in our Union if it acts only as a tough watchdog that restricts national states in their sovereignty.

QUESTIONS YOU COULD ASK

- > In a common Union, we must also take into account national differences and different speeds. Don't you maybe miss the sense of cooperation as well when trying to force others to adopt your very strict understanding of freedom of the press?
- > Do you think it is possible to define the concrete interpretation of values in every detail for all of us?
- > Wouldn't it be better to set our common values as rough guidelines for all of us but at the same time leave enough freedom for the exact implementation on national level?

NOTES



TRABADOR



TRABADOR



SUAVIA



SUAVIA



INOTICAN COMMISSION



INOTICAN COMMISSION



COURT OF JUSTICE



COURT OF JUSTICE



KOLBADIA

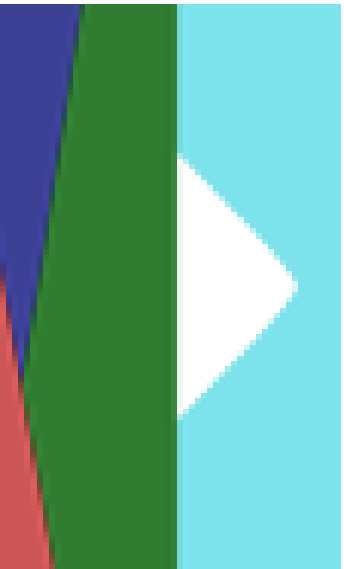


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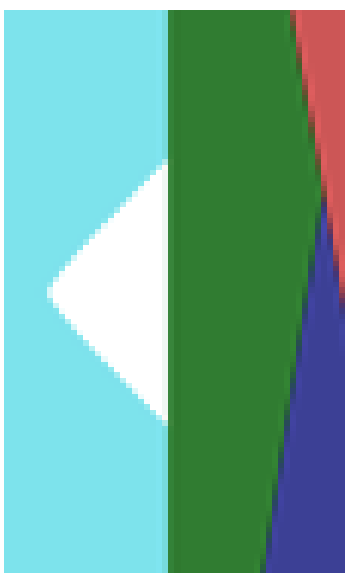
MARTONIA



MARTONIA

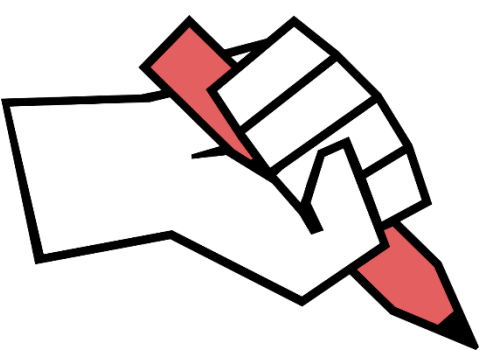


FANTOLIUM



FANTOLIUM

REPORTERS FOR FREEDOM



REPORTERS FOR FREEDOM



READERSHIP



READERSHIP

SUAVIA



CECILIA BONELLO
President

TRABADOR



EGBERT HEMSWORTH
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KOLBADIA



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NICHOLAS MC EVANS
Judge

READERSHIP



MARIA PALDONI
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JONATHAN HALDAY
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